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May 11, 2021

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Encino, CA 91316

CASE NO. ZA-1985-186-ZV-PA3
CEQA: ENV-2020-530-CE
Plan Approval M
Primary address: 9500 Zelzah Avenue
Other addresses: 9530 Zelzah Avenue;
17739 and 17801-17839 Plummer
Street; 17800-17840 Halstead Street
Community Plan Area: Northridge
Zone: RA-1
D. M.: 198B129, 201B129
C. D.: 12 - Lee
Legal Description: Lot 1, Tract 25451 and
Lot 93 (Arb 1), Tract 8699

Pursuant to California Environmental Quality Act Guidelines Section 15601, I hereby **DETERMINE:**

based on the whole of the administrative record as supported by the justification prepared and found in the case file, the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15305, Class 5, and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical resources applies; and

Pursuant to Los Angeles Municipal Code (LAMC) Section 12.27 U, I hereby **APPROVE:**

Plans to provide 467 vehicle parking spaces, 20 percent fewer than otherwise required pursuant to Plan Approval ZA-1985-189-ZV-PA2 and the substitution of 8% of the required vehicle spaces with bicycle spaces. ZA-1985-189-ZV-PA2

allowed the addition of 95 multifamily apartments to an existing 475-unit multifamily complex with requirement for 635 total parking spaces operating pursuant to a Zone Variance on a 302,209 square-foot lot in the RA-1 Zone.

Upon the following additional terms and conditions which were included in all previous variances and plan approvals except where noted:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Zoning Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning's Development Services Center and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.
6. Prior to the effectuation of this grant, 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 main 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 Section for inclusion in case file.

7. That all parking areas shall be improved and maintained in accordance with the provisions of Section 12.21 of the LAMC.
8. **MODIFIED:** ~~That 445 parking spaces shall be maintained on the site composed of 243 standard parking stalls and 202 compact parking stalls. A minimum of 467 parking spaces shall be provided for the project's approved 570-units.~~
9. **MODIFIED:** That in order to discourage the driving of automobiles back and forth between the apartment development and the college campus, persons accommodated in the apartments with assigned parking spaces shall be encouraged not to obtain permits . for any on-campus parking spaces .
10. That only low-intensity, security-type night lighting be installed in the parking area and that all lighting shall be shielded and directed downward onto the parking area and away from adjacent residential or potentially residential properties. Further, that the lighting standards shall not exceed 10 feet in height above the surface of the parking lot.
11. That any automobiles parked on the extreme easterly portion of the property shall be headed toward or parked parallel with such property line in order to remove exhaust gases a maximum distance from the adjacent residential developments and that suitable directional signs or pavement markers be installed to accomplish this purpose.
12. That all portions of the site not improved with buildings or used for off-street parking purposes, recreational facilities, sidewalks, driveways and the like shall be attractively landscaped and maintained in a first-class condition at all times, including the space extending out to the curb line of any and all adjoining public thoroughfares. Further, install an underground pressure sprinkling or irrigation system to keep the same in a green and healthy condition at all times.
13. That in no event shall there be any drying of laundered articles used in connection with the herein-authorized use of the property which would in any way be visible on the exterior portions of the property.
14. That in no event shall there be any loudspeaker or public address system installed or operated on any open portion of the premises except for the three interior court yards, and that any communication system or loudspeaker within any building or any phonographs, tape recordings, radio or other music used in connection with any activity, be sufficiently modulated so as not to be disturbing or detrimental to persons residing in the immediate vicinity.

15. That in no event shall the property or improvements located thereon be used for any evening meetings or social events by any outside organizations, but shall be reserved strictly for the use of the occupants of the apartment facilities. Further, that no special event or fund-raising project of any kind shall be conducted in the open parking lot portions of the premises, but such social events shall be limited to those recreational areas enclosed by the four sides of the buildings.
16. That as long as the portion of the approximately .46 - gross - acre parcel herein involved is utilized for the purposes herein authorized, the entire parcel shall be held in common ownership as a site for college apartment residence hall development and its accessory functions, excepting for such portions as may be dedicated or required for public purposes.
17. **MODIFIED BY PA1:** ~~That the occupants of the subject Northridge Campus Residence shall be, to the extent possible, primarily undergraduate or graduate students, single or married, and shall be any other directly or indirectly university-related personnel. The occupants of the proposed addition shall be, to the maximum extent possible, students or personnel affiliated with the neighboring university.~~
18. That the applicant shall dedicate and improve all streets and highways adjoining the subject ownership, including street trees, and street lights to the satisfaction of the Bureau of Engineering and with fire hydrants provided to the satisfaction of the Fire Department or such improvements suitably guaranteed at no cost to the City.
19. **DELETED BY CONDITION NO. 15 OF ZA-1985-189-ZV-PA1:** ~~That any future expansion of the involved residential complex on the site including, but not limited to, the construction of accessory structures shall be strictly prohibited.~~
20. **DELETED BY CONDITION NO. 15 OF ZA-1985-189-ZV-PA1:** ~~That the occupancy of the involved residential complex shall not exceed that permitted by the Department of Building and Safety, but in no event shall said occupancy exceed provisions for 248 rooms and 216 apartments.~~
21. **MODIFIED BY ZA-1985-189-ZV-PA2:** That a 6-foot high solid masonry wall shall be constructed along the easterly lot line of the site.
22. **DELETED AND REPLACED BY CONDITION NO. 6:** ~~That prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in this determination shall be recorded by the property owner in the County Recorder's Office; the agreement shall run with the land and be binding on any subsequent owners, heirs or assigns. Furthermore, the agreement must be submitted to the Development Services Center for approval before being recorded; after recordation, a copy bearing the Recorder's number and date must be furnished to the Development Services Center for attachment to the file.~~

