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Date: December 5, 2024

APPLICANT

Jeff Zbikowski
JZ Development LLC
4043 Irving Place, Suite B
Culver City, CA 90232

OWNER

Jill Ross Meer and
Ron William Ross as
Co-Trustees of the William G.
Ross and Joy A. Ross
Survivor's Trust
7556 Woodlake Ave.

West Hills, CA 91304

REPRESENTATIVE

Jeff Zbikowski
JZA
4043 Irving Place, Suite B
Culver City, CA 90232

Case No.: ADM-2024-5202-DB-PHP-VHCA

Related Cases: PAR-2024-4645-VHCA
PAR-2024-3365-AHRF-PHP

CEQA: N/A

Location: 7556-7572 N. Woodlake Ave.

Council District: 12 - Lee

Neighborhood Council: West Hills

Community Plan Area: Canoga Park-Winnetka-
Woodland Hills-West Hills

Land Use Designation: Low Residential

Zone: A2-1

Legal Description: FR 208, TR 21391

**LAST DAY TO FILE AN
APPEAL:** December 20, 2024

LETTER OF COMPLIANCE – MINISTERIAL ON-MENU DENSITY BONUS

Pursuant to California Government Code Section 65915, and Los Angeles Municipal Code (LAMC) Section 12.22 A.25, I have reviewed the proposed project and as the designee of the Director of Planning, I hereby:

DETERMINE, based on the whole of the administrative record, that the Project is statutorily exempt from the California Environmental Quality Act (CEQA) as a ministerial project, pursuant to Government Code Section 65915(f)(5) and (j)(1) and California Public Resources Code Section 21080(b)(1); and

APPROVE a Density Bonus Compliance Review for a 100% Affordable Housing Development (as defined in California Government Code Section 65915(b)(1)(C) and (G)), for a project totaling 332 units in a senior citizen housing development, reserving one Manager's Unit, 66 units set aside for Moderate Income Household occupancy, and 265

units set aside for Low Income Household occupancy for a period of 55 years. As the project has requested a waiver from maximum controls on density, the project is allowed five incentives and one waiver pursuant to California Government Code Section 65915(e)(3) and the following are granted:

1. **Side Yard (On-Menu Incentive).** An up to 20 percent reduction in the required north side yard setback, for a minimum side yard of 9 feet 7 inches in lieu of the required 11 feet 11 and $\frac{3}{4}$ inches.
2. **Side Yard (On-Menu Incentive).** An up to 20 percent reduction in the required south side yard setback, for a minimum side yard of 9 feet 7 inches in lieu of the required 11 feet 11 and $\frac{3}{4}$ inches.
3. **Open Space (On-Menu Incentive).** An up to 20 percent decrease in the required open space, allowing a minimum of 28,800 square feet of open space in lieu of the required 36,100 square feet of open space.

CONDITIONS OF APPROVAL

- 1. Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped “**Exhibit A,**” and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Valley Project Planning Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Los Angeles Municipal Code or the project conditions.
- 2. Residential Density.** The project shall be limited to a maximum density of 332 units in a senior citizen housing development per “**Exhibit A.**” Pursuant to California Government Code Sections 65915(o), the project is located within Very Low Vehicle Travel Area, and the project is allowed unlimited density.
- 3. On-Site Restricted Affordable Units.** Sixty-six units shall be reserved for Moderate Income Household occupancy and 265 units shall be reserved for Low Income Household occupancy, as defined by California Government Code Section 65915 and by the Los Angeles Housing Department (LAHD). In the event the SB8 Replacement Unit condition requires additional affordable units or more restrictive affordability levels, the most restrictive requirements shall prevail.
- 4. Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing Department (LAHD) to reserve 100 percent of the units for affordable senior housing with 265 units available for Low Income Household occupancy and 66 units available for Moderate Income Household occupancy, or equal to 100 percent of the project’s total proposed residential density allowed, exclusive of one Manager’s Unit, for sale or rental, as determined to be affordable to such households by LAHD for a period of 55 years. Enforcement of the terms of said covenant shall be the responsibility of LAHD. The Applicant will present 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 any monitoring requirements established by the LAHD.

