



## SOUTH VALLEY AREA PLANNING COMMISSION

200 N. Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300

[www.planning.lacity.org](http://www.planning.lacity.org)

Determination Mailing Date: JUL 06 2015

**CASE: APCSV-2014-3868-ZC**  
**CEQA: ENV-2014-3869-MND**

**Council District: 3 - Blumenfield**  
**Location: 18529 W. Calvert Street**  
**Plan Area: Reseda – West Van Nuys**  
**Zone: RA-1-K-RIO**  
**Request: Zone Change**

**Applicant:** Armin Gahari, GA Engineering  
Representative: Eric Lieberman, QES, Inc.

At its meeting on **June 11, 2015**, the following action was taken by the **South Valley Area Planning Commission**:

1. **Approved and recommended** that the City Council **approve** the **Zone Change** from RA-1-K-RIO to (T)(Q)R3-1-K-RIO for the subject property, with conditions of approval.
2. **Adopted** the Findings.
3. **Adopted** the **Mitigated Negative Declaration** (ENV-2014-3869-MND) and accompanying **Mitigation Monitoring Program**.
4. **Denied** the **Zone Change request as filed** for a **Zone Change** from RA-1-K-RIO to [T][Q]R3-1-RIO.
5. **Advised** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

This action was taken by the following vote:

**Moved:** Commissioner Dierking  
**Seconded:** Commissioner Kim  
**Ayes:** Commissioner Cochran  
**Nays:** Commissioner Mather  
**Absent:** Commissioner Beatty

**Vote: 3 - 1**

Randa M. Hanna, Commission Executive Assistant  
South Valley Area Planning Commission

If the Commission has ***disapproved*** the Zone Change request, in whole or in part, **only the applicant** may appeal that disapproval to the City Council within 20 days after the mailing date of this determination. Any appeal not filed within the 20-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's public Counters at 201 North Figueroa Street, Fourth Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Room 251, Van Nuys. Forms are also available on-line at [www.planning.lacity.org](http://www.planning.lacity.org).

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.

Attachments: Findings, (Q) Qualified Conditions of Approval, (T) Conditions, Ordinance, Zone Change Signature Sheet, and Zone Change Map

C: Notification List  
Milena Zasadzien

## ZONE CHANGE FINDINGS

### A. General Plan/Charter Findings

1. **General Plan Land Use Designation.** The subject property is located within the Reseda – West Van Nuys Community Plan, updated and adopted by the City Council on November 17, 1999. The existing Plan designates the subject property for Medium Residential land uses, which corresponds to the R3 zone. The proposed zone change to R3 is consistent with the land use designation on the plan map and is therefore in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Community Plan.

2. **General Plan Text.** The Reseda - West Van Nuys Community Plan text includes the following relevant land use goals, objectives, policies and programs:

**GOAL 1: A SAFE, SECURE, AND HIGH QUALITY RESIDENTIAL ENVIRONMENT FOR ALL ECONOMIC, AGE, AND ETHNIC SEGMENTS OF THE COMMUNITY.**

**Objective 1-1:** To provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area to the year 2010.

**Policy 1-1.1** Designate specific lands to provide for adequate multi-family residential development.

**Program:** The Plan Map identifies specific areas where multi-family residential development is permitted.

**Policy 1-1.4** Protect the quality of the residential environment through attention to the appearance of communities, including attention to building and site design.

**Program:** The Plan includes an Urban Design Chapter which is supplemented by Design Guidelines and Standards for residential development.

**Objective 1-2:** To preserve and enhance the varied and distinct residential character and integrity of existing single and multi-family neighborhoods.

**Policy 2-2.1** Seek a high degree of architectural compatibility and landscaping for new infill development to protect the character and scale of existing residential neighborhoods.

**Program:** The Plan includes Design Guidelines which establish design standards for residential development to implement this policy.

**Policy 1-2.2** Consider factors such as neighborhood character and identity, compatibility of land uses, impacts on livability, impacts on services and public facilities, and impacts on traffic levels when changes in residential densities are proposed.

**Program:** The decision-maker should adopt a finding which addresses these factors as part of any decision relating to changes in planned residential densities.

**Objective 1-3** To promote and ensure the provision of adequate housing for all persons regardless of income, age, or ethnic background.

