PLANNING DEPARTMENT TRANSMITTAL
TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL CASE:	COUNCIL DISTRICT:
CPC-2022-6472-DB-CU-SPP-HCA-1A	ENV-2022-6473-SE	3 – Blumenfield
RELATED CASE NOS.:	**COUNCIL FILE NO:**	**PROCEDURAL REGULATIONS:**
☒ N/A	**☒ N/A**	**☐ Ch. 1 as of 1/21/24 (Not subject to Processes & Procedures Ord.)** **☒ Ch. 1A (Subject to Processes & Procedures Ord.)**
PROJECT ADDRESS / LOCATION:		
5353 North Del Moreno Drive		
APPLICANT:	**TELEPHONE NUMBER:**	**EMAIL ADDRESS:**
Janet Jha	(310) 995-4859	janetyjha@gmail.com
APPLICANT'S REPRESENTATIVE:	**TELEPHONE NUMBER:**	**EMAIL ADDRESS:**
Akhilesh Jha	(310) 995-4859	akhilesh.jha@gmail.com
APPELLANT:	**TELEPHONE NUMBER:**	**EMAIL ADDRESS:**
1-Steven A. Sommers 2-Aidin Yousefi	1-(818) 917-4483 2-(818) 430-2094	1-sommersthird@yahoo.com 2-aidin_yousefi2000@yahoo.com
APPELLANT'S REPRESENTATIVE:	**TELEPHONE NUMBER:**	**EMAIL ADDRESS:**
☒ N/A		
PLANNER CONTACT:	**TELEPHONE NUMBER:**	**EMAIL ADDRESS:**
Adrineh Melkonian	(213) 978-1301	adrineh.melkonian@lacity.org
ITEMS FOR CITY COUNCIL CONSIDERATION (IE. ENTITLEMENTS, LEGISLATIVE ACTIONS):		
Conditional Use (CU); Specific Plan Project Permit Compliance (SPP)		
FINAL ENTITLMENTS NOT ADVANCING FOR CITY COUNCIL CONSIDERATION: (UNAPPEALED OR NON-APPEALABLE ITEMS)		
Density Bonus (DB)		
ITEMS APPEALED:		
Conditional Use (CU); Specific Plan Project Permit Compliance (SPP)		

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

NOTES / INSTRUCTIONS:

Please create Council File.

Site posting – 10 days also required

CITY COUNCIL NOTICE TIMING:	NOTICE LIST (SELECT ALL):	NOTICE PUBLICATION:
☐ 10 days	☒ Owner	☐ 10 days
☐ 15 days	☒ Applicant	☐ 15 days
☒ 24 days	☐ Adjacent/Abutting	☒ 24 days
☐ N/A / None	☐ 100’ radius	☐ N/A / None
☐ Other: [enter here if applicable]	☒ 300’ radius	☐ Other: [enter here if applicable]
	☐ 500’ radius	
	☒ Neighborhood Council	
	☒ Interested Parties	
	☒ Other: PRB	

FISCAL IMPACT STATEMENT:

☐ Yes ☒ No

*If determination states administrative costs are recovered through fees, indicate “Yes.”

PLANNING COMMISSION:

☒ City Planning Commission (CPC)	☐ North Valley Area Planning Commission
☐ Cultural Heritage Commission (CHC)	☐ South LA Area Planning Commission
☐ Central Area Planning Commission	☐ South Valley Area Planning Commission
☐ East LA Area Planning Commission	☐ West LA Area Planning Commission
☐ Harbor Area Planning Commission	

PLANNING COMMISSION HEARING DATE:	COMMISSION VOTE:
August 27, 2026	6 - 0
LAST DAY TO APPEAL:	**DATE APPEALED:**
September 25, 2026	September 24, 2026; September 25, 2026
COUNCIL TIME TO ACT:	**TIME TO ACT START:**
☐ **30 days** ☐ **45 days** ☐ **60 days** ☒ **75 days** ☐ **90 days** ☐ **120 days** ☐ **N/A / None** ☐ **Other: [enter here if applicable]**	☐ **Appeal Filing Date** ☐ **Received by Clerk** ☒ **Last Day to Appeal** ☐ **N/A / None** ☐ **Other: [enter here if applicable]**
TRANSMITTED BY:	**TRANSMITTAL DATE:**
Cecilia Lamas Commission Executive Assistant II	October 5, 2026

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: SEPTEMBER 10, 2026

Case No.: CPC-2022-6472-DB-CU-SPP-HCA Council District: 3 – Blumenfield
CEQA: ENV-2022-6473-SE
Plan Area: Canoga Park – Winnetka – Woodland Hills – West Hills

Project Site: 5353 North Del Moreno Drive

Applicant: Janet Jha
Representative: Akhilesh Jha

At its meeting **August 27, 2026**, the Los Angeles City Planning Commission took the actions below in conjunction with the following Project:

Demolition of existing improvements and the construction, use, and maintenance of a 41,567 square-foot mixed-use development, inclusive of a Residential Care Facility for Elderly (RCFE) comprised of 71 rooms, eight of which are to be reserved for Very Low Income Senior Citizens. The three-story 46-foot-high building with a 500 square-foot covered rooftop area will contain 40,559 square feet of residential floor area and 1,008 square feet of commercial floor area, inclusive of a 437 square-foot café and a 571 square-foot physiotherapy center, having a maximum Floor Area Ratio (FAR) of 2.75:1. The rooms range from 210 to 215 square feet in size. The Project proposes providing zero automobile and zero bicycle parking spaces. On-site amenities include main living, dining and yoga rooms on the second and third floors. The Proposed Project includes the export of approximately 9,337 cubic yards of soil (haul route) and removal of 19 non-protected on-site trees.

1. **Determined**, based on the whole of the administrative record, that the Project is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to California Public Resource Code Section 21080.66;
2. **Approved**, pursuant to Chapter 1 Section 12.22 A.25 of the Los Angeles Municipal Code (LAMC), a Density Bonus Compliance Review for a project totaling 71 rooms, eight of which (11 percent) are Restricted Affordable Housing Rooms for Very-Low Income households set aside for a period of 55 years, and 63 of which are market-rate rooms, with the following Off-Menu Incentives and Waivers of Development Standards:
    a. An Off-Menu Incentive to allow a waiver of Low Impact Development (LID) requirements otherwise required pursuant to LAMC Chapter 1 Section 64.70 (Ordinance No. 188,125);
    b. An Off-Menu Incentive to allow a zero-foot street dedication in lieu of the one-foot dedication otherwise required, pursuant to LAMC Chapter 1 Section 12.37;
    c. A Waiver of Development Standard to allow a Floor Area Ratio (FAR) of 2.75:1 in lieu of 1.0:1 FAR, as otherwise permitted pursuant to the Ventura/ Cahuenga Boulevard Corridor Specific Plan Section 6.B.3;
    d. A Waiver of Development Standard to allow up to a 100 percent reduction in the required front yard setback, permitting a zero-foot front yard setback in lieu of the 18 inches otherwise required, pursuant to the Ventura/ Cahuenga Boulevard Corridor Specific Plan, Section 7.A.3.a.ii;

e. A Waiver of Development Standard to allow up to a 60 percent reduction in the required northern side yard setback, permitting a four-foot northern side yard setback in lieu of the seven feet otherwise required, pursuant to LAMC Chapter 1 Section 12.13.5.B.2;
f. A Waiver of Development Standard to allow up to a 60 percent reduction in the required southern side yard setback, permitting a four-foot southern side yard setback in lieu of the seven feet otherwise required, pursuant to LAMC Chapter 1 Section 12.13.5.B.2;
g. A Waiver of Development Standard to allow up to 75 percent reduction in the required rear yard setback to allow four-foot in lieu of 16 feet otherwise required pursuant to LAMC Chapter 1 Section 12.13.5.B.2;
h. A Waiver of Development Standard to allow a lot coverage of 87 percent in lieu of the 60 percent otherwise permitted, pursuant to the Ventura/ Cahuenga Boulevard Corridor Specific Plan Section 7.B.2;
i. A Waiver of Development Standard to allow a height of 46 feet in lieu of the 30 feet otherwise permitted, pursuant to the Ventura/Cahuenga Boulevard Corridor Specific Plan, Section 7.E.1.f;
j. A Waiver of Development Standards to allow zero transition in height in lieu of the minimum transition in height otherwise required pursuant to LAMC Chapter 1 Section 12.21.1.A.10;
k. A Waiver of Development Standard to allow zero residential parking spaces in lieu of the 78 spaces otherwise required, pursuant to LAMC Chapter 1 Section 12.21 A.4;
l. A Waiver of Development Standard to allow zero commercial parking spaces in lieu of the eight spaces, otherwise required by the Ventura/ Cahuenga Boulevard Corridor Specific Plan Section 7.F.1.c and LAMC Chapter 1 Section 12.21 A.4;
m. A Waiver of Development Standards to allow zero square feet of landscape area in lieu of the otherwise required minimum landscape area, pursuant to LAMC Chapter 1 Sections 12.40 and 12.43; and
n. A Waiver of Development Standards to allow zero trees in lieu of the otherwise required minimum number of trees, pursuant to LAMC Chapter 1 Sections 12.40 and 12.43;