Unless otherwise required by state or federal law, the project shall provide an onsite building Manager’s Unit, which the owner shall designate in the covenant. The Owner may not use an affordable restricted unit for the Manager’s Unit.

- 5. SB 8 Replacement Units (California Government Code Section 66300 et seq.)** The project shall be required to comply with the Replacement Unit Determination (RUD) letter, dated September 3, 2024, to the satisfaction of LAHD. The most restrictive affordability levels shall be followed in the covenant. In the event the On-site Restricted Affordable Units condition requires additional affordable units or more restrictive affordability levels, the most restrictive requirements shall prevail.
- 6. Priority Housing Program.** The project proposes a minimum of 20 percent of the project’s total number of dwelling units as affordable to Low Income Household occupancy and as such was processed utilizing the Department’s Priority Housing Program including a reduced processing timeline. In the event the applicant reduces the project’s percentage

of affordable units, a substantial conformance review process along with required fees shall be required.

7. Density Bonus Incentives

- a. **Side Yard (On-Menu Incentive).** The project shall provide a minimum 9 foot 7 inch north side yard setback as shown on “**Exhibit A.**”
 - b. **Side Yard (On-Menu Incentive).** The project shall provide a minimum 9 foot 7 inch south side yard setback as shown on “**Exhibit A.**”
 - c. **Open Space (On-Menu Incentive).** The project shall provide a minimum of 28,800 square feet of open space as shown on “**Exhibit A.**”
8. **Height.** The project is approved for a maximum height of five stories and 73 feet 2 inches as shown on “**Exhibit A.**”
9. **Floor Area.** The project is approved for a maximum floor area of 187,902 square feet and a floor area ratio (FAR) of 2.9:1 as shown on “**Exhibit A.**”
10. **Automobile Parking for Residential Uses.** Pursuant to California Government Code Sections 65915(o) and 65916(p)(3)(B), no parking requirements shall apply for a 100 percent affordable housing project for individuals who are 55 years of age or older located within a Very Low Vehicle Travel Area. In the event that the composition of units should change (i.e., the number of units made available to senior citizens), 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 by the Department of Building and Safety based upon the ratios regulated under LAMC Section 12.22 A.25(d). The project is providing 154 parking spaces.
11. **Bicycle Parking.** A minimum total of 38 long-term bicycle parking spaces and 19 short-term bicycle parking spaces shall be provided as shown on “**Exhibit A**” pursuant to LAMC Section 12.21 A.16 as regulated by the Los Angeles Department of Building and Safety.
12. **On-Site Trees.** A total of 83 minimum 24-inch box trees shall be provided on site as required pursuant to LAMC Section 12.21 G.2 and as shown on “**Exhibit A.**” The on-site protected Southern California Black Walnut Tree located within the 25 foot landscaped setback area abutting Saticoy Street and shown on “**Exhibit A**” shall be retained and protected in place. No on-site protected tree removal is requested or approved herein. Any removal of protected trees requires the review and approval of the Urban Forestry Division.
13. **Street Trees.** As shown on “**Exhibit A,**” the three protected street trees (one canyon oak and two Southern California black walnut trees) along Saticoy Street shall be retained and protected in place. No street tree removal is requested or approved herein. Street trees shall be provided to the satisfaction of the Urban Forestry Division, and any removal of street trees requires the review and approval of the Urban Forestry Division.
14. **Off-Site Protected Trees on Neighboring Properties.** As shown on “**Exhibit A,**” one protected canyon oak tree and two Southern California black walnut trees on the neighboring property to the south will be retained and protected in place. No off-site removal of protected trees on neighboring properties is requested or approved herein.

Any removal of protected trees requires the review and approval of the Urban Forestry Division.