23. That upon taking advantage of the privileges herein authorized by beginning construction of the improvements requested, this determination shall in all respects supersede the previous determinations under Case Nos. ZA 21768 and ZV 80-235, which become null and void.
24. The variance hereby allowed is conditional upon the privileges' being utilized within one year after the effective date hereof, and if they are not utilized or construction work is not begun within said time and carried on diligently to completion, this authorization shall become void and any privilege or variance granted hereby shall be deemed to have lapsed unless a Zoning Administrator has granted an extension of the time limit after sufficient evidence has been submitted indicating that there was unavoidable delay in taking advantage of the variance. Once any portion of the variance privilege is utilized, the other conditions thereof become immediately operative and must be strictly observed.
25. **NEW FROM PA1**: All yard requirements of the RA Zone shall be observed for the building addition. Notwithstanding these provisions, a minimum 20-foot landscaped setback shall be maintained along the Plummer Street frontage and along the easterly property line, respectively.
26. **NEW FROM PA1**: Any driveway access along Halsted Street shall be restricted to exit only. Any driveway access along Plummer Street shall be restricted to entry only.
27. **NEW FROM PA1**: Along the easterly facade of the building addition, no balconies shall be permitted.
28. **NEW FROM PA1**: The required landscape plan shall provide for the preservation of the maximum number of eucalyptus trees located along the easterly property line.
29. **NEW FROM PA1**: The building addition shall provide for facade articulation along all elevations of the building.
30. **NEW FROM PA1**: Prior to any sign-off of plans, the applicant shall submit the plot plan for review and approval to the Fire Department. The Department's approval shall be in the form of a stamp or signature on the plans submitted to the Development Services Center for signoff.
31. The project shall comply with all the mitigation measures identified in ENV 2002-6427 (MND) as summarized below unless otherwise noted or a mitigation is already identified in the Conditions of Approval:
 - a. Aesthetics (Glare)

The exterior of the proposed building shall be constructed of materials, such as, high-performance tinted non-reflective glass and pre-cast concrete or fabricated wall surfaces.

b. Air Pollution (Stationary)

The applicant shall install air filtration system(s) to reduce the diminished air quality effects on occupants of the project.

c. Erosion/Grading/Short-Term construction Impacts

1) Air Quality

a All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403.

b The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.

c All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.

d All materials transported off-site shall be either sufficiently watered or securely covered to prevent the generation of excessive amounts of dust.

e All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent the generation of excessive amounts of dust.

f General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

2) Noise

a) The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.

b) Construction and demolition shall be restricted to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday.

- c) Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which cause high noise levels.
- d) The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- e) The project sponsor must comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.

3) General Construction

- a) All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- b) Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- c) Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
- d) Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- e) Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- f) Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop clothes to catch drips and spills.

d. Increased Noise Levels

- 1) Concrete, not metal, shall be used for construction of parking ramps.
- 2) The interior ramps shall be textured to prevent tire squeal at turning areas.
- 3) Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to the residential use.

e. Public Services (Police General)

Incorporated into the plans the design guidelines relative to security, semipublic and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminated areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to Design out Crime Guidelines: Crime Prevention Through Environmental Design published by the Los Angeles Police Department's Crime Prevention Section (located at Parker Center, 150 N. Los Angeles Street, Room #818, Los Angeles, (213) 4853134. These measures shall be approved by the Police Department prior to the issuance of building permits.

f. Increased Vehicle Trips/Congestion

Implementing measure(s) detailed in the Department of Transportation's communication to the applicant dated February 14, 2003, and attached to the file. Such report and mitigation measure(s) are incorporated herein by reference. (ZA Note: These measures include dedication of 2 feet of land along a portion of Plummer Street and review of driveways, internal circulation and a parking scheme).

g. Safety Hazards

Submit a parking and driveway plan, that incorporates design features that shall reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.

h. Utilities (Solid Waste)

Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. Prior to the issuance of any permits relative to this matter.

32. **NEW FROM PA2 AND MODIFIED ON FEBRUARY 12, 2004:** All windows above the first floor facing east shall be double pane and start 44 inches above the floor and be translucent for the first 12 inches. The windows shall not open. Bedroom windows shall not be double pane glass and shall be openable starting 44 inches above the floor with the first 12 inches translucent before an openable area is allowed at the 56-inch lead. A screen shall be placed over all openable bedroom windows.