3. **Denied** the following Waivers of Development Standards requested by the Applicant:
   a. A Waiver of Development Standards to allow zero short-term bicycle parking spaces in lieu of the 11 bicycle parking spaces, seven for residential and four for commercial, otherwise required, pursuant to LAMC Chapter 1 Section 12.21.A.16; and
   b. A Waiver of Development Standard to allow zero long-term bicycle parking spaces in lieu of the 11 bicycle parking spaces, seven residential and four commercial spaces, otherwise required, pursuant to LAMC Chapter 1 Section 12.21 A.16;
4. **Approved**, pursuant to LAMC Chapter 1 Section 12.24 W.27, a Conditional Use Permit to authorize hours of operation that exceed the hours of 7:00 a.m. to11:00 p.m., as otherwise permitted within a Commercial Corner Development;
5. **Approved**, pursuant to LAMC Chapter 1 Section 11.5.7 C and the Ventura/ Cahuenga Boulevard Corridor Specific Plan Section 9, a Specific Plan Project Permit Compliance Review;
6. **Adopted** the attached Conditions of Approval; and
7. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Saitman
Second: Lawshe
Ayes: Chavez, Choe, Klein, Rosenstein
Absent: Diaz, Johnson, Zamora

Vote: 6 – 0

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

APPEAL PERIOD - EFFECTIVE DATE

The decision of the Los Angeles City Planning Commission is 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. The Decision Maker's decision on the Density Bonus Off-Menu Incentives and Waivers of Development Standards is effective upon the mailing of this letter and is not appealable.

FINAL APPEAL DATE: SEPTEMBER 25, 2026

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination on the CEQA clearance is an appealable clearance under Section 13F.11.1.F.2. (EIR, ND, MND, SCEA, Exemption/No Project) made by a decisionmaker other than the City Council; all available appeals on the entitlement approval(s) have been taken; and the Determination on the entitlement(s) is final and not further appealable.

WHO CAN FILE AN APPEAL

An applicant or any other person aggrieved by the Decision Maker's decision may file an appeal.

HOW TO FILE AN APPEAL

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 the Development Services Center (DSC) staff has adequate time to review and accept the documents, and to allow appellants time to submit payment. Appeals may be filed either online or in person as referenced below:

Forms are available online at http://planning.lacity.gov/development-services/forms.

ONLINE APPEAL FILINGS THROUGH ONLINE APPLICATION SYSTEM (OAS)

QR Code to
Online Appeal Filing

Online Application System (OAS):

The OAS (https://planning.lacity.gov/oas) allows entitlement appeals to be submitted entirely online. Appeal fees may be paid for by credit card or e-check.

IN PERSON APPEAL FILINGS

QR Code to Forms for In-Person Appeal Filing

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.

a. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications;
b. Alternatively, appeal applications can be filed with staff at DSC public counters.

CITY PLANNING DEVELOPMENT SERVICES CENTERS – PUBLIC COUNTERS

Office	Address	Phone Number	Email
Metro DSC	201 N. Figueroa St., 4th Floor Los Angeles, CA 90012	(213) 482-7077	planning.figcounter@lacity.org
Van Nuys DSC	6262 Van Nuys Blvd Suite 251 Van Nuys, CA 91401	(818) 374-5050	planning.mbc2@lacity.org

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 LAMC provisions.

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.

This grant is not a permit or license and any permits and/or licenses required by law must be obtained from the proper public agency. If any Condition of this grant is violated or not complied with, then the applicant or their successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Los Angeles Municipal Code (LAMC).

SCHEDULING CASE CONDITION CLEARANCE AND BUILDING PERMIT SIGN-OFFS

QR Code to BuildLA Appointment Portal for Condition Clearance

In order to clear conditions and/or obtain building permit sign-offs, you must make an appointment with the Department of City Planning's Development Services Center (DSC). You may schedule a Case Condition Clearance Appointment with the DSC at appointments.lacity.org after the effective date of the determination.

See instructions on how to prepare for your appointment at planning.lacity.gov/project-review/case-filings

Attachments: Conditions of Approval, Findings

cc: Phyllis Nathanson, Principal City Planner
Claudia Rodriguez, Senior City Planner
Jojo Pewsawang, Senior City Planner
Adrineh Melkonian, City Planner

CONDITIONS OF APPROVAL

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the applicant, labeled Exhibit "A", dated October 6, 2025, and attached to the subject case file. No change to the plans shall be made without prior review by the Department of City Planning, Valley Project Planning Bureau, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code, the project conditions, or the project permit authorization.

2. **Residential Density**. The project shall be limited to a maximum density of 71 rooms, including On-Site Restricted Affordable rooms.

3. **On-site Restricted Affordable Rooms.** Eight rooms shall be reserved for Very Low Income Senior Citizens, as defined by the California Government Code Section 65915 and by the Los Angeles Housing Department (LAHD). In the event the SB 8 Replacement rooms condition requires additional affordable rooms or more restrictive affordability levels, the most restrictive requirements shall prevail.

4. **Changes in On-Site Restricted Rooms**. Deviations that increase the number of On-Site Restricted affordable rooms or that change the composition of rooms shall be consistent with LAMC Chapter 1, 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 eight rooms available to Very Low Income Households, representing at least 10 percent of the project's base density, for sale or rental, as determined to be affordable to such households by LAHD for a period of 55 years. In the event the applicant reduces the proposed density, the number of required reserved on-site Restricted Rooms may not be adjusted. A new entitlement will be required to adjust the number of required reserved on-site Restricted Rooms. 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 on-site building manager's room, which the owner shall designate in the covenant. The owner may not use an affordable restricted room for the manager's room.

6. **Hours of Operation.** The hours of operation for the commercial uses shall be limited to 6:00 a.m. to 11:00 p.m., daily.

7. **Use.** The project shall be limited to 437 square feet of café/take out space, 571 square feet of physiotherapy center and 40,559 square feet of floor area of Residential Care Facility for Elderly (RCFE).

8. **Unit**. Each room shall include a bathroom and sink.

9. **Loading.** All loading activities shall be conducted on-site. Loading, unloading, and deliveries shall be strictly limited to the hours between 7:00 a.m. and 10:00 p.m.

10. **Accessory Dwelling Units (ADUs).** No ADUs are proposed herein. If the applicant proposes ADUs at a future date, those ADUs shall be subject to affordability requirements as determined by LAHD.

11. **Floor Area (Waiver)**. The project shall be limited to a maximum floor area of 41,567 square feet and FAR of 2.75:1.

12. **Height (Waiver).** The height of the building shall be limited to 46 feet, as shown on the project plans, Exhibit "A", attached to the subject case file.

13. **Front Yard Setback (Waiver).** The project shall provide minimum front yard setback of zero (0) feet in lieu of the 18 inches otherwise required by Section 7.A.3.a of the Ventura-Cahuenga Boulevard Corridor Specific Plan.

14. **Northern Side Yard Setback (Waiver).** The project shall provide a minimum side yard setback of four feet in lieu of the seven feet otherwise required by LAMC Chapter 1, Section 12.13.5 B.2.

15. **Southern Side Yard Setback (Waiver).** The project shall provide minimum side yard setbacks of four feet in lieu of the seven feet otherwise required by LAMC Chapter 1, Section 12.13.5 B.2.

16. **Rear Yard Setback (Waiver).** The project shall provide a minimum rear yard setback of four feet in lieu of the 16 feet otherwise required by LAMC Chapter 1, Section 12.13.5 B.2.

17. **Mechanical and Rooftop Equipment Screening.** No mechanical or rooftop equipment shall be visible from Del Moreno Drive and shall be screened behind architectural elements.

18. **Lot Coverage (Waiver).** Lot coverage shall not exceed 87 percent of the lot before dedication.

19. **Driveway**. Project plans as it relates to driveway access and circulation must be submitted for review and approval by LADOT Development Review.

20. **Shuttle Services.** The applicant/owner/operator shall provide a dedicated shuttle or passenger van service for all residents of the facility. The transportation service shall be operated to minimize off-site single-occupancy vehicle trips, reduce parking demand, and ensure accessible mobility for residents to essential community services.

