

PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL CASE:	COUNCIL DISTRICT:
CPC-2024-914-DB-SPPC-VHCA-1A	ENV-2024-915-CE	13 – Soto-Martinez
RELATED CASE NOS.:	COUNCIL FILE NO:	PROCEDURAL REGULATIONS:
<input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Ch. 1 as of 1/21/24 (Not subject to Processes & Procedures Ord.) <input checked="" type="checkbox"/> Ch. 1A (Subject to Processes & Procedures Ord.)
PROJECT ADDRESS / LOCATION:		
5416 – 5418, 5420, 5424-5428 and 5430 West Carlton Way		
APPLICANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Maria Flores, 5430 Carlton, LLC	213-479-7521	gary@alchemyplanning.com
APPLICANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Gary Benjamin, Alchemy Planning + Land Use	213-479-7521	gary@alchemyplanning.com
APPELLANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
(1) Supporters Alliance for Environmental Responsibility ("SAFER")	(1) 510-836-4200	(1) richard@lozeaudrury.com
(2) Justin Maurer and Noemi Santo, Carlton Serrano Tenants Association	(2) 213-909-5414	(2) carltonseanotenants@gmail.com
APPELLANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
(1) Richard Drury, Lozeau Drury LLP	(1) 510-836-4200	(1) hayley@lozeaudrury.com
(2) N/A	(2) N/A	(2) N/A
PLANNER CONTACT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Danalynn Dominguez	213-978-1340	danalynn.dominguez@lacity.org
ITEMS FOR CITY COUNCIL CONSIDERATION (IE. ENTITLEMENTS, LEGISLATIVE ACTIONS):		
Project Permit Compliance (SPPC) <i>Project Permit Compliance approved under case no. CPC-2024-914-DB-SPPC-VHCA</i>		
FINAL ENTITLMENTS NOT ADVANCING FOR CITY COUNCIL CONSIDERATION: (UNAPPEALED OR NON-APPEALABLE ITEMS)		
Density Bonus (DB)		
ITEMS APPEALED:		
Project Permit Compliance (SPPC)		

ATTACHMENTS:	REVISED:	ENVIRONMENTAL DOCUMENT:	REVISED:
<input checked="" type="checkbox"/> Letter of Determination	<input type="checkbox"/>	<input checked="" type="checkbox"/> Categorical Exemption (CE) (Notice of Exemption)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Findings of Fact	<input type="checkbox"/>	<input type="checkbox"/> Statutory Exemption (SE) (Notice of Exemption)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Staff Recommendation Report	<input type="checkbox"/>	<input type="checkbox"/> Negative Declaration (ND)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Conditions of Approval	<input type="checkbox"/>	<input type="checkbox"/> Mitigated Negative Declaration (MND)	<input type="checkbox"/>
<input type="checkbox"/> T Conditions	<input type="checkbox"/>	<input type="checkbox"/> Environmental Impact Report (EIR)	<input type="checkbox"/>
<input type="checkbox"/> Proposed Ordinance	<input type="checkbox"/>	<input type="checkbox"/> Mitigation Monitoring Program (MMP)	<input type="checkbox"/>
<input type="checkbox"/> Zone Change Map and Ordinance	<input type="checkbox"/>	<input type="checkbox"/> Sustainable Communities Project Exemption (SCPE)	<input type="checkbox"/>
<input type="checkbox"/> GPA Resolution	<input type="checkbox"/>	<input type="checkbox"/> Sustainable Communities Environmental Assessment (SCEA)	<input type="checkbox"/>
<input type="checkbox"/> Land Use Map	<input type="checkbox"/>	<input type="checkbox"/> Sustainable Communities Environmental Impact Report (SCEIR)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Exhibit A – Plans	<input type="checkbox"/>	<input type="checkbox"/> Appendices	<input type="checkbox"/>
<input checked="" type="checkbox"/> Mailing List (both Word and PDF)	<input type="checkbox"/>	<input type="checkbox"/> Other:	<input type="checkbox"/>
<input checked="" type="checkbox"/> Interested Parties List	<input type="checkbox"/>		
<input checked="" type="checkbox"/> Appeals (2)	<input type="checkbox"/>		
<input type="checkbox"/> Development Agreement	<input type="checkbox"/>		
<input type="checkbox"/> Site Photographs	<input type="checkbox"/>		
<input type="checkbox"/> Other:	<input type="checkbox"/>		

NOTES / INSTRUCTIONS:

Please create Council File.

CITY COUNCIL NOTICE TIMING:	NOTICE LIST (SELECT ALL):	NOTICE PUBLICATION:
<input type="checkbox"/> 10 days <input type="checkbox"/> 15 days <input checked="" type="checkbox"/> 24 days <input type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable]	<input checked="" type="checkbox"/> Owner <input checked="" type="checkbox"/> Applicant <input checked="" type="checkbox"/> Adjacent/Abutting <input type="checkbox"/> 100' radius <input checked="" type="checkbox"/> 300' radius <input type="checkbox"/> 500' radius <input checked="" type="checkbox"/> Neighborhood Council <input checked="" type="checkbox"/> Interested Parties	<input type="checkbox"/> 10 days <input type="checkbox"/> 15 days <input checked="" type="checkbox"/> 24 days <input type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable]

FISCAL IMPACT STATEMENT:

☒ Yes
 ☐ No
 *If determination states administrative costs are recovered through fees, indicate "Yes."

PLANNING COMMISSION:

<input checked="" type="checkbox"/> City Planning Commission (CPC) <input type="checkbox"/> Cultural Heritage Commission (CHC) <input type="checkbox"/> Central Area Planning Commission <input type="checkbox"/> East LA Area Planning Commission <input type="checkbox"/> Harbor Area Planning Commission	<input type="checkbox"/> North Valley Area Planning Commission <input type="checkbox"/> South LA Area Planning Commission <input type="checkbox"/> South Valley Area Planning Commission <input type="checkbox"/> West LA Area Planning Commission
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PLANNING COMMISSION HEARING DATE:	COMMISSION VOTE:
June 24, 2025	5 – 0
LAST DAY TO APPEAL:	DATE APPEALED:
July 9, 2025	June 27, 2025 & July 8, 2025
COUNCIL TIME TO ACT:	TIME TO ACT START:
<input type="checkbox"/> 30 days <input type="checkbox"/> 45 days <input type="checkbox"/> 60 days <input checked="" type="checkbox"/> 75 days <input type="checkbox"/> 90 days <input type="checkbox"/> 120 days <input type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable]	<input checked="" type="checkbox"/> Appeal Filing Date <input type="checkbox"/> Received by Clerk <input type="checkbox"/> Last Day to Appeal <input type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable]
TRANSMITTED BY:	TRANSMITTAL DATE:
Cecilia Lamas Commission Executive Assistant II	July 23, 2025



LOS ANGELES CITY PLANNING COMMISSION

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

www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: JUNE 24, 2025

Case No.: CPC-2024-914-DB-SPPC-VHCA

Council District: 13 – Soto-Martinez

CEQA: ENV-2024-915-CE

Plan Area: Hollywood

Project Site: 5416 – 5418, 5420, 5424-5428 and 5430 West Carlton Way

Applicant: Maria Flores, 5430 Carlton, LLC

Representative: Gary Benjamin, Alchemy Planning + Land Use

At its meeting of **May 8, 2025**, the Los Angeles City Planning Commission took the actions below in conjunction with the following Project:

Demolition of seven existing residential buildings and accessory uses, inclusive of a 16-unit apartment building, a four-unit apartment building, three single family dwellings, and a duplex building, the maintenance of an existing eight-unit apartment building, and the construction, use, and maintenance of a new 131-unit apartment building, for a total of 139 units, on an approximately 37,688.3 square-foot (0.87 acre) site within Subarea A of the Vermont/Western Station Neighborhood Area Plan (SNAP) Specific Plan. The proposed project includes the removal of two street trees, three on-site protected trees, and 12 on-site non-protected trees. The proposed project is comprised of an eight-story, 105-foot and four-inch in height residential building, with one at-grade parking level and two and a half subterranean parking levels, and a total of 144,851 square feet of floor area resulting in a floor area ratio (FAR) of 4.8:1. The Project will provide 148 vehicular parking spaces, 70 long term and two short term bicycle parking spaces, 3,405 square feet of usable open space, 35 on-site trees and 10 street trees. The Project will require the export of approximately 26,100 cubic yards of soil.