33. **NEW FROM PA2:** Large, fast growing trees such as “melaleuca: (Paperbark Tree) shall be planted 20 feet on center, 36-inch box size along the east and north sides of the project. As an alternative, Golden Bamboo can be planted four feet on center in 15 gallon size or Italian Cypress Trees planted six feet on center in 36 gallon size.
34. **NEW FROM PA2:** The garage opening facing north shall be painted and screened in to prevent any object from being thrown into the adjacent property. The screen shall be painted to match the garage exterior.
35. **NEW FROM PA2:** No outdoor music is allowed in the east or north side landscape areas. A sign to this effect shall be posted at the entrance gate to the area.
36. **NEW FROM PA2:** The eastern landscape area shall be fenced in by a 6-foot wrought iron gates and shall be locked by 7:00 p.m. daily.
37. **NEW FROM PA2:** The one-way driveway plan from Plummer to Halsted shall be approved by the Department of Transportation.
38. **NEW FROM PA2:** The eastern and northern wall shall be eight feet in height and be a CMU wall.
39. **NEW FROM PA2:** The project shall observe a 13-foot setback on the north side.
40. **NEW FROM PA2:** The new garage shall have stucco or a painted exterior.
41. **NEW:** Entry to and exit from all parking areas on site (uncovered spaces, parking podium, and underground parking garage) shall be controlled via security gates and automated access.
42. **NEW:** The applicant shall offer unbundled parking to all potential tenants so that they will have the option of leasing a parking space separately from the lease of a residential unit, to encourage use of mobility alternatives to car ownership.
43. **NEW:** Prior to obtaining a building permit, the applicant shall submit a construction-period parking plan to the Development Services Center describing the measures to be taken to mitigate the impact of construction to on-site parking availability. Such measures may include, but are not limited to, the following: phasing construction to provide sufficient parking spaces to serve year-round tenants; subsidizing parking leases for residents at CSUN parking facilities (for students) or other parking lots located within 1,000 feet of the subject property; and restricting apartment leases to students who do not require vehicle parking.

44. **NEW:** The applicant shall submit to the Development Services Center a tree report, approved by the Urban Forestry Division of the Bureau of Street Services, indicating the location of all protected and mature trees on site and whether they will be retained or removed as a result of construction.
45. **NEW:** The applicant shall provide a construction schedule to all property owners within a 500-foot radius of the project at least 30 days prior to the commencement of demolition, site excavation and construction activities.
45. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

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

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

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

For purposes of this condition, the following definitions apply:

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

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

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

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the approval 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 approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void.

TRANSFERABILITY

This authorization 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 upon you to advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

“A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its conditions. The violation of any valid condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code.”

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

APPEAL PERIOD – EFFECTIVE DATE

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 if the same be 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. The Zoning Administrator's determination in this matter will become effective after **May 26, 2021**, unless an appeal therefrom is filed with the Department of City Planning. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. Forms are available on-line at <http://planning.lacity.org>. Public offices are located at:

Figueroa Plaza
201 North Figueroa Street
4th Floor
Los Angeles, CA 90012
(213) 482-7077

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Blvd., Room 251
Van Nuys, CA 91401
(818) 374-5050

West Los Angeles
Development Services Center
1828 Sawtelle Blvd., 2nd Floor
West Los Angeles, CA 90025
(310) 231-2912

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.

NOTICE

The applicant is further advised that subsequent contact regarding this determination must be with the Development Services Center. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished BY APPOINTMENT ONLY, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements and prerequisites for granting a plan approval to a variance, as enumerated in LAMC Section 12.27-D have been established by the following facts:

BACKGROUND

The subject property consists of two adjoining, irregularly shaped parcels (jointly referred to as the "subject site") that are level and have a total area of 302,209 square feet. The subject site is located on the east side of Zelzah Avenue between Halsted and Plummer Streets, with approximately 585 feet of frontage on Zelzah Avenue, 465 feet of frontage on Halsted Street, and 575 feet of frontage on Plummer Street. Plummer Street has a 22-foot building line. The subject property is zoned RA-1, which permits single-family housing with a maximum permitted height of 36 feet. However, the Northridge Community Plan designates the subject site for Medium Residential General Plan Land Uses, with a corresponding zone of R3.

The site is developed with an apartment complex, Meridian Pointe, oriented toward Zelzah Avenue. The complex currently consists of 475 dwelling units, a lobby, fitness center, recreation rooms, and administrative offices distributed across four (4) buildings. The total existing floor area on the site is 237,912 square feet. There are 446 parking spaces (249 standard and 197 compact) in the surface lot behind the buildings on the eastern portion of the site and a bicycle parking area with 144 long-term spaces and 12 short-term spaces. Resident amenities include a swimming pool, beach volleyball court, and a barbecue patio. According to the applicant, the complex is predominantly occupied by students who attend California State University Northridge (CSUN), which is located across Zelzah Avenue to the west of the subject site.

