



## DEPARTMENT OF CITY PLANNING APPEAL RECOMMENDATION REPORT

### City Planning Commission

**Date:** October 24, 2019  
**Time:** After 8:30 am  
**Place:** Van Nuys City Hall  
Council Chambers, 2<sup>nd</sup> Floor  
14410 Sylvan Street  
Van Nuys, CA 91401

**Public Hearing:** No

**Appeal Status:** Not Further Appealable

**Expiration Date:** October 29, 2019

**Multiple Approvals:** Yes

**Case No.:** DIR-2018-4224-DB-SPP-1A  
**CEQA No.:** ENV-2018-4225-CE  
**Council No.:** 3 – Blumenfield  
**Plan Area:** Encino-Tarzana  
**Specific Plan:** Ventura/Cahuenga Boulevard Corridor  
**Certified NC:** Tarzana  
**GPLU:** Community Commercial  
**Zone:** C2-1L

**Applicant:** Issac Mizrahi,  
Etrog Properties, LLC

**Representative:** Daniel Ahadian  
Nur-Development/Consulting

**Appellant:** David Garfinkle,  
Tarzana Property Owners  
Association

**PROJECT LOCATION:** 5431-5505 N. Reseda Boulevard

**PROPOSED PROJECT:** The construction of a 5-story, 56-foot high, 40-unit apartment building with approximately 2,546 square feet of commercial floor area on the ground floor and two levels of subterranean parking, on an approximately 11,682 square-foot site (prior to dedication) in the C2-1L Zone. The project is located within the Ventura/Cahuenga Boulevard Corridor Specific Plan. The project proposes to set aside five units or 15 percent of the base dwelling units, for Very Low Income Households.

**APPEAL:** An appeal of the August 1, 2019 Planning Determination which:

1. **Determined** that based on the whole of the administrative record, the Project is exempt from CEQA pursuant to State CEQA Guidelines, Section 15332, Class 32, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. **Approved** the construction of a new five-story, 56-foot high, mixed-use building with 2,546 commercial square feet on the ground floor and 40 residential units on the upper floors, reserving 5 units for Very Low Income household occupancy, for a period of 55 years and the following requested incentives:

- a. **Floor Area Ratio (FAR).** An FAR of 3.0:1 in lieu of the 1.25:1 FAR permitted by Section 6.B.1.a. of the Ventura/Cahuenga Boulevard Corridor Specific Plan.
  - b. **Height.** An eleven-foot increase in height allowing 56 feet in height in lieu of the 45-foot maximum height permitted by Section 7.E.1.d.2.i. of the Ventura/Cahuenga Boulevard Corridor Specific Plan.
  - c. **Lot Coverage.** A lot coverage of 86 percent in lieu of the 75 percent maximum lot coverage allowed by Section 7.B.1. of the Ventura/Cahuenga Boulevard Corridor Specific Plan (See Note below regarding appeal).
3. **Approved with Conditions** a Project Permit Compliance Review to permit the construction of a new five-story, mixed-use project with 40 residential units and 2,546 square feet of commercial area and signage on an approximate 11,682 square-foot site; and
  4. **Adopted** the attached Findings.

Note: The Director's decision regarding the Density Bonus entitlement was not eligible for appeal by the Appellant since Tarzana Property Owners Association is not an abutting owner or occupant, pursuant to LAMC Section 12.22.A.25(g)(2)(f) which states that an applicant or any owner or tenant of a property abutting, across the street or alley from, or having a common corner with the subject property aggrieved by the Director's decision may appeal the decision to the City Planning Commission pursuant to applicable procedures set forth in Section 11.5.7 C.6. of this Code that are not in conflict with the provisions of this paragraph (g)(2)(i).

**RECOMMENDED  
ACTIONS:**

1. **Determine** that based on the whole of the administrative record, the Project is exempt from CEQA pursuant to State CEQA Guidelines, Section 15332, Class 32, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.
2. **Dismiss the appeal** of the Density Bonus Affordable Housing Incentive Program project for the construction of a new five-story, 56-foot high, mixed-use building with 2,546 commercial square feet on the ground floor and 40 residential units on the upper floors, reserving 5 units for Very Low Income household occupancy, for a period of 55 years and the following requested incentives:
  - a. **Floor Area Ratio (FAR).** An FAR of 3.0:1 in lieu of the 1.25:1 FAR permitted by Section 6.B.1.a. of the Ventura/Cahuenga Boulevard Corridor Specific Plan.
  - b. **Height.** An eleven-foot increase in height allowing 56 feet in height in lieu of the 45-foot maximum height permitted by Section 7.E.1.d.2.i. of the Ventura/Cahuenga Boulevard Corridor Specific Plan.
  - c. **Lot Coverage.** A lot coverage of 86 percent in lieu of the 75 percent maximum lot coverage allowed by Section 7.B.1. of the Ventura/Cahuenga Boulevard Corridor Specific Plan.

3. **Deny the appeal and Sustain** the Director of Planning's Determination approving a Project Permit Compliance for the construction of a new five-story, mixed-use project with 40 residential units and 2,546 square feet of commercial area and signage on an approximate 11,682 square-foot site.
4. **Adopt** the Director of Planning's Conditions of Approval and Findings.

**VINCENT P. BERTONI, AICP**  
Director of Planning



Blake Lamb, Principal City Planner



Michelle Levy, Senior City Planner



Sarah Hounsell, City Planner



Lucerito Martinez, Planning Associate  
818.374.5058 / lucy.martinez@lacity.org

ADVICE TO PUBLIC: The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the Commission Secretariat, Room 272, 200 North Spring Street, Los Angeles, CA 90012 (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commissions meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to this programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1300.

## TABLE OF CONTENTS

<b>Project Analysis .....</b>	<b>A-1</b>
<b>Appeal Analysis .....</b>	<b>A-4</b>
<b>Staff Conclusion and Recommendation.....</b>	<b>A-6</b>

### **Exhibits:**

Exhibit A: Project Plans

Exhibit B: Appeal Documents

Exhibit C: Director's Determination DIR-2018-4224-DB-SPP

Exhibit D: Categorical Exemption (ENV-2018-4225-CE)

Exhibit E: BOE Memo dated November 30, 2018

Exhibit F: Affordable Housing Referral Form

## PROJECT ANALYSIS

### Project Summary

The project includes the demolition of two one-story commercial buildings totaling 3,678 square feet and the subsequent construction of a new five-story, 56-foot high building with 2,546 square feet of ground floor commercial and 40 residential units on the upper floors. The unit count includes eight studios, 24 one-bedroom apartments, and eight two-bedroom apartments. The Los Angeles Municipal Code (LAMC) Section 12.21 A.4. would require a total of 60 residential parking spaces onsite, however the project is providing the 48 residential automobile parking spaces pursuant to LAMC Section 12.22.A25 parking Option 1. Specific Plan Section 7.F.1. requires one parking space for every 100 square feet of restaurant use and one parking space for every 250 square feet of retail use. The project is providing the equivalent of 19 commercial automobile parking spaces (16 automobile parking spaces and 12 bicycle parking spaces in lieu of the other 3 automobile parking spaces required as permitted by the Bike Parking Ordinance) for the 1,540 square-foot restaurant and the 1,006 square-foot retail space on the ground floor. The parking is provided within two levels of subterranean parking and at grade parking with access from the rear 20-foot wide alley. The project also includes a sign program for future commercial tenants in accordance to the Specific Plan Section 8.

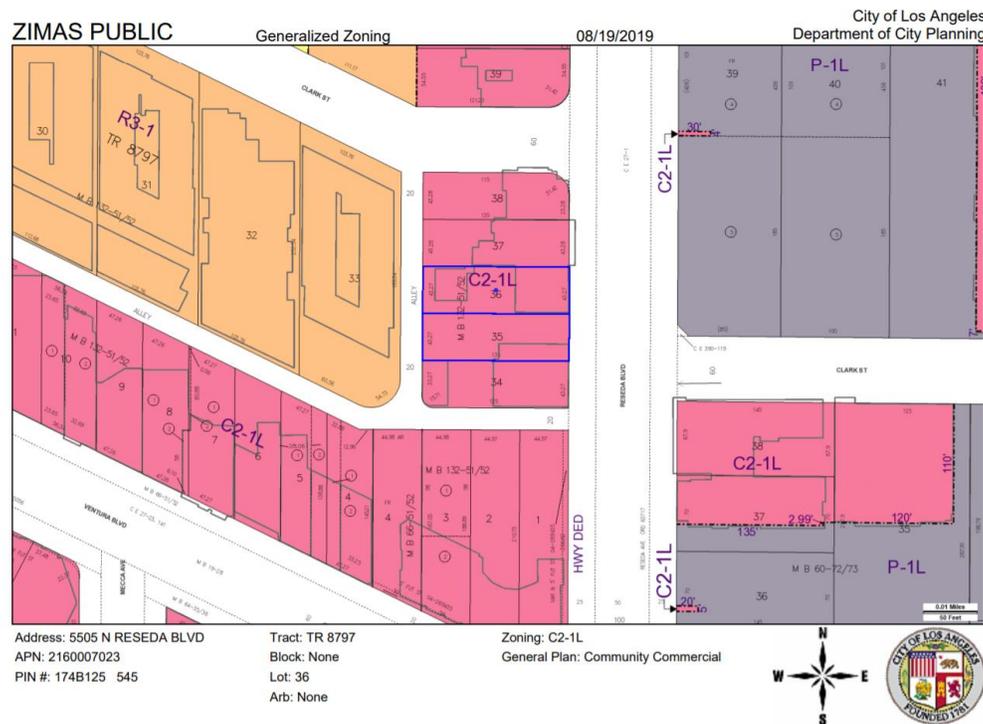


### Project Background

The site is composed of two flat and rectangular lots with a combined street frontage of approximate 86 feet along Reseda Boulevard, a depth of approximate 135 feet, and an approximate total square footage of 11,682. The Bureau of Engineering is requiring a five-foot dedication along the property frontage on Reseda Boulevard (which will create a site with a net square footage of approximately 11,180). The site faces Reseda Boulevard to the east and a 20-

foot alley to the west. The site is zoned C2-1L, is located with the Encino – Tarzana Community Plan area and has a Land Use Designation of Community Commercial. The site is subject to ZI-2427 Freeway Adjacent Advisory Notice for Sensitive Uses, being located 991 feet to the south of the US 101 Freeway. The site is currently improved with three commercial buildings built in 1937 and 1952, however, none of the structures onsite are listed in any local, state, or national historic database.

The site is adjacent to properties zoned C2-1L developed with one-story commercial businesses to the north and south, a surface parking lot within a commercial shopping center zoned P-1L to the east across from Reseda Boulevard and a two-story multi-family building in the R3-1 zone to the west across the 20-foot alley.



The site is also located within the Ventura/Cahuenga Boulevard Corridor Specific Plan and within the Community Commercial Land Use Designation. The project is not located within a Pedestrian Oriented Area, Regionally Impacted Area, Pedestrian Development District, or Restricted Use Area of the Specific Plan and is thus not subject to the use restrictions and prohibitions listed under Section 5 of the Specific Plan. The site is also subject to the Tarzana Streetscape Plan along the sidewalk frontage.

The site is located in an area of the Specific Plan which limits Lot Coverage to 75 percent, Floor Area Ratio (FAR) to 1.25:1, and height to 45 feet. The applicant requested a Density Bonus with incentives to allow an increase in FAR from 1.25:1 to 3.0:1, an increase in Lot Coverage from 75 percent to 86 percent, and an increase of 11 feet in height. The project also applied for a 25 percent density increase and chose Parking Option 1. LAMC Section 12.22.A.25(g)(2)(f) states that an applicant or any owner or tenant of a property abutting, across the street or alley from, or having a common corner with the subject property may appeal a Density Bonus approval. However, the appellant is not an abutting owner or occupant and thus the Density Bonus approval is final.

	<b>Specific Plan</b>	<b>Density Bonus</b>
<b>FAR</b>	1.25:1	3.0:1
<b>Height</b>	45 feet	56 feet
<b>Lot Coverage</b>	75 percent	86 percent

	<b>LAMC</b>	<b>Project</b>
<b>Density</b>	32 dwelling units	40 dwelling units (25 percent increase)
<b>Residential Parking</b>	60 parking spaces	48 parking spaces

**Streets:**

Reseda Boulevard is a Boulevard II with a standard dedicated right-of-way of 110 feet and a dedicated roadway width of 80 feet. The project site has a current width of approximately 100 feet. The Bureau of Engineering (BOE) is requiring a 5-foot wide strip of land along the property's frontage to complete a 55-foot half right-of-way. BOE is also requiring the constructing of a new 15-foot full-width concrete sidewalk, to repair and/or repair all broken, off-grade or bad order to concrete curb and gutter, and to close all unused driveways with full-width concrete sidewalk, integral concrete curb and 2-foot gutter.

The Public Alley, abutting the subject property to the east, is improved to a 20-foot width. BOE is requiring the reconstruction of the alley pavement and the 2-foot longitudinal concrete gutter along the project side and off-site northerly to Clark Street and to reconstruct the alley intersection at Clark Street to City Standards.

Density Bonus

In accordance with California State Law (including Senate Bill 1818, and Assembly Bills 2280 and 2222), the applicant utilized Section 12.22 A.25 (Density Bonus) of the Los Angeles Municipal Code (LAMC), which permits a density bonus of up to 35 percent. The project was approved for a 25 percent density bonus to permit 40 dwelling units in lieu of the maximum by-right density limit of 32 dwelling units on the property. The density bonus was automatically granted in exchange for the applicant setting aside a portion of dwelling units, in this case five (5), for habitation by Very Low Income Households, for a period of 55 years. Consistent with the Density Bonus Ordinance, the project was also automatically granted a reduction in required parking based on Parking Option 1 and the following three on-menu incentives: a) an FAR of 3.0:1 in lieu of the 1:1 FAR permitted by the Specific Plan, b) an increase in height of 11 feet to permit a maximum height of 56 feet in lieu of the 45-foot height limit of the Specific Plan, and c) a lot coverage of 86 percent in lieu of the 75 percent maximum lot coverage allowed by the Specific Plan. LAMC Section 12.22.A.25(g)(2)(f) states that an applicant or any owner or tenant of a property abutting, across the street or alley from, or having a common corner with the subject property may appeal a Density Bonus approval. The Density Bonus was not appealed by an abutting owner or occupant and thus the Density Bonus approval is final.

AB 2556 (Housing Replacement)

Pursuant to the AB 2556 Determination made by the Los Angeles Housing and Community Investment Department (HCIDLA) dated July 3, 2018, the site was previously developed with commercial properties and thus no replacement of affordable units is required.

## APPEAL ANALYSIS

On August 1, 2019, the Director of Planning issued a Determination that conditionally approved a Project Permit Compliance and Density Bonus Affordable Housing Incentive Program project. On August 15, 2019, an appeal was filed by David Garfinkle from the Tarzana Property Owners Association for the entire decision of the Director of Planning. According to LAMC Section 12.36 when there are two or more approvals under the Director of Planning, and any of those approvals are to be heard by the City Planning Commission on appeal, then the City Planning Commission shall decide all appeals of decisions of the Director as the initial decision-maker. Although the Project Permit Compliance is appealable by the applicant or any other person aggrieved by the decision, the Density Bonus is only appealable by the applicant or any owner or tenant of a property abutting, across the street or alley from, or having a common corner with the project subject to the Density Bonus approval. The appellant is not an abutting owner and tenant, and thus only the Project Permit Compliance decision is subject to the appeal.

The appeal requests the modification of the proposed automobile ingress and egress access to the site, opposes the height increase of 11 feet, and states concern for the enforceability of the 55 year duration for the set aside Very Low Income units.

The following is a summary of the appeal points submitted by the appellant and staff's responses to the appeal points. The appeal in its entirety is attached for reference (see Exhibit C).

### Appeal Points and Staff Responses

#### ***Appeal point No. 1***

#### ***Vehicle ingress and egress should not be provided from the alley.***

*The appellant believes the project should not provide automobile access off of the rear alley due number of cars parked on the multi-family zoned lots adjacent to the alley, the existing utility poles which reduce the width of the 20-foot alley, the traffic resulting from the residential and commercial uses that have automobile access off the alley, and the concerned for safety for automobiles exiting the underground parking.*

#### **Staff's Response:**

#### Alley Width and Access

The Mobility Plan 2035 (Plan) provides the policy foundation for achieving a transportation system that balances the needs of all road users and incorporates "complete streets" principles and lays the policy foundation for how future generations of Angelenos interact with their streets. The *Complete Streets Design Guide* accompanies Mobility Plan 2035, and lays out a vision for designing safe, accessible and vibrant streets in Los Angeles. As outlined in California's Complete Streets Act of 2008 (AB 1358), the goal of Complete Streets is to ensure that the safety, accessibility, and convenience of all transportation users – pedestrians, bicyclists, transit riders, and motorists – is accommodated. When streets are continually widened to accommodate more vehicular volume, they create an induced demand for car travel that only encourages future traffic congestion. Los Angeles' streets serve a much larger purpose than just moving cars. They can provide lively gathering places that foster community building and neighborhood identity. Complete Streets encourage healthy recreational activities such as walking, running, and bicycling, and they can boost the economic activity and visibility of storefront businesses. Overall, a city that is designed for Complete Streets prioritizes people over cars, and safety over speed.

The project as proposed meets many of the *Complete Streets Design Guidelines*. Complete Streets design automobile access off the alleys when possible in order to help create a more pedestrian friendly environment on the streets. The proposed project will be widening the sidewalk to a 15-foot width, closing an existing driveway on Reseda Boulevard, and will provide pedestrian only access at the existing commercial properties to the north and south, creating a more inviting and safer pedestrian environment along Reseda Boulevard. The project fronts a T-intersection at Reseda Boulevard and Clark Street. By providing pedestrian only access off the alley, it detours through traffic from Clark Street onto the site and eliminates future queuing of cars.

Furthermore, the Bureau of Engineering (BOE) has conditioned the project to improve the alley adjacent to the site and to the intersection of the alley and Clark Avenue (approximately 175 feet), dedicate five-feet along Reseda Boulevard, close the previously existing driveway, and construct new 15-foot wide concrete sidewalks (BOE Memo dated November 30, 2018). The project has also been conditioned to obtain approval from BOE and the Department of Transportation (DOT) for the parking and driveway circulation.