21. **Parking.**

    a. **Automobile Parking (Waiver).** The project proposes to provide zero residential and commercial vehicle parking spaces in lieu of 85 spaces (78 residential and seven commercial spaces) otherwise required by Section 7.F of the Ventura-Cahuenga Boulevard Corridor Specific Plan.

    b. **Adjustment of Parking.** In the event that the number of Restricted Affordable rooms should increase, or the composition of such rooms should change (i.e., the number of bedrooms, or the number of rooms made available to Senior Citizens and/or Disabled Persons), or the applicant selects another Parking Option (including Bicycle Parking

Ordinance) and no other Condition of Approval or incentive is affected, then no modification of this determination shall be necessary, and the number of parking spaces shall be re-calculated based upon the ratios set forth above.

c. **Bicycle Parking (Denied Waiver).** Bicycle parking shall be provided as required by LAMC, Chapter 1, Section 12.21-A.16.

22. **Landscaping.**

a. **Landscaping.** 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. All landscaping is intended to be native, drought-tolerant planting which is compatible with the climate of the surrounding area.

b. **Certification of Landscape Installation**. Prior to obtaining a Certificate of Occupancy, the project architect, landscape architect, or engineer shall certify in a letter to the Department of City Planning and to the Department of Building and Safety that the approved landscape plan has been implemented.

23. **Signs.**

a. This approval shall permit the installation of two wall signs facing Del Moreno Drive measuring no more than 75 square feet in total. The construction plans shall be in substantial conformance with the project plans, Exhibit “A”, except as modified herein, pursuant to Section 8.B.2.a of the Specific Plan.

b. **Wall Signs Depth.** No wall sign may project from a building face more than 12 inches, or above the lowest elevation of the roof eave visible from the street, pursuant to Section 8.B.2.a of the Specific Plan.

c. **Repair.** Prior to installation of any sign, any wall defects, holes, faded paint areas, or impressions made from the removal of previous signs shall be repaired, filled and painted to match the material and color finishes of the existing exterior wall.

d. **Window Signs.** Window Signs shall not exceed 10 percent of the window they occupy. Holiday paintings shall not be placed in the window more than 30 business days before a holiday and shall be removed within ten business days after the holiday, pursuant to Section 8.1.4 of the Specific Plan.

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

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

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

26. **Streetscape Improvement.** Prior to the issuance of a certificate of occupancy, and in addition to all other requirements of the Department of Building and Safety, the property owner shall submit public right-of-way plans to the Department of Public Works (pursuant to Section 9.A. of the Specific Plan) that all required landscape and relevant streetscape elements of the Woodland Hills Streetscape Plan have been implemented.

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

28. **Solar and Electric Generator.** Generators used during the construction process shall be electric or solar powered. Solar generator and electric generator equipment shall be located as far away from sensitive uses as feasible.

29. **Mandatory State Water Quality Standards (Off-Menu Incentive):** Notwithstanding the partial relief granted from local municipal Low Impact Development design standards, the project **shall remain subject to all applicable State and Federal post-construction stormwater regulations**. Prior to the issuance of any grading, excavation, or building permits, the applicant shall submit a Stormwater Management Plan to the Department of Sanitation demonstrating full compliance with the baseline post-construction stormwater capture, retention, or treatment standards established under the Regional Water Quality Control Board MS4 Permit (Order No. R4-2021-0105).

30. **Utility Connections.** New utility connections shall be undergrounded to the maximum extent feasible.

31. **Modifications.** Any modifications, change of use, or increase in floor area of the property shall be cause for separate discretionary review pursuant to the definition of a Project per the Specific Plan, LAMC, Chapter 1, Section 11.5.7, and other applicable statutory requirements.

32. No other authorizations or deviations from the requirements of the Zoning Code are granted herein. The grant does not eliminate the need for compliance with the Building Code or other LAMC permit requirements.

Public Right of way Conditions

33. **Bureau of Engineering Dedication and Improvements.** The applicant shall make improvements as follows or as determined necessary by the City Engineer:

    a. [Off-menu Incentive] - No dedication shall be required along Del Moreno Drive.

b. Improvement:

i. Del Moreno Drive – Remove the existing driveway and construct a full-width concrete sidewalk abutting the property line and an ADA compliant driveway. Remove and replace any existing broken curb, gutter, and sidewalk satisfactory to the City Engineer.

Note: Broken curb and/or gutter includes segments within existing score lines that are depressed or upraised by more than ¼ inch from the surrounding concrete work or are separated from the main body of the concrete piece by a crack through the entire vertical segment and greater than 1/8 inch at the surface of the section.

ii. Non-ADA compliant sidewalk shall include any sidewalk that has a cross slope that exceeds 2% and/or is depressed or upraised by more than ¼ inch from the surrounding concrete work or has full concrete depth cracks that have separations greater than 1/8 inch at the surface. The sidewalk also includes that portion of the pedestrian path of travel across a driveway.

iii. All new sidewalk curb and gutter shall conform to the Bureau of Engineering (Engineering) Standard Plans S410-2, S440-4, S442-6, and S444-0.

iv. Install tree wells with root barriers and plant street trees satisfactory to the City Engineer and the Urban Forestry Division (UFD) of the Bureau of Street Services. Some tree removal in conjunction with the street improvement project may require Board of Public Works approval. The applicant should contact UFD for further information on 213-847-3077.

v. Street lighting improvements may be required satisfactory to the Bureau of Street Lighting (BSL). The applicant should contact BSL for further information at 213-847-1551.

vi. The Department of Transportation (LADOT) may have additional requirements for dedication and improvements. The applicant should contact LADOT for further information regarding traffic signals, signs, and equipment at 818-374-4699.

vii. Regarding any conflicts with any power poles, the applicant should contact the Department of Water and Power at 213-367-2715.

viii. Regarding any conflicts with fire hydrants, the applicant should contact the Fire Department Hydrants and Access Unit at 818-374-5005.

ix. Sewer lines exist within Del Moreno Drive. Extension of the 6-inch house connection lateral to the new property line may be required. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.

x. Provide proper drainage for the street being improved and for the site being developed.

xi. Submit parking area and driveway plan to the Valley District Office of Engineering and LADOT for review and approval.

xii. Any questions regarding this report may be directed to Quyen M. Phan of my staff via quyen.phan@lacity.org.

34. **Bureau of Street Lighting.** The Bureau of Street Lighting's recommended condition of approval includes construction of one new street light on Del Moreno Drive Prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

35. **Bureau of Street Services, Urban Forestry Division.**

Native Protected Trees:

a. All tree and shrub preservation measures shall be considered to retain all feasible protected native species whenever possible. Project should include feasible alternatives in project design to retain native trees and shrubs. A permit is required for the removal of any native protected tree and shrub. Removal of any on site native tree or shrub shall be replaced in kind at 4:1 ratio as approved by the Board of Public Works and Urban Forestry Division. The tree replacement plan shall include all retained native trees and shrubs. All on-site trees and shrub replacement shall be planted in locations favorable to the long-term survival of the species.

b. The applicant shall submit a Protected Tree Report with an acceptable tree and shrub replacement plan prepared by a reputable Tree Expert, as required by Ordinance No. 186,873 for approval by the Advisory Agency and the Bureau of Street Services, Urban Forestry Division. The Protected Tree Report (PTR) shall contain the Tree Expert's recommendations for the preservation of as many protected trees as possible and shall provide their species, health, size, and condition. The PTR shall include a topographical map (construction drawing) identifying tree and shrub location, drip line, and correctly numbered and plotted.

Note: Removal of Native Protected trees and shrubs requires approval from the Board of Public Works. All projects must have environmental (CEQA) documents that appropriately address any removal and replacement of native protected trees and shrubs. Contact Urban Forestry Division at: (213) 847-3077 for tree removal permit information.

Street Trees:

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

d. Plant street trees at all feasible planting locations within dedicated streets as directed and required by the Bureau of Street Services, Urban Forestry Division. All tree plantings shall be installed to current tree planting standards when the City has

previously been paid for tree plantings. The sub divider or contractor shall notify the Urban Forestry Division at: (213) 847- 3077 upon completion of construction for tree planting direction and instructions.

Note: Removal of street trees requires approval from the Board of Public Works. All projects must have environmental (CEQA) documents that appropriately address any removal and replacement of street trees. Contact Urban Forestry Division at: (213) 847-3077 for tree removal permit information.

36. **Los Angeles Fire Department.** Submit plot plans for Fire Department approval and review prior to recordation of City Planning Case.

a. Access for Fire Department apparatus and personnel to and into all structures shall be required.

b. Address identification. New and existing buildings shall have approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.

c. One or more Knox Boxes will be required to be installed for LAFD access to the project. Location and number to be determined by LAFD Field Inspector. (Refer to FPB Req # 75).

d. The entrance or exit of all ground dwelling rooms shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.

e. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.

f. Fire Lane Requirements:

1) Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.

2) The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.

3) Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.

4) Submit plot plans indicating access road and turning area for Fire Department approval.

5) All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.