There are four parcels facing the subject site to the north across Halsted Street. Three of the parcels are zoned (Q)R3-1 and developed with 3- and 4-story multifamily buildings; the remaining one is zoned RA-1 and is vacant. The two adjoining properties to the east are zoned RA-1 and developed with single-story homes that are now used as a fraternity house and the CSUN Hillel Jewish Student Center, respectively. Properties to the south across Plummer Street are zoned RA-1 and are developed with one- and two-story single-family dwellings.

The applicant received a Plan Approval in 2003 to build 95 additional units on the subject site with a maximum height of 43 feet (bringing the total number of units to 570) and a total of 635 required vehicle parking spaces. In a subsequent letter (dated December 15, 2004 and included in the case file), the Zoning Administrator vested this entitlement indefinitely. In 2019, in anticipation of effectuating the entitlement, the applicant submitted plans for the 95 units, attached as Exhibit "A", with a floor area of 109,700 square feet, which would bring the total floor area on site to 347,612 square feet. The buildings will be constructed above a one-story parking podium that will almost cover the existing parking lot, except for a two-way driveway extending from Halsted Street to Plummer Street in the middle of the site, which will remain uncovered. A subterranean garage is also proposed to provide additional parking below a portion of the new podium. The instant request is a modification of the prior Plan Approval to provide a total of 458 vehicle parking spaces across the site, 28 percent fewer than otherwise required pursuant to Plan Approval ZA-1985-189-ZV-PA2, and a total of 262 bicycle parking spaces (224 long-term and 38 short-term spaces); the required number of bicycle parking spaces is 240 (218 long-term and 22 short-term spaces).

Public Right-of-Way Information

Zelzah Avenue is a designated Boulevard II under the Mobility Plan 2035. It has a dedicated right-of-way width of 100 feet and a roadway width of 80 feet, and it is improved

with curbs and sidewalks. An additional 10-foot dedication would be required to bring it into compliance with the designated Boulevard II roadway width of 110 feet.

Halsted Street is a designated Standard Local Street under the Mobility Plan 2035. It has a dedicated right-of-way width of 60 feet and a roadway width of 36 feet, in compliance with the designated widths for Standard Local Streets.

Plummer Street is a designated Avenue II under the Mobility Plan 2035, with a dedicated right-of-way width of 86 feet (in compliance with the street designation) and a roadway width of 66 feet, 10 feet wider than the designation requires.

Previous Zoning-related Actions

Previous zoning-related actions on the site/in the area include:

Subject Property

Case No. ZA 17736 – On November 17, 1965, the Zoning Administrator approved a request for the development of a student dormitory residence hall to house 972 single students attending the adjacent San Fernando Valley State College (now CSUN) with said facilities to be under the control of the College, including administrative offices, kitchen and dining facilities, with an incidental student off-street vehicle parking area on the east side of the main building.

On February 19, 1969, the Zoning Administrator approved a Plan Approval to permit additional administrative office facilities, an executive office, and a meeting room on the second floor.

Case No. ZA 21229 – On July 12, 1973, the Zoning Administrator approved a request to permit the conversion of a three-story dormitory to 132 apartments to be used by students.

Case No. ZA 21768 – On August 27, 1975, the Zoning Administrator approved a request to permit the conversion of a dormitory to 132 residential units.

Case No. ZV-1980-235 – On August 7, 1980, the Zoning Administrator approved a request to permit the modifications of the terms of extant Case No. ZA 21768 which authorized the conversion of one of the existing dormitory buildings into a three-story, 132-unit apartment building on the northwesterly portion of the property, and the continued use of an existing dormitory structure on the southeasterly portion of the site on a temporary basis so as to now permit the

continued use and maintenance of the existing dormitory as a part of the total apartment-dormitory development.

Case No. ZA-1985-189-ZV – On July 2, 1985, the Zoning Administrator approved a request to permit the modification of the terms and conditions of extant Case No. 21768 and ZV 1980-235 to permit the continued use and maintenance of an existing residential complex composed of 132 apartments and 248 rooms; and to permit the expansion thereof by the addition of a three-story, 84-unit apartment building, with the overall complex having a total of 248 rooms and 216 apartments. Further, with said residential complex having 445 on-site parking spaces; and with the expansion of the existing site to include a parcel of land located directly adjacent to the southeast, legally described as a portion of Lot 93 of Tract No. 8699.

Case No. ZA-1985-189-ZV-PA – On March 28, 2003, the Zoning Administrator approved a request via a Plan Approval to permit the construction, use and maintenance of a 43 foot-high, 95-unit apartment building on the site, in addition to the 45 foot-high, 475-unit apartment complex that already existed. Among the Plan Approval conditions is the provision of a minimum of 635 vehicle parking spaces for the 570-unit project.

Case No. ZA-1985-189-ZV-PA2 – On January 12, 2004, the Zoning Administrator approved a request via a Plan Approval to allow a height of 42 feet in lieu of 43 feet and to reduce the number of additional units approved under Case No. ZA-1985-189-ZV-PA to 86 from 95. Among the Plan Approval conditions is the provision of 617 vehicle parking spaces for the proposed 561-unit project.