The majority of the residential and commercial buildings have automobile access off their adjacent alley. The project is located on a block bounded by Reseda Boulevard to the east, Yolanda Avenue to the west, Clark Street to the north, and Ventura Boulevard to the south. The block has three partial alleys, one with an access from Yolanda Avenue which reaches half of the block (parallel to Ventura Boulevard), one from access from Reseda Boulevard (parallel to Ventura Boulevard) which also reaches half of the block, and one with access from Clark Street (parallel to Reseda Boulevard) which is adjacent to the site. The site's adjacent alley serves the multi-family apartment to the west, the subject site, and the adjacent commercial property to the north. The property located two parcels to the north at the southwest corner of Reseda Boulevard and Clark Avenue has automobile access to the alley and onto Clark Street. The adjacent property to the south, although is located in the intersection of two alleys, has automobile access from the southern alley with access to Reseda Avenue. Thus automobile access on the alley is further alleviated by the project's proximity and access to Reseda Boulevard and Clark Street.

### ***Appeal point No. 2***

***Neighborhood Character.*** *The appellant states the proposed five-story, 56-foot high, 40-unit apartment building with approximately 2,546 square feet of commercial floor area on the ground floor project is out of character from existing development and that there are no projects with a height of 56 feet.*

### **Staff's Response:**

The project is located on a site surrounded by lots zoned C2-1L and P-1L to the north, south, and east across from Reseda Boulevard. The site is adjacent to the R3-1 zone to the west across a 20-foot alley. The site is surrounded by commercial uses to the north, south, and to the east across from Reseda Boulevard including a grocery store with surface parking across Reseda Boulevard and community serving commercial uses such as restaurants, beauty and nail salons, coffee shops, a pharmacy and other grocery store which can be accessed from Reseda Boulevard and Ventura Boulevard. The site is adjacent to multi-family housing to the west across the existing 20-foot alley. Properties to south facing Clark street are zoned R3-1 and are developed with multi-family buildings which range from two-story to three-story and three-story over at grade parking multi-family buildings. The Encino-Tarzana Hospital and other medical and office buildings are located approximately 600 feet to east and northeast of the site. The 101 Freeway is located approximately 991 feet to the north.

On January 26, 2017, a five-story, 56-foot high, mixed-use building containing 170 residential dwelling units (including 20 units set aside for Very Low Income Households) and 6,000 square-feet of retail use/restaurant with at grade parking and two levels of subterranean parking with 317 parking spaces (Case No. CPC-2016-2881-GPA-VZC-DB-SPP-SPR) was approved approximately 145 feet to the north of the site on the northwest corner of Reseda Boulevard and Clark Street. The case was not appealed. This previously approved project has a height of 56-feet to parapet line and 68 feet to the top of the rooftop structures while the proposed project will have a maximum height of 56 feet including rooftop structures.

The site is also located approximately 875 feet to the southwest of the Encino Tarzana Hospital which is composed of a number of structures including an eight-story 96-foot high building (18365 Clark Street) and a six-story 94-foot high medical building (18321 Clark Street) built in the 1970s. Furthermore, approximately 950 feet to the northeast of the site near the corner of Reseda Boulevard and Burbank Boulevard and south of the 101 freeway there is a four-story 60-foot high office building (18455 Burbank Boulevard) built in the 1960s and a seven-story 73-foot high office building (18425 Burbank Boulevard) built in the 1980s. There is also a 3-story 49-foot high medical building approximately 510 feet to the north of the site (5567 Reseda Boulevard) built in the 1980s. Therefore, the existing setting includes a variety of building heights, with many structures taller than the proposed project.

***Appeal points No. 3*** *The appellant expresses concern for the enforceability of the 55-year affordability of the five set aside units for Very Low Income Households.*

**Staff's Response:**

The project has been conditioned to execute a covenant to the satisfaction the Los Angeles Housing and Community Investment Department (HCIDLA) for the setting aside of five units for Very Low Income Households prior to the issuance of a Building Permit. The covenant will establish that HCIDLA must approve any prospective tenant or buyer before they move-in or purchase the restricted unit. The property management or sales agent must submit income documentation for HCIDLA's review and approval. The management company will also be required to submit an occupancy summary report annually. As part of the Covenant, HCIDLA has the right to inspect restricted units. Residents must report their income as part of the Covenants annual reporting requirements.

If the property is for sale, HCIDLA reviews the income eligibility of applicants and makes sure the sales price is within the maximum sales price limit set by HCIDLA land use unit. If the property changes hands, HCIDLA must be notified of ownership or property management changes. The Covenant is a recorded document and runs with the land and any new owners must also follow the restrictions of the Covenant recorded on the property. Therefore, the city will enforce the affordability covenant on the subject property as it continues to do citywide.

## **STAFF RECOMMENDATIONS**

For reasons stated herein, and in the findings of the Director's Determination, the proposed project complies with the Environmental Quality Act (CEQA) and the applicable provisions of the Ventura/Cahuenga Boulevard Corridor Specific Plan, except for the deviations granted under the approved Density Bonus Housing Affordable Housing Incentive Program. Based on the complete plans submitted by the applicant and considering the appellant's arguments for appeal, staff has determined that the project meets the required findings.

Therefore, staff recommends that the City Planning Commission affirm that the project is categorically exempt from environmental review, deny the appeal and sustain the Director's Determination, and adopt the Conditions of Approval and Findings, approving a Project Permit Compliance for a project located within the Ventura/Cahuenga Boulevard Corridor Specific Plan.

ADDRESS:  
5501-5505 N RESEDA BLVD

PROJECT:  
MIX-USE BUILDING W/37 UNITS

OWNER:  
ETROG PROPERTIES LLC  
5503 N RESEDA BLVD  
LOS ANGELES, CA 91356

ARCHITECTURAL DESIGNER :  
B RAEEN CONSTRUCTION  
11040 SANTA MONICA BLVD, SUITE 326  
LOS ANGELES, CA 90025

LAND USE CONSULTANT:  
NUR - DEVELOPMENT | CONSULTING  
1601 S GENESEE AVE  
LOS ANGELES, CA 90019  
WWW.NURDEVELOPMENT.COM



**EXHIBIT "A"**  
Page No. 1 of 12  
Case No. DIR-2018-4224-DB-SPP



REVISIONS BY

THESE DRAWINGS, BEING UNCORRECTED, ARE NOT TO BE USED FOR CONSTRUCTION OR FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE ENGINEER.

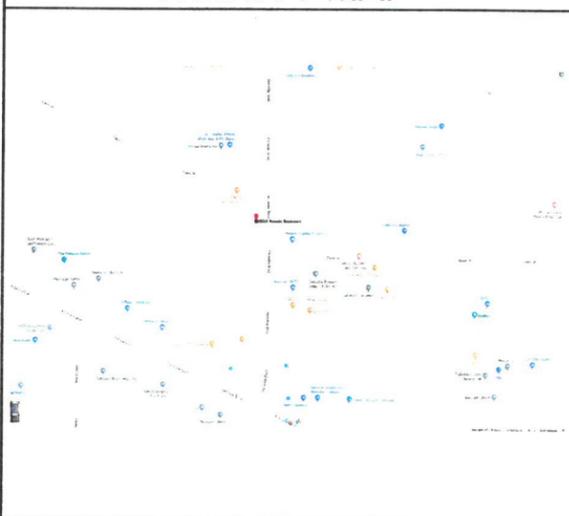
**B. RAEEN**  
CONSULTANT ENGINEER, INC.,  
11040 SANTA MONICA BLVD, SUITE 326, LOS ANGELES, CA 90025



MIX-USE BUILDING W/37 UNITS  
5503 N RESEDA BLVD  
LOS ANGELES, CA 91356

Scale:  
Drawn:  
Job:  
Sheet:  
**T-1**  
Sheet

VICINITY MAP



LEGAL DESCRIPTION

LOT 35 AND 36 OF TRACT NO. 8797, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS PER MAP RECORDED IN BOOK 132 PAGES 51 TO 52 OF MAPS, IN THE OFFICE OF COUNTY RECORDER OF SAID COUNTY.

PROJECT SUMMARY

PROJECT SUMMARY BY <b>nur</b> DEVELOPMENT   CONSULTING	
PROJECT DESCRIPTION CONSTRUCTION OF A 40 UNIT, 6-STORY, 56' HIGH, MIXED USE BUILDING CONSISTING OF 4 LEVELS OF RESIDENTIAL OVER 2 LEVELS OF SUBTERRANEAN PARKING WITH 64 PARKING STALLS AND 2,646 SQ FT OF COMMERCIAL ON THE GROUND FLOOR. 6 UNITS ARE SET ASIDE FOR VERY LOW	
LOT AREA	
GROSS	11,682.6
DEDICATION	432
NET	11,250.6
1/2 ALLEY	865
NET + 1/2 ALLEY	12,115.6
ZONING	C2-1L
RESIDENTIAL DENSITY	
DENSITY RATIO	1 DU/400 SF
BASE DENSITY: 12,547.5 / 400 = 31.3	32
DENSITY BONUS: 32 x 35% = 11.2	12
MAXIMUM DENSITY ALLOWED: 32 + 12 = 44	44
AFFORDABLE FOR 3 INCENTIVES: 32 x 15% = 4.8	5 VLI
LINKAGE FEE EXEMPTION: 44 x 11% = 4.84	5 VLI
TOTAL PROVIDED UNITS	40
MARKET RATE UNITS	35
VLI UNITS	6
RESIDENTIAL UNIT MIX	
STUDIO	8
1-BR	24
2-BR	6
TOTAL	40
FAR & SQUARE FOOTAGE	
BUILDABLE AREA	11,682.6
MAX FLOOR AREA PER DB ON MENU INCENTIVE: (3-1 FAR)	35,048
RESIDENTIAL FLOOR AREA PROVIDED	31,941
COMMERCIAL FLOOR AREA PROVIDED	2,546
TOTAL FLOOR AREA PROVIDED	34,487
LOT COVERAGE	
MAX LOT COVERAGE PER VC SP: 11,250.6 x 75% = 8,438	8,438
MAX LOT COVERAGE W/ DB: 8,438 + 20% = 10,125	10,125
PROVIDED LOT COVERAGE	10,034
HEIGHT / STORIES	
MAX HEIGHT / STORIES PER VC SP	45' / UNLIMITED
MAX HEIGHT / STORIES W/ DB ON MENU INCENTIVE	56' / UNLIMITED
PROPOSED HEIGHT	56' / 5-STORIES

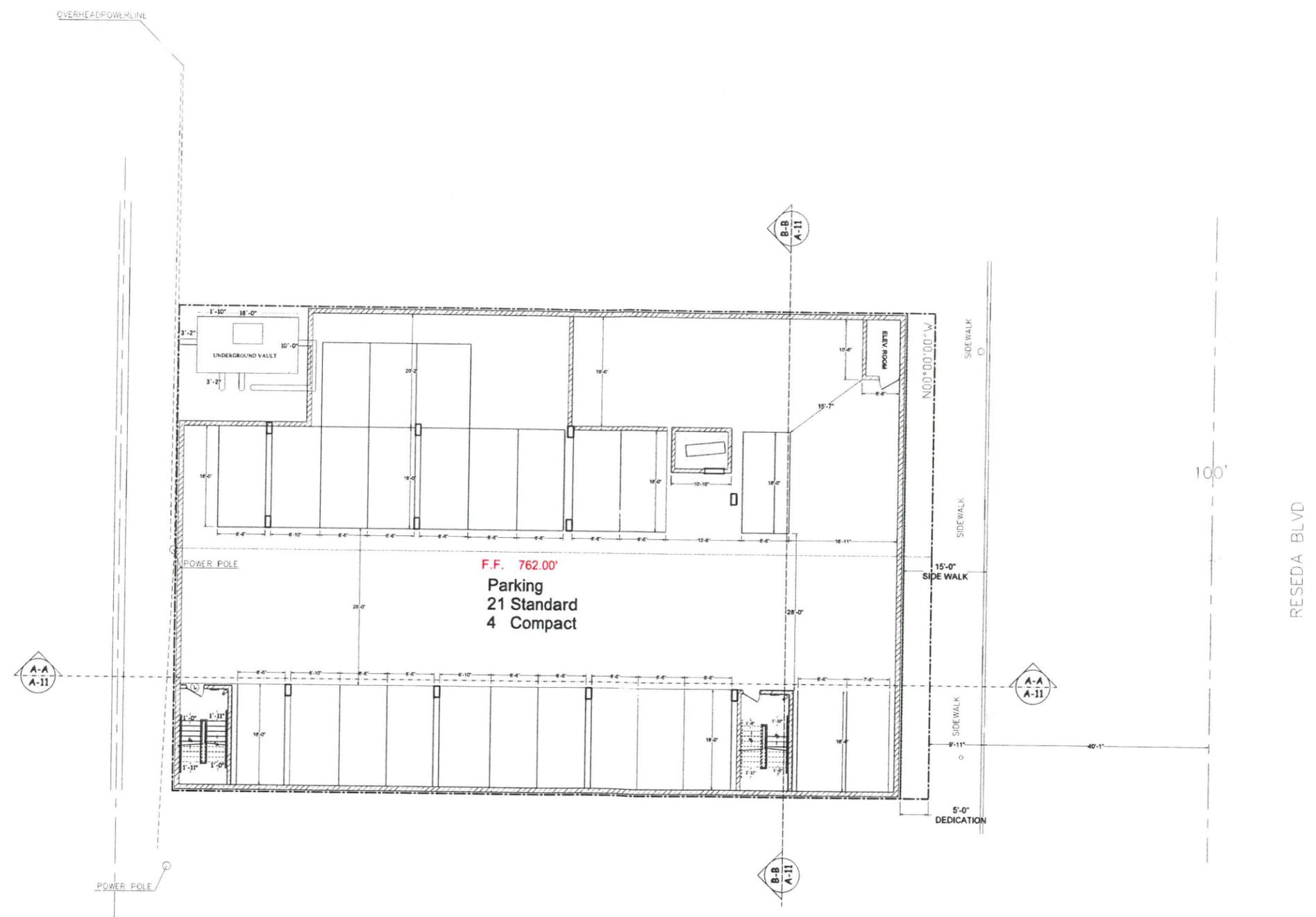
AUTO PARKING	
RESIDENTIAL REQUIRED PER DB PKG OPT 1	8
STUDIO 8 X 1 =	24
1-BR 24 X 1 =	16
2-BR 8 X 2 =	48
SUB TOTAL	48
10% BKFC SWAP REDUCTION 48 X 10% = 4.8	4
RESIDENTIAL PROVIDED	44
COMMERCIAL REQUIRED PER VC SP	
RESTAURANT 1,546 / 166 = 9.3	15
RETAIL 1,000 / 250 = 4.0	4
SUB TOTAL	19
10% BKFC SWAP REDUCTION 19 X 10% = 1.9	3
COMMERCIAL PROVIDED	16
COMMERCIAL PROVIDED	16
TOTAL PARKING REQUIRED	60
TOTAL PARKING PROVIDED	64
BIKE PARKING	
RESIDENTIAL LONG-TERM REQUIRED: (25 / 1) + (15 / 1.5) = 35	35
RESIDENTIAL SHORT-TERM REQUIRED: (25 / 10) + (15 / 16) = 3.5	4
RESIDENTIAL LONG-TERM PROVIDED	35
RESIDENTIAL SHORT-TERM PROVIDED	4
COMMERCIAL LONG-TERM REQUIRED: 2 TENANT SPACES X 2 MIN = 4	4
COMMERCIAL SHORT-TERM REQUIRED: 2 TENANT SPACES X 2 MIN = 4	4
COMMERCIAL LONG-TERM PROVIDED	4
COMMERCIAL SHORT-TERM PROVIDED	4
SUB TOTAL REQUIRED	47
BIKES REQUIRED PER BKFC SWAP: 4 + 4 = 8 X 4 = 32	22-47
TOTAL BIKE PARKING REQUIRED	47
TOTAL BIKE PARKING PROVIDED	48
OPEN SPACE	
OPEN SPACE REQUIRED	
STUDIO 8 X 100 =	800
1-BR 24 X 100 =	2,400
2-BR 8 X 125 =	1,000
TOTAL OPEN SPACE REQUIRED	4,200
OPEN SPACE PROVIDED	
ROOFTOP OPEN SPACE	3,191
BALCONIES (24 X 50)	1,200
TOTAL OPEN SPACE PROVIDED	4,391
50% OF REQUIRED OPEN SPACE	2,100
TOTAL COMMON OPEN SPACE PROVIDED	3,191
COMMON OPEN SPACE > 50% OF REQUIRED (3,191 > 2,100)	YES
LANDSCAPING AND TREES	
REQUIRED LANDSCAPE: 25% X 3,191 (COMMON OPEN SPACE)	798
PROVIDED LANDSCAPE	1,200
REQUIRED # OF TREES: 1 TREE / 4 DU	10
TREES PROVIDED	10

SHEET INDEX

ARCHITECTURAL

T-1	COVERSHEET	
A-1	SITE PLAN	
A-2	LOWER BASEMENT PLAN	
A-3	UPPER BASEMENT PLAN	
A-4	1ST FLOOR PLAN	
A-5	2ND FLOOR PLAN	
A-6	3RD-4TH FLOOR PLAN	
A-7	5TH FLOOR PLAN	
A-8	ROOF PLAN	
A-9	ELEVATIONS	
A-10	ELEVATIONS	
A-11	SECTIONS	
	ROOFTOP OPEN SPACE	3,191
	BALCONIES (24 x 50)	1,200
	TOTAL PROVIDED SQUARE FOOTAGE	4,391
	50% OF REQUIRED OPEN SPACE (4200 x 50%)	2,100
	TOTAL COMMON OPEN SPACE PROVIDED	3,191
	COMMON OPEN SPACE > 50% OF REQUIRED (3,191 > 2,100)	YES
	REQUIRED LANDSCAPE: 25% x 4,200 = 1,050 (COMMON OPEN SPACE)	798
	PROVIDED LANDSCAPE	1,200





LOWER BASEMENT PLAN

SCALE 1/8" = 1'-0"

