

CITY PLANNING COMMISSION

MONIQUE LAWSHE
PRESIDENT

VACANT
VICE-PRESIDENT

MARIA CABILDO
CAROLINE CHOE
MARTINA DIAZ
PHYLLIS KLEIN
KAREN MACK
JACOB SAITMAN
ELIZABETH ZAMORA



KAREN BASS
MAYOR

VINCENT P. BERTONI, AICP
DIRECTOR

KEVIN J. KELLER, AICP
EXECUTIVE OFFICER

SHANA M.M. BONSTIN
DEPUTY DIRECTOR

HAYDEE URITA-LOPEZ
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

**EXPANDED ADMINISTRATIVE REVIEW
DENSITY BONUS AND
AFFORDABLE HOUSING INCENTIVE PROGRAM**

Date: August 26, 2025

Applicant/Owner

Tal Hassid
Western Imperial 2000 LLC
134 E. 6th Street #200
Los Angeles, CA 90021

Case No. CPC-2024-7115-DB-WDI-HCA-PHP

CEQA: N/A

Location: 14533 West Saticoy Street

Council District: 6 - Padilla

Neighborhood: Van Nuys

Council:

Community Plan Van Nuys – North Sherman Oaks

Area:

Land Use General Commercial

Designation:

Zone: P1-1VL

Legal Description: Lots FR1 and FR2, Tract TR 1532

Representative

Shapour Shajirat
DCC
13725 Ventura Blvd #200
Sherman Oaks, CA 91423

LETTER OF COMPLIANCE – DENSITY BONUS AND AFFORDABLE HOUSING INCENTIVE PROGRAM

Pursuant to California Government Code (CA GC) Section 65915 and Chapter 1, Los Angeles Municipal Code (LAMC) Section 12.22 A.39 and Chapter 1A, LAMC Section 13B.3.2, I have reviewed the proposed project and as the designee of the Director of Planning, I hereby:

- Determine**, based on the whole of the record, that the Project is statutorily exempt from the California Environmental Quality Act (CEQA) as a ministerial project, pursuant to Public Resources Code Section 21080(b)(1);
- Approve a ministerial review of Affordable Housing Incentive Program Compliance**, pursuant to CA GC Sections 65915(b)(1)(G), (e), and (p)(3)(A); LAMC Sections 12.22 A.39(d)(8), 12.22 A.39; and 13B.3.2, a 100 Percent Affordable Housing Project totaling 97 dwelling units, with 77 units set aside for Low Income Household occupancy and 19 units set aside for Moderate Income Household occupancy for a period of 99 years, and one market-rate Manager's Unit. As the project has requested a Waiver from maximum controls on density, the project is allowed and granted the following three Incentives:

- a. **Yards (Off-Menu).** An up to 44% reduction in required side yard for westerly side yard of five feet in lieu of the otherwise required nine feet;
- b. **Floor Area Ratio (FAR) (Off-menu).** An up to 146% increase in FAR for a total of 52,118 square feet of floor area resulting in an FAR of 7.38:1 in lieu of the 3:1 FAR otherwise allowed in the RAS4-1VL zone;
- c. **Open Space (Off-menu)** An up to 55% decrease in the required open space, allowing a minimum of 4,500 square feet of open space in lieu of the required 9,900 square feet of open space;

3. **Dismiss** the following waiver requests as unnecessary:

- a. **Height (Off-menu).** An up to 148% increase in the height requirement, allowing up to 69.5 feet in height in lieu of the permitted 28 feet in R1-1 zone as the project is in the P-1VL zone and AB 2334 allows a 33-foot height increase above the 45-foot height limit allowed in the RAS4-1VL zone as a base incentive;
- b. **Side Yard Offset/Plane Break (Off-menu).** Deviation from the offset/plane break requirement for building side walls that exceed 14 feet in height and have a continuous length greater than 45 feet to allow zero offset/plane break otherwise required pursuant to LAMC 12.08 C.2(a) as the project is not subject to the R1 zone; and
- c. **Encroachment Plane (Waiver of Development Standards).** Waiver from the 20 foot encroachment plane pursuant to LAMC Section 12.08 C.5.(a) as the project is not subject to the R1 zone;
- d. **Lot Coverage (Waiver of Development Standards).** Modification of the 40% Lot Coverage limitation pursuant to LAMC 12.21 C.10.(e) as the property is not in an R1 zone in a hillside area;

4. **Adopt** the attached Findings.