- 15. Landscape Plan.** Revised landscape plans shall be submitted to show the size and location of all plants. The landscape plan shall indicate landscape points for the project equivalent to 10 percent or more than otherwise required as required by LAMC 12.40 and Landscape Ordinance Guidelines "O". All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be landscaped, including an automatic irrigation system, and maintained in accordance with a final landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning. The final landscape plan shall be in substantial conformance with the submitted Landscape Plan, "**Exhibit A,**" and shall incorporate any modifications required as a result of this grant.
 - a. Landscaped Open Space.** In compliance with LAMC Section 12.40, a minimum total of 7,220 square feet of landscaped open space is required as shown on "**Exhibit A.**"
 - b. Landscape Ordinance Guidelines "O."** In compliance with Landscape Ordinance Guidelines "O" and as shown on "**Exhibit A,**" a minimum total of 55 landscape points are required.
- 16. Building Line.** The project shall observe the 26 foot building line setback on Woodlake Avenue (Ordinance No. 98,019) and the 25 foot building line setback on Saticoy Street (Ordinance No. 112,349).
- 17. Equine Keeping in the City of Los Angeles.** Prior to issuance of a building permit, the project shall comply with ZI No. 2438 "Equine Keeping in the City of Los Angeles" as regulated by the Los Angeles Department of Building and Safety.

Administrative Conditions

- 18. Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Plans Approved". A copy of the Plans Approved, supplied by the applicant, shall be retained in the subject case file.
- 19. 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.
- 20. 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.

- 21. Code Compliance.** Use, area, height, open space, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
- 22. 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.
- 23. Recording Covenant.** Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center at the time of Condition Clearance for attachment to the subject case file.
- 24. Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
- 25. Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do 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).

- 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 paragraph (b).
- e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

PROJECT BACKGROUND

Subject Property

The subject site is an irregular-shaped, sloping lot located at the southeast corner of Saticoy Street and Woodlake Avenue. The subject site is approximately 95,783 square feet in lot area according to a survey provided by the applicant and stamped by a licensed professional land surveyor. The subject site is located within the Canoga Park – Winnetka – Woodland Hills – West Hills Community Plan area. The subject site is not located within a geographic specific plan area or a community design overlay.

The subject site extends for approximately 606 linear feet along Saticoy Street to the north and 235 linear feet along Woodlake Avenue to the west. The subject site extends for approximately 120 linear feet to the east. To the south, the subject site extends for approximately 115 linear feet along a 20 feet alley. The site boundary curves to the south along the 20 feet alley for approximately 535 feet.

Saticoy Street is designated an Avenue II by the City's Mobility Plan 2035, with a designated right-of-way width of 86 feet and a designated roadway width of 56 feet. The north side of Saticoy Street is improved with a curb, gutter, and sidewalk; however, the south side of Saticoy Street at the subject site is unimproved. To the west, abutting the subject site, Saticoy Street is improved with a curb, gutter, and sidewalk.

Woodlake Avenue is designated an Avenue II by the Mobility Plan 2035, with a designated right-of-way width of 86 feet and a designated roadway width of 56 feet. Woodlake Avenue is unimproved at the subject site, but is improved with a curb, gutter, and sidewalk to the south of the subject site. Across Woodlake Avenue, the public right-of-way is improved with a curb, gutter, and sidewalk.

Two 20 foot alleys abut the subject site to the south. One 20 foot alley abuts the southern property line for the length of the subject site in an east-west direction and intersects with Royer Avenue to the east and Woodlake Avenue to the west. A second 20 foot alley runs perpendicular to the subject site in a north-south direction and intersects with the first alley to the north and Cohasset Street to the south. The second alley ends in a cul-de-sac approximately 1,000 feet to the south of the subject site.

A 25 foot building line originally established by the Los Angeles City Council on May 11, 1951 under Ordinance No. 98,019 (Case No. 1252) extends along Saticoy Street to the north. A 26 foot building line originally established by the Los Angeles City Council on October 28, 1958 under Ordinance No. 112,349 (Case No. 1471) extends along Woodlake Avenue to the east.

The subject site zone is zoned A2-1 and is designated for Low Residential land use by the Canoga Park – Winnetka – Woodland Hills – West Hills Community Plan. The Low Residential land use designation corresponds to the RE9, RS, R1, RU, RD6, and RD5 Zones.

ZIMAS records show that subject site is located within an area designated under ZI-2438 Equine Keeping in the City of Los Angeles. Pursuant to ZI-2438, lots that are located within the RA, RE20, RE40, A1, and A2 Zones and are proposing to develop habitable space are required to comply with distance requirements pursuant to LAMC Section 12.21 C.5 as regulated by the Los Angeles Department of Building and Safety (LADBS) or apply for relief (pursuant to Chapter 1, LAMC Section 12.24 X.5/Chapter 1A, LAMC Section 13B.2.1).