6) Plans showing areas to be posted and/or painted, “FIRE LANE NO PARKING” shall be submitted and approved by the Fire Department prior to building permit application sign-off.

7) Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.

8) All public street and fire lane cul-de-sacs shall have the curbs painted red and/or be posted “No Parking at Any Time” prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac.

9) No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.

g. Construction of public or private roadway in the proposed development shall not exceed 10 percent in grade.

h. On small lot subdivisions, any lots used for access purposes shall be recorded on the final map as a “Fire Lane”.

i. Private development shall conform to the standard street dimensions shown on Department of Public Works Standard Plan S-470-0.

j. Standard cut-corners will be used on all turns.

k. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.

l. Smoke Vents may be required where roof access is not possible; location and number of vents to be determined at Plan Review.

m. Where above ground floors are used for residential purposes, the access requirement shall be interpreted as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of individual rooms.

n. 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 any dwelling rooms or 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.

o. 2014 CITY OF LOS ANGELES FIRE CODE, SECTION 503.1.4 (EXCEPTION)

a) When this exception is applied to a fully fire sprinklered residential building equipped with a wet standpipe outlet inside an exit stairway with at least a two hour rating the distance from the wet standpipe outlet in the stairway to the entry door of any room shall not exceed 150 feet of horizontal travel AND the distance from the edge of the roadway of an improved street or approved fire lane to the door into the same exit stairway directly from outside the building shall not exceed 150 feet of horizontal travel.

b) It is the intent of this policy that in no case will the maximum travel distance exceed 150 feet inside the structure and 150 feet outside the structure. The term “horizontal travel” refers to the actual path of travel to be taken by a person responding to an emergency in the building.

c) This policy does not apply to single-family dwellings or to non-residential buildings.

p. Site plans shall include all overhead utility lines adjacent to the site.

q. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.

r. No proposed development utilizing cluster, group, or condominium design of one- or two-family dwellings shall be more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane.

FPB #105

s. 5101.1 Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

t. That in order to provide assurance that the proposed common fire lane and fire protection facilities, for the project, not maintained by the City, are properly and adequately maintained, the sub-divider shall record with the County Recorder, prior to the recordation of the final map, a covenant and agreement (Planning Department General Form CP-6770) to assure the following:

A. The establishment of a property owners association, which shall cause a yearly inspection to be, made by a registered civil engineer of all common fire lanes and fire protection facilities. The association will undertake any necessary maintenance and corrective measures. Each future property owner shall automatically become a member of the association or organization required above and is automatically subject to a proportionate share of the cost.

B. The future owners of affected lots with common fire lanes and fire protection facilities shall be informed or their responsibility for the maintenance of the devices on their lots. The future owner and all successors will be presented with a copy of the maintenance program for their lot. Any amendment or modification that would defeat the obligation of said association as the Advisory Agency must approve required hereinabove in writing after consultation with the Fire Department.

C. In the event that the property owners association fails to maintain the common property and easements as required by the CC and R's, the individual property owners shall be responsible for their proportional share of the maintenance.

D. Prior to any building permits being issued, the applicant shall improve, to the satisfaction of the Fire Department, all common fire lanes and install all private fire hydrants to be required.

E. That the Common Fire Lanes and Fire Protection facilities be shown on the Final Map.

u. The plot plans shall be approved by the Fire Department showing fire hydrants and access for each phase of the project prior to the recording of the final map for that phase. Each phase shall comply independently with code requirements.

v. Any roof elevation changes in excess of three feet may require the installation of ships ladders.

w. Provide Fire Department pathway front to rear with access to each roof deck via gate or pony wall less than 36 inches.

x. Building designs for multi-storied residential buildings shall incorporate at least one access stairwell off the main lobby of the building; But, in no case greater than 150ft horizontal travel distance from the edge of the public street, Private Street or Fire Lane. This stairwell shall extend onto the roof.

y. Entrance to the main lobby shall be located off the address side of the building.

z. Any required Fire Annunciator panel or Fire Control Room shall be located within 20ft visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.

aa. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.

bb. Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.

cc. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.

The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished BY APPOINTMENT ONLY, in order to assure that you receive service with a minimum amount of waiting please call (213) 482-6543. You should advise any consultant representing you of this requirement as well.

Environmental Conditions

37. **Hazards and Hazardous Materials**

a. The development proponent shall complete a Phase I environmental assessment, as defined in Section 78090 of the Health and Safety Code, prior to effectuating the associated project entitlement and/or issuance of a demolition, grading, or building permit.

b. If a recognized environmental condition is found, the development proponent shall complete a preliminary endangerment assessment, as defined in Section 78095 of the Health and Safety Code, prepared by an environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity.

c. If a release of a hazardous substance is found to exist on the site, the release shall be removed, or any effects of the release shall be mitigated to levels required by current federal and state statutory and regulatory standards before the local government issues a certificate of occupancy.

d. If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, the effects of the potential exposure shall be mitigated to levels required by current federal and state statutory and regulatory standards before the local government issues a certificate of occupancy.

38. **Freeway Proximity Requirements.**

a. The building shall have a centralized heating, ventilation, and air-conditioning system.

b. The outdoor air intakes for the heating, ventilation, and air-conditioning system shall face away from the freeway.

c. The building shall provide air filtration media for outside and return air that provides a minimum efficiency reporting value of 16.

d. The air filtration media shall be replaced at the manufacturer’s designated interval.

e. The building shall not have any balconies facing the freeway.

39. **Tribal Conditions.**

a. Tribal Monitoring:

i. The project applicant shall retain a professional Tribal Monitor procured by the Fernandeño Tataviam Band of Mission Indians (FTBMI) to observe the following ground-disturbing activities occurring in native soil: grading, excavating, digging, or similar activities. Tribal Monitoring shall continue until written confirmation is provided to the Tribe that all activities subject to Tribal Monitoring requirements are complete.

ii. If the Project’s schedule requires the Tribal Monitor to leave and later return, written confirmation shall be submitted to the Tribe upon completion of each set of monitored activities. When feasible, the project applicant

shall provide the Tribe with five days' written notice prior to the start of each set of scheduled activities.

iii. If cultural resources are encountered, the Tribal Monitor shall have the authority to request that ground-disturbing activities cease within sixty (60) feet of the discovery. A qualified archaeologist meeting Secretary of the Interior standards, retained by the project applicant, shall jointly assess the find with the Tribal Monitor.

b. Treatment of Inadvertent Discoveries:

i. The Lead Agency and/or project applicant shall, in good faith, consult with the FTBMI regarding the treatment, disposition, and management of any Tribal Cultural Resource encountered during all ground-disturbing activities.

c. Tribal cultural resources shall be avoided where feasible, in accordance with subdivision (a) of PRC Section 21084.3. In furtherance of this requirement, where feasible, the project applicant shall provide deference to tribal preferences regarding access to spiritual, ceremonial, and burial sites, and incorporate tribal traditional knowledge in the protection and sustainable use of tribal cultural resources and landscapes.

d. A California Historical Resources Information System (CHRIS) archaeological records search and a tribal cultural records search shall be completed for the project site.

e. A Sacred Lands Inventory request shall be submitted to the Native American Heritage Commission.

f. The project shall comply with Section 7050.5 of the Health and Safety Code and PRC Section 5097.98, including immediate work stoppage upon discovery of human remains or burial grounds, and treatment in accordance with applicable law and in consultation with the affected California Native American tribe.

g. An application of tribal ecological knowledge into habitat restoration efforts undertaken by the project as applicable to the specific environmental context and conditions of the project.

Administrative Conditions

40. **Final Plans**. Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.

41. **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.

42. **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.

43. **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.

44. **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.

45. **Enforcement**. Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.

46. **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.

47. **Indemnification and Reimbursement of Litigation Costs.** Applicant shall do all of the following:

    a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

    b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages and/or settlement costs.

    c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than $50,000. The City's failure to notice or collect the deposit

does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b) above.

d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in Condition of Approval 47b.

e. If the City determines it necessary to protect the City's interests, 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, commission, 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 / AFFORDABLE HOUSING INCENTIVES PROGRAM FINDINGS

Housing Replacement

Consistent with Assembly Bill 2222 (2014), which modified California Government Code Section 65915, applicants of Density Bonus projects filed as of January 1, 2015, must demonstrate compliance with the housing replacement provisions which require replacement of rental dwelling rooms that either existed at the time of application of a Density Bonus project, or have been vacated or demolished in the five-year period preceding the application of the project. This applies to all pre-existing rooms that have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of Low or Very Low income; subject to any other form of rent or price control; or occupied by Low or Very Low Income Households.

Pursuant to a letter dated September 28, 2020, issued by the Los Angeles Housing and Community Investment Department (LAHCID), no replacement of affordable rooms are required for the existing single-family dwelling.