The subsequent history of the case is relevant to the current request. Construction had not begun on December 15, 2004 when the Zoning Administrator responded via letter to the applicant's question as to whether expenditures on architectural design, engineering, City fees and consultant fees entitled the applicant to vesting of the approval of PA2 (approved earlier that year). In the letter, a copy of which is included in the case file, the Zoning Administrator stated that the expenditure vested the original grant and that "the applicant can start the construction whenever they want." Per the Zoning Administrator's letter, the Plan Approval is still valid, even though it had not been effectuated in the intervening years.

In 2019, the applicant approached the Planning Department with the intention of seeking a Plan Approval to reduce the number of vehicle parking spaces required for the proposed building. At that time, Planning staff noted that although ZA-1985-189-ZV-PA2 (2004) had been granted for an 86-unit, 42 foot-high building, the

Exhibit A attached to that case file was identical to the Exhibit A approved with ZA-1985-189-ZV-PA (2003) to build 95 units to a height of 43 feet. Staff also noted that Condition of Approval 2 of ZA-1985-189-ZV-PA2 states, "The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action." As a result, Planning staff determined that the project is required to be in substantial conformance with Exhibit A to ZA-1985-189-ZV-PA, which shows 95 units, a maximum height of 43 feet, and a total of 635 on-site parking spaces. The instant request is an approval of these plans, with a requested modification to provide a total of 458 parking spaces.

Surrounding Properties

CPC-1998-83-ZC – On an abutting property to the north (9610 Zelzah Avenue / 17839 Halsted Street), on July 30, 1998, the City Planning Commission approved a zone change from RA-1 to (T)(Q)R3-1 in conjunction with approval of a tract map for the development of 44 condominiums.

CPC-1984-232-ZC – On an abutting property to the north (17819-17821 Halsted Street), on November 21, 1984, the City Council approved a zone change from RA-1 to (T)(Q)R3-1.

CPC-1989-366-ZC – On an abutting property to the north (17809 Halsted Street), on November 7, 1989, the City Planning Commission approved a zone change from RA-1 to (Q)R3-1 to allow the construction of 50-unit multifamily building.

PUBLIC HEARING/CORRESPONDENCE

A Notice of Public Hearing was mailed to property owners and/or occupants residing near the subject site for which an application, as described above, had been filed with the Department of City Planning. All interested parties were invited to participate in the public hearing at which they could listen, ask questions, or present testimony regarding the project. The environmental impact was among the matters to be considered at the hearing.

The hearing was conducted by Associate Zoning Administrator David Weintraub, from the Office of Zoning Administration who held the hearing on Case No. ZA-1985-0189 (ZV)(PA3) on June 29, 2020 telephonically in conformity with the Governor's Executive Order N-29-20 (March 17, 2020) due to concerns over COVID-19. The hearing was attended by the applicant's representative and 10 residents of the community. A representative of Council District 12 was also in attendance.

Points in Favor of the application:

- The existing development is called Marina Pointe and it is developed on 6.7 acres of land easterly of California State University at Northridge (CSUN). The project is also located on the northeast corner of Zelzah Avenue and Plummer Street. It contains or is entitled to 475 apartment units which range in size from 268 to 450 square feet per unit. The project requires 51,100 square feet of open space and currently has 77,000 square feet of open space including open court yards, swimming pools and a jacuzzi. There is also a state of the art gymnasium open to residents. The development was originally entitled by a zone variance to the RA-1 zone and has had a number of Plan Approvals filed since which have increased the number of units to 475. It was originally entitled as a dormitory for CSUN students and has since been converted into an apartment complex. Though the units are available to the general public, over 80% of the residents are students who rent the units on a nine month basis;
- There are currently 443 surface parking spaces for the complex which are rarely full. Because the campus is next door to the complex, many students do not have cars because they can walk or ride a bicycle to get around the campus. Because the lot is rarely full, there are no assigned parking spaces to individual units;
- **When school is out of session, 85% of the residential units are empty;**
- We have an entitlement to 95 units which will be built. We would like to cut the number of required spaces for the 95 units by 20% and use the bicycle parking ordinance to further reduce the required spaces by an additional 8%; and
- The new parking will be below grade or in a parking podium. Over 100,000 square feet of asphalt will be eliminated from the site with its heat producing quality. The proposed green code for the City of Los Angeles will be met and all of the City's stormwater run off requirements will be met.