ZIMAS shows that the subject site is located in an area designated as Very Low Vehicle Traveled Areas (Very Low VMT) pursuant to State AB 2334. A “Very Low Vehicle Travel Area” is defined by California Government Code Section 65915(o)(9) to mean an urbanized area, as designated by the United States Census Bureau, where the existing residential development generates vehicle miles traveled per capita that is below 85 percent of either regional vehicle miles traveled per capita or city vehicle miles traveled per capita.

The site is also located within an Urban Agriculture Incentive Zone (UAIZ), which allows landowners to enter into a voluntary contract with the City to use vacant properties for active agricultural purposes in exchange for a potential property tax reduction. No agricultural uses under a UAIZ are requested or approved herein.

ZIMAS records show that the subject site is not located within an area designated as a Hillside, Airport Hazard, or Coastal Zone. The site is not located within an area designated under State AB 2097 as a Reduced Parking Area, which would otherwise prohibit the City from imposing or enforcing parking requirements on residential projects located within a one-half mile radius of a Major Transit Stop. The subject site is not located within a Very High Fire Hazard Severity Zone, Flood Zone, Watercourse, Methane Hazard Site, High Wind Velocity Area, or BOE Special Grading Area. There are no known oil wells on the subject site. Further, the site is not located within the Santa Monica Mountains Zone, or an area designated as a Biological Resource Potential or Mountain Lion Potential.

According to ZIMAS records, the subject site is located approximately 12.2 km from the nearest fault (Simi – Santa Rosa Fault Zone). ZIMAS shows that the subject site is not located within an Alquist-Priolo Fault Zone, Landslide area, Preliminary Fault Rupture Study Area, or Tsunami Hazard Area. The subject site is located within a Liquefaction area, and the project will be reviewed by LADBS for soils and liquefaction in accordance with Code requirements.

The subject site is not an historic resource. The previous development on the site was identified on the City’s Historic Places LA website and in SurveyLA (Canoga Park – Winnetka – Woodland Hills – West Hills Individual Resources) as eligible for the California and National Historic Registers. The 1927 single-family residence that was on the subject site (Circle S Ranch) has since been demolished. Prior to its demolition, the Circle S Ranch was recognized as historically significant for its representation of the earliest pattern of development in the area, as a rare, remaining example of an intact 1920s estate in West Hills, and as an excellent example of the Dutch Colonial Revival style. On August 5, 2015, under Case No. CHC-2015-770-HCM, the Los Angeles City Council denied the inclusion of the Circle S Ranch in the list of Historic-Cultural Monuments. City records show that a demolition permit was issued on May 14, 2024 for an existing two-story single-family dwelling (Permit No. B23VN13154). On May 9, 2024, a demolition permit was issued for miscellaneous building/structure (Permit No. B23VN13310). The Circle S Ranch was subsequently demolished, and the subject site is currently vacant.

Surrounding Properties

Surrounding properties are currently improved with one- and two story single-family residential and commercial uses. To the north, across Saticoy Street, abutting sites are zoned (Q)RD5-1 with an underlying zone of A1-1VL and designated for Low Medium I Residential land use and RS-1 and designated for Low Residential land use. The sites to the north are improved with one- and two-story single-family dwellings. To the south, across the alley, abutting sites are zoned RS-1 and designated for Low Residential land use. These sites are improved with one-story single family dwellings. Sites abutting the subject site to the east, northeast, and southeast are

zoned RS-1 and designated for Low Residential land use. These sites are improved with one-story single-family dwellings. The abutting sites to the west and southwest across Woodlake Avenue are zoned RS-1 and designated for Low Residential land use. These sites are improved with two-story single family dwellings. The abutting site at the northwest corner of Woodlake Avenue and Saticoy Street is zoned [Q]C1.5-1VL and designated for Neighborhood Office Commercial land use. This site is improved with an automotive service station. The automotive service station is located on a larger site that is zoned [Q]C1.5-1VL and P-1VL and designated for Neighborhood Office Commercial land use. This site is improved with one-story commercial retail land uses.