LAMC Criteria

As permitted by LAMC, Chapter 1, Section 12.22 A.25 the Applicant is requesting two Off-Menu incentives to allow zero-foot street dedication and LID requirements, and 14 waiver of development standards that will facilitate the provision of affordable housing at the site:

Pursuant to LAMC, Chapter 1, Section 12.22 A.25 and Government Code Section 65915, the Commission shall approve a Density Bonus and requested incentive(s) unless the Commission finds that:

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

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

LAMC, Chapter 1, Section 12.22 A.25 establishes that a Housing Development Project may qualify for one, two, three, or four incentives based on the percentage of rooms set aside for Very Low Income, Low Income, or Moderate-Income Households. The proposed RCFE project has a base density of 84 rooms, is proposing 71 rooms, and is providing eight rooms for Very Low Income households, which qualifies the project to utilize up to two incentives. The project includes off-menu incentives for reduced street dedication and Low-Impact Development. It also includes waivers of 14 development standards to allow

for increased FAR, height, and lot coverage and reduced front, side, and rear yard setbacks, vehicle and bicycle parking, landscape, tree, and transitional height.

b. ***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 (Gov. Code 65915(d)(1)(B) and 65589.5(d)).***

Off-Menu Incentive – LID: The Applicant proposes an incentive to waive the requirements of the City's Low Impact Development (LID) Ordinance (Ordinance No. 188,125). The project would be subject to the City's LID Ordinance under the ordinances "Large Scale Requirements", which mirrors and is consistent with the Los Angeles Regional Board's MS4 Permit, which includes various LID requirements. Though City-specific design requirements that would otherwise apply per the City's LID ordinance have not been required to facilitate the building footprint required for affordable housing units, the development remains subject to and cannot waive out of State-required post-construction stormwater standards that are required by the State the Regional Water Quality Control Board MS4 Permit and National Pollutant Discharge Elimination System (NPDES) regulations, and any other State-mandated regulations pertaining to State water quality, runoff volume, and discharge standards.

The applicant claims that strict adherence with LID is cost-prohibitive and physically impractical for this development given the already high construction costs and site design constraints. In fact, aside from the core building structure itself (and associated plumbing/electrical systems), the LID infrastructure (such as deep stormwater infiltration wells, bio-retention planters, or permeable surfaces) would be one of the costliest components. The LID features would require dedicating significant space on the site to bioretention planters or detention systems – space which is not available due to the building's footprint and the minimal setback areas. The project's design cannot accommodate the large planters or underground chambers needed for LID without sacrificing rooms or other critical elements.

There is no substantial evidence in the record that the proposed incentive—granting relief from local LID standards—will have a specific, adverse impact upon public health, safety, or the physical environment. Under State Density Law, however, the project cannot waive out of any applicable State and federally-mandated requirements.

Off-Menu Incentive - Waiver of 1-foot street dedication: The requested incentive results in identifiable and actual cost reductions to provide affordable housing. Accommodating the 1-foot dedication along the property's approximately 100-foot street frontage would require modifying the project's perimeter footprint.

While the project will not provide the 1-foot dedication, it will still improve the frontage with new sidewalk and other public right of way improvements to the satisfaction of the Bureau of Engineering, Bureau of Street Lighting, and Urban Forestry. Waiving this dedication eliminates substantial engineering, redesign, and construction costs, directly subsidizing the financial feasibility of the eight reserved Very Low-Income Senior Citizen rooms. The

current street features a paved 18-foot half roadway within a 32-foot half-width right-of-way. This leaves 14 feet of existing unpaved right-of-way between the property line and the street. This space is more than sufficient to construct a standard, fully ADA-compliant concrete pedestrian path of travel without requiring the applicant to cede an additional one foot of private property. Therefore, as there are no sidewalk improvements at present, the project will improve pedestrian facilities along the site's street frontage.

The facade of the proposed building which faces Del Moreno Drive will be articulated in multiple ways, creating a visually interesting elevation that invites interaction with the street. The structure will also be oriented toward the street with entrances, windows, and architectural features on street-facing elevations as required. The project does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. Finally, according to ZIMAS, the project is located in the Hillside area. The project is not located in a Very High Fire Hazard Severity Zone per CalFire. Therefore, there is no substantial evidence that the proposed project will have a specific adverse impact on the physical environment, on public health and safety.

c. The incentive(s) are contrary to state or federal law.

There is no substantial evidence in the record that the proposed incentives and waivers are contrary to state or federal law. Government Code Section 65915 and LAMC, Chapter 1, Section 12.22. A.25 state that the Commission shall approve a density bonus and requested waivers of development standard(s) for FAR, front, sides, rear yards setback, lot coverage, height, transitional height, vehicle and bicycle parking, landscape area, and trees unless the Commission finds any of the following that:

d. ***The waiver 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 (Gov. Code 65915(d)(1)(B) and 65589.5(d)).***

There is no substantial evidence in the record that the requested waivers will have a specific adverse impact on public health and safety or the physical environment, or any real property that is listed in the California Register of Historical Resources. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete", pursuant to LAMC, Chapter 1, Section 12.22 A.25(b). The project does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. Therefore, there is no substantial evidence that the proposed project, and thus the requested waivers, will have a specific adverse impact on the physical environment, or on public health and safety. Based on the above, there is no basis to deny the requested waiver.

e. 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)).

Approved Waivers of Development Standards

For the following requested waivers, the record does not contain substantial evidence that granting the waivers would have a specific, adverse impact upon public health and safety or the physical environment, nor is there evidence that the waivers are contrary to state or federal law. Furthermore, strict adherence to these specific development standards would have the effect of physically precluding the construction of the 71 rooms development and its eight reserved Very Low-Income rooms:

Floor Area Ratio. The requested waiver, to permit a floor area ratio of 2.75:1 in lieu of 1.0:1 floor area ratio restriction pursuant to the Specific Plan, Section 6.B.3, and as such, permits exceptions to specific plan requirements that result in building design or construction efficiencies that provide for affordable housing costs. The requested waiver allows the developer to expand the building envelope so additional rooms can be constructed, and the overall space (dedicated to residential uses) is increased. This waiver supports the Applicant's decision to provide eight affordable rooms for Very Low Income Households for 55 years.

Height and Transitional Height. The requested waiver, to permit a height of 46 feet in lieu of 30 feet height restriction from the intersection of Wilbur Avenue and Ventura Boulevard to the intersection of De Soto Avenue and Ventura boulevard pursuant to Specific Plan, Section 7.E.e, as such, permits exceptions to specific plan requirements that result in building design or construction efficiencies that provide for affordable housing costs. Additionally, the requested waiver, to permit zero transitions pursuant to LAMC, Chapter 1, Section 12.21.1.A.10, as such, permits deviation from LAMC provision that result in building design or construction efficiencies that provide for affordable housing costs. The requested waivers allow the developer to expand the building envelope so additional rooms can be constructed, and the overall space (dedicated to residential uses) is increased. This waiver supports the applicant's decision to provide eight affordable rooms for Very Low Income Households for 55 years.

Front, Side Setback*.* The requested waivers, to permit zero-foot front yard setback in lieu of the 18 inches otherwise required pursuant to the Specific Plan, Section 7.A.3.a.1.i, that result in building design or construction efficiencies that provide for affordable housing costs. The requested waiver allows the developer to expand the building envelope so additional rooms can be constructed, and the overall space (dedicated to residential uses) is increased. This waiver supports the applicant's decision to provide eight affordable rooms for Very Low Income Households for 55 years.

Side Yards Setback*.* The requested waivers, to permit four-foot side yards setback in lieu of the seven feet otherwise required pursuant to LAMC, Chapter 1, Section 12.13.5.b.2, that result in building design or construction efficiencies that provide for affordable housing costs. The requested waiver allows the developer to expand the building envelope so additional rooms can be constructed, and the overall space (dedicated to residential uses) is increased. This waiver supports the Applicant's decision to provide eight affordable rooms for Very Low Income Households for 55 years.

Rear Yard Setback. The requested waivers, to permit four-foot side and rear yard setbacks in lieu of the 16 feet otherwise required pursuant to LAMC, Chapter 1, Section 12.13.5. B.2, that results in building design or construction efficiencies that provide for affordable housing costs. The requested waiver allows the developer to expand the building envelope so additional rooms can be constructed, and the overall space (dedicated to residential uses) is increased. This waiver supports the Applicant's decision to provide eight affordable rooms for Very Low Income Households for 55 years.

Lot Coverage. The requested waivers, to permit 87 percent lot coverage in lieu of the 60 percent otherwise permitted pursuant to Specific Plan, Section 7.B.2, that result in building design or construction efficiencies that provide for affordable housing costs. The requested waiver allows the developer to expand the building envelope so additional rooms can be constructed, and the overall space (dedicated to residential uses) is increased. This waiver supports the Applicant's decision to provide eight affordable rooms for Very Low Income Households for 55 years.

