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October 5, 2026

Los Angeles City Council
c/o Office of the City Clerk
City Hall, Room 395
Los Angeles, California 90012

Attention: PLUM Committee

Dear Honorable Members:

REPORT RELATIVE TO THE APPEAL FILED BY APPELLANTS FOR CASE NO. CPC-2025-5697-DB-PR-SPPC-MCUP-VHCA-1A; COUNCIL FILE NO. 26-1081-S1 FOR PROPERTY LOCATED AT 12501-12665 VENTURA BOULEVARD

On June 11, 2026, the City Planning Commission (CPC) approved a project requesting Density Bonus, Plan Review, Specific Plan Project Compliance, and Main Conditional Use Permit entitlements for a proposed mixed-use project comprised of 814 residential units and 75,968 square feet of restaurant uses (CPC-2025-5697-DB-PR-SPP-MCUP-VHCA and ENV-2025-5698-SE). The CPC also heard and denied a concurrent subdivision appeal (Case No. VTT-84453-1A), sustaining the Deputy Advisory Agency's approval of a subdivision of the merger and re-subdivision into two ground lots, three residential airspace lots, five commercial airspace lots, eight parking airspace lots and grading and exporting of up to 521,000 cubic yards of earth associated with the proposed mixed-use development. On July 27, 2026, an appeal was filed by the Studio City Residents Association and Save the LA River Open Space, represented by Amy Minter of Carstens, Black & Minter, LLP.

APPEAL SUMMARY

The appellants are appealing the City Planning Commission's decision on the Density Bonus, Project Review, and Specific Plan Project Compliance entitlements and associated environmental clearance. The appeal relies on incorrect legal interpretations of the State Density Bonus Law, codified in Government Code Section 65915, as well as unsubstantiated environmental claims. The appellants attempt to use the City's local Specific Plan limits to invalidate a state-mandated housing density bonus, which directly conflicts with established preemption principles (Gov. Code 65915) and runs afoul of the Housing Accountability Act.

PROJECT SUMMARY

The project is located at 12501-12665 West Ventura Boulevard in the Sherman Oaks – Studio City – Toluca Lake – Cahuenga Pass Community Plan area. The project site is currently improved

with four commercial buildings and associated surface parking lot. The property is zoned C1.5-1VL-RIO with a land use designation of Neighborhood Office Commercial, which permits various commercial, retail, and residential uses.

The project includes the merger and re-subdivision into two ground lots, three residential airspace lots, five commercial airspace lots, eight parking airspace lots and grading and exporting of up to 521,000 cubic yards of earth for the demolition and removal of all existing structures from the project site and the construction, use, and maintenance of a 744,906 square foot mixed-use development comprised of 814 residential units, 46 of which are reserved for Very Low Income households and 75,968 square feet of restaurant spaces. The seven-story (84-foot high) building will contain 668,938 square feet of residential floor area and 75,968 square feet of restaurant floor area. The project proposes the removal of 240 non-protected trees from the project site and three (3) non-protected street trees from the public right-of-way. The project proposes installation of Wall, Monument, Projecting, Identification, and Wayfinding Signs, which comply with the Code and Specific Plan regulations, shown on Exhibit A. The requested entitlements include a Density Bonus, Plan Review, Specific Plan Project Compliance, and Main Conditional Use Permit, as well as a related tract map.

The project qualifies for a Statutory Exemption from CEQA, pursuant to Public Resources Code (PRC) Section 21080.66, as established under Assembly Bill 130 (2025).

Project Chronology

On April 15, 2026, the Deputy Advisory Agency issued a Letter of Determination (LOD) that determined based on the whole of the administrative record, the project is exempt from CEQA, under ENV-2025-5698-SE, pursuant to Public Resources Code Section 21080.66, and approved the Vesting Tentative Tract Map, VTT-84453, subject to Conditions of Approval.

On April 30, 2026, three appeals of the Deputy Advisory Agency's Determination were filed. The appellants were the Studio City Residents Association, represented by Barry Johnson; Channel Law Group, LLP, represented by Jamie T. Hall; and Marianne King. The appeals challenged the entire decision of the Deputy Advisory Agency, including the public improvement and landscape proposal, as well as the project's environmental clearance.