Chaminade College Preparatory School (Chaminade High School) is currently located approximately 0.2 miles to the west at 7500 N. Chaminade Avenue and 23241 W. Cohasset Street. Chaminade College Preparatory submitted an entitlement application with Los Angeles City Planning for the expansion of an existing high school campus under Case Nos. CPC-2023-1254-VZC-HD-ZAD-ZAA and VTT-84101 and associated environmental Case No. ENV-2023-1255-MND (related Case No. CPC-2009-1477-CU-ZV-ZAA-SPR-PA1). Under the proposed expansion, the high school campus would expand to include 23260 W. Saticoy Street, 23217-23255 W. Saticoy Street, and 7619-7629 N. Woodlake Avenue. As proposed by the applicant, the high school campus boundary would be approximately 200 feet from the subject site. However, as currently proposed, the high school campus would not expand to abut the subject site.

Project Description

As shown on “**Exhibit A**,” the proposed 332 unit, 187,902 square foot senior citizen housing development is five stories, 73 feet 2 inches in height. The 332 unit senior citizen housing development will reserve 100 percent of the units for affordable senior housing with 265 units available for Low Income Household occupancy, 66 units available for Moderate Income Household occupancy, and one Manager’s unit. As shown on “**Exhibit A**,” the project is providing 154 automobile parking spaces; however, no automobile parking is required herein. As further shown on “**Exhibit A**,” the project is providing a minimum total of 38 long-term bicycle parking spaces and 19 short-term bicycle parking spaces as required pursuant to LAMC Section 12.21 A.16 as regulated by LADBS.

As conditioned herein and as shown on “**Exhibit A**,” the project is providing a minimum of 28,800 square feet of open space, and in compliance with LAMC Section 12.40, a minimum total of 7,220 square feet of landscaped open space is required (25 percent of open space shall be landscaped). Further, as shown on “**Exhibit A**,” in compliance with Landscape Ordinance Guidelines “O” a minimum total of landscape points required for the 95,763 square foot project site is 50 landscaped points. However, the project is proposing on-menu yard incentives pursuant to LAMC Section 12.22 A.25(f)(1), which requires that the project provide landscape points for the project equivalent to 10 percent or more than otherwise required. As such, as conditioned herein and as shown on “**Exhibit A**,” the project is providing a minimum of 55 landscape points.

As shown on “**Exhibit A**” and as conditioned herein, a total of 83 minimum 24-inch box trees shall be provided on site as required pursuant to LAMC Section 12.21 G.2. As conditioned herein, no on-site protected tree removal is requested or approved herein. Any removal of protected trees requires the review and approval of the Urban Forestry Division. As further conditioned herein and as shown on “**Exhibit A**,” the on-site protected Southern California Black Walnut Tree located within the 25 foot landscaped setback area abutting Saticoy Street shall be retained and protected in place. As shown on “**Exhibit A**” and as conditioned herein, the three protected street

trees (one canyon oak and two Southern California black walnut trees) along Saticoy Street shall be retained and protected in place. Further, street trees shall be provided to the satisfaction of the Urban Forestry Division, and any removal of street trees requires the review and approval of the Urban Forestry Division. “**Exhibit A**” shows one protected canyon oak tree and two Southern California black walnut trees on the neighboring property to the south. As conditioned herein, these three protected trees on the neighboring property will be retained and protected in place. Any removal of protected trees requires the review and approval of the Urban Forestry Division.

Ministerial Review

California Government Code (CA GC) Section 65915 et seq. regulates Density Bonus housing development projects. Pursuant to CA GC 65915(a)(1):

When an applicant seeks a density bonus for a housing development within, or for the donation of land for housing within, the jurisdiction of a city, county, or city and county, that local government shall comply with this section..

CA GC 65915(a)(2) continues as follows:

A local government shall not condition the submission, review, or approval of an application pursuant to this chapter on the preparation of an additional report or study that is not otherwise required by state law, including this section.

Further, CA GC 65915(D)(i) requires that a Density Bonus housing development project determination issued by a local government shall determine the following:

(I) The amount of density bonus, calculated pursuant to subdivision (f), for which the applicant is eligible.

(II) If the applicant requests a parking ratio pursuant to subdivision (p), the parking ratio for which the applicant is eligible.