**Policy 1-3.1** Promote greater individual choice in type, quality, price, and location of housing.

**Program:** The Plan promotes greater individual choice through its establishment of residential design standards and its allocation of lands for a variety of residential densities.

The proposed project will meet the above objectives and policies by providing additional housing at an appropriate density and location to meet the plan area's needs, matching the density that was envisioned for this area by the Community Plan's Medium Residential land use designations. The project would replace the last remaining single-family residence between Roscoe Boulevard and the parallel alleyway and continue the existing pattern of multi-family development along Roscoe Boulevard. Therefore, the proposed R3 zone and construction of twenty-four rental residences would be compatible with the existing neighborhood land use and character. Additionally, the project has been conditioned to improve the surrounding public right-of-ways, which will serve to enhance the roadways, alleyway, sidewalks, and street lighting along the site and provide for better connectivity within the neighborhood. Other utilities and public services for the site, including the availability of sewer and drainage facilities in Calvert Street were found to be adequate or were appropriately mitigated by conditions required in the approval for the subject zone change. Adequate access to the site is available from the surrounding streets and alley, and a common driveway will provide residents with direct access from Calvert Street.

The Plan also sets standards for Urban Design, coupled with the recently adopted Residential Citywide Design Guidelines, which include the need for a pedestrian entrance at the front of each project, consistent front setbacks with adjacent properties, and for a building design of quality and character. The submitted site plan and building plans are consistent with these design standards, and the building frontage has been designed with a prominent pedestrian entrance and a fifteen-foot front yard setback. In addition, the building elevations have been designed with a consistent architectural theme and variations in height, depth, and building materials to achieve an articulated façade.

In addition, the project site is subject to the Los Angeles River Improvement Overlay standards ("RIO" overlay), which require native and water wise landscaping, screening of utilities, and appropriate lighting. These standards have been conditioned as part of the approval.

The "K" horsekeeping designation will also be incorporated into the zoning, to continue the horsekeeping rights of adjacent properties, primarily allowing for a reduced separation distance of 35-feet rather than 75-feet from any future horsekeeping uses on the adjacent RA parcels to the proposed apartment development.

The site is not located within any other specific plan or special land use districts.

Therefore, as conditioned, the recommended development meets the objectives of the Community Plan, is permitted in the R3 Zone and is consistent with the general plan land use designation.

## **B. Entitlement Findings**

- 1. Zone Change, L.A.M.C. Sec. 12.32-F:** The recommended zone change is in conformance with the public necessity, convenience, general welfare or good zoning practice in that:

The (T)(Q)R3-1-K-RIO zone is consistent with the existing Medium Residential Plan Land Use designation in that this land use category allows for a corresponding zone of R3. The project is also convenient in location to several major streets, such as Reseda Boulevard and Oxnard Street, and the Reseda Orange Line busway station, and as an infill project will have adequate access to existing City services and infrastructure. There is a necessity for housing in all income levels and housing types, and the project will create more opportunity for rental housing in the vicinity. Properties in the immediate neighborhood primarily consist of apartments on R3-zoned lots east of the adjacent alleyway and single-family residences on RA- or RE11-zoned lots to the west of the alleyway. A zone change from RA-1-K-RIO to R3-1-K-RIO and the construction of twenty-four apartment residences would be compatible with the use and size of existing adjacent developments. Therefore, the zone change is provided as part of public necessity and convenience and in the general welfare of the neighborhood. Furthermore, such zone change will be in good zoning practice by providing a harmonious density and land use activity for the vicinity.

The action, as recommended, has been made contingent upon compliance with the "(Q)" and "(T)" conditions imposed herein. Such limitations are necessary to protect the best interests of and to assure developments and improvements more compatible with surrounding properties, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

## **C. CEQA Findings**

- 1. Environmental.** The Environmental Review Section of the Planning Department issued the proposed project a Mitigated Negative Declaration ENV-2014-3869-MND on May 13, 2015.

In response to the draft Mitigated Negative Declaration, the Southern California Air Quality Management District (SCAQMD) submitted a letter commenting on the air quality analysis of the environmental document. The letter stated that the project's air quality emissions during both construction and operation need to be quantified using the recommended CalEEMod model, and that potential localized air quality impacts need to be reviewed. In response, the CalEEMod model was used to estimate the project's emissions, with results showing that the air quality emissions during both the construction and operation phases of the project would result in less than significant impacts for all six criteria pollutants. The construction scenario for this project also concludes that localized air quality impacts during construction do not exceed any applicable Localized Significance Thresholds (LSTs). Therefore, air quality impacts would be less than significant and no additional mitigation measures are necessary.