On June 11, 2026, at the CPC, the commission considered the appellants' justifications and voted to deny the appeals and sustained the Advisory Agency's decision and approved VTT-84453-1A with conditions. At this meeting the CPC also approved CPC-2025-5697-DB-PR-SPPC-MCUP-VHCA, which included a Density Bonus, Project Review, Specific Plan Project Compliance, and Main Conditional Use Permit entitlements. The determination letter was issued on July 13, 2026.

On July 27, 2025, an appeal was filed by the Studio City Residents Association and Save the LA River Open Space, represented by Amy Minter of Carstens, Black & Minter, LLP. The appellants are appealing the Density Bonus, Project Review, and Specific Plan Project Compliance entitlements and associated environmental clearance. The appellants' appeals to the City Council are issues and points like those raised against the project's environmental clearance, and generally argue that the project's environmental impact has not been adequately analyzed. It should be noted that pursuant to LAMC, Chapter 1, Section 12.22 A.37, an off-menu density bonus is not appealable and therefore only the Project Review, Specific Plan Project Compliance, and the Main Conditional Use are appealable to City Council. Pursuant to LAMC, Chapter 1A, Section 13B.7.3.G.4, the related Vesting Tentative Tract Map is further appealable to City Council.

Appeal Points & Staff Response

Appellants Appeal Points:

1. *The Appellants claim the City cannot make the required Project Review findings for General Plan consistency because the project is in a Very High Fire Hazard Severity Zone (VHFHSZ) and evacuation routes were not analyzed in the Safety Element.*

Response:

The determination letter acknowledges the site's VHFHSZ status, with Finding (1) that verifies that the proposed project maintains long-term consistency with the objectives and policies of both the Community Plan and the Citywide General Plan. The City of Los Angeles' General Plan Safety Element further provides a contextual framework for understanding the relationship between hazard mitigation, disaster response, and recovery. It explicitly incorporates the City's Local Hazard Mitigation Plan (LHMP), which establishes a framework for risk-based decision-making to reduce damage from future disasters—including wildfires—and guides the implementation of stringent building and fire codes.

Mandatory compliance with all pertinent Fire Department regulations is also an absolute requirement for the project, ensuring that development within this sensitive zone adheres to the highest safety protocols. By conforming to these protocols, the project directly implements the hazard mitigation and emergency preparedness objectives outlined in both the Safety Element and the Local Hazard Mitigation Plan, including Ignition-Resistant Building Standards, Defensible Space & Fuel Modification, Water Supply & Fire Flow, and Emergency Access.¹

As the primary jurisdictional expert in fire life safety, the Los Angeles Fire Department (LAFD) conducted an exhaustive review of the associated Vesting Tentative Tract Map (VTT-84453), reported in its memorandum, dated November 12, 2025 (Exhibit B), and confirmed that the site plan and emergency access parameters incorporate sufficient safety components to protect future residents and the surrounding community. The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to

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- ¹Ignition-Resistant Building Standards: Structures must strictly adhere to California Building Code (CBC) Chapter 7A and the Los Angeles Fire Code for wildland-urban interface fire zones.
 - Defensible Space & Fuel Modification: The site plan provides 200 feet of managed vegetative fuel modification, incorporating a 5-foot ember-resistant Zone 0, a 30-foot Zone A planted lean with low-resin/succulent species, and a Zone B extending 30 to 100+ feet using fire-resistant landscaping.
 - Water Supply & Fire Flow: The Los Angeles Department of Water and Power (LADWP) verified that existing infrastructure delivers up to 9,000 gallons per minute (gpm) flowing simultaneously across six adjacent hydrants.
 - Emergency Access: Aerial fire apparatus access is provided via Ventura Boulevard exceeding 28 feet in width, alongside required Knox Boxes, fire lane turnouts, and ladder truck access parameters required by the LAFD.

any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

Rather than rejecting the applicant's proposed tentative tract map or identifying insurmountable safety flaws, LAFD recommended its approval, contingent upon the developer meeting rigorous urban fire safety standards mentioned above. These critical requirements include formal plot plan approval to verify hydrant placement and turnout dimensions, the mandatory installation of Knox Boxes to facilitate rapid emergency entry, and strict adherence to aerial access parameters for any buildings exceeding 30 feet in height to ensure ladder truck functionality during a fire event. As the project satisfies these stringent LAFD conditions, it is fully consistent with the General Plan Safety Element's mandate to protect residents and the surrounding neighborhood from unreasonable risks associated with natural disasters.