CONDITIONS OF APPROVAL

Pursuant to LAMC Sections 12.22 A.39(d)(8), 12.22 A.39, and 13B.3.2, the following conditions are hereby imposed on the use of the subject property. References to LAMC Section 12.22.A.25 here on after that relate to incentives and standards should be understood to refer to that section as it existed at time of project filing:

- 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. Minor deviations may be allowed in order to comply with the provisions of the LAMC or the project conditions. Changes beyond minor deviations required by other City Departments or the LAMC may not be made without prior review by the Department of City Planning, Valley Project Planning, and written approval by the Director of Planning. Each change shall be identified and justified in writing.
- 2. Residential Density.** The project shall be limited to a maximum density of 97 residential dwelling units, including density bonus units. Pursuant to CA GC Section 65915(f)(3)(D), the project is located within a Very Low Vehicle Miles Traveled Area (Very Low VMT) area, and the project is allowed unlimited density.
- 3. On-Site Restricted Affordable Units.** The project shall set aside the number and type of Restricted Affordable Units, as defined by State Density Bonus Law in CA GC Section 65915(b)(1)(G). Seventy-seven units shall be reserved for Low Income Household occupancy, and 19 units shall be reserved for Moderate Income Household occupancy as defined by the CA GC Section 65915 and by the Los Angeles Housing Department (LAHD). In the event the SB 8 Replacement Unit condition requires additional affordable units or more restrictive affordability levels, the most restrictive requirements shall prevail.
- 4. Changes in On-Site Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units shall be consistent with the provisions of State Density Bonus Law in CA GC Section 65915(b)(1)(G) at the time of project filing.
- 5. 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 make 77 units (80 percent) available to Low Income Households and 19 units (20 percent) available to Moderate Income Households, for rental as determined to be affordable to such households by LAHD for a period of 99 years. In the event the applicant reduces the proposed density of the project, the number of required set-aside affordable units may be adjusted, consistent with CA GC Section 65915(b)(1)(G) and LAMC Section 12.22 A.39, to the satisfaction of LAHD, and in consideration of the project’s SB 8 Determination and LAMC Section 16.61. 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 Fair Housing Requirements for Affordable Housing adopted by the City Council and with any monitoring requirements established by the LAHD. Additionally, the applicant shall comply with all applicable Occupant Protections required by LAMC Section 16.60 A.3(b). Refer to the “Density Bonus/ Affordable Housing Incentive Program Findings” of this determination.

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

- 6. Residential Density.** The project shall be limited to a maximum density of 97 multi-family residential dwelling units, including On-Site Restricted Affordable Units.
- 7. Floor Area (Off-Menu Incentive).** The project total Floor Area shall be limited to 52,118 square feet and a 7.38:1 FAR.
- 8. Height.** The project is limited to a maximum height of six stories and 69.5 feet.
- 9. Setbacks.**
 - a. Front Yard: The project shall have a minimum setback based on the 15-foot building line as established in Ordinance No 98019.
 - b. Side Yard (Off-Menu): An up to 44% reduction in required side yard for westerly side yard of five feet in lieu of the otherwise required nine feet.
 - c. Side Yard: The project shall have a minimum nine-foot easterly side yard setback.
 - d. Rear Yard: The project shall provide a minimum 15 rear yard from the centerline of the dedicated alley.
- 10. Changes in On-Site Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units or change parking numbers shall be consistent with LAMC Section 12.22 A.39.
- 11. Parking Per AB 2097.** The project shall be permitted to provide a minimum of zero parking space pursuant to California Government Code Section 65863.2 (AB 2097) in lieu of the otherwise required 149 parking spaces. Zero parking spaces are provided.
- 12. Bicycle Parking.** As shown on “**Exhibit A**,” a total of 80 bicycle parking spaces shall be provided (73 long-term and seven short-term) pursuant to LAMC Section 12.21 A.16 as regulated by the Los Angeles Department of Building and Safety (LADBS).
- 13. Open Space (Off-Menu Incentive).** A minimum of 4,500 square feet of open space shall be permitted in lieu of the minimum 9,900 square feet otherwise required.
- 14. Required Trees per 12.21 G.2.** As conditioned herein, a final submitted landscape plan shall be reviewed to be in substantial conformance with Exhibit “A”. There shall be a minimum of 25 24-inch box, or larger, trees onsite pursuant to LAMC Section 12.21 G.2. Any required trees pursuant to LAMC Section 12.21 G.2 shown in the public right-of-way in Exhibit “A” shall be preliminarily reviewed and approved by the Urban Forestry Division prior to building permit issuance. In-lieu fees pursuant to LAMC Section 62.177 shall be paid if placement of required trees in the public right-of-way is proven to be infeasible due to City-determined physical constraints.
- 15. Street Trees.** Street trees shall be provided to the satisfaction of the Urban Forestry Division.
- 16. Street trees** may be used to satisfy on-site tree requirements pursuant to LAMC Section 12.21 G.2 (Chapter 1, Open Space Requirement for Six or More Residential Units).
- 17. 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 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.