1. **Determined**, based on the whole of the administrative record, that the Project is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Article 19, Section 15332, Class 32, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. **Approved**, pursuant to Chapter 1 of the Los Angeles Municipal Code (LAMC), Section 12.22 A.25(g)(3), a Density Bonus/Affordable Housing Incentives Program Review to permit the following Off-Menu Incentives and Waivers of Development Standards for a Housing Development Project totaling 139 dwelling units, reserving 15 units for Very Low Income Household occupancy for a period of 55 years, with the following Off-Menu Incentives and Waivers of Development Standards:
 - a. An Off-Menu Incentive to permit a 12-foot, six-inch minimum building setback along Carlton Way, in lieu of a 14-foot, 11.28-inch minimum building setback, as otherwise required by SNAP Section 7-E;
 - b. An Off-Menu Incentive to permit an 18-foot, three-inch maximum building setback along Carlton Way, in lieu of a 14-foot, 11.88-inch maximum building setback, as otherwise required by SNAP Section 7-E;

- c. An Off-Menu Incentive to permit roof lines of up to 169-feet, one-inch without breaks, in lieu of the minimum 40-foot roof line breaks, as otherwise required by SNAP Development Standards Section IV-13;
 - d. A Waiver of Development Standard for a 66-foot, six-inch height increase to permit a maximum building height of 105-feet, four-inches, in lieu of the 38-foot, 10-inch maximum height, as otherwise required by SNAP Section 7-D;
 - e. A Waiver of Development Standard to permit four lots with a total combined area of 37,688 square feet to be tied together to form a single building site in lieu two lots with a total combined area of 15,000 square feet, as otherwise required by SNAP Section 7-A;
 - f. A Waiver of Development Standard for a 70 percent rear yard reduction to permit six feet, in lieu of 20 feet, as otherwise required by LAMC Section 12.11 C.3;
 - g. A Waiver of Development Standard for a 54.6 percent westerly side yard reduction to permit five feet, in lieu of 11 feet, as otherwise required by LAMC Section 12.11 C.2;
 - h. A Waiver of Development Standard for a 58.4 percent reduction of the space between buildings width requirement, to permit nine-foot, two-inch width between buildings, in lieu of the minimum width of 22 feet, as otherwise required by LAMC Section 12.21 C.2(a);
 - i. A Waiver of Development Standard for a 72.8 percent passageway width reduction, to permit a six-foot passageway in lieu of the minimum passageway width of 22 feet, as otherwise required by LAMC Section 12.21 C.2(b); and
 - j. A Waiver of Development Standard for a 74.4 percent reduction in required open space to permit a minimum of 3,405 square feet of open space, in lieu of 13,300 square feet, as otherwise required by SNAP Section 7.F;
3. **Approved**, pursuant to Chapter 1A of the LAMC Section 13.B.4.2, a Specific Plan Project Compliance to allow the demolition of seven existing residential buildings and accessory uses, inclusive of a 16-unit apartment building, a four-unit apartment building, three single family dwellings, a detached garage, and a duplex building and the construction, use and maintenance of eight-story, 131-unit residential building and the maintenance of an existing two-story, eight-unit residential building, for a total of 139 units, within Subarea A (Neighborhood Conservation) of the Vermont/Western Transit Oriented District Station Neighborhood Area Plan (SNAP) Specific Plan;
4. **Adopted** the attached Conditions of Approval; and
5. **Adopted** the attached Findings.

The vote proceeded as follows:

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

Vote: 5 – 0



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

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

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

FINAL APPEAL DATE: JULY 9, 2025

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

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

Attachments: Conditions of Approval, Findings, Appeal Filing Procedures

cc: Jane Choi, Principal Planner
Deborah Kahen, Senior City Planner
Danalynn Dominguez, City Planner

CONDITIONS OF APPROVAL

Pursuant to Section 12.22 A.25 of Chapter 1 of the Los Angeles Municipal Code and Section 13.B.4.2 of Chapter 1A of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the subject property.

Density Bonus Conditions

1. **Residential Density.** The project shall be limited to a maximum density of 139 residential dwelling units, including On-Site Restricted Affordable Units and the maintenance of eight (8) existing residential units.
2. **On-Site Restricted Affordable Units.** The project shall provide a minimum of 15 On-Site Restricted Affordable units, consisting of 15 units for Very Low Income Households, as defined in the California Health and Safety Code to the satisfaction of the Los Angeles Housing Department (LAHD). In the event the SB 8 Replacement Unit condition requires additional affordable units or more restrictive affordability levels, the most restrictive requirements shall prevail.
3. **SB 8 Replacement Units.** The project shall be required to comply with the Replacement Unit Determination (RUD) letter, dated June 3, 2024, to the satisfaction of LAHD. The most restrictive affordability levels shall be followed in the covenant. In the event the On-site Restricted Affordable Units condition requires additional affordable units or more restrictive affordability levels, the most restrictive requirements shall prevail.
4. **Changes in On-Site 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 the issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing Department (LAHD) to make 15 units available to Very Low Income Households or equal to 15 percent of the project's total base residential density allowed, for sale or rental, as determined to be affordable to such households by LAHD for a period of 55 years. Enforcement of the terms of said covenant shall be the responsibility of LAHD. The applicant shall submit a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by the LAHD. Unless otherwise required by state or federal law, the project shall provide an onsite building manager's unit, which the owner shall designate in the covenant. The Owner may not use an affordable restricted unit for the manager's unit.
6. **Rent Stabilization Ordinance (RSO).** Prior to the issuance of a Certificate of Occupancy, the owner shall obtain approval from LAHD regarding replacement of affordable units, provision of RSO Units, and qualification for the Exemption from the Rent Stabilization Ordinance with Replacement Affordable Units in compliance with Ordinance No. 184,873. In order for all the new units to be exempt from the Rent Stabilization Ordinance, the applicant will need to either replace all withdrawn RSO units with affordable units on a one-for-one basis or provide at least 20 percent of the total number of newly constructed rental units as affordable, whichever results in the greater number. The executed and recorded covenant and agreement submitted and approved by LAHD shall be provided.