**EXHIBIT "A"**  
 Page No. 3 of 12  
 Case No. DIR-2018-422 U-DB-SPP

NO.	REVISIONS	BY

**B. RAEEN**  
 CONSULTANT ENGINEER, INC.,  
 11606 SANTA MONICA BLVD. SUITE 326, LOS ANGELES, CA 90025

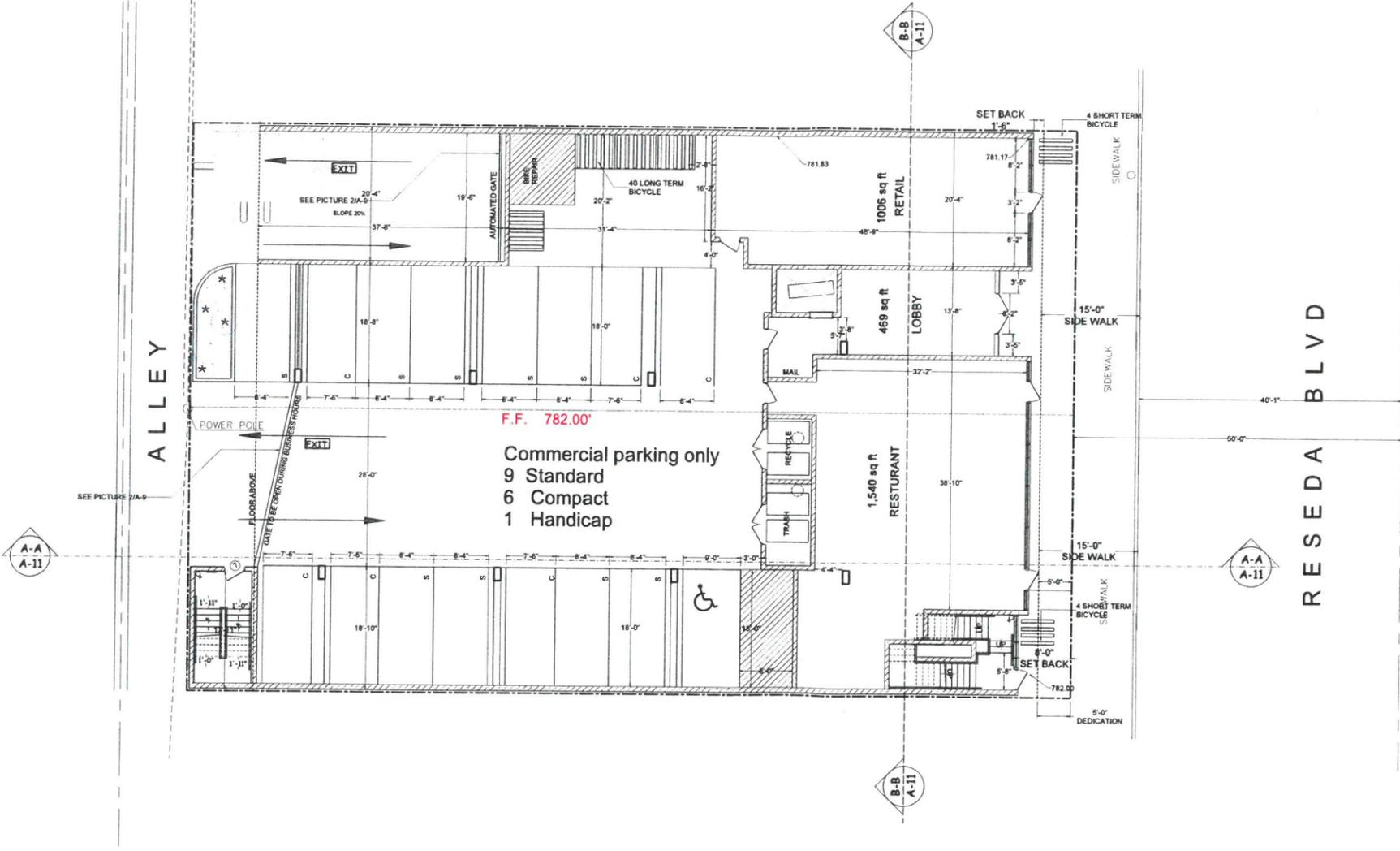


MIX-USE BUILDING W/37 UNITS  
 5503 N RESEDA BLVD  
 LOS ANGELES, CA 91356

Date	
Scale	
Drawn	
Job	
Sheet	A-2



OVERHEAD POWERLINE



FIRST FLOOR

SCALE 1/8" = 1'-0"

**EXHIBIT "A"**  
 Page No. 5 of 12  
 Case No. D12-2018-4224-PB  
 SPP

REVISIONS	BY

**B. RAEEN**  
 CONSULTANT ENGINEER, INC.,  
 11048 SANTA MONICA BLVD, SUITE 336, LOS ANGELES, CA 90025

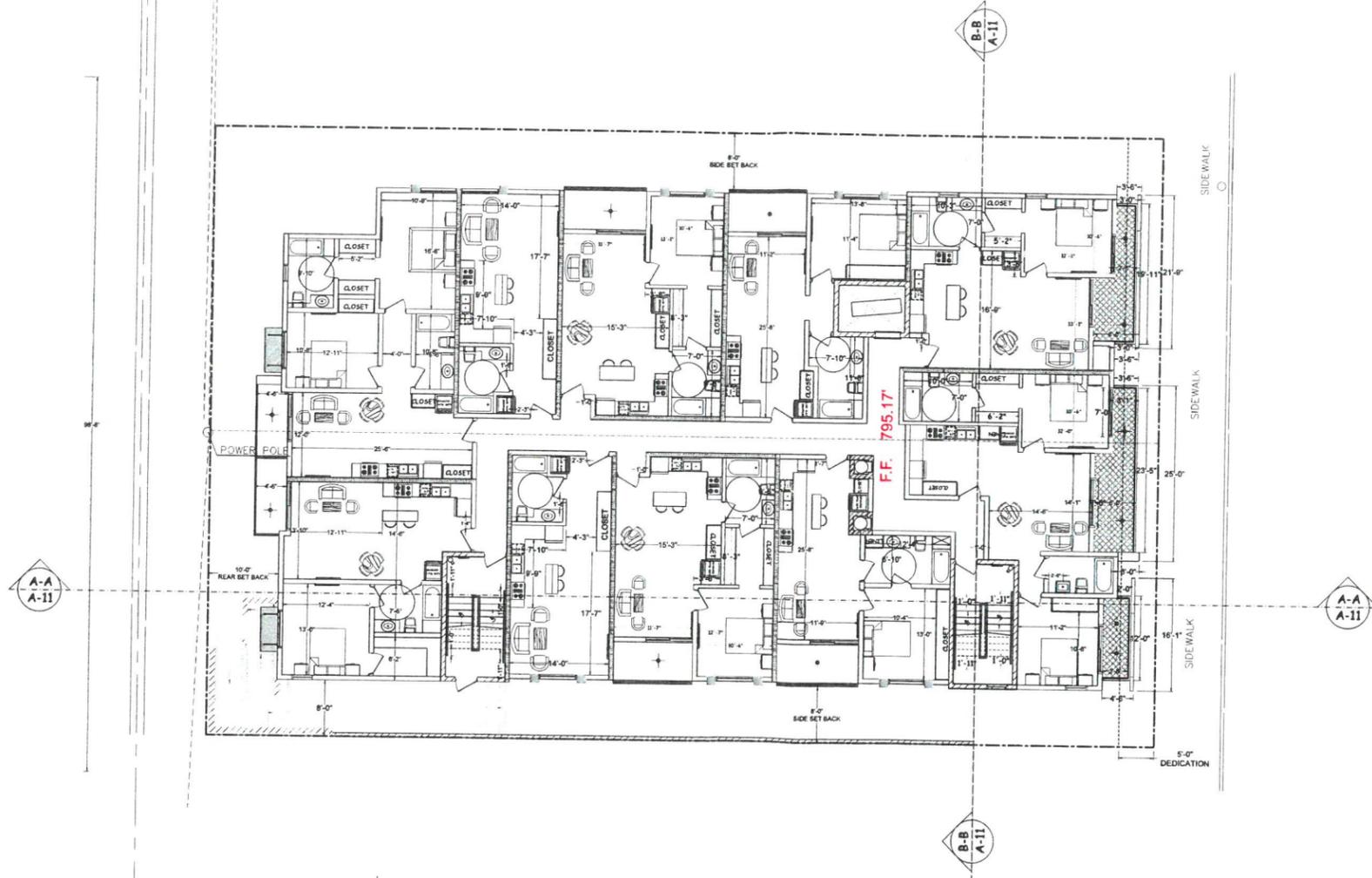


MIX-USE BUILDING W/37 UNITS  
 5503 N RESEDA BLVD  
 LOS ANGELES, CA 91356

A-4



OVERHEAD POWERLINE



3RD-4TH FLOOR

SCALE 1/8" = 1'-0"

**EXHIBIT "A"**  
 Page No. 7 of 12  
 Case No. DIR-2013-9224-DB-SPP

NO.	DATE	REVISIONS	BY

**B. RAJEN**  
 CONSULTANT ENGINEER, INC.,  
 11040 SANTA MONICA BLVD., SUITE 336, LOS ANGELES, CA 90025

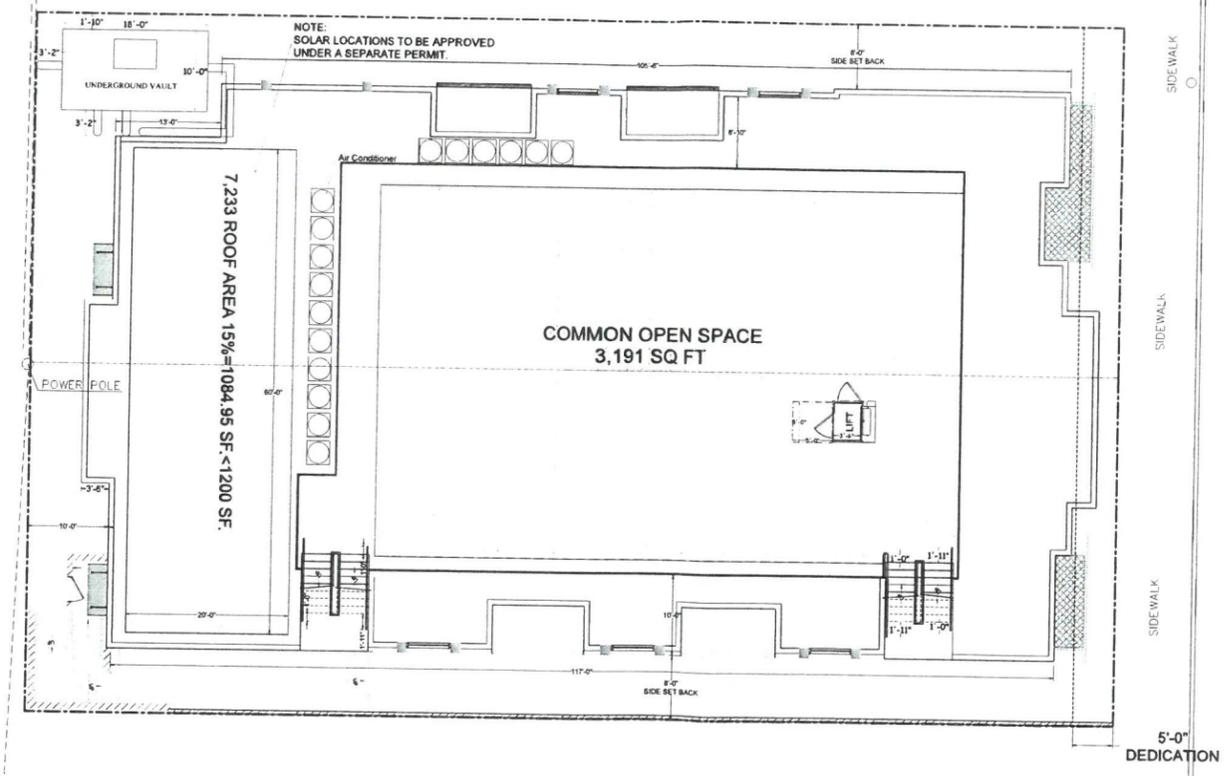


MIX-USE BUILDING W/37 UNITS  
 5503 N RESEDA BLVD  
 LOS ANGELES, CA 91356

A-6



OVERHEAD POWERLINE



ROOF PLAN

SCALE 1/8" = 1'-0"

RESEDA BLVD

**EXHIBIT "A"**  
 Page No. 9 of 12  
 Case No. DIR-2018-4224  
 DB-SPP

MIX-USE BUILDING W/37 UNITS  
 5503 N RESEDA BLVD  
 LOS ANGELES, CA 91356



**B. RAEEN**  
 CONSULTANT ENGINEER, INC.,  
 11048 SANTA MONICA BLVD, SUITE 334, LOS ANGELES, CA 90025

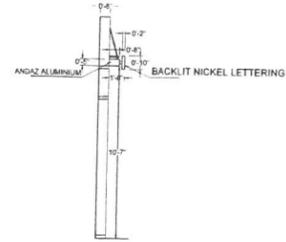


NO.	DATE	DESCRIPTION	BY

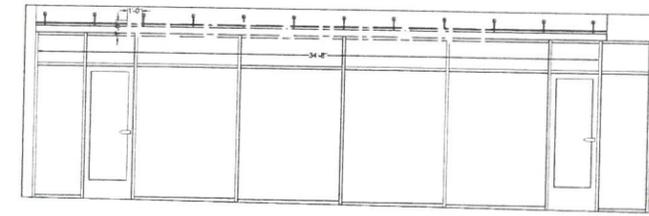


EAST ELEVATION

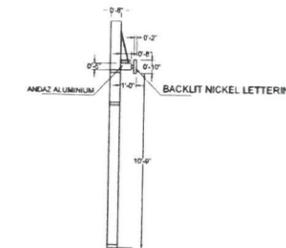
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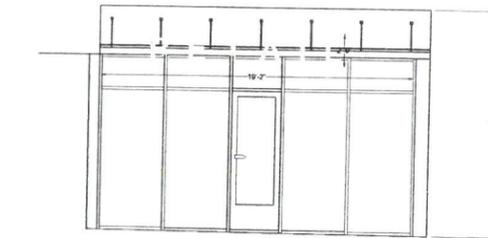
SECTION C-C



ALLOWABLE SIGNAGE PER SP = 2 SQ FT / 1- FOOT OF STORE FRONTAGE  
 34.66' STORE FRONTAGE x 2 = 69.3 MAX ALLOWABLE SQ FT  
 SIGNAGE AREA = 26.6 x 2 = 53.2 SQ FT  
 53.2 < 69.3 OKAY



SECTION D-D

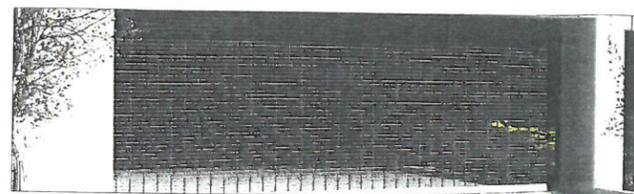


ALLOWABLE SIGNAGE PER SP = 2 SQ FT / 1- FOOT OF STORE FRONTAGE  
 19.2' STORE FRONTAGE x 2 = 38.4 MAX ALLOWABLE SQ FT  
 SIGNAGE AREA = 11.75 x 2 = 23.5 SQ FT  
 23.5 < 38.4 OKAY

**EXHIBIT "A"**  
 Page No. 10 of 12  
 Case No. D18-2018-4224-PB-SPP



PICTURE 1



PICTURE 2



WEST ELEVATION

SCALE 1/8" = 1'-0"

REVISIONS BY	

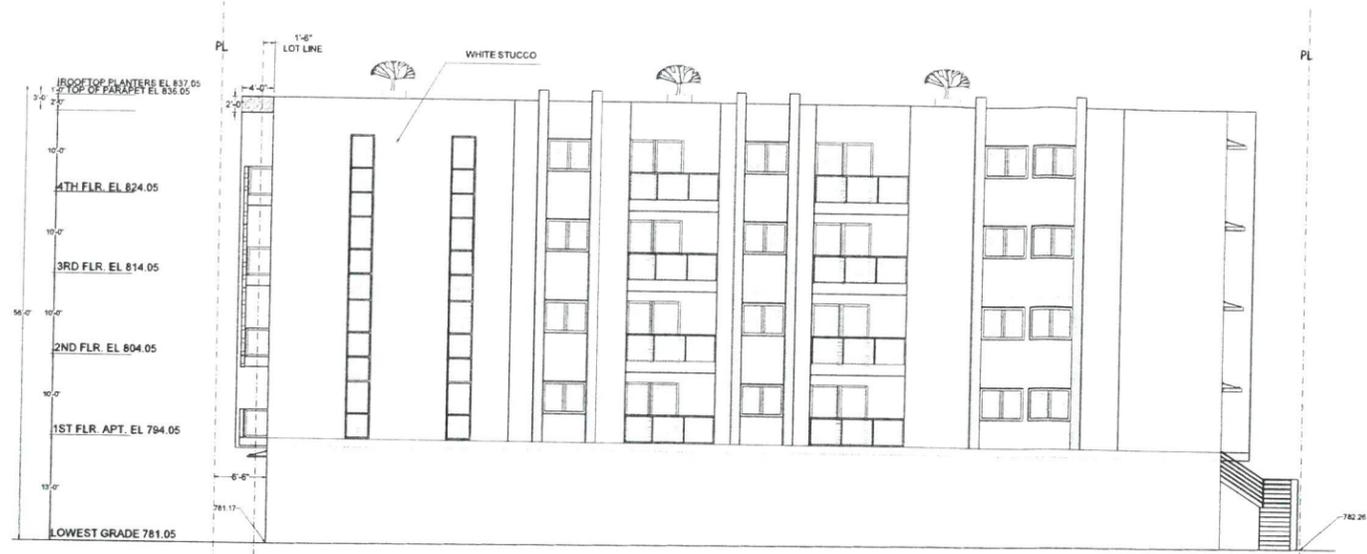
THESE ARCHITECTURAL DRAWINGS REPRESENT THE DESIGN OF THE PROJECT AS APPROVED BY THE CITY OF LOS ANGELES. ANY CHANGES TO THE PROJECT MUST BE MADE IN WRITING AND APPROVED BY THE ARCHITECT AND THE CITY OF LOS ANGELES. NO PART OF THESE ARCHITECTURAL DRAWINGS SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