18. 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 (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.

Administrative Conditions

19. 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.

20. 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.

21. Notations on Plans. Plans submitted to LADBS, 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.

22. 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.

23. 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.

24. Los Angeles 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 LAMC, Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a LADBS 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 LADBS 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.

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

26. Expiration. In the event that this grant is not utilized within three years of its effective date, 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.

27. Indemnification and Reimbursement of Litigation Costs.

Applicant shall do 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 comprised of two rectangular-shaped lots totaling approximately 15,714 square feet. The subject site fronts on the north side of Saticoy Street and is located between Van Nuys Boulevard to the east and Tobias Avenue to the south. The northwest corner of the site abuts an alley. The subject site has a combined frontage of 50 feet and a lot depth of approximately 313 feet. The site is home to a single-family dwelling that was built in 1946 situated near Saticoy Street on the south of the subject site. The remainder of the lot is used for automobile storage. There are currently eight trees on site, including one street tree, according to the Tree Report dated March 28, 2023, and prepared by McKinley & Associates. The seven trees on private property are proposed to be removed and the street tree will remain. None of the trees are protected species.

ZIMAS shows that the subject site is zoned (T)(Q)C2-1 with an underlying zone of P1-1VL. The (T)(Q)C2-1 Zone was approved by the City Council pursuant to Ordinance Number 173986 (File No. APCSV-1999-0291-ZC, CF 01-0329). However, the (Q)C2 Zone was not effectuated, and the site reverted back to the underlying P-1VL Zone as established pursuant to Ordinance Number 170,031.

The subject site is designated for General Commercial land use under the Van Nuys – North Sherman Oaks Community Plan. The General Commercial land use designation corresponds to the C1.5, C2, C4, RAS3, and RAS4 zones. The P Zone is more restrictive than the corresponding zones, therefore, the P Zone is consistent with the land use designation. State Density Bonus regulations allow sites to utilize the most permissive zoning in the land use designation, in this case RAS4, which allows a density at one unit per every 400 feet of lot area allowing for a maximum allowed residential density of 40 units.

ZIMAS records show that the subject site is located within a Very Low Vehicle Miles Traveled (VMT) area. Pursuant to CA GC Section 65915(o)(9), 100 percent affordable housing developments located in an area defined as a “Very low vehicle travel area” are allowed unlimited density and an additional three stories in height, as well as up to five Incentives or concessions and one Waiver (AB 2334). Additionally, as shown on ZIMAS, the subject site is located in an area that prohibits a public agency from imposing or enforcing minimum automobile parking requirements on a residential project located within one-half mile of a major transit stop (GC Section 65863.2; AB 2097).

ZIMAS shows the project site is not designated as a Coastal Zone, Very High Fire Hazard Severity Zone, Flood Zone, Watercourse, Hazardous Waste/Border Zone Property, Methane Hazard Site, High Wind Velocity Area, or BOE Special Grading Area. There are no known oil wells on site. The project site is not located within the Santa Monica Mountains Zone and is not identified on ZIMAS as having Biological Resources Potential, Mountain Lion Potential, or Monarch Butterfly Potential. Further, the project site is not within 500 feet of a school or park zone.

The subject site is located in an Urban Agriculture Incentive Zone; however, no agricultural use is proposed herein. As shown on ZIMAS, the site is not located within an area of Landslide, Preliminary Fault Rupture Study, Tsunami Hazard, or liquefaction area. The site is located in a Horizontal Surface Area Airport Hazard zone and is located approximately 5.84 meters from the nearest fault (Northridge Fault).