7. **Floor Area Ratio (FAR).** The maximum FAR shall be limited to 4.8:1, or 144,851 square feet. The new eight (8)-story, 131-unit residential building shall be limited to 138,894 square feet or 4.6:1, as shown in Exhibit A.
8. **Off-Menu Incentives and Waivers of Development Standards**
 - a. **Minimum Building Setback (Off-Menu Incentive).** The exterior walls of the subject project shall have a minimum building setback of 12 feet and six (6) inches, as measured from the front property line to the exterior building wall.
 - b. **Maximum Building Setback (Off-Menu Incentive).** The exterior walls of the subject project shall have a maximum building setback of 18 feet and three (3) inches, as measured from the front property line to the exterior building wall.
 - c. **Roof Lines (Off-Menu Incentive).** As illustrated in 'Exhibit A', all roof lines greater than 169 feet and 1-inch in length shall be broken up with the use of gables, formers, plant-ons, cutouts, or other appropriate means.
 - d. **Height. (Waiver of Development Standard)** The project shall be limited to a maximum building height of 105 feet and four (4)-inches, as measured from grade to the highest point of the structure. Architectural rooftop features as identified in LAMC Section 12.21.1 B.3 may be erected up to 10 feet above the height limit if the structures and features are set back a minimum of 10 feet from the roof perimeter and screened from view at street level.
 - e. **Building Lot Combination (Waiver of Development Standard).** As illustrated in 'Exhibit A', up to four (4) contiguous parcels totaling 37,688.3 square feet of lot area may be tied together to form a single building site.
 - f. **Rear Yard Setback (Waiver of Development Standard).** As illustrated in 'Exhibit A', the project shall provide a minimum rear yard setback of six (6) feet.
 - g. **Side Yard Setback (Waiver of Development Standard).** As illustrated in 'Exhibit A', the project shall provide a minimum westerly side yard setback of five (5) feet.
 - h. **Space Between Buildings Width (Waiver of Development Standard).** As illustrated in 'Exhibit A', the project shall provide a minimum space between building width of nine (9) feet and two (2) inches.
 - i. **Passageway Width (Waiver of Development Standard).** As illustrated in 'Exhibit A', the project shall provide a minimum passageway width of six (6) feet.
 - j. **Open Space (Waiver of Development Standard).** The project shall provide a minimum of 3,405 square feet of usable open space. At least 1,702.5 square feet must be located at grade or first habitable room level. The common open space shall be open to the sky, must be at least 600 square feet in size, and have a minimum dimension of 20 feet when measured perpendicular from any point on each of the boundaries of the open space area. Balconies shall have a minimum dimension of six feet and patios shall have a minimum dimension of ten feet. Common open space areas or balconies not meeting the minimum dimension requirements when measured perpendicular from any point on each of the boundaries of the open space area cannot be counted towards the square footage allocated towards meeting the overall usable open space requirement.

9. **Automobile Parking.** Automobile parking shall be provided consistent with Assembly Bill (AB) 2097, which permits no residential and no commercial parking for a mixed-use project located within half a mile of a major transit stop and no more than 139 residential parking spaces and 33 residential guest parking spaces, for a total of 172 maximum parking spaces per the SNAP.
10. **Landscaping.** The landscape plan shall indicate landscape points for the project equivalent to **10 percent more than otherwise required** by LAMC 12.40 and Landscape Ordinance Guidelines "O". 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.
11. **Required Trees per 12.21 G.2.** As conditioned herein, a final submitted landscape plan shall be reviewed to be in substantial conformance with Exhibit "A". There shall be a minimum of 33, 24-inch box, or larger, trees onsite pursuant to LAMC Section 12.21 G.2. Any required trees pursuant to LAMC Section 12.21 G.2 shown in the public right-of-way in Exhibit "A" shall be preliminarily reviewed and approved by the Urban Forestry Division prior to building permit issuance. In-lieu fees pursuant to LAMC Section 62.177 shall be paid if placement of required trees in the public right-of-way is proven to be infeasible due to City-determined physical constraints.

SNAP Conditions

12. **Site Plan.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped Exhibit "A," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Central Project Planning Division, 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. The plans shall comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
13. **Parks First.** Prior to the issuance of a Certificate of Occupancy, the applicant shall complete the following:
 - a. Make a payment to the Department of Recreation and Parks (RAP) for the required Park Fee pursuant to LAMC Section 17.12. Contact RAP staff by email at rap.parkfees@lacity.org, by phone at (213) 202-2682 or in person at the public counter at 221 N. Figueroa St., Suite 400 (4th Floor), Los Angeles, CA 90012 to arrange for payment.
 - b. Make a payment of \$445,800 to the Parks First Trust Fund for the net increase of 106 residential dwelling units. The calculation of a Parks First Trust Fund Fee to be paid pursuant to the Vermont/Western SNAP shall be off-set by the Park Fee paid pursuant to LAMC Section 17.12 as a result of the project.
 - c. In the event there are remaining Parks First Trust Fund Fees to be paid, the applicant shall make a payment to the Office of the City Administrative Officer (CAO), Parks First Trust Fund. Contact Melinda Gejer and Kristine Harutyunyan of the CAO to arrange for payment. Melinda Gejer may be reached at (213) 473-9758 or Melinda.Gejer@lacity.org. Christie Hwang may be reached at (213) 562-9575 or Christie.Hwang@lacity.org. The applicant shall submit proof of payment for the Parks First Trust Fund Fee to DCP staff, who will then sign off on the Certificate of Occupancy.

- d. All residential units in a project containing units set aside as affordable for Very Low or Low Income Households that are subsidized with public funds and/or Federal or State Tax Credits with affordability covenants of at least 30 years are exempt from the Parks First Trust Fund.
14. **Use.** The proposed residential use shall be permitted on the subject property as shown on the Exhibit "A." The project is allowed R4 uses on the subject property. Any change of use within the project site is required to obtain a Specific Plan Project Compliance approval before any permit clearance is given.
15. **Bicycle Parking.** The project shall provide a minimum of 65 bicycle parking space on-site.
16. **Street Trees.** Street trees must be installed and maintained prior to issuance of the building permit or suitably guaranteed through a bond and all improvements must be completed prior to the issuance of a Certificate of Occupancy.
- a. Ten (10), 24-inch box shade trees shall be provided in the public right-of-way along the Carlton Avenue, subject to the Bureau of Street Services, Urban Forestry Division requirements.
 - b. The project site currently includes existing trees within the frontages along the project site. Whether the street trees should remain or should be replaced is subject to the Bureau of Street Services, Urban Forestry Division. However, existing Palm trees shall be maintained and are not requested to be removed in order to plant new street trees.
 - c. A tree well cover shall be provided for each new and existing tree in the public right-of-way adjacent to the subject property to the satisfaction of the Bureau of Street Services.
 - d. The applicant shall be responsible for new street tree planting and pay fees for clerical, inspection, and maintenance per the Los Angeles Municipal Code Section 62.176 for each tree.
 - e. An automatic irrigation system shall be provided.
- Note: Contact the Urban Forestry Division, Subdivision staff, at (213) 847-3088 for site inspection prior to any street tree work.
17. **Utilities.** All new utility lines which directly service the lot or lots shall be installed underground. If underground service is not currently available, then provisions shall be made by the applicant for future underground service.
18. **Curb Cuts.** Only one curb cut that is 20 feet in width for every 100 feet of street frontage is allowed, unless otherwise required by the Departments of Public Works, Transportation, or Building and Safety. Approval by the Departments of Public Works, Transportation, or Building and Safety for a curb cut exceeding 20 feet in width must be provided to the Department of City Planning once received.
19. **Driveways.** The first 25 feet in length of the driveway shall be constructed of Portland cement concrete, pervious cement, grass-crete, or any other porous surface that reduces heat radiation and/or increases surface absorption, thereby reducing runoff.
20. **Trash, Service Equipment and Satellite Dishes.** Trash, service equipment and satellite dishes, including transformer areas, shall be located away from streets and enclosed or

screened by landscaping, fencing or other architectural means. The trash area shall be enclosed by a minimum six-foot high decorative masonry wall. Each trash enclosure shall have a separate area for recyclables. Any transformer area within the front yard shall be enclosed or screened.

21. **Rooftop Appurtenances.** All rooftop equipment and building appurtenances shall be screened from any street, public right-of-way, or adjacent property with enclosures or parapet walls constructed of materials complimentary to the materials and design of the main structure.
22. **Privacy.** As illustrated in 'Exhibit A', the façade shall avoid placing windows facing windows across property lines or facing private outdoor space of other residential units.
23. **Façade Relief.** As illustrated in 'Exhibit A', all exterior elevations shall provide a break in the plane every 20 feet in horizontal length and every 15 feet in vertical length.
24. **Landscape Plan.** The applicant shall submit a final landscape plan prepared by a licensed landscape architect showing enhanced paving such as stamped concrete, permeable paved surfaces, tile and/or brick within paved areas in front, side and rear yards.
25. **Irrigation Plan.** A final irrigation plan shall be prepared and included.