FAX: (310) 826-2646  
 email: b.raeen@raeen.com

**B. RAEEN**  
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 11048 SANTA MONICA BLVD, SUITE 304, LOS ANGELES, CA 90025

MIX-USE BUILDING W/37 UNITS  
 5503 N RESEDA BLVD  
 LOS ANGELES, CA 91356

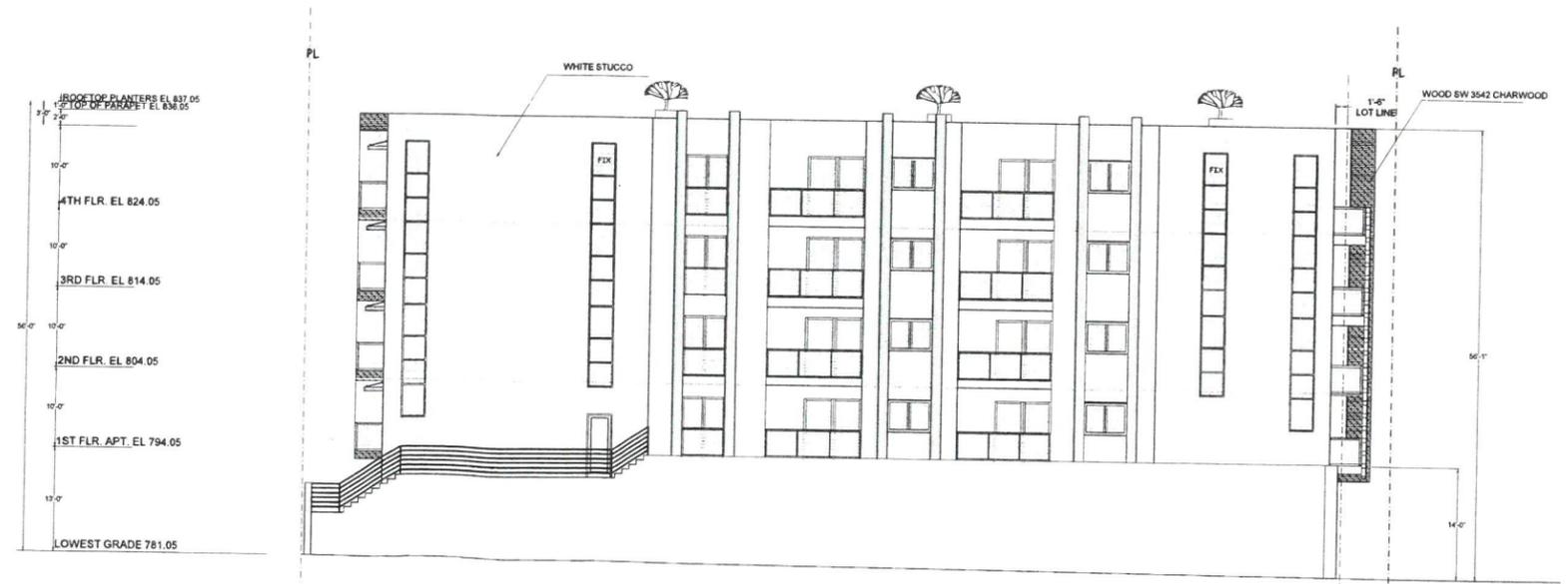
Date: \_\_\_\_\_  
 Scale: \_\_\_\_\_  
 Drawn: \_\_\_\_\_  
 Job: \_\_\_\_\_  
 Sheet: **A-9**



NORTH ELEVATION

SCALE 1/8" = 1'-0"

**EXHIBIT "A"**  
 Page No. 11 of 12  
 Case No. DIR-2018-4224  
 DB-SPP



SOUTH ELEVATION

SCALE 1/8" = 1'-0"

NO.	REVISIONS BY

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TEL: (310) 835-2444  
 FAX: (310) 202-7444  
 email: b.raeen@raeen.com

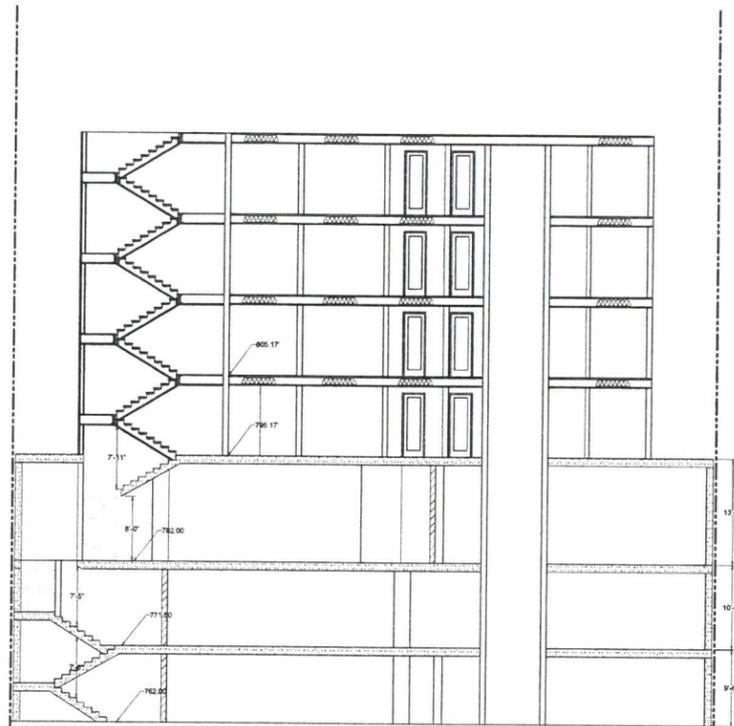
**B. RAEEN**  
 CONSULTANT ENGINEER, INC.,  
 11040 SANTA MONICA BLVD., SUITE 326, LOS ANGELES, CA 90025



MIX-USE BUILDING W/37 UNITS  
 5503 N RESEDA BLVD  
 LOS ANGELES, CA 91356

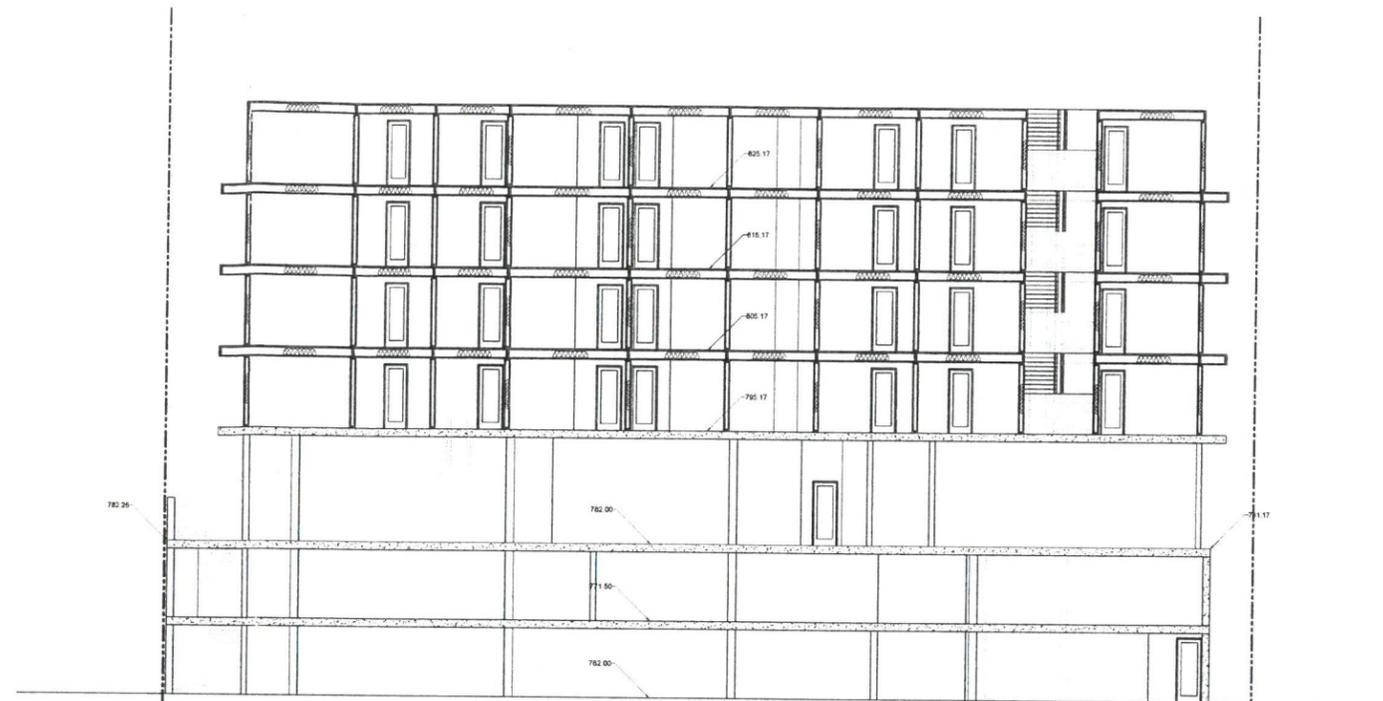
Date	
Scale	
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Sheet	

**A-10**  
 Sheet



SECTION B-B

SCALE 1/8" = 1'-0"



SECTION A-A

SCALE 1/8" = 1'-0"

**EXHIBIT "A"**  
 Page No. 12 of 12  
 Case No. DIR-2018-4224-  
PB-SPP

REVISIONS BY


PROJECT: TRANSDUCER BECK INVESTIGATIONS  
 11000 SANTA MONICA BLVD. SUITE 556, LOS ANGELES, CA 90025  
 TEL: (310) 822-2446  
 email: b.raeen@beck.com

**B. RAEEN**  
 CONSULTANT ENGINEER, INC.,  
 11000 SANTA MONICA BLVD. SUITE 556, LOS ANGELES, CA 90025



MIX-USE BUILDING W/37 UNITS  
 5503 N RESEDA BLVD  
 LOS ANGELES, CA 91356

Date	
Scale	
Drawn	

A-11

ORIGINAL



APPLICATIONS:

APPEAL APPLICATION

This application is to be used for any appeals authorized by the Los Angeles Municipal Code (LAMC) for discretionary actions administered by the Department of City Planning.

1. APPELLANT BODY/CASE INFORMATION

Appellant Body:

- Area Planning Commission
- City Planning Commission
- City Council
- Director of Planning

Regarding Case Number: DIR-2018-4224-DB-SPP

Project Address: 5431-5505 Reseda Blvd, Tarzana 91356

Final Date to Appeal: August 16, 2019

- Type of Appeal:
- Appeal by Applicant/Owner
  - Appeal by a person, other than the Applicant/Owner, claiming to be aggrieved
  - Appeal from a determination made by the Department of Building and Safety

2. APPELLANT INFORMATION

Appellant's name (print): David Garfinkle

Company: Tarzana Property Owners Association

Mailing Address: 6073 Calvin Ave

City: Tarzana State: CA Zip: 91356

Telephone: 818-381-6318 E-mail: drgarfinkle@sbcglobal.net

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

- Self
- Other: Tarzana Property Owners Association

- Is the appeal being filed to support the original applicant's position?  Yes  No

3. REPRESENTATIVE/AGENT INFORMATION

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

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

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

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

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

*6 pages*  
*8/15/2019*  
*DRG*

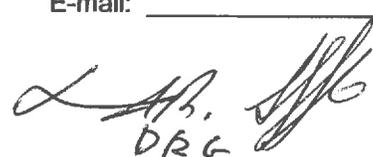


EXHIBIT B

**4. JUSTIFICATION/REASON FOR APPEAL**

Is the entire decision, or only parts of it being appealed?  Entire  Part  
 Are specific conditions of approval being appealed?  Yes  No

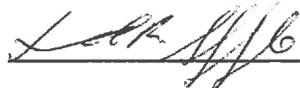
If Yes, list the condition number(s) here: \_\_\_\_\_

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- The reason for the appeal
- Specifically the points at issue
- How you are aggrieved by the decision
- Why you believe the decision-maker erred or abused their discretion

**5. APPLICANT'S AFFIDAVIT**

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

Appellant Signature:  Date: 8-13-2018

**6. FILING REQUIREMENTS/ADDITIONAL INFORMATION**

- Eight (8) sets of the following documents are required for each appeal filed (1 original and 7 duplicates):
  - Appeal Application (form CP-7769)
  - Justification/Reason for Appeal
  - Copies of Original Determination Letter
- A Filing Fee must be paid at the time of filing the appeal per LAMC Section 19.01 B.
  - Original applicants must provide a copy of the original application receipt(s) (required to calculate their 85% appeal filing fee).
- All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC, pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of the receipt.
- Appellants filing an appeal from a determination made by the Department of Building and Safety per LAMC 12.26 K are considered Original Applicants and must provide noticing per LAMC 12.26 K.7, pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt.
- 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.
- Appeals of Density Bonus cases can only be filed by adjacent owners or tenants (must have documentation).
- Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.
- A CEQA document can only be appealed if a non-elected decision-making body (ZA, APC, CPC, etc.) makes a determination for a project that is not further appealable. [CA Public Resources Code ' 21151 (c)].

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 BTC receipt (if original applicant)



Tarzana Property Owners Association, Inc.

## Justification/Reason for Appeal

The Board of Directors of the Tarzana Property Owners Association (TPOA) voted to appeal the Director's Determination of the proposed mixed use development at 5431-5505 Reseda Boulevard. Our appeal is based on three considerations.

**1. Ingress and Egress.** Vehicle ingress and egress are proposed solely through the inadequate alley to the rear of the proposed project. The other side of the alley is an apartment building with a small apron, used for parking by the apartment building tenants, between the apartment building garage and parking area and the alley. The alley has three telephone poles on the east side of the alley adjacent to the proposed project. See the attached sketch and photographs. While the distance between the existing building on the east side of the alley (presumably the property line) and the alley centerline is 10 feet, the distance between the telephone poles and the alley centerline is only 8 feet, 5 inches, **the effective width of the alley**. Even if the poles are relocated, the distance from the property western boundary to the alley centerline is barely 10 feet. The northern end of the alley is a very busy, relatively narrow street, lined with apartment buildings and a busy restaurant at the northeastern corner of the intersection. The southern end of the alley ends on another, very busy alley/parking area that services the establishments on the northern side of Ventura Boulevard with access to Reseda to the east and a dead end to the west. Observation of the alley indicates that current traffic is substantial and that the additional traffic due to customers of the proposed commercial space, tenants of the residential units, and deliveries to the commercial space, would cause a significant safety hazard in the alley, particularly as vehicles attempt to exit the below ground parking and delivery area as the view would be seriously obstructed by the building which extends to the edge of the alley.

**2. Neighborhood Character.** While within the Density Bonus/Affordable Housing Incentive Program parameters, the proposed project is totally out of character with the neighborhood. There is no development in the area that is five stories and 56 feet in height. The immediate section of Reseda Boulevard and the adjacent section of Ventura Boulevard consist of one and two story developments. Below is a note on concern about neighborhood character sent by a TPOA Board member: "*I am absolutely, positively, opposed to this project. That is a very congested area and the proposal is grossly inappropriate based on all the factors you identified.*" "You" refers to a TPOA document.

**3. Enforcement of the 55 Year Duration of the Very Low Income status of the five units designated for Very Low Income Residents.** Our concern is that while the five units could be rented or sold initially to qualified Very Low Income residents, any future enforcement seems problematical. Questions include: how does the HCIDLA keep track of which units are designated for Very Low Income residents; what sort of review does HCIDLA conduct of sales; does HCIDLA knock on doors and request documentation of the very low income status of the residents; when the ownership of the property changes hands, how does HCIDLA ascertain that the new owner knows about and enforces the provisions.

In summary, the proposed development would constitute a significant safety hazard during vehicle ingress and egress, it is definitely out of character with the neighborhood, and enforcement of the very low income status of the residents during the 55 year duration of the bonus provision is problematical. The Tarzana Property Owners Association therefore requests that the proposed development be denied as it has been presented.

A handwritten signature in black ink, appearing to read "David R. Garfinkle".

David R. Garfinkle, President, Tarzana Property Owners Association

[www.tarzanapropertyowners.org](http://www.tarzanapropertyowners.org)

Tel: (818) 344-2137

Post Office Box 571448, Tarzana, California 91357-1448



Looking south in alley



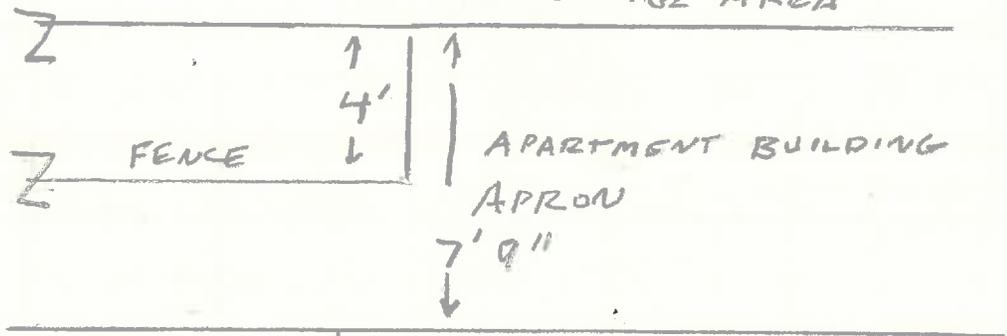
Details looking south



Looking north including parking apron

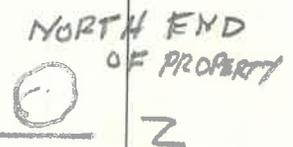
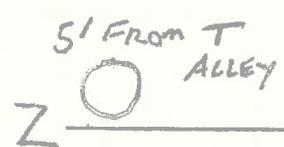
APARTMENT BUILDING

GARAGE AREA



10'

8' 5\"



REAR OF PROPOSED DEVELOPMENT  
AND PARKING ENTRY

**DEPARTMENT OF  
CITY PLANNING**

COMMISSION OFFICE  
(213) 978-1300

CITY PLANNING COMMISSION

SAMANTHA MILLMAN  
PRESIDENT

VAHID KHORSAND  
VICE-PRESIDENT

DAVID H. J. AMBROZ

CAROLINE CHOE

HELEN LEUNG

KAREN MACK

MARC MITCHELL

VERONICA PADILLA-CAMPOS

DANA M. PERLMAN

**CITY OF LOS ANGELES  
CALIFORNIA**



ERIC GARCETTI  
MAYOR

**EXECUTIVE OFFICES**

200 N. SPRING STREET, ROOM 525  
LOS ANGELES, CA 90012-4801  
(213) 978-1271

VINCENT P. BERTONI, AICP  
DIRECTOR

KEVIN J. KELLER, AICP  
EXECUTIVE OFFICER

SHANA M.M. BONSTIN  
DEPUTY DIRECTOR

TRICIA KEANE  
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP  
DEPUTY DIRECTOR

LISA M. WEBBER, AICP  
DEPUTY DIRECTOR

**DIRECTOR'S DETERMINATION  
DENSITY BONUS & AFFORDABLE HOUSING INCENTIVES**

August 1, 2019

**Owner/Applicant**

Isaac Mizrahi  
Etrog Properties, LLC  
5503 Reseda Boulevard  
Los Angeles, CA 91356

**Representative**

Daniel Ahadian  
Nur-Development/Consulting  
1601 S. Genesee Avenue  
Los Angeles, CA 90019

**Architect**

Bahram Raeen  
B Raeen Construction  
11040 Santa Monica Boulevard,  
Suite 326  
Los Angeles, CA 90025

**Case No.** DIR-2018-4224-DB-SPP

**CEQA:** ENV-2018-4225-CE

**Location:** 5431-5505 N. Reseda Boulevard

**Council District:** 3 - Blumenfield

**Neighborhood Council** Tarzana

**Community Plan Area:** Encino-Tarzana

**Land Use Designation:** Community Commercial

**Zone:** C2-1L

**Legal Description:** Tract 8797, Lots 35 and 36

**Last Day to File an Appeal:** August 16, 2019

**DETERMINATION – Density Bonus/Affordable Housing Incentives Program/project Permit compliance**

Pursuant to the Los Angeles Municipal Code (LAMC) Section 12.22 A.25, I have reviewed the proposed project and as the designee of the Director of Planning, I hereby:

1. **Determined**, based on the whole of the administrative record, the project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15332 and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.
2. **Approve** the construction of a new five-story, 56-foot high, mixed-use building with 2,546 commercial square feet on the ground floor and 40 residential units on the upper floors, reserving 5 units for Very Low Income household occupancy, for a period of 55 years and the following requested incentives.