On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures and described in the MND, there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached modified Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the North Valley Environmental Review Section of the Planning Department in Room 430, 6262 Van Nuys Blvd., Van Nuys.

Section 21081.6 of the California Public Resources Code requires a Lead Agency to adopt a "reporting or monitoring program for the changes made to the project or conditions of project approval". The Mitigation Monitoring Program with case no. ENV-2014-3869-MND is adopted in compliance with the Public Resources Code and includes the necessary mitigation measures identified herein.

## CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

Pursuant to Section 12.32-G of the Municipal Code, the (T) Tentative Classification shall be removed by the recordation of a final parcel or tract map or by posting of guarantees through the B-permit process of the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approval or guarantees provided to the Department of City Planning for attachment to the subject planning case file.

1. Dedication Required:
  - a. Calvert Street (Local Street) – None.
  - b. Alley (West of Reseda Boulevard) – A 20-foot right-of-way along the west side of the property for the proposed Alley.
2. Improvements Required:
  - a. Calvert Street - Construct an 18-foot half roadway in accordance with Local Street standards, including asphalt pavement, Type C integral curb, 2-foot gutter and a 12-foot concrete sidewalk. These improvements should suitably transition to join the existing improvements.
  - b. Alley - Construct an 20-foot wide alley with asphalt pavement and a 2-foot longitudinal concrete gutter along the center of the alley.
  - c. Install tree wells with root barriers and plant street trees satisfactory to the City Engineer and the Urban Forestry Division of the Bureau of Street Services. The applicant should contact the Urban Forestry Division for further information (213) 847-3077.
  - d. Street lighting may be required satisfactory to the Bureau of Street Lighting (213) 847-1551.
  - e. Department of Transportation may have additional requirements for dedication and improvements.
  - f. Refer to the Department of Transportation regarding traffic signs and equipment (818) 367-2715.
  - g. Refer to the Department of Water and Power regarding power pole (213) 367-2715.
  - h. Refer to the Fire Department regarding fire hydrants (818) 374-5005.
3. No major drainage problems are involved.
4. Sewer lines exist in in Calvert Street. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
5. An investigation from the Bureau of Engineering sewer counter may be necessary to determine the capacity of the existing public sewers to accommodate the proposed development. Submit a request to the Valley District Office Sewer Counter of the Bureau of Engineering at (818) 374-5090.

6. Submit shoring and lateral support plans to the Bureau of Engineering Valley District Office Excavation Counter for review and approval prior to excavating adjacent to the public right-of-way (818) 374-5090.
7. Submit a parking area and driveway plan to the Valley District Office of the Bureau of Engineering and the Department of Transportation for review and approval.
8. That the Quimby fee be based on the R3 Zone.
9. Making any necessary arrangements with the appropriate cable television franchise holder to assure that cable television facilities will be installed in City rights of way in the same manner as is required of other facilities, pursuant to Municipal Code Section 17.05N, to the satisfaction of the Department of Telecommunications.
10. Covenant. Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded by the property owner in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heirs or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.

Notice: Prior to issuance of a clearance letter by the Bureau of Engineering, all engineering fees pertaining to Ordinance No. 176,077 adopted by the City Council, must be paid in full at the Development Services Division office.

Notice: Certificates of Occupancy for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required



## Q) QUALIFIED CONDITIONS OF APPROVAL

Pursuant to Section 12.32-G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "Q" Qualified classification.