Surrounding Properties

The surrounding area to the north is zoned M1-1 and C2-1VL with land use designations of Limited Manufacturing and General Commercial, respectively. These sites are developed with auto related uses, a fast-food drive through, and a six-story multi-unit residential building. Directly to the east is zoned P-1VL and next to that, C2-1VL with a General Commercial land use featuring auto-repair and a one-story commercial building. To the west, sites are zoned R3-1 with a Medium Residential land use designation and feature two- to three-story multi-unit residential buildings. To the south, across Saticoy Street, is the five-story Los Angeles County Department of Social Services building located in the C2-1VL zone and General Commercial land use designation and a two-story multi-unit residential building in the R3-1 zone and Medium Residential land use designation.

Streets

Saticoy Street 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 with a required half right-of-way of 43 feet and an existing half right-of-way of 42 feet. Saticoy Street is improved with a curb, gutter, and sidewalk.

Alley to the rear ends at the subject site and is dedicated to a width of 20-feet and is improved with asphalt and center gutter.

Related Cases on Site:

Case No. AA-2024-7489-COC On March 6, 2025, a Certificate of Compliance was granted for the subject property.

Case No. ZA-2000-5038(CU) was dismissed on August 8, 2001, as Case No. APCSV-1999-0291-ZC was granted establishing Ordinance No. 173986 that prohibited the requested automobile use.

Ordinance No. 173986 became effective on June 30, 2001, which changed the zone of the site from P-1VL to C2-1. The case was never effectuated, and the site has reverted to the underlying P zone.

Ordinance No. 170031 became effective on November 11, 1994, which changed the zone on the site from R1-1 and R1P-1L to P1-1-VL.

Ordinance No. 98019 was approved on May 11, 1951, which established the 15-foot building line on Saticoy Street.

Ordinance No. 96695 was approved on July 3, 1950, changed the zone on the site to R1 and the adjacent site to the east R1P.

Related Cases Nearby:

Ordinance No. 173986 became effective on June 30, 2001, which changed the zone from P-1VL to C2-1 at 14525 and 14531 W. Saticoy Street. The case was never effectuated, and the site has reverted to the underlying zone.

Ordinance No. 96695 was approved on July 3, 1950, changed the zone to R1P at 14525 and 14531 W. Saticoy Street.

Project Description

The proposed project is the construction, use, and maintenance of a 100 percent affordable housing development project with 97 multi-family residential dwelling units, 52,118 square feet of residential floor area, six stories, and maximum 69.5 feet in height. The project proposes 19 units (20 percent) set aside for Moderate Income Household occupancy, 77 units (80 percent) set aside for Low Income Household occupancy, and one Manager's unit at market rate. The project proposes 0 automobile parking spaces pursuant to AB 2097, 80 bicycle parking spaces (7 short-term and 73 long-term), and 4,500 square feet of open space. A minimum of 20 24-inch box size trees will be provided. There are seven non-protected trees on the property that will be removed for construction.

The proposed project was filed as a Density Bonus case pursuant to LAMC 12.22 A.25 featuring five incentives and two waiver requests. The waiver requests were made under the guidance that the (T)(Q)C2-1 zone was not effectuated and reverted back to the underlying zone, which was presumed to be R1-1. However, the zone change ordinance history shows that the site was previously a P-1 zone pursuant to Ordinance Number 170,031 from 1994. Previous to that, the site was zoned R1-1. Under the P zoning, three incentive/waiver requests were no longer necessary and the site became eligible for the procedures outlined in LAMC 12.22 A.39.(d).(2) by also adhering to program standards enumerated in LAMC 12.22 A.39.(h). Additionally, the initial filing had a request for waiver of dedication and improvement (WDI) for the extension of the rear alley, however the applicant has since withdrawn that portion of the application and is no longer requesting to waive out of that requirement.

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.

Ministerial Review

The proposed Housing Development Project, as defined pursuant to CA GC 65915(i) and LAMC Section 12.03, is a development project for five or more residential units. As required by State law, the LAMC implements the State Density Bonus Program for Housing Development projects as codified in CA GC Sections 65915 through 65918. The City has the authority to determine the procedures for processing density bonuses and concessions, Incentives, and Waiver requests. Prior to February 11, 2025, all State Density Bonus provisions were codified under LAMC Section 12.22 A.25. Following the adoption of Ordinance 188,477 under the Citywide Housing Incentive Program (CHIP Ordinance), effective on February 11, 2025, the City complies with State Density Bonus Law through the filing, processing, and effectuation procedures codified under LAMC Sections 12.22 A.37 through 12.22 A.39.