**EXHIBIT C**

- a. **Floor Area Ratio (FAR).** An FAR of 3.0:1 in lieu of the 1.25:1 FAR permitted by Section 6.B.1.a. of the Ventura/Cahuenga Boulevard Corridor Specific Plan.
- b. **Height.** An eleven-foot increase in height allowing 56 feet in height in lieu of the 45-foot maximum height permitted by Section 7.E.1.d.2.i. of the Ventura/Cahuenga Boulevard Corridor Specific Plan.
- c. **Lot Coverage.** A lot coverage of 86 percent in lieu of the 75 percent maximum lot coverage allowed by Section 7.B.1. of the Ventura/Cahuenga Boulevard Corridor Specific Plan.

3. **Adopt** the attached Findings.

Pursuant to Los Angeles Municipal Code (LAMC) Section 11.5.7 C and Section 9 of the Ventura/Cahuenga Boulevard Corridor Specific Plan, I have reviewed the proposed project and as the designee of the Director of Planning, I hereby:

4. **Approve with Conditions** Project Permit Compliance Review to permit the construction of a new five-story, mixed-use project with 40 residential units and 2,546 square feet of commercial area and signage on an approximate 11,682 square-foot site.

The project approval is based upon the attached Findings, and subject to the following Conditions of Approval:

## CONDITIONS OF APPROVAL

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit A" (stamp dated June 21, 2019) and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Valley Project Planning Bureau, 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 Los Angeles Municipal Code or the project conditions.
2. **Residential Density.** The project shall be limited to a maximum density of 40 residential units, including Density Bonus Units.
3. **Affordable Units.** A minimum of five (5) Very Low Income units, that is 15 percent of the base dwelling units, shall be reserved as affordable units, as defined by the State Density Bonus Law 65915 (c)(1) or (c)(2).
4. **Changes in Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units or change parking numbers shall be consistent with LAMC Section 12.22 A.25.
5. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make five (5) units available to Very Low Income Households, for sale or rental as determined to be affordable to such households by HCIDLA for a period of 55 years. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with any monitoring requirements established by the HCIDLA. Refer to the Density Bonus Legislation Background section of this determination.
6. **Floor Area Ratio (FAR).** The project shall be limited to 31,941 square feet of residential area and 2,546 square feet of commercial area, for a total of 34,487 square feet and a 3.0:1 FAR.
7. **Height.** The project shall have a maximum height of 56 feet (including rooftop structures and equipment) in lieu of the 45 feet otherwise allowed by the Ventura/Cahuenga Boulevard Corridor Specific Plan.
8. **Lot Coverage.** The project shall be permitted a lot coverage of 86 percent (10,034 square feet) in lieu of the allowed lot coverage of 75 percent by the Ventura/Cahuenga Boulevard Corridor Specific Plan.
9. **Building Design/Materials.** The project shall provide building design materials/elements as depicted in Exhibit "A" that includes but not limited to the following: silver steel surface, wood sw 3542 in Charwood and Chestnut, white stucco, silver awnings, and transparent balconies. The front entrance/lobby area shall be a visible feature as depicted on the east elevation with wood accents, indicating the building number and entrance area. The front façade shall include transparent glazing on the ground floor for the commercial uses and balconies with sliding glass doors on each residential level. Any changes in design or materials shall be reviewed by the Project Planning Bureau, Valley Division for substantial conformance.

10. **Yards.** Per Specific Plan Section 7.A.3., the project shall provide the following setbacks:

- 1) Commercial Ground Floor:
  - a. A minimum 18-inch landscaped building setback to a 10-foot maximum front yard setback along Reseda Boulevard, after required dedication.
  - b. No side yards shall be required.
  - c. A 20-foot rear yard setback measured from the midpoint of the alley.
- 2) Residential Floors (Floors 2-5) shall provide minimum eight-foot side yards.

11. **Residential Parking.** Based on the 40 multi-family dwelling units proposed, 48 automobile parking spaces shall be provided consistent with LAMC Section 12.22.A25 parking Option 1, which requires one parking space per studio and one bedroom unit and two parking spaces per every two- and three-bedroom unit.

12. **Adjustment of Parking.** In the event that the number of Restricted Affordable Units should increase, or the composition of such units should change (i.e. the number of bedrooms, or the number of units made available to Senior Citizens and/or Disabled Persons), or the applicant selects another Parking Option and no other Condition of Approval or incentive is affected, then no modification of this determination shall be necessary, and the number of residential parking spaces shall be re-calculated by the Department of Building and Safety based upon the ratios set forth above.

13. **Commercial Parking.** The project includes two commercial tenant spaces (a 1,540 square-foot restaurant and a 1,006 square-foot retail space) and shall provide 19 commercial automobile parking spaces (15 for the restaurant and four for the retail space) or equivalent thereof.

14. **Bicycle Parking.** Bicycle parking shall be provided consistent with LAMC 12.21 A.16.

15. **On-Site Trees.** A minimum of ten (10) 24-inch box shade trees shall be planted throughout the property consistent with LAMC 12.21G.2(a)(3). Five (5) additional 24-inch box shade trees shall be planted and dispersed around the property to replace the five (5) existing trees being removed on the site.

16. **Open Space.** The project shall provide code required open space per LAMC 12.21G or a minimum of 4,391 square feet of open space, whichever is greater. The open space areas shall include the following:

- a. A minimum of 3,191 square feet of rooftop open space. The rooftop deck shall include recreational amenities, including but not limited to lounge areas, tables, benches, and barbecue areas.
- b. A minimum 1,200 square feet of balcony space (Note. Only a maximum of 50 square feet of private open space per unit can be applied towards common open space).

17. **Landscaping.** A landscape plan shall be submitted to show the following:

- a. A minimum 18-inch landscape buffer from the property line to the building on the ground floor along the Reseda Boulevard frontage, except along door and walkways.

- b. A 10-foot landscape buffer from the property line to the parking garage along the 20-foot alley in areas not used for driveways, walkways, or stairs.
  - c. A minimum 25 percent (798 square feet) of the rooftop deck common open space area shall be landscaped.
  - d. The applicant shall maintain the landscape in a good, healthy condition by performing daily maintenance, removing trash, and replacing any dead plant materials, broken irrigation sprinklers and watering devices.
  - e. The landscape plan shall indicate landscape points for the project equivalent to 10% more than otherwise required by LAMC 12.40 and Landscape Ordinance Guidelines "O".
  - f. The property shall be developed in substantial conformance with the submitted landscape plans, dated June 21, 2019, labeled Exhibit "A." All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning.
18. **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.
19. **Rooftop Equipment.** All rooftop mechanical equipment shall be fully screened from view the street, the alley, adjacent properties and from the rooftop open space deck area, and shall be screened behind architectural elements.
20. **Wall Sign.** This approval shall permit the installation of one (1) 54 square-foot wall sign facing Reseda Boulevard for the restaurant space and one (1) 24 square-foot wall sign facing Reseda Boulevard for the retail space. The construction plans shall be in substantial conformance with the project plans, Exhibit "A", except as modified herein.
21. **Wall Sign Depth.** No wall sign may project from a building face more than 12 inches, or above the lowest elevation of the roof eave visible from the street.
22. **Repair.** Prior to installation of any sign, any wall defects, holes, faded paint areas, or impressions made from the removal of previous signs shall be repaired, filled and painted to match the material and color finishes of the existing exterior wall.
23. **Window Signs.** All Window Signs shall not exceed 10 percent of the window they occupy. Holiday paintings shall not be placed in the window more than 30 business days before a holiday and shall be removed within ten business days after the holiday.
24. **Projecting Sign.** Only one (1) projecting sign is permitted for the building by the Specific Plan. Should the applicant wish to add one (1) projecting sign, such sign shall measure no more than 16 square feet, and shall be no more than four (4) feet from the building face, provided no other projecting sign is present on the building. Prior to Planning clearance, the applicant shall document that there are no other projecting signs on the building.

25. **Projecting Sign Location.** Any new projecting sign shall be located by a front pedestrian entrance. Prior to Planning clearance, the applicant shall document that the proposed projecting sign is located by the pedestrian entrance.

26. **Project Impact Assessment Fee.** Prior to Planning clearance, the applicant shall meet with the Department of Transportation (DOT) for assessment of this project. A "Project Impact Assessment" (PIA) fee may be required and paid to the satisfaction of DOT for the purpose of funding the Specific Plan improvements and services, as well as pedestrian improvements which are intended to mitigate the cumulative impacts of new developments within the Specific Plan area.

NOTE: PIA fees to be paid are subject to change due to increases to the Annual Indexing as determined by the DOT.

27. **Lighting.** Lighting should be directed onto the site, and be adequately aimed and shielded so as to not spill over onto adjacent properties, especially into areas planned and zoned for residential uses.

28. **Streetscape Improvement.** Prior to the issuance of a certificate of occupancy, and in addition to all other requirements of the Department of Building and Safety, the property owner shall provide a letter of certification by a licensed landscape architect to the Director of Planning, that all required landscape and relevant streetscape elements (Tarzana Streetscape Plan-Central District) have been implemented as follows:

#### Trees

- a. The Tipuana Tipu tree shall constitute 80 to 90 percent of the street trees and shall be planted 40 to 50 feet on center on each side of Ventura Boulevard. Tree spacing in relation to the tree on the opposite side of Ventura Boulevard shall alternate so as to present an informal effect.
- b. Other recommended accent street trees are the Jacaranda Mimosifolia, Chorisa Speciosa (thornless, flowering tree variety only), and in some instances, depending upon the proper micro-climate, Erythina Caffria. Tree types and descriptions are found in section 7.0. of the Tarzana Streetscape. The Jacaranda tree shall not be located such that the canopy spreads over parking spaces.
- c. All street trees shall be planted so that they avoid conflicts with street lights and other utilities.
- d. The minimum size tree box for the streets trees shall be 36 inches, unless otherwise stated for the individual corners. Trees unavailable in 36-inch box sizes may be planted in smaller sizes, and no greater quantity is to be required. Size standards are to be comparable with those listed in the Valley Crest Nursery Catalog. The Trees are to be untopped.

#### Hardscape Elements within the Tree Well

- e. Tree Well covers shall have only permeable surfaces with a coefficient runoff of less than or equal to 0.6 and shall be pre-approved by the Bureau of Street Services. The use of Agriperm Tree Well Covers (available from Brooks Products) for the Tipuana Tipu street trees is advised (sizes: 49 inches by 49 inches (16-inch or 18-inch diameter opening) or

35 inches by 66 inches (16" diameter opening only)). Each well is to be lined with a continuous 12-inch Deep Root™ root barrier or its equivalent.

- f. Irrigation shall be provided in consistency with the Tarzana Streetscape Section 4.1.2.

#### Lighting Fixtures and Street Lighting

- g. All modern 40-foot roadway street lighting poles and fixtures shall be painted "Spring Street Green". All other traffic equipment, such as stop lights, shall also use this standard color. Street lighting features shall be arranged to avoid future conflicts with street trees.
- h. Any pedestrian lighting provided shall be in compliance with the Tarzana Streetscape Plan Section 4.2.1 and Section 4.2.2 to the satisfaction of Bureau of Street Lighting.

#### Sidewalk Paving Patterns

- i. The sidewalks shall provide the illusion of a pathway meandering informally in this district. To create this effect, the use of different paving colors/textures can be used. The walk may, where permitted by the Department of Public Works, enter into private property to convey a convincing meander, particularly where public artwork in a landscaped setting is placed in the public right-of-way. In such cases, the artwork/landscaping may count toward any buffer planting requirements, as appropriate.

#### Curbs and Gutters

- j. The curbs should be constructed integral with the gutter using natural color concrete, not colored concrete. Gutters are to be standard, unless an alternative design is approved by the Department of Public Works.

#### Street Maintenance Holes and Covers

- k. Street maintenance holes and covers shall be provided in conformance with the Tarzana Streetscape Section 5.3.

#### Street Furniture

- l. Any street furniture such as benches, bicycle racks, bus shelters, fountains, kiosks, newspaper stands, pot and planters, trash receptacles shall comply with the Tarzana Streetscape Plan Section 6.1 to 6.14.

29. **Specific Plan Covenant and Agreement.** A Covenant and Agreement shall be recorded with the Los Angeles County Recorder acknowledging the contents and limitations of the Ventura/Cahuenga Boulevard Corridor Specific Plan, as well as the conditions of approval established herein. The Covenant and Agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns and shall be submitted to the Department of City Planning for approval prior to being recorded. After recording, a copy bearing the County Recorder's number and date shall be provided to the Department of City Planning for attachment to the administrative file.

30. **Tribal Cultural Resource Inadvertent Discovery.** In the event that objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities (i.e., excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading,

leveling, removing peat, clearing, pounding posts, augering, backfilling, blasting, stripping topsoil or a similar activity), all such activities shall temporarily cease on the project site until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

- a. Upon a discovery of a potential tribal cultural resource, the project Permittee shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project; (2) and the Department of City Planning Office of Historical Resources.
- b. If the City determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be tribal cultural resource, the City shall provide any effected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Project permittee and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
- c. The project Permittee shall implement the tribe's recommendations if a qualified archaeologist, retained by the City and paid for by the project Permittee, reasonably concludes that the tribe's recommendations are reasonable and feasible.
- d. The project Permittee shall submit a tribal cultural resource monitoring plan to the City that includes all recommendations from the City and any effected tribes that have been reviewed and determined by the qualified archaeologist to be reasonable and feasible. The project Permittee shall not be allowed to recommence ground disturbance activities until this plan is approved by the City.
- e. If the project Permittee does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist, the project Permittee may request mediation by a mediator agreed to by the Permittee and the City who has the requisite professional qualifications and experience to mediate such a dispute. The project Permittee shall pay any costs associated with the mediation.
- f. The project Permittee may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by the qualified archaeologist and determined to be reasonable and appropriate.
- g. Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton.
- h. Notwithstanding the above, any information determined to be confidential in nature, by the City Attorney's office, shall be excluded from submission to the SCCIC or the general public under the applicable provisions of the California Public Records Act, California Public Resources Code, and shall comply with the City's AB 52 Confidentiality Protocols.

## **Administrative Conditions**

31. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Plans Approved". A copy of the Plans Approved, supplied by the applicant, shall be retained in the subject case file.
32. **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.
33. **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.
34. **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.
35. **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.
36. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
37. **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, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim

- personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
  - (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.

## PROJECT BACKGROUND

The site is composed of two flat and rectangular lots with a combined street frontage of approximate 86 feet along Reseda Boulevard, a depth of approximate 135 feet, and an approximate total square footage of 11,682. The Bureau of Engineering is requiring a five-foot dedication along the property frontage on Reseda Boulevard (which will create a site with a net square footage of approximately 11,180). The site faces Reseda Boulevard to the east and a 20-foot alley to the west. The site is zoned C2-1L, is located within the Encino – Tarzana Plan area and has a Land Use Designation of Community Commercial. The site is subject to ZI-2427 Freeway Adjacent Advisory Notice for Sensitive Uses. The site is currently improved with three commercial buildings built in 1937 and 1952, however, none of the structures onsite are listed in any local, state, or national historic database.

The site is also located within the Ventura/Cahuenga Boulevard Corridor Specific Plan and is located within the Community Commercial Land Use designation of Specific Plan and is not located within a Pedestrian Oriented Area, Regionally Impacted, Pedestrian Development District, or Restricted Use Area of the Specific Plan.

The site is adjacent to properties zoned C2-1L developed with one-story commercial businesses to the north and south, to a surface parking lot to a commercial shopping center zoned P-1L to the east across from Reseda Boulevard and a two-story multi-family building in the R3-1 zone to the west across from a 20-foot alley.

The site is located in an area of the Specific Plan which limits Lot Coverage to 75 percent, Floor Area Ratio (FAR) 1.25:1 and height to 45 feet. The applicant is requesting a Density Bonus with incentives to allow an increase in FAR from 1.25:1 to 3.0:1, a 35 percent Density increase, an increase in Lot Coverage from 75 percent to 86 percent in order to construct a new five-story mixed-use project with 40 residential units and 2,546 square feet of commercial area on the ground floor.