Environmental Conditions

26. **Implementation.** The Applicant shall be responsible for implementing each Project Design Feature (PDF) and shall be obligated to provide certification, as identified below, to the appropriate monitoring and enforcement agencies that each PDF has been implemented. The Applicant shall maintain records demonstrating compliance with each PDF. Such records shall be made available to the City upon request.
27. **PDF-TRAF-1: Construction Management Plan.** A detailed Construction Traffic Management Plan, including street closure information, a detour plan, haul routes, and a staging plan shall be prepared and submitted to the City for review and approval. The Construction Traffic Management Plan shall formalize how construction would be carried out and identify specific actions that would be required to reduce effects on the surrounding community. The Construction Management Plan will be based on the nature and timing of the specific construction activities and other projects in the vicinity of the Project Site, and shall include, but not be limited to, the following elements:
 - Advance, bilingual notification of adjacent property owners and occupants of upcoming construction activities, including durations and daily hours of operation.
 - Prohibition of construction worker or equipment parking on adjacent streets.
 - Temporary pedestrian, bicycle, and vehicular traffic controls during all construction activities adjacent to the Project Site, to ensure traffic safety on public ROW.
 - Implementation of safety precautions for pedestrians and bicyclists through such measures as alternate routing and protection barriers, as appropriate.
 - Temporary traffic control (e.g., flag persons) during all construction activities adjacent to public ROW to improve traffic flow on public roadways.
 - Scheduling of construction-related deliveries, haul trips, etc., to occur outside the commuter peak hours to the extent feasible.
 - Potential sequencing of construction activity for the Project to reduce the amount of construction-related traffic on arterial streets.
 - Containment of construction activity within the Project Site boundaries.

28. **PDF-TRAN-2: Transportation Demand Management (TDM) Measures:** The proposed project shall incorporate the following TDM strategies:

- Reduced parking supply (148 spaces) compared to the Los Angeles Municipal Code (LAMC) baseline requirements (197 spaces), in accordance with AB 2097.
- Unbundled cost of parking from residential leases, in accordance with AB 1317.
- Bicycle parking per the Los Angeles Municipal Code.

Administrative Conditions

29. **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.
30. **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.
31. **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.
32. **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.
33. **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.
34. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
35. **Expiration.** In the event that this grant is not utilized within three years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
36. **Recording Covenant.** Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to

the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center at the time of Condition Clearance for attachment to the subject case file.

37. Indemnification and Reimbursement of Litigation Costs. The 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.

FINDINGS

DENSITY BONUS FINDINGS

The Applicant requests three (3) Off-Menu Incentives, as listed below:

- a. An Off-Menu Incentive to permit a 12-foot, 6-inch minimum building setback along Carlton Way, in lieu of a 14-foot, 11.28-inch minimum building setback, as otherwise required by SNAP Section 7-E;
- b. An Off-Menu Incentive to permit an 18-foot, 3-inch maximum building setback along Carlton Way, in lieu of a 14-foot, 11.88-inch maximum building setback, as otherwise required by SNAP Section 7-E; and
- a. An Off-Menu Incentive to permit roof lines of up to 169 feet, 1-inch without breaks, in lieu of 40-foot roof line breaks, as otherwise required by SNAP Development Standards and Design Guidelines Section IV-13.

Based upon the required set-aside of at least 15 percent, of the 95 base density units for Very Low Income Households, or 15 units, the Applicant is entitled to three (3) Incentives under both Government Code and LAMC. The project is providing 15 units for Very Low Income Households, or 15-percent of the base units. Therefore, the three (3) Off-Menu requests qualify as the proposed development's Incentives.

The following is a delineation of the findings related to the request for three (3) Off-Menu Incentives, pursuant to LAMC 12.22. A.25(g) and Government Code Section 65915. By law, the Commission shall approve a Density Bonus and requested Incentives unless the Commission makes a finding based on substantial evidence that:

1. **The incentives do not result in identifiable and actual cost reductions to provide for affordable housing costs for rents for the affordable units.**

The record does not contain substantial evidence that would allow the City Planning Commission to make a finding that the requested incentives do not result in identifiable and actual cost reduction to provide for affordable housing costs per State Law. 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.

Off-Menu Incentive - Minimum Building Setback: Section 7.E. of the SNAP states that the exterior wall of the proposed building frontage be located no closer to the street than the exterior wall of the adjacent building closest to the street. The adjacent building setback that is closest to the street is 14 feet, 11.28 inches (14.94 feet) away from Carlton Way. The Applicant requests a 12-foot, six (6)-inch minimum building setback along Carlton Way. The incentive provides for affordable housing cost reductions as without the incentive, the project would need to recapture the lost units by increasing the height of the building, resulting in greater cost of affordable units. The incentive would enable the Applicant to build the market rate and affordable units by expanding the Project's building envelope so that the units being constructed are of sufficient size, configuration, and quality.

Off-Menu Incentive - Maximum Building Setback: Section 7.E. of the SNAP states that the exterior wall of the proposed building frontage be located no further from the street

than the exterior wall of the adjacent building farthest from the street. The adjacent building setback that is farthest from the street is 14 feet and 11.88 inches (14.99 feet) away from Carlton Way. The Applicant requests a Density Bonus Off-Menu incentive to permit an up to 18-foot, 3-inch maximum building setback along Carlton Way. Granting of the off-menu incentive would result in a building design and construction efficiencies that provide for affordable housing costs. The incentive would enable the developer to expand the building envelope so that additional affordable units can be constructed and the overall space dedicated to residential uses is increased. The increased building envelope also ensures that all dwelling units are of a habitable size while providing a variety of unit types. Thus, the incentive is necessary to provide for affordable housing costs.

Off-Menu Incentive - Roof Line Breaks: Subarea A of the SNAP states that all roof lines in excess of 40 feet must be broken up through the use of gables, dormers, plant-ons, cutouts, or other appropriate means. The Applicant requests a Density Bonus Off-Menu incentive to permit roof lines that extend up to 169 feet, 1-inch without breaks in lieu of the 40-foot roof line breaks otherwise required in Section IV.13 of the SNAP Development Standards and Design Guidelines. Granting of the off-menu incentive would result in a building design and construction efficiencies that provide for affordable housing costs. The incentive would enable the developer to expand the building envelope so that additional affordable units can be constructed and the overall space dedicated to residential uses is increased. Thus, the incentive is necessary to provide for affordable housing costs.

The requested incentives allow the developer to utilize more floor area on the ground floor for uses accessory elements for the residential units and provide for design efficiencies. These incentives support the Applicant's decision to set aside 15-percent of the 95 base units, that is 15 units, restricted to Very Low Income Households for 55 years.

2. **The incentive(s) will have a 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 are 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 substantial evidence in the record that the proposed incentive(s) 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)). As required by Section 12.22 A.25 (e)(2), the project meets the eligibility criterion that is required for density bonus projects. The project, including the existing buildings proposed for demolition and the existing eight (8)-unit apartment building that will be maintained, are not contributing structures in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. Additionally, the Historic Resources Assessment prepared by Chronical Heritage for the Class 32 Categorical Exemption, Case Number ENV-2024-915-CE, was accepted by the Los Angeles Office of Historic Resources in an email dated September 5, 2024. The project would not result in any substantial adverse changes to any historical resources within the vicinity of the project as defined in Section 15064.5(b) of the CEQA Guidelines. Therefore, there is no substantial evidence that the proposed incentive(s) will have a specific adverse impact on public health and safety.

3. The incentives are contrary to state or federal law.

There is no evidence in the record that the proposed incentives are contrary to state or federal law.

4. The “waiver[s] or reduction[s] of development standards will not have the effect of physically precluding the construction of a development meeting the [affordable set-aside percentage] criteria of subdivision (b) at the densities or with the concessions or incentives permitted under [State Density Bonus Law]” (Government Code Section 65915(e)(1)).