(III) If the applicant requests incentives or concessions pursuant to subdivision (d) or waivers or reductions of development standards pursuant to subdivision (e), whether the applicant has provided adequate information for the local government to make a determination as to those incentives, concessions, waivers, or reductions of development standards.

As further regulated under CA GC 65915(b), a city is required to grant one density bonus, incentives and concessions, waivers, and parking ratios as described in CA GC 65915 et seq. if the housing development project will contain a senior housing development. Further, a city is required to grant one density bonus, incentives and concessions, waivers, and parking ratios as described in CA GC 65915 et seq. for a housing development project that is 100 percent affordable (exclusive of Manager’s unit(s) for lower income households, except that 20 percent of the units in the development may be for moderate income households.

The project proposes a minimum of 20 percent of the project’s total number of dwelling units as affordable to Low Income Household occupancy, and as such was processed utilizing the City’s Priority Housing Program (PHP) including a reduced processing timeline. In the event the applicant reduces the project’s percentage of affordable units, a substantial conformance review process along with required fees shall be required.

As such, the 100 percent affordable housing development project for senior citizens that is requesting three On-Menu incentives is subject to State Density Bonus regulations (California Government Code Section 65915 et seq. and LAMC Section 12.22 A.25) under a ministerial review process. The determination is subject to the authority of the Director of Planning, and was provided a reduced processing timeline under the City PHP.

Housing Replacement

Pursuant to California Government Code Section 66300 et seq. (Housing Crisis Act of 2019 (HCA), as amended by Senate Bill 8 and Assembly Bill 1218), any proposed development project that requires the demolition of existing residential dwelling units or occupied or vacant Protected Units, or is located on a site where Protected Units were demolished in the previous 5 years, is subject to replacement. Pursuant to the Senate Bill 8 (SB 8) Replacement Unit Determination letter made by the Los Angeles Housing Department (LAHD) dated September 3, 2024 (September 3, 2024 RUD letter), one residential dwelling unit was sited on the property within the last 5 years, and is subject to replacement as an affordable Protected Unit. The owner was not able to provide income verification for the last known tenant. The owner agreed with the default calculation for the property as calculated by LAHD, which is calculated at one unit restricted to Very Low Income Household occupancy. As disclosed by LAHD, the September 3, 2024 RUD letter is provisional and subject to further verification. As conditioned herein, the project is required to comply with the September 3, 2024 RUD letter to the satisfaction of LAHD. In the event that additional affordable units or more restrictive affordability levels are required, the most restrictive requirements shall prevail.

Density Bonus Incentives and Waiver

Pursuant to State Density Bonus Law under Government Code Section 65915(d)(2)(D), a project located within one-half mile of a Very Low Vehicle Miles Traveled (Very Low VMT) area (State AB 2334) may receive a waiver from any maximum controls on density, a height increase of up to three additional stories or up to 33 additional feet, and an applicant may request that the city not impose any minimum vehicular parking requirement for 100 percent affordable housing projects. The applicant is utilizing an automobile parking reduction offered under Government Code Sections 65915(o) and 65915(p)(3)(B) which allows the applicant to provide 0 parking spaces for a 100 percent affordable housing project located within a Very Low VMT area for individuals who are 55 years of age and older (i.e., senior citizens). The applicant's plans show 154 parking spaces; however, in compliance with State Density Bonus law no parking is required herein.

Additionally, 100% Affordable Housing Developments are entitled to request unlimited density if the project is within a one-half mile of a major transit stop or within a very low vehicle travel area (CA Govt. Section 65915(f)(3)(D)(ii)). Lastly, the Housing Development that receives a waiver from any maximum controls on density shall be eligible for one waiver unless the City agrees to additional waivers or reductions of development standards (CA Govt. Section 65915(e)(3)).

Municipal Density Bonus regulations (LAMC Section 12.22 A.25) and State Density Bonus Law (Government Code Section 65915) outline types of relief that minimize restrictions on the size of the project. In exchange for meeting the minimum set-aside requirements, the project may receive a set of incentives, concessions, and waivers to deviate from development standards in order to facilitate the provisions of affordable housing at the site. The approved incentives and waivers allow the developer to expand the building envelope so the additional affordable units can be

constructed, provide for design efficiencies, and allow the overall space dedicated to residential uses to be increased.