The CHIP Ordinance offers Housing Development Projects filed prior to the CHIP Ordinance effectuation date the ability to opt into the Procedures outlined in LAMC Section 12.22 A.39(d) subject to Eligibility Criteria outlined in 12.22 A.39(c) and Program Standards outlined in LAMC Section 12.22 A.39(h). Pursuant to LAMC Section 12.22 A.39(d)(8), if a public hearing has not been held for a project and a project's entitlement application was filed and associated fees paid prior to the effectuation date of the CHIP Ordinance, the applicant may elect to apply the

Procedures and comply with the Program Standards pursuant to LAMC Section 12.22 A.39. The project application was filed on June 20, 2024, and its associated fees were paid on June 21, 2024, prior to the February 11, 2025 operative date of the CHIP Ordinance. As such, this case will follow the procedures as outlined in the Los Angeles Municipal Code (LAMC) Section 12.22-A.37(d)(2), while its incentive requests will remain consistent with those available under LAMC 12.22 A.25. The procedures set forth under LAMC Section 12.22 A.39(d) require that qualifying Housing Developments be ministerially reviewed by the Department of City Planning pursuant to Section 13B.3.2 (Expanded Administrative Review) of Chapter 1A of the Code.

Pursuant to LAMC Section 12.22 A.39(d)(2)(ii), the project seeks Incentives not listed on the Menu of Incentives described in LAMC Section 12.22 A.25(f). The project utilizes Incentives to seek a deviation from a Development Standard elsewhere in the LAMC. These Incentives must be granted unless Findings based upon substantial evidence are made pursuant to Section 12.22 A.25(g)(2); and

Pursuant to LAMC Section 12.22 A.39(d)(2)(iii), the project requests only up to one Waiver. The Waiver must be granted unless Findings are made pursuant to Section 12.22 A.25(g)(2).

Further, pursuant to State Density Bonus Law under GC Section 65915(f)(3)(D), 100 percent Affordable Housing Developments located within a Very Low Vehicle Travel Area under AB 2334 are entitled to request unlimited density. Further, GC Section 65915(d)(2)(D) allows 100 percent Affordable Housing Developments located within a Very Low Vehicle Travel Area to request an additional three stories or 33 feet in height and Incentives/concessions. As shown on ZIMAS and as confirmed by Planning staff on the project's associated affordable housing referral form (Case No. PAR-2024-787-AHRF-PHP), the project is located within a Very Low VMT area (AB 2334). As such, the project is eligible to request unlimited density, an additional three stories or 33 feet in height, and Incentives/concessions. Pursuant to GC 65915(p)(3)(A) and AB 2097, no parking requirements shall apply for 100 percent affordable housing projects located within one-half mile of public transit.

Given that the applicant is providing 100 percent of dwelling units to be affordable at Low-Income and Moderate-Income Household occupancy for a period of 99 years, and meets the criteria outlined in Government Code Sections 65915(d)(2)(D) and 65915(f)(3)(D) and LAMC Section 12.22 A.39(c), the project is eligible for the five incentives and one Waiver. The project is approved herein for the following five Incentives, and one Waiver:

- **Density (Base Incentive).** An unlimited increase in density to allow 97 dwelling units in lieu of the otherwise maximum allowed residential density of 40 base units based on the General Commercial land use designation and corresponding to the RAS4 Zone (which requires a minimum area of 400 square feet per dwelling unit);
- **Height (Base Incentive).** An up to 33-foot increase in height to allow a building up to 78 feet tall in lieu of the 45-foot height limit allowed in the P (RAS4) Zone. The project is proposed for 69 feet and six inches in height.
- **Yards (Off-Menu).** An up to 44% reduction in required side yard for westerly side yard of five feet in lieu of the otherwise required nine feet;
- **Floor Area Ratio (FAR) (Off-menu).** An up to 146% increase in FAR for a total of 52,118 square feet of floor area resulting in an FAR of 7.38:1 in lieu of the 3:1 FAR otherwise allowed in the RAS4-1VL zone;

- **Open Space (Off-menu)** An up to 55% decrease in the required open space, allowing a minimum of 4,500 square feet of open space in lieu of the required 9,900 square feet of open space.