A Density Bonus project may request other “waiver[s] or reduction[s] of development standards that will have the effect of physically precluding the construction of a development meeting the [affordable set-aside percentage] criteria of subdivision (b) at the densities or with the concessions or incentives permitted under [State Density Bonus Law]” (Government Code Section 65915(e)(1)).

Waiver of Development Standard – SNAP Height: Section 7.D. of the SNAP states that the maximum height of the proposed building shall not exceed 15 feet of the height of the shortest building on any adjacent lot. In addition, roofs and roof structures for the purposes specified in the Los Angeles Municipal Code (LAMC), Chapter 1, Section 12.21.1 B 3 of the Code, and architectural rooftop features, such as roof decks, trellises and gazebos, may be erected up to ten feet above the height limit established in this section, if the structures and features are set back a minimum of ten feet from the roof perimeter and screened from view at street level by a parapet or a sloping roof. The height of the shortest building adjacent to the project site is 23-foot, 10-inches, resulting in a maximum height allowance of 38-feet, 10-inches (23'-10" + 15') on the project site. The Applicant is requesting a waiver of development standard to allow a 66-foot, 6-inch height increase to permit a maximum building height of 105 feet, four (4)-inches. As proposed, the granting of this waiver will allow the developer to expand the building envelope so that additional affordable units can be constructed, and the overall space dedicated to residential uses is increased. The increased building envelope also ensures that all dwelling units are of a habitable size while providing a variety of unit types. Thus, the denial of the requested waiver will have the result of physically precluding one or more affordable units.

Waiver of Development Standard – SNAP Building Lot Combination: Section 7.A. of the SNAP states that the uses allowed by the existing residential zoning classification of any lot located within Subarea A, shall be permitted, provided, however, that no more than two lots, having a total combined lot area of 15,000 square feet, may be tied together to form a single building site. The Applicant is proposing to construct a new eight (8)-story, 131-unit residential building on the project site which consists of four (4) contiguous parcels fronting Carlton Way. The project site comprises approximately 37,688.3 square feet of lot area with an approximate width of 200 feet and length of 188 feet prior to any required street dedications. As proposed, the granting of this waiver will allow the developer to expand the building envelope so that additional affordable units can be constructed, and the overall space dedicated to residential uses is increased. The increased building envelope also ensures that all dwelling units are of a habitable size while providing a variety of unit types. Thus, the denial of the requested waiver will have the result of physically precluding one or more affordable units.

Waiver of Development Standard – Rear Yard Setback: The subject property is zoned [Q]R4-2. According to the Los Angeles Municipal Code (LAMC) Section 12.11-C,3, the proposed project is required to provide a minimum rear yard setback of 20 feet. The

Applicant is proposing a 70-percent reduction to the minimum rear yard setback to allow a six (6)-foot rear yard setback. As proposed, the granting of this waiver will allow the developer to expand the building envelope so that additional affordable units can be constructed, and the overall space dedicated to residential uses is increased. Without the rear yard setback waiver, the total unit count would be reduced. Thus, the denial of the requested waiver will have the result of physically precluding one or more affordable units.

Waiver of Development Standard – Side Yard Setback: The subject property is zoned [Q]R4-2. According to the Los Angeles Municipal Code (LAMC) Section 12.11-C,3, the proposed project is required to provide a minimum westerly side yard setback of 11 feet. The Applicant is proposing a 54.6-percent reduction to the minimum side yard setback to allow a five (5)-foot westerly side yard setback. As proposed, the granting of this waiver will allow the developer to expand the building envelope so that additional affordable units can be constructed, and the overall space dedicated to residential uses is increased. Without the rear yard setback waiver, the total unit count would be reduced. Thus, the denial of the requested waiver will have the result of physically precluding one or more affordable units.

Waiver of Development Standard – Space Between Buildings: The subject property is zoned [Q]R4-2. According to the Los Angeles Municipal Code (LAMC) Section 12.21-C,2(a), the proposed project is required to provide a minimum space between buildings width of 22 feet. The Applicant is proposing a 58.4-percent reduction to the minimum space between buildings width to allow a nine (9)-foot, two (2)-inch space between buildings on the project site. As proposed, the granting of this waiver will allow the developer to expand the building envelope so that additional affordable units can be constructed, and the overall space dedicated to residential uses is increased. Without the rear yard setback waiver, the total unit count would be reduced. Thus, the denial of the requested waiver will have the result of physically precluding one or more affordable units.

Waiver of Development Standard – Passageway Width: The subject property is zoned [Q]R4-2. According to the Los Angeles Municipal Code (LAMC) Section 12.21-C,2(b), the proposed project is required to provide a minimum passageway width requirement of 22 feet. The Applicant is proposing a 72.8-percent reduction to the minimum passageway width to allow a six (6)-foot passageway. As proposed, the granting of this waiver will allow the developer to expand the building envelope so that additional affordable units can be constructed, and the overall space dedicated to residential uses is increased. Without the rear yard setback waiver, the total unit count would be reduced. Thus, the denial of the requested waiver will have the result of physically precluding one or more affordable units.

Waiver of Development Standard – Open Space: Section 7.F of the SNAP states that projects containing two or more residential units, shall contain usable open space in accordance with the standards of the Los Angeles Municipal Code, Chapter 1, Section 12.21 G.2. The proposed project includes the construction of 131 new dwelling units comprised of 74 studio units, 49 one-bedroom units, and eight two-bedroom units, yielding a minimum required amount of 13,300 square feet of open space required. The Applicant is proposing a 74.4-percent reduction in the required amount to allow 3,405 square feet of required open space. As proposed, the granting of this waiver will allow the developer to expand the building envelope so that additional affordable units can be constructed, and the overall space dedicated to residential uses is increased. Without the rear yard setback waiver, the total unit count would be reduced. Thus, the denial of the requested waiver will have the result of physically precluding one or more affordable units.

SPECIFIC PLAN PROJECT COMPLIANCE (SPPC) FINDINGS**5. The project substantially complies with the applicable regulations, findings, standards, and provisions of the specific plan.**

- a. Parks First.** Section 6.F of the Vermont/Western Station Neighborhood Area Plan (SNAP) Specific Plan requires the applicant to pay a Parks First Trust Fund of \$4,300 for each new residential unit, prior to the issuance of a Certificate of Occupancy. The includes the demolition and removal of seven existing residential buildings and accessory uses, inclusive of a 16-unit apartment building, a four (4)-unit apartment building, three (3) single family dwellings, a detached garage structure, and a duplex building. The proposed project also includes the construction, use and maintenance of an eight (8)-story, 131-unit apartment building with two (2) and one-half ($\frac{1}{2}$) subterranean parking levels and one (1) at-grade parking level. An existing eight (8)-unit apartment building will be maintained as onsite. Pursuant to the Los Angeles Housing Department Determination Letter, dated June 3, 2024, there are 25 existing units on the project site. As such, resulting net increase in number of units for the project is 106 units. The project is therefore required to pay a total of \$445,800 into the Parks First Trust Fund. The calculation of a Parks First Trust Fund fee to be paid or actual park space to be provided pursuant to the Parks First Ordinance shall be offset by the amount of any fee pursuant to LAMC Section 17.12 or dwelling unit construction tax pursuant to LAMC Section 21.10.1, et seq. This requirement is reflected in the Condition of Approval. As conditioned, the project complies with Section 6.F of the Specific Plan.
- b. Residentially Zoned Properties.** Section 7.A of the Vermont/Western Specific Plan states that residential uses allowed by the existing residential zoning classification of any lot located within Subarea A shall be permitted, provided that no more than two (2) lots have a total combined lot area of 15,000 square feet may be tied together to form a single building site. Furthermore, parking shall be prohibited in the required front yard areas. The proposed project is located within the [Q]R4 Zone, which permits one dwelling unit for every 800 square feet of lot area per Ordinance No. 165,668. However, on September 28, 2022, Governor Newsom signed Assembly Bill 2334, which amended the Maximum Allowable Residential Density definition under the State Density Bonus Law (Gov't Code §65915). The subject site is composed of four (4) lots measuring 37,688.3 square feet in size and the applicant is proposing a base density of one dwelling unit for every 400 square feet of lot area, or 95 units, which is consistent with the Hollywood Community Plan and High Residential Land Use Designation. Furthermore, the applicant seeks a Density Bonus increase of 46 percent to permit 139 residential units on-site, inclusive of the maintenance of the existing eight (8) units, with 15 units reserved for Very Low Income Household occupancy, in lieu of the otherwise permitted 95 base units. Therefore, as conditioned and in conjunction with Density Bonus, the project complies with Section 7.A of the Specific Plan.
- c. Commercially Zoned Properties.** Section 7.B of the Vermont/Western Specific Plan states that commercial uses on commercially zoned properties are limited to those uses defined as "Neighborhood Retail" and "Neighborhood Serving" in LAMC Section 13.07 and limited to the ground floor only. The project site is not commercially zoned and does not propose commercial uses. Therefore, Section 7.B of the Specific Plan does not apply.
- d. Schools, Child Care and Community Facilities.** Section 7.C of the Vermont/Western Specific Plan states that public or private schools, child care facilities, parks, community gardens, community facilities, shall be permitted on any lot or lots provided that the