Given that the applicant is providing 100 percent of dwelling units to be affordable at Low Income and Moderate Income Household occupancy to senior citizens aged 55 years and older for a period of 55 years, and meets the criteria outlined in Government Code Section 65915(d)(2)(D), the project is eligible for the base incentives and up to five incentives and one waiver per California Government Code Section 65915(d)(2)(D). The applicant has been approved for the following incentives:

The following incentives are granted by-right:

- **Density.** An unlimited increase in density to allow 332 units in lieu of the otherwise allowed 20 base units.
- **Height.** An up to 33 foot increase in height to allow a maximum building height of 73 feet and 2 inches in lieu of the otherwise allowable 45 feet in height.
- **Parking.** A reduction to zero residential parking spaces. In the event that the composition of units should change (i.e., the number of units made available to senior citizens) 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 by the Department of Building and Safety based upon the ratios regulated under LAMC Section 12.22 A.25(d).

The project is eligible for, and has been granted three (3) on-menu incentives to construct the proposed project as follows:

- **Side Yard (On-Menu Incentive).** An up to 20 percent reduction in the required north side yard setback, for a minimum side yard of 9 feet 7 inches in lieu of the otherwise minimum required 11 feet and 11 and $\frac{3}{4}$ inches.
- **Side Yard (On-Menu Incentive).** An up to 20 percent reduction in the required south side yard setback, for a minimum side yard of 9 feet 7 inches in lieu of the otherwise minimum required 11 feet and 11 and $\frac{3}{4}$ inches.
- **Open Space (On-Menu Incentive).** An up to 20 percent reduction in required open space to provide 28,800 square feet of open space in lieu of the otherwise required 38,100 square feet of open space.

The record does not contain substantial evidence that would allow the decision maker to make a finding that the approved incentives do not result in identifiable and actual cost reduction to provide for affordable housing costs per State Law. The California Health and Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs for 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 a predetermined percentage of income based on area median income thresholds dependent on affordability levels.

There is no evidence in the record that the approved incentives and waiver would have a specific adverse impact. A “specific adverse impact” is defined as “a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete” per LAMC 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. As previously disclosed, on August 5, 2015, under Case No. CHC-2015-770-HCM, the Los Angeles City Council denied the inclusion of the Circle S Ranch in the list of Historic-Cultural Monuments and the structures on site were subsequently demolished. As conditioned herein, the project shall observe the 26 foot building line setback on Woodlake Avenue (Ordinance No. 98,019) and the 25 foot building line setback on Saticoy Street (Ordinance No. 112,349). As further conditioned herein, prior to issuance of a building permit, the project shall comply with ZI No. 2438 “Equine Keeping in the City of Los Angeles” as regulated by the Los Angeles Department of Building and Safety. Soils will be reviewed by LADBS for compliance with Code requirements prior to issuance of a building permit. Any dedications and improvements will be required in compliance with Code requirements by the City Bureau of Engineering. Site ingress and egress will be reviewed and approved for Code compliance by the Los Angeles Department of Transportation. There is no evidence in the record which identifies a written objective health and safety standard that has been exceeded or violated. The project is not located on a substandard street in a Hillside area or in a Very High Fire Severity Zone. Based on the above, there is no basis to deny the incentives.

The Density Bonus Incentives result in identifiable and actual cost reductions to provide for affordable housing costs because the incentives by their nature increase the scale of the project and thus facilitates the provision of affordable housing units. The project includes three On-Menu Incentives, which further expand the building envelope and allows for identifiable cost reductions in providing for the affordable units.

The requested incentives for a reduction in yard setbacks and open space permit exceptions to zoning requirements that result in building design or construction efficiencies that provide for affordable housing costs. The requested incentives allow the developer to expand the building envelope so the additional units can be constructed, and the overall space dedicated to residential uses is increased.

Further, the building façade oriented to Saticoy Street and Woodlake Avenue is articulated with changes in material and breaks in plane, so that the façade is not a flat surface. Visual plane breaks are created with alternating taller tower sections and lower roof heights. The building design is consistent with the mediterranean and Spanish style design in the surrounding area. The project design utilizes balconies, varied tiled and plastered materials, and a variety of window types.