In exchange for the Incentives approved herein, the 100 percent affordable Housing Development Project is providing 97 dwelling units, with 19 units (20 percent) set aside for Moderate Income Household occupancy, 77 units (80 percent) set aside for Low Income Household occupancy, and one Manager's unit at market rate.

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 Senate Bill 8 (SB 8) and LAMC 12.22 A.39, the applicant submitted a Resident Protection Ordinance (RPO) Replacement Unit Determination (RUD) dated August 6, 2025, which stated that one unit existed on the property in the last five years and that one unit is subject to be replaced as affordable Protected Units.

Density Bonus / Affordable Housing Incentives Program Findings

Pursuant to LAMC Section 12.22 A.39(f)(1)(i) and CA GC Sections 65915(d) and (e), the project shall be granted the five Additional Incentives unless any one of the following findings are made based upon substantial evidence:

- The Incentive does not result in identifiable and actual cost reductions, consistent with California Government Code Section 65915(k), to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5, or for rents for the targeted units to be set as specified in California Government Code Section 65915(c).*

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.

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 facilitate the provision of affordable housing units. The project includes three Incentives (increased residential floor area, reduced side yard, and decreased open space) which further expand the building envelope and allow for identifiable cost reductions in providing for the affordable units.

The requested Incentives to increase the residential floor area and decrease yards 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.

b. The Incentive will have a Specific Adverse Impact upon public health and safety or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the Specific Adverse Impact without rendering the development unaffordable to low-income and moderate-income households. Inconsistency with the zoning ordinance or General Plan land use designation shall not constitute a Specific Adverse Impact upon the public health or safety.

There is no evidence in the record that the approved Incentives 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 12.03 and CA GC Section 65589.5(d)(2). The project meets the Eligibility Criteria of LAMC Section 12.22 A.39(c) for the Affordable Housing Incentive Program. The record does not identify a public health and safety standard in relation to this finding. There are no historic resources on the subject property. Based on the whole of the record, the Project is statutorily exempt from the California Environmental Quality Act (CEQA) as a ministerial project, pursuant to Public Resources Code Section 21080(b)(1). The property is not located on a substandard street in a Hillside area, Airport Hazard, Coastal Zone, Very High Fire Hazard Severity Zone, Flood Zone, Watercourse, Hazardous Waste/Border Zone Property, Methane Hazard Site, High Wind Velocity Area, or BOE Special Grading Area. The site is not located within an area of Landslide, Preliminary Fault Rupture Study, or Tsunami Hazard. There are no known oil wells on site. The project site is not located within the Santa Monica Mountains Zone and is not identified on ZIMAS as having Biological Resources Potential, Mountain Lion Potential, or Monarch Butterfly Potential. Further, the project site is not within 500 feet of a school or park zone. The project is not located within a Liquefaction area. Therefore, there is no substantial evidence that the proposed project, and thus the requested Incentives, will have a specific adverse impact on the physical environment, on public health and safety or the physical environment, or on any Historical Resource. Therefore, there is no basis to deny the requested Incentives.

c. The Incentive would be contrary to state or federal law.

There is no substantial evidence in the record indicating that the requested Incentives are contrary to any State or federal laws.

CONCLUSION

As an Affordable Housing Incentive Program that satisfies all the Eligibility Criteria of LAMC Section 12.22 A.39(c) and California Government Code Section 65915 and is a 100 percent Affordable Housing Project that is consistent with Priority Housing Project (PHP), the project is considered to be a ministerial project eligible for Expanded Administrative Review. Additionally, in accordance with Government Code Section 65915, the project as shown in “**Exhibit “A”** and as conditioned herein, is deemed to satisfy the Program Standards of LAMC Section 12.22 A.39(h) and shall comply with the attached Program Standards as Conditions of Approval.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

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

TRANSFERABILITY

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

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

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

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

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

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 \(lacity.gov\)](#) 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.

Effective Date/Appeals: The decision of this Expanded Administrative Review is final and effective upon the mailing of this letter and not appealable.

VINCENT P. BERTONI, AICP
Director of Planning

Approved by:

Blake Lamb

Blake Lamb, Principal City Planner

Reviewed by:

JR

JoJo Pewsawang, Senior City Planner

Prepared by:

Maren Gamboa

Maren Gamboa, City Planner
maren.gamboa@lacity.org

BL:JP:MG:ly