The project includes the demolition of two one-story commercial buildings with a total square footage of 3,678 for the subsequent construction of a new five-story, 56-foot high, mixed-use building with 2,546 commercial square feet on the ground floor and 40 residential units in the upper floors. The project includes eight studios, 24 one-bedroom apartments, and eight two-bedroom apartments. The Los Angeles Municipal Code (LAMC) Section 12.21.A4. would require a total of 60 residential parking spaces onsite, however, the project is providing the 48 required residential automobile parking spaces pursuant to LAMC Section 12.22.A25 parking Option 1. Specific Plan Section 7.F.1. requires one parking space for every 100 square feet of restaurant uses, one parking space for every 250 square feet of retail uses and one parking space per every 300 square feet of office uses. The project includes two commercial spaces: a 1,540 square-foot restaurant and 1,006 square-foot retail space which would require a total of 19 commercial automobile parking spaces (15 parking spaces for the restaurant and four parking spaces for the retail space). The project is providing the equivalent of 19 automobile parking spaces by providing 16 automobile parking spaces and 12 bicycle parking spaces in lieu of the other 3 automobile parking spaces required as permitted by the Bike Parking Ordinance.

In accordance with California State Law (including Senate Bill 1818, and Assembly Bills 2280 and 2222), the applicant is proposing to utilize Section 12.22 A.25 (Density Bonus) of the Los Angeles Municipal Code (LAMC), which permits a density bonus of up to 35 percent. The applicant has applied for a 25 percent density bonus, which would allow for 40 dwelling units in lieu of the maximum by-right density limit of 32 dwelling units on the property. A density bonus is automatically granted in exchange for the applicant setting aside a portion of dwelling units, in

this case five (5), for habitation by Very Low Income Households, for a period of 55 years. Consistent with the Density Bonus Ordinance, the Applicant is also automatically granted a reduction in required parking based on two Parking Options, and is eligible to request three on-menu incentives. The project includes a Density Bonus request for an increase in Density from 32 to 40 units (a 25 percent increase), an increase in Lot coverage from 75 percent to 86 percent, a FAR increase from 1.25:1 to 3.0:1, and a request to exceed the 45-foot height limit of the Specific Plan by 11 feet. The project includes a Project Permit Compliance for the construction of the proposed mixed-use project and onsite signage.

## Housing Replacement

With Assembly Bill 2222, applicants of Density Bonus projects filed as of January 1, 2015 must demonstrate compliance with the housing replacement provisions which require replacement of rental dwelling units that either exist at the time of application of a Density Bonus project, or have been vacated or demolished in the five year period preceding the application of the project. This applies to all pre-existing units that have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; subject to any other form of rent or price control; or occupied by Low or Very Low Income Households.

Pursuant to the Determination made by the Los Angeles Housing and Community Investment Department (HCIDLA) dated July 3, 2018, the site was previously developed with commercial properties and thus no replacement of affordable units is required.

## LAMC Criteria

As permitted by LAMC Section 12.22 A.25 the applicant is requesting three (3) incentives that will facilitate the provision of affordable housing at the site: an increase in Floor Area Ratio (FAR), an increase in Lot Coverage and an increase in height. Pursuant to LAMC Section 12.22 A.25 (e)(2), in order to be eligible for any on-menu incentives, a Housing Development Project (other than an Adaptive Reuse Project) shall comply with the following criteria, which it does:

- a. *The façade of any portion of a building that abuts a street shall be articulated with a change of material or a break in plane, so that the façade is not a flat surface.*

The proposed project consists of a five-story, mixed-use building with a frontage of approximately 86 feet along Reseda Boulevard. As Exhibit "A" demonstrates, the street-abutting facade will be articulated as the commercial ground floor is composed mostly of transparent glazing and the four upper floors of residential uses utilize a mix of materials and distinct architectural treatments to break the plain of the façade. The façade is broken into three areas. Silver steel is used on the western and eastern areas of the façade and dark wood siding accents are used in the middle section. The second floor uses white stucco. Balconies use transparent glazing. The design of the façade includes roof variations.

- b. *All buildings must be oriented to the street by providing entrances, windows, architectural features and/or balconies on the front and along any street facing elevation.*

The project site has approximately 86 feet of frontage along the east side of Reseda Boulevard (east elevation). As shown in Exhibit A, the street frontage has been designed with architectural features oriented toward the street, including balconies facing Reseda on the residential floors, businesses facing Reseda Boulevard, and the

main pedestrian entrance/lobby area for both the commercial and residential uses on the ground floor along Reseda Boulevard.

- c. *The Housing Development Project shall not involve a contributing structure in a designated Historic Preservation Overlay Zone (HPOZ) and shall not involve a structure that is a City of Los Angeles designated Historic-Cultural Monument (HCM).*

The proposed project is not located within a designated Historic Preservation Overlay Zone, nor does it involve a property that is designated as a City Historic-Cultural Monument.

- d. *The Housing Development Project shall not be located on a substandard street in a Hillside Area or in a Very High Fire Hazard Severity Zone as established in Section 57.25.01 of the LAMC.*

The project is not located in a Hillside Area, nor is it located in a Very High Fire Hazard Severity Zone.

## **DENSITY BONUS/AFFORDABLE HOUSING INCENTIVES COMPLIANCE FINDINGS**

1. **Pursuant to Section 12.22 A.25(c) of the LAMC, the Director shall approve a density bonus and requested incentive(s) unless the director finds that:**

- a. *The incentives are not required to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for the affordable units.*

The record does not contain substantial evidence that would allow the Director to make a finding that the requested incentives are not necessary to provide for affordable housing costs per State Law. The California Health & Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs for Very Low, Low, and Moderate Income Households. Section 50052.5 addresses owner-occupied housing and Section 50053 addresses rental households. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed 25 percent gross income based on area median income thresholds dependent on affordability levels.

The list of on-menu incentives in 12.22 A.25 was pre-evaluated at the time the Density Bonus Ordinance was adopted to include types of relief that minimize restrictions on the size of the project. As such, the Director will always arrive at the conclusion that the density bonus on-menu incentives are required to provide for affordable housing costs because the incentives by their nature increase the scale of the project.

The requested incentives, an 11-foot increase in building height, increase in FAR from 1.25:1 to 3.0:1, and lot coverage increase from 75 percent to 86 percent are expressed in the Menu of Incentives per LAMC 12.22.A25(f), and as such, permit exceptions to zoning requirements that result in building design or construction efficiencies that provide for affordable housing costs. The requested incentives allow the developer to expand the building envelope so the additional units can be constructed, and the overall space (dedicated to residential uses) is increased. These incentives support the applicant's decision to set aside five (5) Very Low Income dwelling units for 55 years.

*Floor Area Ratio (FAR).* The Ventura/Cahuenga Boulevard Corridor Specific Plan limits the site to a maximum FAR of 1.25:1, otherwise, the C Zone would allow for a maximum

FAR of 1.5:1. As the Ventura/Cahuenga Boulevard Corridor Specific Plan limits the FAR to 1.25:1, the on-menu incentive to increase the FAR to 3.0:1 will result in an increase in the square footage which would help accommodate the additional affordable units.

*Height.* The Ventura/Cahuenga Boulevard Corridor Specific Plan limits the site to a maximum height of 45 feet (including rooftop structures and equipment), otherwise, the underlying Height District 1L, would allow for a maximum building height of 75 feet and six stories for a mixed use project. As the Ventura/Cahuenga Boulevard Corridor Specific Plan limits building height to 45 feet, the on-menu incentive of 11 additional feet for the site will result in an overall project height of 56 feet, thus, the development will have a more cohesive design/appearance and space to accommodate the additional affordable housing units.

*Lot Coverage.* The Specific Plan limits the site to a maximum lot coverage to 75 percent. An increase to permit an 86 percent lot coverage allows for an expanded building envelope to accommodate the additional units.

- b. *The Incentive will have specific adverse impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse Impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.*

There is no evidence in the record that the proposed density bonus incentives will have a specific adverse impact. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22.A.25(b)). The finding that there is no evidence in the record that the proposed incentives will have a specific adverse impact is further supported by the recommended CEQA finding. The proposed project and potential impacts were analyzed in accordance with the City's Environmental Quality Act (CEQA) Guidelines. Based on the whole of the administrative record, the project is exempt from the California Environmental Quality Act (CEQA) pursuant to California CEQA Guidelines Section 15332, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies, or that the potential environmental effects of the proposed project would cause substantial adverse effects on human beings. The project site has not been identified as a historic resource by local or state agencies, and the project site has not been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, the Los Angeles Historic-Cultural Monuments Register, and/or any local register; and was not found to be a potential historic resource based on the City's HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles. Based on all of the above, there is no basis to deny the requested incentive.

## **PROJECT PERMIT COMPLIANCE FINDINGS**

2. **The project substantially complies with the applicable regulations, findings, standards, and provisions of the specific plan.**

The proposed project complies with all applicable development requirements of the Ventura/Cahuenga Boulevard Corridor Specific Plan, as follows:

- a. **Section 5.C: Uses.** The proposed mixed-use development includes residential, restaurant, and retail uses which are not restricted in this area of the Specific Plan, and thus are allowed.
- b. **Section 6.B.: Floor Area Ratio (FAR).** The project is located in a Community Commercial Land Use Designation which restricts the FAR to 1.25:1. The project is being granted an FAR increase from 1.25:1 to 3.0:1 pursuant Density Bonus LAMC Section 12.22 A.25 for the setting aside of five (5) units for Very Low Income Households.
- c. **Section 7.A.: Yards.** Specific Plan Section 7.A.2. requires a minimum of 18-inch landscaped building setback to a maximum 10-foot front yard setback along Reseda Boulevard, zero side yards, and a 20-foot rear yard setback measured from the mid alley for the commercial ground floor. The Specific Plan requires a minimum of 18-inch landscaped building setback (to a building height of 15 feet) to a maximum 10-foot front yard setback along Reseda Boulevard, eight-foot side yards, and a 20-foot rear yard setback measured from the mid alley for the residential second floor. As conditioned, the project complies with the commercial setbacks on the ground floor and the residential setbacks on the second floor and thus complies with the Specific Plan.
- d. **Section 7.B.: Lot Coverage.** The Specific Plan Section 7.B.1 limits lot coverage onsite to 75 percent. The project is being granted a lot coverage increase from 75 percent to 86 percent (an approximate 14.6 percent increase in the allowed coverage) pursuant Density Bonus LAMC Section 12.22 A.25 for the setting aside of five (5) units for Very Low Income Households.
- e. **Section 7C: Driveways.** The site has automobile access from the 20-foot rear alley. There are two driveways along the rear portion of the site. A driveway for access to the residential parking located on two levels of subterranean parking is located on the northwestern portion of the site. There is a separate driveway for access to the at grade parking garage for the commercial uses.
- f. **Section 7D: Landscaping.** As per Condition of Approval Number 17, the Project will provide an 18-inch landscape buffer from the property line along Reseda Boulevard and a 10-foot landscape buffer from the 20-foot alley to the parking garage, except for areas used for walkways, driveways, and stairs. As such, the project complies with the landscaping requirements. Further replacement trees will be provided on the rooftop open space.
- g. **Section 7E: Height.** Specific Plan Sections 7.E.1. and 7.E.1.d.2.i limit height onsite to 45 feet overall. The project is being granted an 11-foot height increase, for a maximum 56-foot building height (including roof structures and equipment) pursuant Density Bonus LAMC Section 12.22 A.25 for the setting aside of five (5) units for Very Low Income Households.
- h. **Section 7F: Parking.** Per Section 7.F.11 of the Ventura/Cahuenga Boulevard Corridor Specific Plan, restaurants and take-out food establishments require at least one (1) parking space for each 100 square feet of floor area, retail establishments require at least one (1) parking space for each 250 square feet of floor area, and office uses require

at least one (1) parking space for each 300 square feet. The project includes two commercial spaces: a 1,540 square-foot restaurant and 1,006 square-foot retail space which would require a total of 19 commercial automobile parking spaces (15 parking spaces for the restaurant and four parking spaces for the retail space). The project is providing the equivalent of 19 automobile parking spaces by providing 16 automobile parking spaces and 12 bicycle parking spaces in lieu of the other three automobile parking spaces required (a 16 percent automobile parking reduction pursuant to the Bike Ordinance to provide bicycle parking in lieu of automobile parking). The 16 commercial automobile parking spaces are being provided on the ground floor and can be accessed through the rear alley.

Residential automobile parking for the 40 residential units is being provided pursuant to LAMC Section 12.22.A.25 parking Option 1 (48 parking spaces are required and are being provided). Residential parking is being provided in two levels of subterranean parking (23 on upper basement and 25 on the lower basement), with access from the alley.

- i. **Section 8: Signs.** Pursuant to Section 5.A.2 of the Ventura/Cahuenga Boulevard Corridor Specific Plan, the proposed sign project must comply with the applicable development requirements of Sections 8 of the Plan, as it relates to the sign regulations.

*Wall Signs:* The Specific Plan permits a maximum of one (1) wall sign per tenant on a building's street frontage and a second sign facing a parking lot, secondary street, or alley. The total sign area permitted is two square feet per one lineal foot of frontage along Reseda Boulevard. The site has a frontage of approximately 86 feet; therefore a maximum signage area of 172 square feet would be permitted for the site. The proposed 54 square-foot wall sign for the restaurant space and 24 square-foot wall sign for the retail space facing Reseda Boulevard, further enforced through Conditions of Approval Numbered 20 to 22, will not exceed the maximum signage area, and thus complies with the Specific Plan regulations. Any future wall sign shall comply with the requirements of the Specific Plan.

*Window Signs:* The Ventura/Cahuenga Boulevard Corridor Specific Plan permits window signs if they are for the store name, store hours, and security signs. These permitted signs may not occupy more than ten percent of any window in area. As conditioned herein, any future window signs will not exceed more than 10 percent of the window and will thus comply with the Specific Plan regulations.

*Projecting Signs:* Per section 8.B1.c of the Ventura/Cahuenga Boulevard Corridor Specific Plan, one (1) projecting sign is permitted per building. As per Conditions of Approval Numbered 24 to 25, the sign area of a projecting sign is limited to 16 square feet or project four feet from the facade. The Projecting sign may only be placed at a public entrance to a building where the entrance fronts on a public street, private walkway, plaza, or alley. No projecting sign shall extend above the lowest point of the roof eave visible from the street. As conditioned, any future projecting sign will comply with the requirements and design provisions of the Ventura/Cahuenga Boulevard Corridor Specific Plan.

## DENSITY BONUS LEGISLATION BACKGROUND

The California State Legislature has declared that "[t]he availability of housing is of vital statewide importance," and has determined that state and local governments have a responsibility to "make

adequate provision for the housing needs of all economic segments of the community." Section §65580, subds. (a), (d). Section 65915 further provides that an applicant must agree to, and the municipality must ensure, the "continued affordability of all Low and Very Low Income units that qualified the applicant" for the density bonus.

With Senate Bill 1818 (2004), state law created a requirement that local jurisdictions approve a density bonus and up to three "concessions or incentives" for projects that include defined levels of affordable housing in their projects. In response to this requirement, the City created an ordinance that includes a menu of incentives (referred to as "on-menu" incentives) comprised of eight zoning adjustments that meet the definition of concessions or incentives in state law (California Government Code Section 65915). The eight on-menu incentives allow for: 1) reducing setbacks; 2) reducing lot coverage; 3) reducing lot width, 4) increasing floor area ratio (FAR); 5) increasing height; 6) reducing required open space; 7) allowing for an alternative density calculation that includes streets/alley dedications; and 8) allowing for "averaging" of FAR, density, parking or open space. In order to grant approval of an on-menu incentive, the City utilizes the same findings contained in state law for the approval of incentives or concessions.

California State Assembly Bill 2222 went into effect January 1, 2015, and with that Density Bonus projects filed as of that date must demonstrate compliance with the housing replacement provisions which require replacement of rental dwelling units that either exist at the time of application of a Density Bonus project, or have been vacated or demolished in the five-year period preceding the application of the project. This applies to all pre-existing units that have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; subject to any other form of rent or price control (including Rent Stabilization Ordinance); or is occupied by Low or Very Low Income Households (i.e., income levels less than 80 percent of the area median income [AMI]). The replacement units must be equivalent in size, type, or both and be made available at affordable rent/cost to, and occupied by, households of the same or lower income category as those meeting the occupancy criteria. Prior to the issuance of any Director's Determination for Density Bonus and Affordable Housing Incentives, the Housing and Community Investment Department (HCIDLA) is responsible for providing the Department of City Planning, along with the applicant, a determination letter addressing replacement unit requirements for individual projects. The City also requires a Land Use Covenant recognizing the conditions be filed with the County of Los Angeles prior to granting a building permit on the project.

Assembly Bill 2222 also increases covenant restrictions from 30 to 55 years for projects approved after January 1, 2015. This determination letter reflects these 55 year covenant restrictions.

Under Government Code Section § 65915(a), § 65915(d)(2)(C) and § 65915(d)(3) the City of Los Angeles complies with the State Density Bonus law by adopting density bonus regulations and procedures as codified in Section 12.22 A.25 of the Los Angeles Municipal Code. Section 12.22 A.25 creates a procedure to waive or modify Zoning Code standards which may prevent, preclude or interfere with the effect of the density bonus by which the incentive or concession is granted, including legislative body review. The Ordinance must apply equally to all new residential development.

In exchange for setting aside a defined number of affordable dwelling units within a development, applicants may request up to three incentives in addition to the density bonus and parking relief which are permitted by right. The incentives are deviations from the City's development standards, thus providing greater relief from regulatory constraints. Utilization of the Density Bonus/Affordable Housing Incentives Program supersedes requirements of the Los Angeles

Municipal Code and underlying ordinances relative to density, number of units, parking, and other requirements relative to incentives, if requested.

For the purpose of clarifying the Covenant Subordination Agreement between the City of Los Angeles and the United States Department of Housing and Urban Development (HUD) note that the covenant required in the Conditions of Approval herein shall prevail unless pre-empted by State or Federal law.

### **TIME LIMIT – OBSERVANCE OF CONDITIONS**

All terms and conditions of the Director’s Determination shall be fulfilled before the use may be established. Pursuant to LAMC Section 12.25 A.2, the instant authorization is further conditional upon the privileges being utilized within **three years** after the effective date of this determination and, if such privileges are not utilized, building permits are not issued, or substantial physical construction work is not begun within said time and carried on diligently so that building permits do not lapse, the authorization shall terminate and become void.