Points in Opposition:

- The applicant's representative is mistaken as to the use of the parking lot. During the day there is available parking, but from 8 p.m. on the lot is full;
- The surrounding area is being asked to take on the impacts of parking demand. Northridge is not a walking community;
- We have an on-going problem with on-street parking in the community with students often using our street parking to avoid having to pay for campus parking. Tickets for over-time parking are an expense that the students are willing to take;
- The Neighborhood Council thoroughly analyzed the case and opposed it on an 8 – 2 vote. This case was started in 2004 and a lot has changed in the neighborhood in the intervening 16 years. Students either can't find parking on campus or more likely don't want to pay parking fees. Southerly of the site, there are one hour parking limits on Plummer Street as far east as Louise Avenue which is one mile away from Zelzah Avenue. Our greatest hope is that the residents don't have cars. We are concerned that 18 months of construction will displace the parking that was on the site. It is best to require the parking now, and if the applicant finds out later that they don't need it, then they can file to repurpose the parking area;

- This project was projected to be built in 18 months and five years later there is still no construction happening. We will soon be subject to vibrations from the bulldozers digging up the property. We will be subject to increased graffiti as people tag the earth moving and construction equipment. The residents in the area need to know what is going on and should be kept in the loop for the beginning of any construction;
- After seeing this proposal, I can see no compelling argument for approving it. Parking is needed on the site;
- I'm a member of the Neighborhood Council and voted against the proposed variance. There are very few parking spaces left on the streets in the area from students who don't want to pay to park on the campus. Parking on the site is at a premium, and a 20% reduction in parking will be a major problem for students who return to the site late in the evening because it will all be occupied. The number of students who live in the apartments will be higher than for a normal apartment occupied by non-students. A studio will accommodate two students, a one bedroom three students and a two bedroom three students as they can live two to a bedroom with one extra in the living room;
- The applicant has requested an adjustment to the requirement set by the Zoning Administrator in 1985. No historical data since 1985 was provided for use in the parking study. Spring 2019 data was supplied but not used in the study. If the historical data is not available, a statement of uncertainty and potential upper bound on demand should have been included in the study results. The study is based on parking permits issued by the applicant. It does not include data on vehicles owned by the residents which were parked outside of the facility. Increasing the number of units will also increase the demand for parking outside of the facility. Any reduction in available street parking or garage parking outside of the facility would also increase the demand for parking at the facility. The study uses the addition of bicycle spaces in the calculation of required parking spaces but provides no analysis of the projected use of the spaces. The effect on vehicle parking space demand is not estimated, and there is no provision for limiting the number of vehicles owned by residents in the lease. Therefore, a 100% utilization of the added bicycle spaces should not be used in calculating the demand.

The representative of Council District 12 spoke and mentioned that the Council Office supports the construction of additional housing in the area. We are concerned about the parking reduction as parking in the area of the campus is at a premium. Further information is needed and should be verified.

AUTHORITY FOR PLAN APPROVAL

Section 12.27 U. of the Los Angeles Municipal Code provides in pertinent part:

U. Plan Approvals

Development of Site. On any lot or portion of a lot on which a use is permitted pursuant to a variance, new buildings or structures may be erected, enlargements may be made to existing buildings, and existing uses may be extended if plans for those changes are submitted to and approved by a Zoning Administrator. A Zoning Administrator shall not approve any use, single deviation or combination or series of deviations from the zoning regulations which was not approved as part of the original variance, or which would result in an increase in size or bulk of buildings exceeding 20 percent.

FINDINGS

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

The applicant received a Plan Approval in 2003 to build 95 additional units with a maximum height of 43 feet and a total of 635 required vehicle parking spaces, an entitlement that was vested indefinitely by the Zoning Administrator in a subsequent letter. In 2019 the applicant submitted plans for the 95 units, attached as Exhibit "A", with a proposed new floor area of 109,700 square feet. The buildings are to be constructed on a one-story parking podium at grade that will cover the entire existing parking lot, with the exception of an uncovered parking lot/two-way driveway extending from Halsted Street to Plummer Street, in the middle of the site between the existing buildings and the proposed new construction. A subterranean garage is also proposed to provide additional parking.

The current Plan Approval request is for a 20% reduction in required parking, plus the substitution of an additional 8% of the required vehicle spaces (after the 20% reduction) with bicycle parking spaces at a four (4) to one (1) ratio. These reductions would bring the number of vehicle parking spaces provided on-site from the 635 required under ZA-1985-189-PA to a total of 467 spaces, in addition to 262 bicycle parking spaces (240 bicycle spaces are required, per LAMC Section 12.21 A.4(a)). Of the 467 vehicle spaces proposed, 158 would be provided in the

underground garage, 203 would be located in the parking podium (including 58 tandem spaces), and 97 would be provided in the uncovered parking lot (including 76 tandem spaces). The additional nine parking spaces would be up to the applicant to allocate as the additional nine spaces occurred because of an error in calculating the reduced number of spaces in the application. The proposed parking includes 10 automobile accessible spaces, two van accessible (2) spaces, and 23 spaces with electric vehicle charging stations.