Vehicle Parking. The requested waiver, to permit zero residential vehicle parking spaces in lieu of the 78 spaces otherwise required pursuant to LAMC, Chapter 1, Section 12.21.A.4 and zero commercial vehicle parking spaces in lieu of the eight spaces otherwise required pursuant to LAMC, Chapter 1, Section 12.21.A.4 and Specific Plan, Section 7.F.1.c, and as such, to code and specific plan requirements that result in building design or construction efficiencies that provide for affordable housing costs. The requested waiver allows the developer to expand the building envelope so additional rooms can be constructed, and the overall space (dedicated to residential uses) is increased. This waiver supports the Applicant's decision to provide eight affordable rooms for Very Low Income Households for 55 years.

Landscape and Tree. The requested waiver, to permit zero landscape and trees in lieu of 18 trees pursuant to LAMC, Chapter 1, Sections 12.40 and 12.43, and as such, that result in building design or construction efficiencies that provide for affordable housing costs. The requested waiver allows the developer to expand the building envelope so additional rooms can be constructed, and the overall space (dedicated to residential uses) is increased. This waiver supports the Applicant's decision to provide eight affordable rooms for Very Low Income Households for 55 years.

Denied Waivers of Development Standards

However, pursuant to Government Code Section 65915(e)(1), the City denies the following requested waivers of development standards. The City makes the following written findings, based upon substantial evidence in the record, that adhering to these specific standards will not physically preclude the construction of the development at the permitted density, and/or that waiving them would cause a specific, adverse impact upon public health and safety for which there is no feasible mitigation:

Bicycle Parking (Short Term). Deny a waiver of development standards from LAMC, Chapter 1, Section 12.21 A.16 to allow for zero short-term bicycle parking spaces in lieu of the required seven residential and four commercial bicycle parking spaces.

Bicycle Parking (Long Term). Deny a waiver of development standards from LAMC, Chapter 1, Section 12.21 A.16 to allow for zero long-term bicycle parking

spaces in lieu of the required seven residential and four commercial bicycle parking spaces.

No Physical Preclusion: The applicant has failed to provide substantial evidence that adhering to the bicycle parking requirements of LAMC Chapter 1, Section 12.21 A.16 physically precludes the construction of the 71-unit development inclusive of its eight reserved Very Low-Income rooms. In the administrative record, the applicant asserted that providing bicycle parking would "consume interior floor area that is needed for resident services or rooms." However, substantial evidence within the submitted architectural plans and the mathematical realities of the LAMC directly refute this claim. Under LAMC Chapter 1, Section 12.21 A.16, the project must provide 11 short-term and 11 long-term bicycle parking spaces. Short-term bicycle parking spaces must be at least two feet (24 inches) wide and six feet long, while horizontal bike parking devices must hold at least 180 degrees of the wheel arc. This necessitates a raw footprint of 132 square feet. Furthermore, LAMC Chapter 1, Section 12.21 A.16 dictates that long-term parking must be fully enclosed, secure, and weatherproof. Racks can be mounted vertically or stacked, provided they have adequate mechanical assistance or proper wheel support (maintaining a minimum of four feet deep and six feet high for vertical storage). Applying a standard 2-foot width per bicycle, the 11 required long-term spaces necessitate a raw footprint of just 88 square feet. The combined raw floor area for all 22 required spaces is exactly 220 square feet. Even when factoring in standard four- to five-foot access aisles to ensure users can comfortably maneuver, the total functional space required equates to approximately 400 to 500 square feet. The ground floor plans explicitly depict a 4,977-square-foot covered vehicular entry court where the building's upper floors span over the driveway. Accommodating the maximum 500 square feet needed for fully compliant bicycle parking would consume only 10 percent of this expansive, exterior covered area. Therefore, the required bicycle infrastructure can be integrated seamlessly into the existing, non-habitable ground-floor footprint without reducing the building envelope, decreasing the residential room count, or eliminating a single square foot of interior habitable floor area. Because strict adherence to the bicycle parking standard does not have the effect of physically precluding the project, the waiver is denied.

f. The waivers are contrary to state or federal law.

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

CONDITIONAL USE PERMIT FINDINGS

A particular type of development is subject to the Conditional Use Permit process because it has been determined that such use of property should not be permitted by right in a particular zone. All uses requiring a Conditional Use Permit are located within LAMC, Chapter 1, Section 12.24 W. In order for hours of operation beyond the 7:00 a.m. and 11:00 p.m. limitations otherwise permitted within a Commercial Corner Development to be authorized, certain designated findings have to be made.

1. That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.

With the introduction of 71 rooms, for both restricted-affordable and market rate rooms, and 1,008 square feet of commercial uses, the project provides a restaurant and physiotherapy services to residents and members of the community. The proposed building will have an architectural style, materials, and articulation that will protect the character and scale of existing residential neighborhoods. The project will offer affordable rooms, physiotherapy and café which will serve as a benefit to the community, city, and region.

The proposed hours of operation are from 6:00 a.m. to 11:00 p.m., daily. The conditions related to the hours of operation are listed above for the commission's consideration to mitigate the proposed hours of operation impacts and to protect public welfare. As conditioned, the operation of commercial use will offer a beneficial service by providing access to individuals whose schedules conflict with regular working hours on Del Moreno Drive and will provide a beneficial service to the Canoga Park-Winnetka-Woodland Hills-West Hills community and the city.

The proposed commercial operation, as conditioned, will offer a beneficial service by providing access to individuals whose schedules conflict with regular working hours to both the city and the Canoga Park-Winnetka-Woodland Hills-West Hills community

2. That the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

The proposed project is a 41,567 square foot mixed-use development, with physiotherapy and café uses, that is of a similar height and scale to mixed-use structures within close proximity to the west as well as in the area. The request to allow the café and physiotherapy uses to open at 6:00 a.m. instead of 7:00 a.m. will not significantly increase the activity of the site and will offer a beneficial service by providing access to individuals whose schedules conflict with regular working hours. The commercial component of the project will close by 11:00 p.m. in compliance with the Commercial Corner Development provisions. The project will provide illumination at street level for security. All lighting on the upper levels are required to be shielded and focused on the project site and directed away from the neighboring land uses. As such, the project's location, size, height, operations, and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

3. That the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

The site is located within the Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan area of Woodland Hills-Warner Center in the City of Los Angeles and is currently designated for Limited Commercial land uses, with corresponding RA-1 Zone. The court judgment declared that the site zoning is inconsistent with the site land use designation. Therefore, the court ordered that the project be allowed to comply with the development standards of the most intense zone (C1.5) associated with the Limited Commercial land use designation. The applicant is requesting a Density Bonus and Conditional Use Permit which would allow the project to be developed with 71 rooms and approximately 1,008 square feet of commercial uses in close proximity to other neighborhood-serving commercial uses and existing transit infrastructure will be in

conformance with good planning and land use practices, and will be consistent with the following elements of the General Plan, including the Community Plan.

General Plan Framework Element

The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the site. The Framework Element includes the following goals, objectives, and policies relevant to the site and the proposed Project:

Land Use Chapter

The Framework Element's Land Use Chapter identifies Limited Commercial land use as including a diversity of retail sales and services, office, and auto-oriented uses comparable to those currently allowed in the "C1.5" Zone (including residential). Limited Commercial land uses are located outside of districts, centers, and mixed-use boulevards and occur at the intersections of major and secondary streets, or as low rise, low-density linear "strip" development along major and secondary streets. The site's location along Del Moreno Drive is consistent with the Framework Element's description of the Limited Commercial land use designation. Moreover, commercial uses are permitted within the C1.5 Zone and would therefore be consistent with the Framework Element's contemplated uses within the Limited Commercial land use designation. Furthermore, the project will comply with the following relevant goals, objectives, and policies set forth in the Framework Element's Land Use chapter:

Goal 3A: A physically balanced distribution of land use that contributes towards and facilitates the City's long-term fiscal and economic viability, revitalization of economically depressed areas, conservation of existing residential neighborhoods, equitable distribution of public resources, conservation of natural resources, provision of adequate infrastructure and public services, reduction of traffic congestion and improvement of air quality, enhancement of recreation and open space opportunities, assurance of environmental justice and a healthful living environment, and achievement of the vision for a more livable city.

Objective 3.1: Accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors.

Policy 3.1.1: identify areas on the Long-Range Land Use Diagram and in the community plans sufficient for the development of a diversity of uses that serve the needs of existing and future residents (housing, employment, retail, entertainment, cultural/institutional, educational, health, services, recreation, and similar uses), provide job opportunities, and support visitors and tourism.

Policy 3.1.7: Allow for development in accordance with the policies, standards, and programs of specific plans in areas in which they have been adopted.

Objective 3.2: Provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled, and air pollution.