### A. Development Conditions:

1. **Use.** The use of the subject property shall be limited to those uses permitted in the R3 Zone as defined in Sections 12.10 of the L.A.M.C.
  2. **Plans.** The use and development of the property shall be in substantial conformance with the Site Plan, Floor Plans, Building Elevations, and Landscape Plan (Exhibit No. E-5, dated June 11, 2015) of the subject case file. Deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
  3. **Parking.** Parking shall be provided in accordance with the Municipal Code. In addition, a minimum of eight parking spaces shall be provided in excess of Code requirements.
  4. **Balconies.** Balconies shall be prohibited along the western-facing building façade.
  5. **Open Space Amenities.** Project plans shall be revised to include amenities within the outdoor open space areas such as barbeque areas, benches, seating, tables, and additional planters.
  6. **Landscaping.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning.
2. **Los Angeles River Improvement Overlay.**
- a. *Landscaping.* Landscaping shall conform to the following regulations: 75 percent of any Project's newly landscaped area shall be planted with any combination of the following: native trees, plants and shrubs, or species defined as WatershedWise (Plants included in the WatershedWise Plant List published by the Council for Watershed Health and available at <http://www.watershedhealth.org>), or species listed in the Los Angeles County River Master Plan Landscaping Guidelines and Plant Palettes. In a landscaped area, horticulture such as herbs, fruit or vegetables can be used to replace up to 100 percent of the plantings that satisfy the, WatershedWise, Native or Los Angeles County River Master Plan Landscape Guidelines planting requirements.
  - b. *Screening/Fencing.* Electrical transformers, mechanical equipment, water meters and other equipment shall be screened from public view. The screening may be opaque or perforated, provided that not more than 50 percent of the face is open. The screen shall be at least 6 inches taller than the equipment and not more than 2 feet taller than the equipment.
  - c. *Exterior Site Lighting.* All site and building mounted lighting shall be designed such that it produces a maximum initial luminance value no greater than 0.20 horizontal and vertical foot candles at the site boundary, and no greater than 0.01 horizontal foot candles 15

feet beyond the site. No more than 5.0 percent of the total initial designed lumens shall be emitted at an angle of 90 degrees or higher from nadir (straight down). All low pressure sodium, high pressure sodium, metal halide, fluorescent, quartz, incandescent greater than 60 watts, mercury vapor, and halogen fixtures shall be fully shielded in such a manner as to not exceed these limitations.

**B. Environmental Conditions.**

**1. Air Pollution (Demolition, Grading, and Construction Activities)**

- 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. Wetting could reduce fugitive dust by as much as 50 percent.
- b. The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- c. 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 excessive amounts of dust.
- d. All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- e. All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- g. Trucks having no current hauling activity shall not idle but be turned off.

**2. Tree Removal (Non-Protected Trees).** Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way. All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements. Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division the Department of Public Works, Bureau of Street Services.

**3. Tree Removal (Locally Protected Species).** All protected tree removals require approval from the Board of Public Works. A minimum of two trees (a minimum of 48-inch box in size if available) shall be planted for each protected tree that is removed. The canopy of the replacement trees, at the time they are planted, shall be in proportion to the canopies of the protected tree(s) removed and shall be to the satisfaction of the Urban Forestry Division. The location of trees planted for the purposes of replacing a removed protected tree shall be clearly indicated on the required landscape plan, which shall also indicate the replacement tree species and further contain the phrase "Replacement Tree" in its description.

**Bonding (Tree Survival):**

- a. The applicant shall post a cash bond or other assurances acceptable to the Bureau of Engineering in consultation with the Urban Forestry Division and the decision maker guaranteeing the survival of trees required to be maintained, replaced or relocated in such a fashion as to assure the existence of continuously living trees for a minimum of three years from the date that the bond is posted or from the date such trees are replaced or relocated, whichever is longer. Any change of ownership shall require that

the new owner post a new oak tree bond to the satisfaction of the Bureau of Engineering. Subsequently, the original owner's oak tree bond may be exonerated.

- b. The City Engineer shall use the provisions of Section 17.08 as its procedural guide in satisfaction of said bond requirements and processing. Prior to exoneration of the bond, the owner of the property shall provide evidence satisfactory to the City Engineer and Urban Forestry Division that the oak trees were properly replaced, the date of the replacement and the survival of the replacement trees for a period of three years.

4. **Liquefaction Area.** The project shall comply with the conditions contained within the in the January 23, 2015 Preliminary Soils Engineering Investigation by Subsurface Designs, Inc., and as it may be subsequently amended or modified by the Department of Building and Safety's Grading Division.

C. Administrative Conditions:

1. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
2. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
3. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.
4. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
5. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
6. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
7. **Project Plan Modifications.** Any corrections and/or modifications to the Project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision making authority including the Director of Planning, City Planning Commission, Area Planning Commission, or Board.

8. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

Determination Letter  
APCSV-2014-3868-ZC  
Mailing Date: 7/6/15

Council District 3  
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