Public Comment

Los Angeles City Planning received approximately 130 written comments and petitions totaling approximately 1,650 signatures from community residents who are opposed to the project. A letter of opposition was also received from the West Hills Neighborhood Council dated October 17, 2024. Reasons disclosed for opposing the project include but are not necessarily limited to height, drainage and flooding, proximity to Chaminade High School, proposed expansion of Chaminade High School, parking, ingress/egress, soil contaminants, traffic, safety, noise, pollution, previous historic consideration, incompatibility with the surrounding neighborhood, strain on police/firefighter resources, and reduction of property values. However, no evidence was

provided to show that the incentives requested herein would have a specific adverse impact, i.e., a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions.

Written comments in support of the project were submitted by five community residents.

Processes and procedures for the application herein were followed in accordance with State and Municipal law and Department policy. For example, although community members requested a public hearing, a Density Bonus project with On-Menu incentives and no other discretionary actions is processed ministerially without a public hearing (LAMC Section 12.22 A.25(g)). Further, State regulations preclude the City from requesting that the applicant prepare additional reports or studies that are not otherwise required by State law (CA GC 65915(a)(2)).

CONCLUSION

As a Density Bonus Housing Project that satisfies all the objective planning standards of LAMC Section 12.22 A.25(g)(2) and California Government Code Section 65915 and a 100 percent affordable housing project for senior citizens aged 55 years or older, the project is considered to be a ministerial project.

Additionally, in accordance with Government Code Section 65915, the project as shown in **“Exhibit A”** and as conditioned herein, is deemed to satisfy the objective planning standards and shall comply with the attached planning standards as Conditions of Approval.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

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

TRANSFERABILITY

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

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

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

Section 11.00 of the LAMC states in part (m): “It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Code. Any person violating any of

the provisions or failing to comply with any of the mandatory requirements of this Code shall be guilty of a misdemeanor unless that violation or failure is declared in that section to be an infraction. An infraction shall be tried and be punishable as provided in Section 19.6 of the Penal Code and the provisions of this section. Any violation of this Code that is designated as a misdemeanor may be charged by the City Attorney as either a misdemeanor or an infraction.

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

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

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

APPEAL PERIOD - EFFECTIVE DATE

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).

This determination will become effective after the end of appeal period date on the first page of this document, unless an appeal is filed with the Department of City Planning. 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.

An appeal may be filed utilizing the following options:

Online Application System (OAS): The OAS (<https://planning.lacity.gov/oas>) allows entitlement appeals to be submitted entirely electronically by allowing an appellant to fill out and submit an appeal application online directly to City Planning's DSC, and submit fee payment by credit card or e-check.

Drop off at DSC. Appeals of this determination can be submitted in-person at the Metro or Van Nuys DSC locations, and payment can be made by credit card or check. City Planning has

established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications; alternatively, appeal applications can be filed with staff at DSC public counters. Appeal applications must be on the prescribed forms, and accompanied by the required fee and a copy of the determination letter. Appeal applications shall be received by the DSC public counter and paid for on or before the above date or the appeal will not be accepted.

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

Metro DSC	Van Nuys DSC
201 N. Figueroa Street Los Angeles, CA 90012 planning.figcounter@lacity.org (213) 482-7077	6262 Van Nuys Boulevard Van Nuys, CA 91401 planning.mbc2@lacity.org (818) 374-5050
South LA DSC	West LA DSC
(In person appointments available on Tuesdays and Thursdays 8am-4pm only) 8475 S. Vermont Avenue 1st Floor Los Angeles, CA 90044 planning.southla@lacity.org	(CURRENTLY CLOSED) 1828 Sawtelle Boulevard West Los Angeles, CA 90025 planning.westla@lacity.org (310) 231-2901

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.

Verification of condition compliance with building plans and/or building permit applications are done at the City Planning Metro or Valley DSC locations. An in-person or virtual appointment for Condition Clearance can be made through the City's [BuildLA](http://BuildLA.lacity.gov) portal (appointments.lacity.gov). The applicant is further advised to notify any consultant representing you of this requirement as well.



QR Code to Online Appeal Filing



QR Code to Forms for In-Person Appeal Filing



QR Code to BuildLA Appointment Portal for Condition Clearance

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

VINCENT P. BERTONI, AICP
Director of Planning

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