Policy 3.2.1: Provide a pattern of development consisting of distinct districts, centers, boulevards, and neighborhoods that are differentiated by their functional role, scale, and

character. This shall be accomplished by considering factors such as the existing concentrations of use, community-oriented activity centers that currently or potentially service adjacent neighborhoods, and existing or potential public transit corridors and stations.

Policy 3.2.3: Provide for the development of land use patterns that emphasize pedestrian/bicycle access and use in appropriate locations.

Policy 3.2.4: Provide for the siting and design of new development that maintains the prevailing scale and character of the City's stable residential neighborhoods and enhance the character of commercial and industrial districts.

Objective 3.4: Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.

Policy 3.4.1: Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram.

The site is currently developed with a single-family dwelling, which does not fully advance the Framework Element's land use goals and policies outlined above. Specifically, the site is an optimal location for a new residential and commercial development containing much needed housing and commercial uses. It is located within the Ventura/Cahuenga Boulevard Corridor Specific Plan, which is a significant commercial thoroughfare that offers numerous neighborhood-serving retail, office, and restaurant uses for nearby residents.

Moreover, the project's proposed residential rooms will offer new opportunities to future residents in a desirable mixed-use neighborhood. As noted above, Ventura Boulevard offers a wide range of neighborhood-serving commercial uses for nearby residents, which will allow project residents to travel by foot or transit to dine, shop, or obtain personal services, thereby reducing vehicle miles travel. In addition, the proposed mixed-use building will be consistent and compatible with existing development patterns in the immediate vicinity. Five-story multifamily residential buildings are to the west of the project site, along both sides of Ventura Boulevard. Just north of the property is a variety of neighborhood-serving commercial uses that host full-service and quick-service restaurants, as well as a variety of other retail options. The area also contains several educational institutions to the north and south. Therefore, the project is consistent with the Framework Element. To the east, a surface parking lot will buffer the project from other uses. Thus, the development of the project will activate the site and place development in an appropriate, convenient, and desirable location. For the above reasons, the project is consistent with and advances the land use goals, objectives, and policies of the Framework Chapter.

<u>Urban Form and Neighborhood Design</u>

The project will support the Framework Element's Urban Form and Neighborhood Design chapter by providing a new mixed-use project with 71 rooms and 1,008 square feet of commercial uses close to a major commercial corridor that is well-served by transit infrastructure. The placement of the project's uses on Del Moreno Drive in a new approximately 41,567 square foot mixed-use building is consistent with existing use and development patterns along the Del Moreno Drive, and with the adjacent and nearby multifamily, multistory residential projects (including the five-story residential building west of the project site. Moreover, the project's residents will be living in immediate proximity to dining and shopping opportunities along Ventura Boulevard. The infill development of the site with the project's proposed uses will be compatible with the active transit- and pedestrian-friendly Ventura Boulevard corridor. Therefore, the project conforms to the Framework Element's goals and policies below regarding urban form and neighborhood design:

Goal 5A: A livable City for existing and future residents and one that is attractive to future investment. A City of interconnected, diverse neighborhoods that builds on the strengths of those neighborhoods and functions at both the neighborhood and citywide scales.

Objective 5.2: Encourage future development in centers and in nodes along corridors that are served by transit and are already functioning as centers for the surrounding neighborhoods, the community or the region.

Policy 5.2.2: Encourage the development of centers, districts, and selected corridor/boulevard nodes such that the land uses, scale, and built form allowed and/or encouraged within these areas allow them to function as centers and support transit use, both in daytime and nighttime. Additionally, develop these areas so that they are compatible with surrounding neighborhoods.

Housing Element

The project is consistent with the following Goals, Objectives, and Policies of the Housing Element 2021-2029:

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

Objective 1.2: Facilitate the production of housing, especially projects that include Affordable Housing and/or meet Citywide Housing Priorities.

Policy 1.2.2: Facilitate the construction of a range of different housing types that addresses the particular needs of the city's diverse households.

Goal 3: A City in which housing creates healthy, livable, sustainable, and resilient communities that improve the lives of all Angelenos.

Objective 3.1: Use design to create a sense of place, promote health, foster community belonging, and promote racially and socially inclusive neighborhoods.

Policy 3.1.4: Site buildings and orient building features to maximize benefit of nearby amenities and minimize exposure to features that may result in negative health or environmental impacts.

Objective 3.2: Promote environmentally sustainable buildings and land use patterns that support a mix of uses, housing for various income levels and provide access to jobs, amenities, services and transportation options.

Policy 3.2.2: Promote new multi-family housing, particularly Affordable and mixed-income housing, in areas near transit, jobs and Higher Opportunity Areas, in order to facilitate a better jobs-housing balance, help shorten commutes, and reduce greenhouse gas emissions.

Goal 4: A City that fosters racially and socially inclusive neighborhoods and corrects the harms of historic racial, ethnic, and social discrimination of the past and present.

Objective 4.1: Ensure that housing opportunities are accessible to all residents without discrimination on the basis of race, color, ancestry, sex, national origin, color, religion, sexual orientation, gender identity, marital status, immigration status, family status, age, intellectual, developmental, and physical disability, source of income and student status or other arbitrary reason.

Policy 4.1.1: Promote and facilitate equal opportunity practices in the construction, provision, sale and rental of housing.

Objective 4.3: Affirmatively further fair housing in all housing and land use programs by taking proactive measures to promote diverse, inclusive communities that grant all Angelenos access to housing, particularly in Higher Opportunity Areas, increase place-based strategies to encourage community revitalization and protect existing residents from displacement.

Policy 4.3.2: Ensure that all neighborhoods have a range of housing typologies to provide housing options for residents to remain in the same community, when and if their needs change.

The project will provide 71 rooms. The project will provide new housing opportunities in direct proximity to Ventura Boulevard's diverse commercial environment, while also enabling residents to utilize existing transit infrastructure provided by Metro's Rapid and local bus lines in the vicinity of the site. Accordingly, the project will conform with the goals, objectives, and policies of the City's Housing Element.

Mobility Element

The project is consistent with the following Policies of the Mobility Element, Mobility Plan 2035:

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

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

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

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

The redevelopment of the site with residential and commercial uses would be consistent with the various existing uses in the surrounding neighborhood that would facilitate and encourage pedestrian travel between the uses and a broad array of nearby residential, retail, restaurants and personal services along Ventura Boulevard.

The project would replace an existing single-family dwelling with a mixed-use development located near amenities and transit infrastructure, thereby facilitating pedestrian and transit travel between commercial and residential uses. In addition, the project will place new residential use and conditioned to provide bicycle parking spaces in close proximity to this commercial thoroughfare, allowing and encouraging pedestrian, transit, and bicycle travel between the project's eldercare rooms and these commercial uses.

Land Use Element

The project is located in the Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan, one of 34 Community Plans which comprise the Land Use Element. By providing 71 rooms and 1,008 square feet of commercial uses in an underutilized infill site, the project will provide a variety of compatible new housing opportunities within the Community Plan area; improve the function, design, and economic vitality of Ventura Boulevard by replacing one single-family dwelling with a new mixed-use building. The Community Plan designates the site for Limited Commercial land use. The project site is zoned RA-1. The court judgment declared that the site zoning is inconsistent with the site land use designation. Therefore, the court ordered that the project complies with the development standards of the most intense zone (C1.5) associated with the Limited Commercial land use designation. The project utilizes the State Density Bonus Law (California Government Code Section 65915) and the LAMC, Chapter 1, Section 12.22 A.25, and Ordinance No. 185,373 (Value Capture Ordinance) to provide 71 rooms, eight of which will be set aside for Very Low-Income Households. The project is also in an area that is close to various bus routes, connecting the project site to other regional and local destinations. The project will contribute to the Woodland Hills-Warner Center area as a Medium Residential development that provides affordable housing. The project will advance a number of other objectives, goals and policies of the Community Plan, as evidenced by the following:

Goal 1:A safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the Canoga Park-Winnetka-Woodland Hills-West Hills community Plan Area.

Objective 1-1: Achieve and maintain a housing supply sufficient to meet the diverse economic needs of current and projected population to the year 2010.

Policy 1-1.1: Maintain an adequate supply and distribution of multi-family housing opportunities in the Community Plan Area.

Objective 1-2: Reduce automobile trips in residential areas by locating new housing in areas offering proximity to goods, services, and facilities.

Policy 1-2.2: Encourage multiple residential development in commercial zones.

Objective 1-3: To preserve and enhance the varied and distinct residential character and integrity in existing single and multi- family neighborhoods.

Objective 1-4: Provide a diversity of housing opportunities capable of accommodating all persons regardless of income, age or ethnic background.

Policy 1-4.1: Promote greater individual choice in type, quality, price and location of housing.