Occupying the length of an entire city block, Meridian Pointe is one of the largest multifamily complexes in the neighborhood east of the California State University at Northridge (CSUN) campus. However, it is typical of mid-century complexes throughout the San Fernando Valley in that resident parking is provided in a large parking lot behind the buildings. The parking lot, which occupies about 210 feet along Plummer Street and 140 feet along Halsted Street, detracts from the built environment in two significant ways. First, it creates long breaks in the street facade on Halsted and Plummer streets. Newer multifamily buildings across from the subject property on Halsted, for example, feature underground or tuck-under parking such that the building facades and landscaped front yard setbacks create a cohesive and pedestrian-friendly streetscape. Under the proposed plan for the subject site, most of the parking would be provided underground or in parking podiums, and only one row of uncovered on-grade parking would be maintained. Thus, the only break in the street facades would be the driveways (two on Halsted and three on Plummer).

Second, although both buildings and pavement contribute to the urban heat island effect—a phenomenon in which the built environment absorbs and retains heat, which in turn increases temperatures, energy costs, air pollution, and associated health problems—the City of Los Angeles Building Code mandates the use of roofing materials with a high solar reflectance factor. These “cool roofs” serve to minimize heat absorption. Replacement of what is now a large urban heat island (asphalt parking lot) with buildings featuring cool roofs will benefit the surrounding neighborhood and the city as a whole by helping to reduce the amount of heat that is absorbed by the built environment, in line with the City’s sustainability goals.

A reduction in required vehicle parking will also contribute to increasing the supply of housing in Los Angeles by reducing the area of the site devoted to parking uses and allowing construction of the proposed housing. The shortage of affordable housing is one of the major challenges facing the city, and students are especially disadvantaged in the rental market, as most have limited incomes and rent on the site for the term of the school year. Moreover, there is substantial competition for housing near college campuses. The area surrounding CSUN, which has 39,000

students and 4,000 faculty and staff, is no exception. According to public testimony at the hearing, roughly 80% of Meridian Pointe tenants are students. Development of 95 new housing units to serve this population will help to ease the housing shortage in a convenient location for most students, directly across the street from campus.

Meridian Pointe's proximity to the CSUN campus is key to consideration of the current request for a plan approval of an approximately 28 percent reduction in required parking. The addition of 95 housing units will bring the total number of dwelling units on site to 570, but only 467 parking spaces will be provided. Street parking in the vicinity consists of unmetered parking on Zelzah and Plummer and a limited number of spaces on Halsted (except for Fridays from 10 am to 12 noon for street cleaning, on all streets), which could pose a problem if the complex did not serve students. But because the campus is so close by, the majority of residents who are students (80% of all tenants) forego having cars altogether and circulate by bicycle and public transit or ride sharing services. This keeps demand for on-site parking low throughout the year and as a result, Meridian Pointe does not currently have to assign parking spaces to specific units.

Anticipating the potential for greater demand for on-site parking, once the new units are built the applicant proposes to begin assigning parking spaces to long-term tenants (about 20% of the units are occupied year-round). For student residents, who generally sign nine-month leases and do not live at the complex during the summer months, parking will be offered unbundled from the unit lease. This will benefit students by allowing them to reduce costs by foregoing a parking space on site, and it will also encourage them to choose alternative forms of transportation. In addition to bicycles, residents can easily access nearby bus lines and the CSUN Transit Center which is 0.6 miles from the site on the CSUN campus. For these reasons, the project will enhance the built environment in the surrounding neighborhood.

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

As noted above, the applicant received a Plan Approval in 2003 to build 95 additional units with a maximum height of 43 feet and a total of 635 required vehicle parking spaces. The 95 units are proposed to be constructed in a one-story parking podium at grade that will cover the entire parking lot, with the exception of an uncovered parking lot/two-way driveway extending from Halsted Street to

Plummer Street. A subterranean garage is also proposed to provide additional parking.

The current Plan Approval request is for a 20 percent reduction in required parking, plus the substitution of 8% of the required vehicle spaces (after the 20% reduction) with bicycle parking spaces at a four (4) to one (1) ratio. This would decrease the number of vehicle parking spaces provided on-site from the 635 required under ZA-1985-189-PA to 467 spaces. In addition, there will be 262 bicycle parking spaces (240 bicycle spaces are required, per LAMC Section 12.21 A.16(a)(10)).

There are 475 units on site including the 95 permitted by the Plan Approval. With the 8% bicycle reduction which is allowed by Code and after the granted 20% reduction, there would be a total of a 38 parking space reduction by substituting bicycle parking for vehicle parking. This would allow one vehicle space per unit for all units except for eight units which would be assigned bicycle parking only.

As mentioned in Finding 1, the proposed project is designed to minimize unsightly parking areas that are visible from the public right-of-way while still providing a significant quantity of parking spaces on site for residents. The parking podium and the underground garage will screen the majority of the parking from view for the surrounding residential uses. Although there will be an increased number of curb cuts for the two driveways on Halsted and three driveways on Plummer, in terms of aesthetics, it will represent a visual improvement over the at-grade parking lot that currently occupies the eastern half of the site. Also, per the conditions of ZA-1985-189-PA2, driveways into the parking podium and garage will be exit-only on Halsted Street and entry-only on Plummer Street, which will limit the amount of traffic on either street. Thus, rather than detract from or degrade surrounding properties, the proposal for parking on site represents a visual improvement over the existing physical conditions.