### **TRANSFERABILITY**

This determination runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions of this grant. If any portion of this approval is utilized, then all other conditions and requirements set forth herein become immediately operative and must be strictly observed.

### **VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR**

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated or not complied with, then the applicant or his successor in interest may be prosecuted for violating these conditions the same as for any violation of the requirements contained in the Municipal Code, or the approval may be revoked.

Section 11.00 of the LAMC states in part (m): “It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code shall be guilty of a misdemeanor unless that violation or failure is declared in that section to be an infraction. An infraction shall be tried and be punishable as provided in Section 19.6 of the Penal Code and the provisions of this section. Any violation of this Code that is designated as a misdemeanor may be charged by the City Attorney as either a misdemeanor or an infraction.

Every violation of this determination is punishable as a misdemeanor unless provision is otherwise made, and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment.”

## APPEAL PERIOD - EFFECTIVE DATE

**The Determination in this matter will become effective and final fifteen (15) days after the date of mailing of the Notice of Director's Determination** unless an appeal there from is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of this Determination, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. Forms are available on-line at <http://planning.lacity.org>.

Planning Department public offices are located at:

*Downtown Office  
Figueroa Plaza  
201 North Figueroa Street, 4<sup>th</sup>  
Floor  
Los Angeles, CA 90012  
(213) 482-7077*

*Valley Office  
Marvin Braude Constituent  
Service Center  
6262 Van Nuys Boulevard,  
Suite 251  
Van Nuys, CA 91401  
(818) 374-5050*

*West Los Angeles Office  
1828 Sawtelle Boulevard,  
2<sup>nd</sup> Floor  
Los Angeles, CA 90025  
(310) 231-2901*

**Only an applicant or any owner or tenant of a property abutting, across the street or alley from, or having a common corner with the subject property can appeal this Density Bonus Compliance Review Determination.** Per the Density Bonus Provision of State Law (Government Code Section §65915) the Density Bonus increase in units above the base density zone limits and the appurtenant parking reductions are not a discretionary action and therefore cannot be appealed. Only the requested incentives are appealable. Per Section 12.22 A.25 of the LAMC, appeals of Density Bonus Compliance Review cases are heard by the City Planning Commission.

Verification of condition compliance with building plans and/or building permit applications are done at the Development Services Center of the Department of City Planning at either Figueroa Plaza in Downtown Los Angeles or the Marvin Braude Constituent Service Center in the Valley. In order to assure that you receive service with a minimum amount of waiting, applicants are encouraged to schedule an appointment with the Development Services Center either through the Department of City Planning website at <http://planning.lacity.org> or by calling (213) 482-7077 or (818) 374-5050. The applicant is further advised to notify any consultant representing you of this requirement as well.

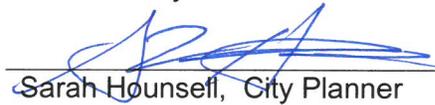
The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedures Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

VINCENT P. BERTONI, AICP  
Director of Planning

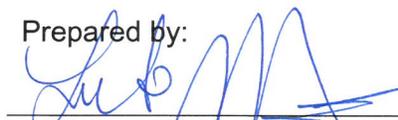
Approved by:

  
\_\_\_\_\_  
Michelle Levy, Senior City Planner

Reviewed by:

  
\_\_\_\_\_  
Sarah Hounseff, City Planner

Prepared by:

  
\_\_\_\_\_  
Lucerito Martinez, Planning Associate  
[Lucy.martinez@lacity.org](mailto:Lucy.martinez@lacity.org)

COUNTY CLERK'S USE

**CITY OF LOS ANGELES**

CITY CLERK'S USE

OFFICE OF THE CITY CLERK  
200 NORTH SPRING STREET, ROOM 360  
LOS ANGELES, CALIFORNIA 90012

**CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**NOTICE OF EXEMPTION**

(California Environmental Quality Act Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152 (b). Pursuant to Public Resources Code Section 21167 (d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations being extended to 180 days.

LEAD CITY AGENCY <b>City of Los Angeles Department of City Planning</b>	COUNCIL DISTRICT 3
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PROJECT TITLE DIR-2018-4224-DB-SPP	LOG REFERENCE ENV-2018-4225-CE
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PROJECT LOCATION  
5431-5505 Reseda Boulevard, Tarzana, CA 91356

**DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:**  
Density Bonus and Project Permit Compliance Review to a permit the demolition of an existing 2,820 square-foot commercial building built in 1937 and a 858 square-foot commercial building constructed in 1952 and the subsequent construction of a new five-story, mixed use building with a height of 56 feet, with 40 residential units, a 3,191 square-foot rooftop deck, a 1,540 square-foot restaurant space and 1,006 square-foot retail space on two lots with an approximate 11,682 square feet in the C2-1L zone. The project will provide a total of 48 parking spaces on two levels of subterranean parking for the residential units and 16 automobile parking spaces at grade for the commercial uses. An additional 12 bicycle parking spaces are being provided in lieu of 3 additional automobile commercial parking spaces. The project includes the removal of five non-protected trees. The Density Bonus includes an increase in density of 25 percent and requests for a 11 percent increase in lot coverage, increase in FAR from 1.25:1 to 3.0:1, and height increase of 11 feet in height in exchange to set aside 15 percent (5 residential units) for Very Low Income Households.

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY:  
Isaac Mizrahi, Etrog Properties, LLC

CONTACT PERSON Daniel Ahadian, NUR Development/Consulting	AREA CODE 310-339-7344	TELEPHONE NUMBER	EXT.
--	---------------------------	------------------	------

EXEMPT STATUS: (Check One)

	STATE CEQA GUIDELINES	CITY CEQA GUIDELINES
<input type="checkbox"/> MINISTERIAL	Sec. 15268	Art. II, Sec. 2b
<input type="checkbox"/> DECLARED EMERGENCY	Sec. 15269	Art. II, Sec. 2a (1)
<input type="checkbox"/> EMERGENCY PROJECT	Sec. 15269 (b) & (c)	Art. II, Sec. 2a (2) & (3)
<input checked="" type="checkbox"/> CATEGORICAL EXEMPTION	Sec. 15300 <i>et seq.</i>	Art. III, Sec. 1
Class <u>32</u> (State CEQA Guidelines)		
<input type="checkbox"/> OTHER	(See Public Resources Code Sec. 21080 (b) and set forth state and City guideline provision.)	

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

SIGNATURE 	TITLE Planning Associate
--	-----------------------------

FEE \$5,774	RECEIPT NO. 0101918346	REC'D. BY Danalynn Dominguez	DATE 07/19/2018
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DISTRIBUTION: (1) County Clerk, (2) City Clerk, (3) Agency Record  
Rev. 11-1-03 Rev. 1-31-06 Word

**EXHIBIT D**

IF FILED BY THE APPLICANT:

\_\_\_\_\_

# JUSTIFICATION FOR PROJECT EXEMPTION

## CASE NO. ENV-2018-4225-CE

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### JUSTIFICATION FOR PROJECT EXEMPTION:

Class 32 consists of projects characterized as in-fill development meeting the following conditions: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. (c) The project site has no value as habitat for endangered, rare or threatened species. (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services. In addition, none of the following Exceptions can apply to the project: (a) The project and successive projects of the same type in the same place will result in cumulative impacts; (b) There are unusual circumstances creating the reasonable possibility of significant effects; (c) The project may result in damage to scenic resources, including, but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within an officially designated scenic highway; (d) The project is located on a site that the Department of Toxic Substances Control and the Secretary of the Environmental Protection have identified, pursuant to Government Code section 65962.5, as being affected by hazardous wastes or clean-up problems; or (e) The project may cause a substantial adverse change in the significance of an historical resource. The project includes the removal of three onsite trees and two street trees.

### Project Description:

Density Bonus and Project Permit Compliance Review to a permit the demolition of an existing 2,820 square-foot commercial building built in 1937 and a 858 square-foot commercial building constructed in 1952 and the subsequent construction of a new five-story, mixed use building with a height of 56 feet, with 40 residential units, a 3,191 square-foot rooftop deck, a 1,540 square-foot restaurant space and 1,006 square-foot retail space on two lots with an approximate 11,682 square feet in the C2-1L zone. The project will provide a total of 48 parking spaces on two levels of subterranean parking for the residential units and 16 automobile parking spaces at grade for the commercial uses. An additional 12 bicycle parking spaces are being provided in lieu of 3 additional automobile commercial parking spaces. The project includes the removal of five non-protected trees. The Density Bonus includes an increase in density of 25 percent and requests for a 11 percent increase in lot coverage, increase in FAR from 1.25:1 to 3.0:1, and height increase of 11 feet in height in exchange to set aside 15 percent (5 residential units) for Very Low Income Households.

There are five (5) exceptions to this Exemption which must be considered in order to find a project exempt under Class 32: (a) Cumulative Impacts; (b) Unusual Circumstances/Significant Effect; (c) Scenic Highways; (d) Hazardous Waste Sites; and (e) Historical Resources.

#### (a) Cumulative Impacts

According to ZIMAS, there are no other previously approved cases within a 500-foot radius. As a result there is not a current succession of known projects of the same type within a 500-foot radius from the subject property. As a result, there are no significant cumulative impacts. Therefore, this exception to the Categorical Exemptions does not apply.

#### (b) Unusual Circumstances/Significant Effect

The project includes the demolition of two one-story commercial buildings with an approximate commercial square footage of 3,678 and the subsequent construction of a new five-story, mixed

use building with a height of 56 feet, 40 residential units, a 1,540 square-foot restaurant space and 1,006 square feet of commercial on two lots with an approximate 11,682 square feet in the C2-1L zone with a total of 64 automobile parking spaces in two levels of subterranean parking and one parking garage at grade. The applicant submitted a traffic assessment report from the Department of Transportation (DOT) and DOT determined that the proposed project will not have a significant traffic impact on the adjacent streets and intersections. The project will not result in significant impacts related to air quality because it falls below interim air threshold established by Department of City Planning (DCP) staff. Interim thresholds were developed by DCP staff based on CalEEMod model runs relying on reasonable assumptions, consulting with AQMD staff, and surveying published air quality studies for which criteria air pollutants did not exceed the established SCAQMD construction and operational thresholds. The project will be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance; pollutant discharge, dewatering, stormwater mitigations; and Best Management Practices for stormwater runoff. These RCMs will reduce any potential impacts on noise and water to less than significant. The property is surrounded by commercial properties to north and south and to the east across from Reseda Boulevard. The property is adjacent to multi-family properties to the west across from a 20-foot alley. Thus, there are no unusual circumstances which may lead to a significant effect on the environment and this exception to the Categorical Exemptions does not apply.

(c) Scenic Highways

Based on a review of the California Scenic Highway Mapping System ([http://www.dot.ca.gov/hq/LandArch/16\\_livability/scenic\\_highways/](http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/)), subject site is not located along an Officially Designated State Scenic Highway, nor are there any designated State Scenic Highways located near the project site. Based on this, the proposed project will not result in damage to scenic resources including trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. Therefore, this exception to the categorical exemptions does not apply.

(d) According to Envirostor (<https://www.envirostor.dtsc.ca.gov/public/>), the State of California's database of Hazardous Waste Sites, neither the subject site, nor any site within 500 feet from the subject site, is identified as a hazardous waste site. According to Geotracker (<https://geotracker.waterboards.ca.gov/>), the State Water Resources Control Board database of regulated facilities the subject site is not identified as a hazardous waste site. However, there is one property located approximately 440 feet to the south of the property which is currently listed in the Geotracker website showing as a LUST Cleanup Site which has an open case for remediation (Former Shell Service Station RB Case No. 913560425). However, according to the Los Angeles Regional Water Quality Control Board Engineering Geologist Magdy Baiady there is no soil and/or groundwater concern for the proposed project location. As a result, this exception to the categorical exemptions does not apply.

(e) The project site has not been identified as a historic resource by local or state agencies, and the project site has not been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, the Los Angeles Historic-Cultural Monuments Register, and/or any local register. In addition, the site was not found to be a potential historic resource based on the City's HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles. Based on this, the project will not result in a substantial adverse change to the significance of a historic resource and this exception does not apply.

A project qualifies for a Class 32 Categorical Exemption if it is developed on an infill site and meets the conditions described in this section. The five (5) conditions which the project must meet in order to qualify for the Class 32 Categorical Exemption are as follows: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies

as well as with the applicable zoning designation and regulations; (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; (c) The project site has no value as habitat for endangered, rare or threatened species; (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) The site can be adequately served by all required utilities and public services.

a) The site is currently developed two one-story commercial buildings constructed in 1937 and 1952, is zoned C2-1L and has a General Plan Land Use Designation of Community Commercial. As a new mixed use project, it is in conformance with the General Plan Zone Designation.

b) The subject site is wholly within the City of Los Angeles, on site that is less than 0.27 acres. Lots adjacent to the site are developed with commercial businesses to the north and south and to the east across from Reseda Boulevard. There is a multi-family dwelling to the west across from a 20-foot alley.

c) The site is not a wildland area, and is not inhabited by endangered, rare, or threatened species. According to the tree report submitted and dated June 24, 2018, there are five non-protected trees and no protected trees onsite. The project includes the removal of five non-protected trees. The project will be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance; pollutant discharge, dewatering, stormwater mitigations; and Best Management Practices for stormwater runoff. These RCMs will reduce any potential impacts on noise and water to less than significant.

d) As a five-story, 56-foot high, mixed-use building with two levels of subterranean parking, approximately 2,546 square feet of commercial uses and surface parking lot on the ground floor, four levels of residential (40 units out of which 5 units are set aside for Very Low Income Households), and a 3,191 square-foot rooftop deck, the project has been determined not to have a significant impact on the adjacent streets and intersection by the Department of Transportation on a Traffic Assessment dated July 23, 2018. The project is under the designated City thresholds that would trigger an Air Quality Study. The project will be subject to standard regulatory compliance measures for drainage and does not involve any special noise generators. Impacts to traffic, air quality, noise, and water quality from the proposed project are anticipated to be less than significant.

e) The project site will be adequately served by all public utilities and services given that the construction of the proposed mixed-use project will be on a site which has been previously developed with two commercial buildings.

Therefore, it can be found that the project meets the qualifications of the Class 32 Exemption.

CITY OF LOS ANGELES  
INTER-DEPARTMENTAL CORRESPONDENCE

**Date:** November 30, 2018

**To:** Mr. Vince Bertoni, Director  
Department of City Planning  
Attn: Lucerito Martinez (Planning Assistant)

**From:**   
Edmond Yew, Division Engineer  
Land Development and GIS Division  
Bureau of Engineering

**Subject: Case No. DIR 2018-4224 (DB/SPP): 5501-5503 North Reseda Boulevard**

The following recommendations identifying the infrastructure deficiencies adjacent to the application site are submitted for your use for the approval of a Density Bonus and Specific Plan Project Permit Compliance adjoining the area involved:

1. Dedication Required:

**Reseda Boulevard** (Boulevard II) – A 5-foot wide strip of land along the property frontage to complete a 55-foot half right-of-way in accordance with Boulevard II standards of Mobility Plan 2035.

**Alley** (W/o Reseda Boulevard) – None.

2. Improvements Required:

**Reseda Boulevard** – Construct a new 15-foot full-width concrete sidewalk. Repair and or replace all broken, off-grade or bad order concrete curb and gutter. Close all unused driveways with full-width concrete sidewalk, integral concrete curb and 2-foot gutter.

**Alley** – Reconstruct the alley pavement and the 2-foot longitudinal concrete gutter along the project site and off-site northerly to Clark Street. Reconstruct the alley intersection at Clark Street to City standards.

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. The applicant should contact the Urban Forestry Division for further information (213) 847-3077.

**EXHIBIT E**

Notes: Street lighting may be required satisfactory to the Bureau of Street Lighting (213) 847-1551.

Department of Transportation may have additional requirements for dedication and improvements.

3. Roof drainage and surface run-off from the property shall be collected and treated at the site and drained to the streets through drain pipes constructed under the sidewalk or through curb drains connected to the catch basins.
4. Sewer lines exist in Reseda Boulevard. 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.
5. 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.
6. Submit shoring and lateral support plans to the Bureau of Engineering Valley District for review and approval prior to excavating to the public right-of-way (818) 374-5090.
7. Submit a parking area and driveway plan to the Valley District Office of the Bureau of Engineering and the Department of Transportation for review and approval.

Any questions regarding this report may be directed to Quyen Phan of my staff at (213) 202-3495.

cc: Daniel Ahadian  
Valley District Office



**REFERRAL FORMS:**

**AFFORDABLE HOUSING REFERRAL FORM**  
LOS ANGELES CITY PLANNING DEPARTMENT

This form is to serve as a referral to the Department of City Planning Development Services Center for affordable housing case filing purposes (in addition to the required Department of City Planning Application and any other necessary documentation) and as a referral to HCIDLA, CRA, LA County, or other City agency for project status and entitlement need purposes. This form shall be completed by the applicant and reviewed and signed by Department of City Planning staff prior to case filing. Any modifications to the content(s) of this form after its authorization by the Department of City Planning staff is prohibited.

**CITY STAFF USE ONLY**

Referral To:		
<input checked="" type="checkbox"/> Planning DSC - Filing <input type="checkbox"/> HCIDLA Funding <input type="checkbox"/> CRA <input type="checkbox"/> LA County <input type="checkbox"/> Other: _____		
NOTES: <i>Ventura/Cahuenga Boulevard Corridor (Specific Plan Area)</i> <i>Geographic Project Planning Referral form is needed.</i>		
Planning Staff Name and Title	Planning Staff Signature	Date
<i>Aida Karapetian / Planning Assistant</i>	<i>[Signature]</i>	<i>6/28/2018</i>

(The Department of City Planning reserves the right to require an updated AHRF for the project if more than 180 days have transpired since the above date, or as necessary, to reflect project modifications, policy changes and/or amendments to the LAMC, local laws, and State laws.)

**I. PROPOSED PROJECT**

**1. PROJECT LOCATION/ ZONING**

Project Address: 5431-5505 Reseda Blvd

Project Name: \_\_\_\_\_

Applicant Name and Phone/Email: Daniel Ahadian; nur - DEVELOPMENT | CONSULTING; Phone: 310.339.7344/

Assessor Parcel Number(s): 2160-007-022 & 2160-007-023 daniel@nurdevelopment.com

Community Plan: Encino-Tarzana      Number of Lots: 2      Lot Size: 11,250.5 s.f.