2. *The Appellants claim the project violates fundamental development standards of the Ventura/Cahuenga Boulevard Corridor Specific Plan (FAR, height, lot coverage, setbacks), preventing the required findings for Specific Plan Project Compliance.*

Response:

State Density Bonus Law preempts local Specific Plan regulations when incentives and waivers are necessary to accommodate affordable housing. The CPC case Letter of Determination (LOD) clearly states the project utilizes an off-menu incentive and five Waivers of Development Standards to allow deviations for lot coverage, height, rear yard setback, transitional height, and roof perimeter setbacks. The LOD bridges the analytic gap by explaining how the approved waivers enlarge the building envelope to facilitate the development of affordable housing units.

The project provides 46 units reserved for Very Low-Income Households, qualifying it for statutory Density Bonus Incentives and Waivers of Development Standards. Under state law, the City is legally prohibited from applying any local development standard—including Specific Plan regulations pertaining to FAR, height, and setbacks—that would physically preclude the construction of the project at its permitted density and with its requested incentives. Enforcing the Specific Plan's base FAR of 1.0:1 and the strict step-back requirements for buildings over 25 feet would render the 814-unit project physically impossible to construct.

Therefore, the City appropriately granted waivers of development standards to modify these Specific Plan requirements. The project complies with all other applicable, non-waived provisions of the Specific Plan. Consequently, the finding for Specific Plan Project Compliance is supported by substantial evidence in the record, as the project complies with the Specific Plan and the incentives and waivers mandated by Government Code Section 65915.

3. *The Appellants claim the Density Bonus should be denied because the project will cause specific health and safety impacts during wildfire evacuations and from 144 daily truck haul trips.*

Response:

The CPC case LOD states there is no substantial evidence in the record of a "specific adverse impact". A specific adverse impact requires a significant, quantifiable, direct, and unavoidable impact based on objective, identified written public health or safety standards. The CPC case LOD confirms compliance with fire safety regulations via the Dudek memo, dated September

26, 2025 (Exhibit C). Subjective claims about haul trucks do not meet the statutory threshold to deny a density bonus.

To maintain public safety and ensure organized traffic flow, the Advisory Agency in the companion case exercised its independent authority under the Subdivision Map Act (SMA) to impose rigorous operational conditions on the haul route. These comprehensive measures, which are grounded in site-specific infrastructure capabilities, include limiting haul route activity to 144 daily truck trips, restricting operational hours to between 9:00 a.m. and 3:00 p.m., and requiring the continuous presence of flag personnel to manage circulation.

The project also qualifies for a Statutory Exemption from CEQA, pursuant to Public Resources Code (PRC) Section 21080.66, as established under Assembly Bill 130 (2025); therefore, no technical environmental studies, such as an Air Quality report, are required. The use of the PRC Section 21080.66 exemption is further validated by a fire protection technical analysis confirming the project adopts all state-mandated fire hazard mitigation standards required for infill housing in a Very High Fire Hazard Severity Zone. To highlight the adoption of these Title 14 standards in the administrative record, staff is recommending adding the following condition of approval to the letter of determination for the related subdivision (VTT LOD), VTT-84453-2A:

Prior to recordation of the Final Map, the applicant shall demonstrate compliance with Public Resources Code Section 4290 and its implementing regulations in Title 14, Division 1.5, Chapter 7, Subdivision 2 (State Minimum Fire Safe Regulations) and Chapter 7 of the California Building Code.

The VTT LOD explicitly approves the haul route for the removal of approximately 521,000 cubic yards of dirt and mitigates potential impacts through strict operational conditions. Condition 18.h heavily regulates these activities by limiting operations to 9:00 a.m. to 3:00 p.m. (Monday through Saturday), capping trips at 144 per day, restricting truck sizes, and requiring flag persons, truck crossing warning signs, and regular street cleaning.