building site for those uses has no more than two (2) acres of combined lot area. The project does not include any school, child care or community facilities uses. Therefore, Section 7.C of the Specific Plan does not apply.

- e. Maximum Height.** Section 7.D of the Vermont/Western Specific Plan states that the maximum height of any new building within Subarea A shall not exceed a height that is within 15 feet of the height of the shortest adjacent building on any adjacent lot within the same Subarea. The Specific Plan further stipulates that roofs and roof structures for the purposes specified in the Los Angeles Municipal Code (LAMC) Section 12.21.1 B.3 of the Code and architectural rooftop features may be erected up to 10 feet above the maximum height limit, if the structures and features are set back a minimum of 10 feet from the roof perimeter and screened from view at street level.

As seen in Sheet G1.4, the shortest adjacent building at 5414 W. Carlton Way, measures up to 23 feet and 3 inches in height. However, the applicant is seeking a Density Bonus Off-Menu Incentive of up to 66-feet and six (6)-inch increase in height to permit 105 feet and four (4) inches of maximum building height. The applicant is proposing to reserve 15 units for Very Low Income Household occupancy.

Height Increase			
	SNAP Maximum Height Limit	With DB Incentive	Proposed Height
Overall Height	23'-3" + 15' = 38' 10"	38' 10" + 66' 6" = 105'-4" (169.5% Increase)	105' 4"

Therefore, as conditioned and in conjunction with the Density Bonus Waiver of Development Standard, the project complies with Section 7.D of the Specific Plan.

- f. Building Setback.** Section 7.E of the Vermont/Western Specific Plan states that all buildings shall face a public street. The proposed development fronts along Carlton Way with a main pedestrian entrance located along the street frontage. Section 7.E. of the Vermont/Western Specific Plan also states that the exterior wall of the building frontage shall be located no closer to the street and no farther from the street than the exterior walls of the adjacent buildings within the same Subarea. The adjacent property to the west (5424 West Carlton Way and 5436 West Carlton Way) is located approximately 14 feet and 11.88 inches (14.99 feet) from the front property line and the adjacent property to the east (5412 West Carlton Way) is located 14 feet, 11.28 inches (14.94 feet) from the front property line. The Applicant is proposing two (2) Density Bonus Off-Menu Incentives to allow a building setback that ranges between 12 feet and six (6) inches and 18-feet and 3-inches from the front property line. As described in Finding No. 1, the record does not contain substantial evidence that would allow the City Planning Commission to make a finding that the requested incentives do not result in identifiable and actual cost reduction to provide for affordable housing costs per State Law. Therefore, as conditioned and in conjunction with the Density Bonus Off-Menu Incentives, the project complies with Section 7.E of the Specific Plan.
- g. Usable Open Space.** Section 7.F of the Vermont/Western Specific Plan states that residential Projects with two (2) or more dwelling units must provide specified amounts of common and private open space pursuant to the standards set forth in LAMC 12.21 G.2. The Specific Plan further stipulates that 50 percent of the total open space must be provided at ground level or first habitable room level of the project, and that roof decks may be used in their entirety as common or private open space, excluding that portion of the roof within 20 feet of the roof perimeter. Units containing less than three (3) habitable rooms require 100 square feet of open space per unit. Units containing

three (3) habitable rooms require 125 square feet of open space per unit. Units containing more than three (3) habitable rooms require 175 square feet of open space per unit. The project consists of 123 units with less than three (3) habitable rooms and eight (8) units with three (3) habitable rooms, thereby requiring a total of 13,300 square feet of required usable open space of which 6,650 square feet must be located at grade or first habitable room level. The minimum Usable Open Space requirement is shown in the table below:

Minimum Usable Open Space			
	Units	SF Required	Usable Open Space (SF)
Dwelling Units with Less than 3 Habitable Rooms	123	100	12,300
Dwelling Units with 3 Habitable Rooms	8	125	1,000
Dwelling Units with More than 3 Habitable Rooms	0	175	0
Total Minimum Usable Open Space			13,300
50% located at grade or first habitable room level			6,650

The applicant seeks a Density Bonus Waiver of Development Standard to provide a 74.4% reduction in required open space to permit 3,405 square feet of open space of which 1,702.5 square feet would be located at the first habitable level or grade level. The first habitable level is located on the second floor as the proposed project includes at grade parking.

The Applicant is providing 3,405 square feet of common outdoor open space. However, the proposed project includes additional voluntary open space areas through the use of private balconies, fitness rooms, and gymnasiums, as shown in the table below:

Provided Open Space	
Private	
Balconies Level 2-8	4,498
Total	4,498
Common – Indoor	
Fitness Room Level 4	635
Gym Level 5	635
Total	1,270
Common – Outdoor	
Outdoor Patio Level 1	1,702.5
Pool Deck Level 4	1,702.5
Total	3,405
Total Required Open Space	3,405
50% of Open Space at the First Habitable Room Level Required	1,702.5
Total Required Open Space Provided	3,405
50% of Open Space at the First Habitable Room Provided	1,702.5

Required planting area 25% of Common Open Space	851.25
Total Provided Planted Area	852.5

Using a Density Bonus Waiver of Development Standard, the proposed project includes 3,405 square-feet of required usable open space. The proposed project also includes an additional 1,200 square feet of common open space area and 4,499 square feet of private open space area that are not designed in accordance with LAMC requirements and cannot count towards the required amount of provided open space area. The project has been conditioned to construct the open space as illustrated in Exhibit 'A'. Therefore, as conditioned and in conjunction with the Density Bonus/Affordable Housing Incentives Program, the project complies with Section 7.F of the Specific Plan.

h. Project Parking Requirements.