Existing Zone: C2-1L      Land Use Designation: Community Commercial

Specific Plan     HPOZ     DRB     Enterprise Zone     CRA

Q-condition/ D-limitation/ T-classification (please specify): \_\_\_\_\_

Other pertinent zoning information (please specify): \_\_\_\_\_

Location of Major Transportation Stop or Intersection (please specify): Metro Rapid 750 Ventura/Reseda Bus Stop

Ventura/Cahuenga Boulevard Corridor

*Br 21MAS  
11682-558*

**2. DESCRIPTION OF PROPOSED PROJECT**

A new 5-story multi-family building consisting of 40 units (with 15% or 5 units set-aside for VLI)  
with 2,540 sq ft of commercial space over a 2-level subterranean parking garage. The on-menu  
incentives include a 20% increase lot coverage, an increase in FAR to 3:1, and a height increase  
of 11'.

<sup>1</sup> Per AB 744, A Major Transit Stop means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. It also includes major transit stops that are included in the applicable regional transportation plan. Per Sec 12.22.A.25(b) of LAMC, the definition of Transit Stop/Major Employment Center includes: (1) a station stop for a fixed transit guideway or fixed rail system, (2) a Metro Rapid Bus stop or route, (3) the boundaries of three major economic activity areas, and (4) the boundaries of a college or university campus with an enrollment exceeding 10,000 students.

**EXHIBIT F**

**3. EXISTING USE**

A. Describe Existing Development: Commercial - 1 story

Characteristic of existing use Dwelling Unit (DU), Commercial/ Industrial, or Other	Existing		To Be Demolished	Proposed <sup>2</sup>	
	No. of DU or Guest Rooms	Approximate sq. ft./ea.		No. of DU or Guest Rooms	Approximate sq. ft./ea.
Guest Rooms					
Studio	N/A	N/A	N/A	8	483 sq ft
One Bedroom	N/A	N/A	N/A	24	640-715 sq ft
Two Bedrooms	N/A	N/A	N/A	8	890-965 sq ft
Three Bedrooms					
_____ Bedroom					
Commercial / Industrial					
Other:					

**B. Previous Cases Filed**

	(1)	(2)	(3)
Case Number(s):	<u>DIR-2008-102-SPP</u>	_____	_____
Date Filed:	<u>01/10/2008</u>	_____	_____
Date Approved:	<u>02/11/2008</u>	_____	_____
End of Appeal Period:	<u>2/21/08</u>	_____	_____
Environmental No.	<u>ENV-2008-103-CE</u>	_____	_____

**4. TYPE OF APPLICATION**

- Density Bonus (per LAMC Sec. 12.22.A.25) with **no** incentives filed in conjunction with a discretionary approval. If no entitlement case is requested, please contact the Los Angeles Department of Building and Safety (LADBS) at ladbs.org or call 3-1-1 within the City of Los Angeles or (213) 473-3231 outside of the City of Los Angeles.
- Density Bonus per LAMC Sec. 12.22.A.25 **with incentives on the menu** (please specify): A 20% Lot Coverage increase. FAR increase. Height increase
- Density Bonus per LAMC Sec. 12.22.A.25 **with incentives off menu** (please specify): \_\_\_\_\_
- Density Bonus per LAMC Sec. 12.22.A.25 **with on and off menu incentives** (please specify): \_\_\_\_\_
- Greater Downtown Housing Incentive Area per LAMC Sec. 12.22.A.29, Ordinance 179,076 (Sections 7 and 9 through 11 of this form do not apply)
- Public Benefit Project per LAMC Sec. 14.00.A.2
- Unapproved Dwelling Unit per LAMC Sec. 14.00.A.10
- Agreement for Partnered Housing Between Commercial and Housing Developer:
  - 30% or more of total units provided for low income housing
  - 15% or more of total units provided for very low income housing
- General Plan Amendment per LAMC Sec. 11.5.6. Request: \_\_\_\_\_
- Zone/Height District Change per LAMC Sec. 12.32. Request: \_\_\_\_\_
- Conditional Use per LAMC Sec. 12.22.U.26
- Site Plan Review per LAMC Sec. 16.05
- Specific Plan Project Permit Compliance per LAMC Sec. 11.5.7.C
- Community Design Overlay per LAMC Sec. 13.08
- Coastal Development Permit per LAMC Sec. 12.20.2 or 12.20.2.1
- Tract or Parcel Map per LAMC Sec. 17.00 or 17.50
- Other discretionary incentives requested (please specify): \_\_\_\_\_

<sup>2</sup> Replacement units, per AB 2556, shall be equivalent to the number of units, size, and number of bedrooms of the existing development.

**5. ENVIRONMENTAL REVIEW**

- Environmental Review Not Required – Project is Ministerial.<sup>3</sup> Please explain: \_\_\_\_\_
- Not filed (please contact the Department of City Planning Development Services Center for more information)
- Filed (indicate case number): \_\_\_\_\_

**6. HOUSING DEVELOPMENT PROJECT TYPE (please check all that apply):**

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> For Sale                   | <input type="checkbox"/> Moderate Income              | <input type="checkbox"/> Transitional Foster Youth              |
| <input checked="" type="checkbox"/> For Rent        | <input checked="" type="checkbox"/> Market Rate       | <input type="checkbox"/> Disabled Veteran                       |
| <input type="checkbox"/> Extremely Low Income       | <input checked="" type="checkbox"/> Mixed Use Project | <input type="checkbox"/> Homeless                               |
| <input checked="" type="checkbox"/> Very Low Income | <input type="checkbox"/> Senior                       | <input type="checkbox"/> Special Needs (please describe): _____ |
| <input type="checkbox"/> Low Income                 | <input type="checkbox"/> Residential Hotel            |   |

**7. DENSITY CALCULATION**

**A. Base Density: Maximum density allowable per zoning**

Lot size  12,547.9 s.f. (a) 11,682.5 (Lot Area) + 86.5 X 10 (1/2 Alley)  
 Density allowable by zone 1/400 units/s.f. of lot area (b)  
 Units allowed by right (Base Density)  32 units (c) [c = a/b, Including fraction and round up to the next whole number]

**B. Maximum Allowable Density Bonus:**  44 units (d) [d = c x 1.35, include fraction and round up to whole number]

**C. Proposed Project:** Please indicate total number of Units requested as well as breakdown by levels of affordability set by each category (HCD or HUD). For information on HCD and HUD levels of affordability please contact the Housing and Community Investment Department of Los Angeles (HCIDLA) at (213) 808-8843 or hcidla.lacity.org.<sup>4</sup>

	<u>Total</u>	<u>HCD (State)</u>	<u>HUD (TCAC)</u>
Market Rate	<u>35</u>	<u>N/A</u>	<u>N/A</u>
Managers Unit(s) - Market Rate	<u>          </u>	<u>N/A</u>	<u>N/A</u>
Extremely Low Income	<u>          </u>	<u>          </u>	<u>          </u>
Very Low Income	<u>5</u> <input checked="" type="checkbox"/>	<u>5</u> <input checked="" type="checkbox"/>	<u>          </u>
Low Income	<u>          </u>	<u>          </u>	<u>          </u>
Moderate Income	<u>          </u>	<u>          </u>	<u>N/A</u>
Seniors- Market Rate	<u>          </u>	<u>N/A</u>	<u>N/A</u>
Seniors- Very Low Income	<u>          </u>	<u>          </u>	<u>          </u>
Seniors- Low Income	<u>          </u>	<u>          </u>	<u>          </u>
Seniors – Moderate Income	<u>          </u>	<u>          </u>	<u>          </u>
Transitional Foster Youth–Very Low Income*	<u>          </u>	<u>          </u>	<u>          </u>
Disabled Veterans – Very Low Income*	<u>          </u>	<u>          </u>	<u>          </u>
Homeless – Very Low Income*	<u>          </u>	<u>          </u>	<u>          </u>
Total # of Units per Category	<u>40</u>	<u>5</u> (e)	<u>          </u> (f)
Percent of Affordable Units by Category	<u>15%</u>	<u>15%</u> (g)	<u>          </u> (h)
		[g = e/c or e/i, whichever is less, c or i] [h = f/c or f/i, whichever is less, c or i]	
TOTAL # of Units Proposed	<u>40</u> (i)		
Number of Density Bonus Units	<u>9</u> (j) [If i>c, then j=i-c; if i<c, then j= 0]		
Percent Density Bonus Requested	<u>25%</u> <del>28.1%</del> (k) [k= j/c]		
Percent of Affordable Set Aside	<u>15%</u> (c) x % of affordable housing units provided		

\* Per AB 2442, a 10% setaside with Very Low Income units at 20% Density Bonus.

<sup>3</sup> Ministerial Projects (aka, "By-Right") do not require any discretionary Planning approvals. Developers of such housing file building plans with the Department of Building & Safety. Plans are checked for compliance with the Building Code and, when in compliance, permits are issued to begin construction.

<sup>4</sup> HCD (State) = Published affordability levels per California Department of Housing and Community Development. HUD (TCAC) = Published affordability levels per the United States Department of Housing and Urban Development.

**8. SITE PLAN REVIEW CALCULATION** An application for Site Plan Review may be required for projects that meet any of the Site Plan Review thresholds as outlined in LAMC Section 16.05.C. unless otherwise exempted per Section 16.05.D. For Density Bonus projects involving bonus units, please use the formula provided below to determine if the project meets the Site Plan Review threshold for unit count. If project meets the threshold(s) but qualifies under the exemption criteria per Section 16.05.D please confirm exemption with Department of City Planning's DSC Housing Unit.

31 units allowed by right (permitted by LAMC) – 0 existing units = 31 units

- YES, Site Plan Review is required, if Proposed Base Density units minus existing units is equal to or greater than 50<sup>5</sup>
- NO, Site Plan Review is not required, if Base Density units minus existing units is less than 50
- NO, Site Plan Review is not required if Proposed Project is not utilizing a Density Bonus and total Project is less than 50
- Exempt (please specify): \_\_\_\_\_

**II. DENSITY BONUS (LAMC Sec.12.22.A.25, Ordinance 179,681)**

**9. DENSITY BONUS OPTIONS** (Please check all that apply)

- Land Donation
- Child Care
- Restricted Affordable Units Located Near Transit Stop/ Major Employment Center
- Common Interest Development with Low or Very Low Income Restricted Affordable Units for Rent
- Condominium Conversion

**Parking** (Please choose only one of the following options):

10% Bike Swap Reduction  
(48 X 10%)

**Parking Option 1:** Based on # of bedrooms, inclusive of Handicapped and Guest parking. Fractional numbers are rounded down.

	# of Units	Spaces/Unit	Parking Required	Parking Provided
0-1 Bedroom	32	1	32	32
2-3 Bedrooms	8	2	16	16
4 or more Bedrooms	N/A	2.5	N/A	N/A
<b>TOTALS</b>	<b>40</b>		<b>48</b>	<b>44</b>

**Parking Option 2:** Reduced only for Restricted Affordable Units: up to 40% of required parking for Restricted Affordable Units may be compact stalls. Fractional numbers are rounded down.

	# of Units	Spaces/Unit	Parking Required	Parking Provided
Market Rate (Including Senior Market Rate)		Per code		
Restricted Affordable		1		
Very Low/ Low Income Senior or Disabled		.5		
Restricted Affordable in Residential Hotel		.25		
<b>TOTALS</b>				

**Parking Option 3:** AB 744 - Applies to two types of projects: (A) 100% affordable developments consisting solely of rental units, exclusive of a manager's unit or units, with an affordable housing cost to lower income families; or (B) mixed-income developments consisting of the maximum number of very low- or low income units, which is 11% and 20% set aside, respectively.

<sup>5</sup> Site Plan Review may also be required if other characteristics of the project exceeds the thresholds listed in Sec. 16.05 of the LAMC.

**A) 100% Affordable Rental Projects**

	# of Units	Spaces/Unit	Parking Required	Parking Provided
Located within 1/2 mile of major transit stop		0.5		
Senior having either paratransit service or unobstructed access within 1/2 mile to fixed bus route service that operates at least 8 times/day		0.5		
Special needs having either paratransit service or unobstructed access within 1/2 mile to fixed bus route service that operates at least 8 times/day		0.3		

**B) Mixed Income Projects consisting of the maximum number of very low- or low income units, which is 11% and 20% set aside, respectively**

	# of Bedrooms	Spaces/Bedroom	Parking Required	Parking Provided
Located within 1/2 mile of major transit stop with unobstructed access to project		0.5		

APPLICABLE TO PARKING OPTION 3 – AB744 ONLY: (1) **Major transit stop** means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. It also includes major transit stops that are included in the applicable regional transportation plan. (2) The maximum 1/2 mile distance to a major transit stop is measured in a straight line (“as the crow flies”). (3) Tandem or uncovered parking is permitted. (4) Fractional numbers are rounded up.

**10. INCENTIVES**

Please check if you are requesting an incentive from AB 2501 "Development Bonuses From a Mixed Use Development".

**A. Project Zoning Compliance & Incentives** (Please check all that apply)

	<u>Required/ Allowable</u>	<u>Proposed</u>	<u>ON Menu</u>	<u>OFF Menu</u>
<input type="checkbox"/> (1) Yard/Setback (each yard counts as 1 incentive)				
<input type="checkbox"/> Front	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Rear	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Side(s)	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> (2) Lot Coverage	8,437.5 sq ft	10,125 sq ft ✓	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> (3) Lot Width	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> (4) Floor Area Ratio <sup>6</sup>	1.25 or 1.5:1	2.82:1 ✓	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> (5) Height/ # of Stories <sup>7</sup>	45'/unlimited	56'/ 5-stories ✓	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> (6) Open Space	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> (7) Density Calculation	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> (8) Averaging (all count as 1 incentive)			<input type="checkbox"/>	<input type="checkbox"/>
FAR	_____	_____	—	—
Density	_____	_____	—	—
Parking	_____	_____	—	—
OS	_____	_____	—	—
Vehicular Access	_____	_____	—	—
<input type="checkbox"/> Other (please specify):	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>

Major Highway  
+ C-zone  
+ Height District  
+ Transit Stop  
FAR can be increased up to 3:1

**TOTAL # of Incentives Requested:** 3 0

<sup>6</sup> If applicable, provide vicinity map showing 50% of commercially zoned parcel is within 1,500 feet from Transit Stop or Major Employment Center.  
<sup>7</sup> See Sec. 12.22.A.25(f) 5 for additional requirements.

**B. Qualification for Incentives On the Menu:** (Please check only one)

Incentives	% Very Low Income	% Low Income	% Moderate Income
<b>One</b>	<input type="checkbox"/> 5% to <10%	<input type="checkbox"/> 10% to <20%	<input type="checkbox"/> 10% to <20%
<b>Two</b>	<input type="checkbox"/> 10% to <15%	<input type="checkbox"/> 20% to <30%	<input type="checkbox"/> 20% to <30%
<b>Three</b>	<input checked="" type="checkbox"/> 15% or greater	<input type="checkbox"/> 30% or greater	<input type="checkbox"/> 30% or greater
<b>3+</b>	<input type="checkbox"/> (Specify):	<input type="checkbox"/> (Specify):	<input type="checkbox"/> (Specify):

**11. COVENANT:**

All Density Bonus projects are required to prepare and record an Affordability Covenant to the satisfaction of the Los Angeles Housing Department's Occupancy Monitoring Unit **before** a building permit can be issued. Please contact the Housing and Community Investment Department of Los Angeles (HCIDLA) at (213) 808-8843 or hcidla.lacity.org

**12. REPLACEMENT UNITS:**

AB 2222 requires that density bonus eligible projects replace any pre-existing affordable housing units on the project site. Replacement units include the following: (Answer the following with yes or no.)

- A. Units subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income? No
- B. Units occupied by lower or very low income households below 80% AMI per California Department of Housing and Community Development Department levels not already listed above? No
- C. Units subject to the Rent Stabilization Ordinance not already listed above? No
- D. Units that have been vacated or demolished in the last 5 years? No
- E. Per AB 2556, are the number of replacement units, size and number of bedrooms equivalent to that being demolished (as shown on Existing Development Table on page 2 above)? No

**III. GREATER DOWNTOWN HOUSING INCENTIVE AREA (GDHIA)**

**13. GREATER DOWNTOWN HOUSING INCENTIVE AREA (LAMC SEC. 12.22.A.29, Ordinance 179,076)**

**A. ELIGIBILITY FOR FLOOR AREA BONUS**

*NOTE: Published affordability levels per the United States Department of Housing and Urban Development (HUD/TCAC). Please consult with Los Angeles Housing Department's Occupancy Monitoring Unit for additional information.*

- (1) 5% of the total number of dwelling units provided for Very Low Income households; and
- (2) One of the following shall be provided:
  - 10% of the total number of dwelling units for Low Income households; or
  - 15% of the total number of dwelling units for Moderate Income households; or
  - 20% of the total number of dwelling units for Workforce Income households, and
- (3) Any dwelling unit or guest room occupied by a household earning less than 50% of the Area Median Income that is demolished or otherwise eliminated shall be replaced on a one-for-one basis within the Community Plan Area in which it is located.

**B. INCENTIVES** (Please check all that apply)

*NOTE: Must meet all 3 eligibility requirements from above and provide a Covenant & Agreement (#11).*

- (1) A 35% increase in total floor area.
- (2) Open Space requirement pursuant to Section 12.21.G reduced by one-half, provided fee is paid.
- (3) No parking required for units for households earning less than 50% AMI.
- (4) No more than one parking space required for each dwelling unit.

**C. ADDITIONAL INCENTIVES TO PRODUCE HOUSING IN THE GREATER DOWNTOWN HOUSING INCENTIVE AREA**

- (a) No yard requirements except as required by the Urban Design Standards and Guidelines
- (b) Buildable area shall be the same as the lot area (for the purpose of calculating buildable area for residential and mixed-use)
- (c) Maximum number of dwelling units or guest rooms permitted shall not be limited by the lot area provisions as long as the total floor area utilized by guest rooms does not exceed the total floor area utilized by dwelling units.
- (d) No prescribed percentage of the required open space that must be provided as either common open space or private open space.