The project's 71 residential rooms provide new housing opportunities and choices, and helps to meet the diverse housing needs within the Community Plan area. Furthermore, the redevelopment of the single-family dwelling will result in the loss of one single-family house, and will constitute an appropriate location of new multi rooms housing, given the site's proximity to Ventura Boulevard's diversity of neighborhood-serving commercial uses; existing transit infrastructure; existing adjacent and proximate multi-story, multi-family housing projects. The project is therefore consistent with the above Land Use policies of the Community Plan.

Goal 2: An economically vital commercial sector offering a diversity of goods and services to meet the needs of the community plan area. this means that commercial land use policies must support maximum efficiency and accessibility of commercial development while preserving the historic commercial and cultural character of the district.

Objective 2-1: Conserve and strengthen viable commercial development and encourage recycling of obsolete commercial development.

Policy 2-1.1: Locate new commercial development in areas currently designated for such development.

The project will replace an existing single-family dwelling with a mixed-use building with residential and commercial uses. These new uses will be easily accessible to nearby residents, including the project's residents. This new development will therefore enhance the existing commercial environment within close proximity to Ventura Boulevard by encouraging additional pedestrian traffic to the site. The project is therefore consistent with the above Land Use policies of the Community Plan.

Objective 13-2: To insure that the location, intensity and timing of infrastructure development maintain the City's streets standards.

Policy 13-2.1: No increase in density and intensity shall be effectuated by zone change, variance, conditional use, parcel map, or subdivision unless it is determined that the transportation system can accommodate the increased traffic generated by the project.

The project's uses are proposed to be located within close proximity to Ventura Boulevard commercial corridor, where transportation and transit infrastructure currently exist. Moreover, the project's proximity to existing residential and commercial uses, proximity to existing Metro Rapid and local bus lines will encourage residents and commercial patrons to choose alternatives to automobile travel to the site, including traveling by transit and foot. Therefore, the project complies with the above Community Plan policies regarding transportation.

4. Based on data provided by the City Department of Transportation or by a licensed traffic engineer, the ingress to and egress from the project will not create a traffic hazard or cause significant traffic congestion or disruption of vehicular circulation on adjacent streets.

The request to extend hours of operation from 6:00 a.m. to 11:00 p.m., daily, exceeds otherwise permitted hours of operation from 7:00 a.m. to 11:00 p.m., daily, within a Commercial Corner Development. The extended hours of operation starting at 6:00 a.m., daily, will have no significant increase in traffic congestion or disruption of vehicular circulation on adjacent streets as this represents hours outside of peak traffic periods and no new access is proposed to adjacent public rights-of-way.

5. The project approval will not create or add to a detrimental concentration of Mini-Shopping Centers or Commercial Corner Developments in the vicinity of the proposed project.

The applicant seeks to have hours of operation that extend beyond the 7:00 a.m. to 11:00 p.m. limitation for uses located within a Commercial Corner Development. The project is located within a proposed mixed-use building, on a property zone for commercial use. The proposed hours of operation do not result in a detrimental concentration of Commercial Corner Developments in the vicinity of the proposed project.

Project Permit Compliance Findings

The Ventura-Cahuenga Boulevard Corridor Specific Plan designates the subject property for Neighborhood and General Commercial land uses which are a "focal point for surrounding residential neighborhoods containing a diversity of land uses, such as small offices and overnight accommodations, cultural facilities, schools and libraries, in addition to neighborhood-oriented services."

The proposed project, a mixed-use development, substantially complies with the site's zoning and the Community Plan land use designation. As enumerated below, the proposed project has been conditioned to comply with all applicable regulations, findings, standards, and provisions of the Ventura-Cahuenga Boulevard Corridor Specific Plan. The two incentives and 12 waivers of improvements are warranted based on the findings separately enumerated and the conditions applied.

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

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

a. **Section 5.C: Uses.** The proposed uses of residential, café/take out, and physiotherapy center are not restricted in this area of the Specific Plan and thus are allowed.

b. **Section 6B: Floor Area Ratio (FAR).** A total of 16,807 square feet of floor area is permitted. The project proposes 41,567 square feet of floor area. The FAR limitation for this site is 1.0:1. The project requests a waiver of development standard to allow a 2.75:1 FAR. With the waivers requested, the project complies with the FAR requirements. The granting of a Density Bonus pursuant to Section 65915 of the California Government Code does not preclude a finding that the project is in conformance with all applicable zoning regulations including the Specific Plan.

c. **Section 7A: Yards.** The front yard setback requirement is an 18-inch minimum and a 20-foot maximum for at least 33 percent of the lot width. The applicant requests a waiver of development standard to allow a zero front yard setback. As such, the project complies with the front yard setback requirements. Per the specific plan, a side yard of 10 feet may be permitted, except that an accessway, which may include a maximum 20 foot wide driveway, a maximum four-foot wide walkway and landscape buffers of 18 inches to five feet on either side of the accessway, may be provided for vehicular access to parking and pedestrian access to the building, or where the project contains residential uses, in which case, LAMC provisions apply. The project requests waivers of development standard to allow four-foot side yard setbacks required by LAMC, Chapter 1, Section 12.13.5. B.2. With the waivers requested, the project complies with the side yards setback requirements. The rear yard setback requirement is 16 feet per LAMC, Chapter 1, Section 12.13.5. B.2. The project requests a waiver of development standard to allow a four-foot rear yard setback. With the waivers requested, the project complies with the rear yard setback requirements. The granting of a Density Bonus pursuant to Section 65915 of the California Government Code does not preclude a finding that the project is in conformance with all applicable zoning regulations including the Specific Plan.

d. **Section 7B: Lot Coverage.** The Specific Plan limits lot coverage to 60 percent. The project requests a waiver of development standard to allow a lot coverage of 87 percent. With the waivers requested, the project complies with the lot coverage regulations. The granting of a Density Bonus pursuant to Section 65915 of the California Government Code does not preclude a finding that the project is in conformance with all applicable zoning regulations including the Specific Plan.

e. **Section 7C: Driveways.** A project review will be required on any site with multiple driveways where the linear frontage of the lot is less than 250 feet. The project proposes one driveway and has a linear frontage of less than 250 feet. On May 13, 2024, the Department of Transportation reviewed and approved the site plan showing two new two-way driveways with 20 feet width on Del Moreno Drive. The project is conditioned to submit the revised plans for the DOT review and approval.

f. **Section 7D: Landscaping**. No landscaped area is proposed as part of this project.

g. **Section 7E: Height**. The Specific Plan limits height to 30 feet. By granting the applicant's requested waiver of development standard to allow a height of 46 feet

and for relief from the height regulations, the project complies with the height regulations. The granting of a Density Bonus pursuant to Section 65915 of the California Government Code does not preclude a finding that the project is in conformance with all applicable zoning regulations including the Specific Plan.

h. **Section 7F: Parking.** Pursuant to Specific Plan, Section 7.F.1.a, restaurant establishments require at least one parking space for each 100 square feet of floor area. Pursuant to LAMC, Chapter 1, Section 12.21.A.4.a, medical establishments require at least one parking space for each 200 square feet of floor area and one parking space per room and one parking space per 10 rooms for employees. The new mixed-use building with 437 square feet café/take out space, 571 square feet physiotherapy center, and 71 rooms require four parking spaces for café use, three parking spaces for physiotherapy center, and 78 spaces for the residential portion of the project. The project requests a waiver of development standard to allow zero parking spaces. The granting of a Density Bonus pursuant to Section 65915 of the California Government Code does not preclude a finding that the project is in conformance with all applicable zoning regulations including the Specific Plan.

Per LAMC, Chapter 1, Section 12.21.A.16, for the rooms, the project would require one long-term and one short-term bicycle space per 10 rooms and two long-term and two short-term bicycle spaces for café and physiotherapy center. The project would require and conditioned to provide seven long-term and seven short-term bicycle parking spaces for rooms, four long-term and four short term in total for café/take out and physiotherapy center.

i. **Section 8: Signs**. Pursuant to Section 5.A.2 of the Ventura-Cahuenga Boulevard Corridor Specific Plan, the project's proposed signs must comply with the applicable development requirements of Sections 8 and 9 of the Plan, as it relates to the sign regulations.

Wall Signs: Pursuant to Specific Plan, Section 8.B.1.a, a maximum of one wall sign per tenant on a building's street frontage and a second sign facing a parking lot, secondary street, or alley is permitted. The total sign area permitted is two square feet per one linear foot of lot frontage. The site has a frontage of 100 feet; therefore, a maximum signage area of 200 square feet would be permitted for the site. The proposed 100 square-foot signs in total, further enforced through Conditions of Approval, will not exceed the maximum signage area, and thus comply with the Specific Plan regulations.

7. 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.

Based on the whole of the administrative record, the Project is exempt from CEQA pursuant to Public Resources Code, Section 21080.66.