4. *The Appellants claim the CEQA Exemption (AB 130 / PRC 21080.66) is invalid because the site is in a VHFHSZ without fire standard compliance, and the removal of mature trees impacts the western yellow bat (a special status species).*

Response:

The appellant's argument relies on a misinterpretation of the statutory threshold for environmental review. Under Assembly Bill (AB) 130 (2025), housing development projects situated within a VHFHSZ remain eligible for the infill housing statutory exemption from CEQA under California Public Resources Code (PRC) Section 21080.66. This eligibility is maintained provided the project implements mitigation measures consistent with rigorous state standards, such as Government Code Section 51182 or California Building Code (CBC) Chapter 7A. Expert evidence in the record, specifically the Dudek² Fire Protection Technical Memo, dated September 26, 2025, confirms that the project "will be in compliance with the applicable provisions of Chapter 7A... and Section 51182," thereby legally qualifying for the exemption.

Accordingly, the project was correctly identified as statutorily exempt under PRC Section 21080.66. Unlike categorical exemptions, statutory exemptions are enacted by the legislature

² Dudek was commissioned by Genton Cockrum Partners to provide a due diligence technical assessment of the Riverwalk at Studio City project (Project).

and are generally absolute, meaning they are not subject to "cumulative impact" exceptions that the appellant attempts to trigger. The Dudek Technical Memo further substantiates this by demonstrating that the project adheres to rigorous Los Angeles City Fire Code standards for water supply, fire apparatus access, and defensible space. Key technical details supporting this finding include:

- Aerial fire apparatus access is provided via Ventura Blvd, exceeding the 28-foot minimum width requirement and satisfying all necessary setbacks as required by the Los Angeles Fire Code.
- The Los Angeles Department of Water and Power (LADWP) has verified through an Information of Fire Flow Availability report that the existing infrastructure, utilizing six project-adjacent hydrants flowing simultaneously, can provide the maximum fire flow requirement of 9,000 gallons per minute (gpm).
- The project satisfies defensible space requirements by providing 200 feet of managed vegetative fuel, divided into specific zones (Ember-resistant, Zone A, and Zone B) to minimize structure vulnerability to wildfire.

Furthermore, the lead agency has fulfilled all procedural requirements of AB 130, including the mandatory tribal consultation process. The City notified culturally affiliated tribes, such as the Gabrieleo Band of Mission Indians Kizh Nation, and successfully closed consultation on April 13, 2026, after agreeing to incorporate their specific mitigation measures as binding conditions of approval. By strictly adhering to these infrastructure, fire safety, and procedural standards, the project successfully meets all statutory requirements for exemption eligibility.

The project site is presently occupied by surface parking and commercial structures. There was no evidence of established habitat, fish, or wildlife found on the property. Additionally, while there are no Protected Trees on site, the project is mandated to provide tree replacement at a 1:1 ratio for the non-protected trees and trees within the public right-of-way proposed for removal.

Based on the information and analysis in the Biologist Report prepared by Envicom Corporation, dated September 19, 2025 (Exhibit D), and a Biologist's Statement of Biological Resources prepared by Cy Carlberg, a registered consulting arborist #405, dated October 6, 2025 (Exhibit E), the Project would "not remove or possibly create a substantial effect on biological resources" with respect to the AB 130 issues raised. Accordingly, the conclusions of the Biologist's Statement of Biological Resources remain fully supported and unchanged. The Project satisfies all statutory biological criteria and remains eligible for the AB 130 Statutory Exemption without requiring additional biological environmental analysis.

Conclusion

Due to the deficiencies of the appeals outlined herein, the project is exempt from the California Environmental Quality Act (CEQA), pursuant to Public Resources Code, Section 21080.66. Additionally, all findings of the project's compliance with CEQA, Planning and Zoning Law, City Charter, City's General Plan and Specific Plan are supported as a matter of law and fact. The CPC's grant of the requested variances and exceptions does not violate municipal regulations, state laws, and the California Constitution.

Appellants' claim is that there is no substantial evidence to grant project's requested entitlements. The findings in support of the requests were adopted and approved by the CPC.

RECOMMENDATION

Staff recommends that the City Council deny the appeal, sustain the CPC's determination, and approve CPC-2025-5697-DB-PR-SPPC-MCUP-VHCA

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