- i. **Automobile Parking.** Section 7.G.1 of the Vermont/Western Specific Plan sets forth a minimum and maximum parking standard for residential projects, as shown in the tables below:

SNAP Minimum Parking Spaces			
	Parking Space Per Square Feet / Unit	Units	Parking Spaces
Dwelling Units with Less than 3 Habitable Rooms	1	74	74
Dwelling Units with 3 Habitable Rooms	1	49	49
Dwelling Units with More than 3 Habitable Rooms	1.5	8	12
Total Residential Required Spaces			135
Guest	.25	131	33
Total Minimum Required Spaces (inclusive of guest parking)			168

SNAP Maximum Parking Spaces			
	Parking Space Per Square Feet / Unit	Units	Parking Spaces
Dwelling Units with Less than 3 Habitable Rooms	1	74	74
Dwelling Units with 3 Habitable Rooms	1.5	49	73
Dwelling Units with More than 3 Habitable Rooms	2	8	16
Total Residential Allowed Spaces			163
Guest	.25	131	33
Total Maximum Allowed Spaces (inclusive of guest parking)			198

The Applicant proposes to utilize Assembly Bill (AB) 2097, which is a California law that prohibits public agencies or cities from imposing a minimum automobile parking requirement on most development projects located within a half-mile radius of a major transit stop. As the proposed project is a residential project and the site is located within half a mile of a major transit stop, the project qualifies for the parking reduction under the provisions of AB 2097. However, the project is still subject to the maximum

- parking requirement per the SNAP. The SNAP limits the maximum number of automobile parking spaces to 198, inclusive of guest parking spaces. AB 2097 replaces the parking requirement in the Density Bonus and SNAP Parking requirements for residential projects. The Applicant is providing 148 residential parking spaces and zero guest parking spaces, thereby satisfying the maximum SNAP parking requirements. Additionally, the Project is conditioned to meet the Electric Vehicle charging spaces (EV Spaces) and Electric Vehicle Charging Stations (EVCS) regulations outlined in Sections 99.04.106 and 99.05.106 of Article 9, Chapter IX of the LAMC, to the satisfaction of the Department of Building and Safety. Any vehicular parking spaces that are provided above the LAMC requirement are conditioned to be provided with EV chargers to immediately accommodate electric vehicles within the parking areas. Therefore, as conditioned and in conjunction with the reduced residential parking spaces per AB 2097, the project complies with Section 7.G.1 of the Specific Plan.
- ii. **Bicycles.** Section 7.G.2 of the Vermont/Western Specific Plan requires any residential project with two (2) or more dwelling units to provide one-half (0.5) bicycle parking space per residential unit. The proposed development consists of 131 residential units, thus, requiring 65 bicycle parking spaces. The Applicant is proposing 70 long-term bicycle parking spaces and two (2) short-term bicycle parking spaces, which meets the minimum spaces required. Therefore, as proposed and conditioned, the project complies with Sections 7.G.1 and 7.G.2 of the Specific Plan.
 - i. **Conversion Requirements.** Section 7.H of the Vermont/Western Specific Plan sets forth requirements pertaining to the conversion of existing structures to residential condominium uses. The Applicant proposes the demolition of seven existing residential buildings and accessory uses, inclusive of a 16-unit apartment building, a four (4)-unit apartment building, three (3) single family dwellings, and a duplex building; and the construction, use and maintenance of an eight (8)-story, 131-unit apartment building with two (2) and one-half (½) subterranean parking levels and one (1) at-grade parking level. The project does not include the conversion of existing structures to residential condominium uses. Therefore, Section 7.H of the Specific Plan does not apply.
 - j. **Development Standards.** Section 7.I of the Vermont/Western Specific Plan requires that all Projects be in substantial conformance with the following Development Standards and Design Guidelines.

Development Standards

- (1) **Landscaped Focal Point.** This Development Standard requires all new development projects to be designed around a landscaped focal point or courtyard. The applicant has submitted a Landscape Plan showing landscaped areas within surrounding the project site. The front yard and rear yard will be landscaped with trees such as Western Red Bud tree, Swan Hill Olive tree, Coast Live Oak tree, and California Sycamore trees. The shrubs proposed include Deer grass, Foothill sedge, and Lavender. Therefore, the project complies with this Development Standard.
- (2) **Landscape Plan.** This Development Standard requires that all open areas not used for buildings, driveways, parking, recreational facilities, or pedestrian amenities shall be landscaped by lawns and other ground coverings. The applicant has submitted a Landscape Plan which includes a landscaped front

yard and rear yard as described above. In addition, a Condition of Approval has been included requiring the applicant to provide a final landscape plan prepared by a licensed landscape architect. Therefore, as conditioned, the project complies with this Development Standard.

- (3) **Usable Open Space.** The Development Standards for common usable open space stipulate that no portion of the required common usable open space can have a dimension less than 20 feet and an overall minimum area less than 600 square feet for more than ten (10) dwelling units. The Development Standard further stipulates that private usable open space, such as balconies with a minimum dimension of six (6) feet, may reduce the required usable open space directly commensurate with the amount of private open space provided. As shown in the open space plans, the common open space areas provide more than the minimum area of 600 square feet and the minimum dimension of 20 feet.

In conjunction with the Density Bonus Waiver of Development Standard for reduced open space, the project is required to include 3,405 square feet of usable open space. The Applicant is providing 3,405 square feet of common outdoor open space. However, the proposed project includes additional voluntary open space areas through the use of private balconies, fitness rooms, and gymnasiums, as shown in the table below:

Provided Open Space	
Private	
Balconies Level 2-8	4,498
Total	4,498
Common – Indoor	
Fitness Room Level 4	635
Gym Level 5	635
Total	1,270
Common – Outdoor	
Outdoor Patio Level 1	1,702.5
Pool Deck Level 4	1,702.5
Total	3,405
Total Required Common Open Space	3,405
50% of Open Space at the First Habitable Room Level Required	1,702.5
Total Required Open Space Provided	3,405
50% of Open Space at the First Habitable Room Provided	1,702.5
Required planting area 25% of Common Open Space	851.25
Total Provided Planted Area	852.5

The proposed project includes 3,405 square-feet of required usable open space that meets the minimum dimension of 20 feet and the minimum area of 600 square feet as required by this Development Standard. The proposed project also includes an additional 1,200 square feet of common open space area and 4,499 square feet of private open space area that are not designed in accordance

with LAMC requirements and are not counted towards the required amount of provided open space area. As designed, the required open space areas comply with this Development Standard.

- (4) **Street Trees.** This Development Standard requires one, 24-inch box shade tree to be planted and maintained in the public right-of-way for every 20 feet of street frontage. The subject site occupies approximately 200 feet of street frontage along the southerly side of Carlton Way. As such, 10 street trees are required along the project site's public right-of-way. The Specific Plan requires the preservation of any existing Palm trees in the right of way and the project will be permitted to count any existing Palm trees towards the Specific Plan street tree requirement. As seen in Exhibit A Sheet L1.10, the proposed project includes two (2) existing street trees which will be removed, one (1) existing street tree which will remain and nine (9) new street trees for a total of 10 street trees along Carlton Way. The Development Standard further requires that an automatic irrigation system be provided within the tree well. The project is conditioned herein to provide a total of 10 street trees and an automatic irrigation system to the satisfaction of Bureau of Street Services, Urban Forestry Division. Therefore, as conditioned, the project complies with this Development Standard.
- (5) **Utilities.** The Development Standards require that when new utility service is installed in conjunction with new development or extensive remodeling, all proposed utilities on the project site shall be placed underground. The Conditions of Approval require all proposed utilities on the project site to be placed underground. If underground service is not currently available, then provisions shall be made for future underground service. As conditioned, the project complies with this Development Standard.
- (6) **Pedestrian Access.** This Development Standard requires that pedestrian access shall be in the form of walks provided from the public street to the main building entrance and that they provide a view into any existing interior courtyard or landscaped open area. The proposed development offers pedestrian access via a direct path to the building entrance along Carlton Way. The front yard and pathway are landscaped with shrubbery, trees, and groundcover. Therefore, the project complies with this Development Standard.
- (7) **Alley Access.** This Development Standard requires vehicle and pedestrian access from existing alleys or side streets to be preserved and enhanced. The subject site is not accessible via an alley. Therefore, this Development Standard does not apply.
- (8) **Curb Cuts.** This Development Standard allows no more than one curb cut per lot or 100 feet of lot frontage and further requires curb cuts to be a maximum of 20 feet in width unless more is required by the Department of Transportation (DOT) or the Department of Building and Safety (DBS). The subject site occupies approximately 200 feet of street frontage along the southerly side of Carlton Way. The Applicant is proposing the removal of two (2) existing curb cuts and the construction of one (1) new 20-foot curb cut for ingress and egress purposes. A Condition of Approval has been included to require only one curb cut that is 20 feet in width for every 100 feet of street frontage is allowed, unless otherwise required by the Departments of Public Works, Transportation, or Building and Safety. Therefore, the project complies with this Development Standard.