Regarding the impacts on surrounding properties, the proposed reduction in parking for the project could result in greater competition for street parking. However, as mentioned in Finding 1 above, the majority of residents at the complex are students (80 percent of tenants) and many do not have cars, so that currently there is a surplus of on-site parking spaces. Also, once the new units are in operation, students signing nine-month lease agreements will be able to choose whether to pay an additional fee for a parking space. Furthermore, ride-hailing and car-sharing services, as well as significant improvements in the regional public transportation network since the increase in units on the subject site was first proposed in 2003 (including the G (Orange) Line Bus Rapid Transit system, which

opened in 2005), will encourage students to avoid owning cars and to rely on bicycles and public transit instead.

Finally, CSUN is currently building the four-story G6 parking structure at the intersection of Zelzah and Plummer. This structure, which is scheduled to be completed in the fall of 2020, will add 1,500 parking spaces across the street from Meridian Pointe and will potentially ease demand for parking in the surrounding neighborhood. Therefore, the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties or the surrounding neighborhood.

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

The General Plan is the City's roadmap for future growth and development. The General Plan elements establish goals, policies, purposes, and programs that provide for the regulatory environment in managing the City, and for addressing environmental concerns and problems. The majority of the policies derived from these elements are in the form of LAMC requirements. Except for the entitlement described herein, the project does not propose to deviate from any other LAMC requirements. The General Plan is comprised of the Framework Element and 11 additional elements. The Framework Element established the broad overall policy and direction for the General Plan. The granting of the plan approval to allow a 20 percent reduction in on-site parking for a multifamily development adjoining a large university campus, and which is largely occupied by students, is substantially consistent with the following Framework goals and objectives:

- Goal 3A: *A physically balanced distribution of land uses that contributes toward and facilitates the*
- *City's long-term fiscal and economic viability,*
 - *Revitalization of economically depressed areas,*
 - *Conservation of existing residential neighborhoods,*
 - *Equitable distribution of public resources,*
 - *Conservation of natural resources,*
 - *Provision of adequate infrastructure and public services,*
 - *Reduction of traffic congestion and improvement of air quality,*
 - *Enhancement of recreation and open space opportunities,*
 - *Assurance of environmental justice and a healthful living environment, and*
 - *Achievement of the vision for a more livable city.*

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

Adjoining the California State University Northridge campus, the Meridian Pointe complex is primarily located to provide housing for students many of whom choose alternatives to owning a car, including riding bicycles and using public transportation, ride hailing services, and car sharing. All of these alternatives are readily available within approximately .5 miles of the subject site. Providing a residential option for those students who do not need vehicle parking encourages use of the alternatives, potentially contributing to a reduction in vehicle miles traveled and air pollution, in alignment with the Framework goal and objective above.

The Land Use Element of the General Plan divides the City into 35 Community Plan areas. Though the property is zoned for the RA Zone, single family housing, the Northridge Community Plan designates it for multifamily residential use. The subject property is not located within a specific plan area, pedestrian oriented district, or community design overlay that may otherwise prohibit the requested use. Approval of the proposed reduction in parking is in alignment with the following objectives and policies of the Community Plan:

Objective 1-2: *To locate new housing appropriately in a manner which reduce vehicular trips and which increases accessibility to services and facilities.*

Policy 1-2.3: *Provide for an adequate supply of housing to meet the needs of students attending California State University at Northridge, without creating adverse impacts on adjacent permanent residential neighborhoods.*

Objective 10-2: *To increase the work trips and non-work trips made on public transit.*

Goal 11: *Encourage alternative modes of transportation to the use of single-occupant vehicles in order to reduce vehicular trips.*

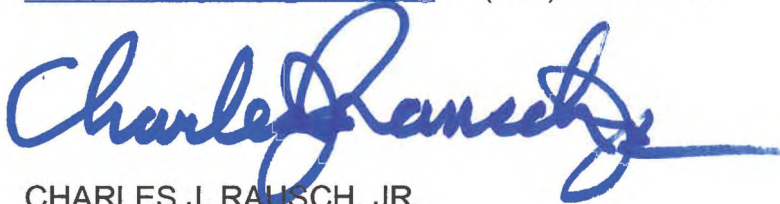
By providing unbundled parking, Meridian Pointe will encourage residents to use alternatives to single-occupancy vehicles, including walking and riding bicycles to the nearby campus, and taking public transportation and ride sharing to other locations.

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

ADDITIONAL MANDATORY FINDINGS

4. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is not located in a flood zone.

Inquiries regarding this matter shall be directed to Kora McNaughton, Planning Staff at kora.mcnaughton@lacity.org or (818) 374-9908.

A handwritten signature in blue ink that reads "Charles J. Rausch, Jr." with a long horizontal flourish extending to the right.

CHARLES J. RAUSCH, JR.
Associate Zoning Administrator

CJR:CR:AJ:KM:mh

cc: Councilmember John Lee
12th Council District
Adjoining Property Owners