- (9) **Driveways.** This Development Standard requires that the first 25 feet in length of driveways to be constructed of Portland cement concrete, pervious cement, grass-crete, or any other porous surface that reduces heat radiation and/or increases surface absorption, thereby reducing runoff. The proposed development is accessible from Carlton Way. A Condition of Approval has been included requiring the first 25 feet in length of the driveway to be constructed of Portland cement concrete, pervious cement, grass-crete, or any other porous surface that reduces heat radiation and/or increases surface absorption, thereby reducing runoff. Therefore, as conditioned, the project complies with this Development Standard.
- (10) **Parking Lots and Structures.** This Development Standard requires surface parking lots, structures, garages and carports to be located at the rear of buildings. Furthermore, surface parking lots shall be paved with Portland cement concrete, pervious cement, grass-crete, or any other porous surface that will reduce the heat radiation and/or increase the surface absorption. The proposed project includes its residential parking spaces within an at grade-level and two (2) and one-half ($\frac{1}{2}$) subterranean parking levels. The proposed parking spaces are not located within the front yard setback area. Therefore, the project complies with this Development Standard.
- (11) **Trash, Service Equipment and Satellite Dishes.** This Development Standard requires that trash, service equipment and satellite dishes to be located away from streets and enclosed or screened by landscaping, fencing or other architectural means. Additionally, the trash area shall be enclosed by a minimum six (6)-foot high decorative masonry wall. The Applicant proposes a recycling and trash located at ground-level parking area. The plans submitted as part of this application do not indicate the location of service equipment and satellite dishes. In the event that any service equipment or satellite dishes are installed in the future, a Condition of Approval has been included requiring that they be located away from Carlton Way. Therefore, as conditioned, the project complies with this Development Standard.
- (12) **Roofs and Rooftop Appurtenances.** This Development Standard requires that all rooftop equipment be screened from public view or architecturally integrated into the design of the building. In the event that additional rooftop mechanical equipment is proposed in the future, a Condition of Approval has been included requiring said equipment and ducts be screened from view from any street, public right-of-way, or adjacent property and the screening wall be solid and match the exterior materials, design, and color of the building. Therefore, as conditioned, the project complies with this Development Standard.
- (13) **Roof Lines.** This Development Standard requires that all roof lines in excess of 40 feet in horizontal length must be broken up through the use of gables, dormers, plant-ons, cutouts or other appropriate means. In conjunction with the Density Bonus Off-Menu Incentive, the Applicant is allowed to provide a roof line break all at every 169-foot and 1-inch segment with the use of gables, formers, plant-ons, cutouts, or other appropriate means. Therefore, as conditioned and in conjunction with Density Bonus/Affordable Housing Incentives Program, the project complies with this Development Standard.
- (14) **Privacy.** This Development Standard requires that buildings be arranged to avoid windows facing windows across property lines, or the private open space

of other residential units. As seen in Exhibit A, Sheet G1.4, the project abuts residential uses to the west and east of the project site. The Applicant has provided elevations which depict the windows of existing adjacent structures to the east and west superimposed onto the proposed project. The elevations show that some of the windows of adjacent residential properties will be marginally affected by the new construction. Given the constraints as an infill development located in an urbanized area, the Applicant has demonstrated efforts to arrange windows to avoid directly facing windows across property lines or private open space of other residential units. Therefore, the project complies with this Development Standard.

- (15) **Façade Relief.** This Development Standard requires that all exterior building elevations, walls, or fences provide a break in the plane for every 20 feet in horizontal length, and every 15 feet in vertical length created by an architectural detail or a change in material. The Specific Plan further requires architectural treatments on the building front elevation to be continued on the sides and back of buildings. All facades of the proposed building comply with the requirement by providing breaks in the plane through the use of varied building material, recessed windows, façade line treatments, and modulation along the elevations as seen in Exhibit A, Sheets A3.2 and A3.3. Therefore, the project complies with this Development Standard

Design Guidelines

- (16) **General Building Design.** This Design Guideline recommends that buildings should be compatible in form with the existing neighborhood atmosphere. The surrounding area is currently developed with one- to four-story residential buildings. Through Density Bonus, the proposed project includes the construction of an eight (8)-story, 105-foot and four (4)-inch in height, 131-unit residential building. The proposed project includes total of 15 units set aside for Very Low-Income Household occupancy. The building massing of multiple existing buildings along the block has a lot of coverage that takes up the majority of their subject lot(s). The proposed project will have a similar lot coverage as those found in the vicinity. Therefore, as conditioned and in conjunction with the Density Bonus, the project satisfies this Design Guideline.
- (17) **Architectural Features.** The Design Guidelines encourage courtyards, balconies, arbors, roof gardens, water features, and trellises. Appropriate visual references to historic building forms are encouraged in new construction. The proposed project provides balconies and other architectural features similar to the nearby single-family and multi-family dwellings surrounding the site. Furthermore, the street-facing elevation employs a variety of building materials and articulation by way of changes in building plane and materials. Therefore, the project complies with this Design Guideline.
- (18) **Shade.** This Design Guideline recommends that canopies, building overhangs and arbors be incorporated into the design of new structures to provide shade. The building includes projections along the facades such as overhangs, thus providing shade. Therefore, the project satisfies this Design Guideline.
- (19) **Building Color.** The Design Guidelines encourage buildings be painted three colors: a dominant color, a subordinate color and a “grace note” color. The

Applicant proposes white as its dominant color and aluminum finishes as its grace note. Therefore, the project satisfies this Design Guideline.

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

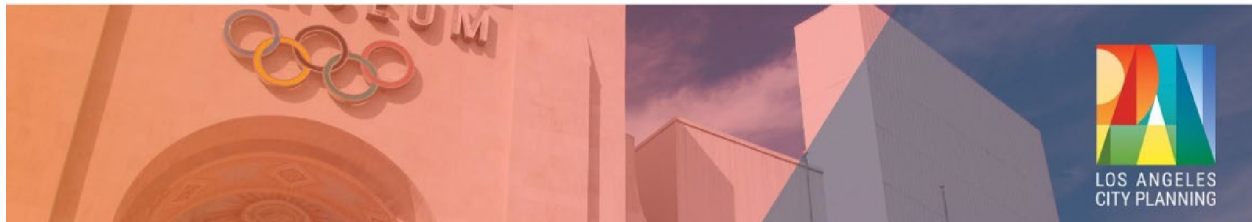
The Department of City Planning determined that the City of Los Angeles Guidelines for the implementation of the California Environmental Quality Act of 1970 and the State CEQA Guidelines designate the subject Project as Categorically Exempt under Section 15332 (Class 32, In-Fill Development Project), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

See Justification for Categorical Exemption Case No. ENV-2024-915-CE in the case file for the narrative demonstrating that exceptions do not apply.

Environmental Findings

The Department of City Planning determined that the City of Los Angeles Guidelines for the implementation of the California Environmental Quality Act of 1970 and the State CEQA Guidelines designate the subject Project as Categorically Exempt under Section 15332 (Class 32, In-Fill Development Project), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

See Justification for Categorical Exemption Case No. ENV-2024-915-CE in the case file for the narrative demonstrating that exceptions do not apply.



LOS ANGELES CITY PLANNING APPEAL FILING PROCEDURES

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

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

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

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

Metro DSC

(213) 482-7077

201 N. Figueroa Street

Los Angeles, CA 90012

Van Nuys DSC

(818) 374-5050

6262 Van Nuys Boulevard

Van Nuys, CA 91401

West Los Angeles DSC

(CURRENTLY CLOSED)

(310) 231-2901

1828 Sawtelle Boulevard

West Los Angeles, CA 90025

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

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



QR Code to Online
Appeal Filing



QR Code to Forms
for In-Person Filing