

**PLANNING DEPARTMENT TRANSMITTAL
TO THE CITY CLERK'S OFFICE**

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
APCSV-2017-894-ZC	ENV-2017-895-CE	4 – Ryu
PROJECT ADDRESS:		
14719 - 14723 West Magnolia Street		
APPLICANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
Adam and Simon Moloudi 12424 Wilshire Blvd., Suite# 710 LA, CA 90025 <input type="checkbox"/> New/Changed	(310) 251-1555	moloudilaw@adammoloudi.com
APPLICANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
Rick Stockton Stockton Architects Inc. 26500 W. Agoura Road, #663 Calabasas, CA 91302	(818) 888-9443	rstockton@stocktonarchitects.com
APPELLANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A		
APPELLANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A		
PLANNER CONTACT INFORMATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Marianne King	(818) 374-5059	marianne.king@lacity.org
ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION		
Zone Change		

FINAL ENTITLEMENTS NOT ADVANCING:

N/A

ITEMS APPEALED:

N/A

ATTACHMENTS:**REVISED:****ENVIRONMENTAL CLEARANCE:****REVISED:**

- Letter of Determination
- Findings of Fact
- Staff Recommendation Report
- Conditions of Approval
- Ordinance
- Zone Change Map
- GPA Resolution
- Land Use Map
- Exhibit A - Site Plan
- Mailing List
- Land Use
- Other _____

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- Categorical Exemption
- Negative Declaration
- Mitigated Negative Declaration
- Environmental Impact Report
- Mitigation Monitoring Program
- Other _____

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NOTES / INSTRUCTION(S):

OTHER: T Conditions

FISCAL IMPACT STATEMENT: Yes No

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

PLANNING COMMISSION:

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

PLANNING COMMISSION HEARING DATE:	COMMISSION VOTE:
March 8, 2018	5 - 0
LAST DAY TO APPEAL:	APPEALED:
April 25, 2018	No
TRANSMITTED BY:	TRANSMITTAL DATE:
Jason Wong	05/01/2018



SOUTH VALLEY AREA PLANNING COMMISSION

200 North Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: APR 05 2018

Case No. **APCSV-2017-894-ZC**

Council District: 4 - Ryu

CEQA: ENV-2017-895-CE

Plan Area: Van Nuys – North Sherman Oaks

Project Site: 14719 – 14723 West Magnolia Street

Applicant: Adam and Simon Moloudi
Representative: Ken Stockton, Ken Stockton Architects Inc.

At its meeting of **March 8, 2018**, the South Valley Area Planning Commission took the actions below in conjunction with the approval of the following project:

The construction of a three-story, nine-unit, residential apartment building over subterranean parking. The project will be a maximum height of 35 feet and will include 17 parking spaces, 15 bicycle spaces, plus an accessible disabled parking space at grade level (rear of site). The project includes the demolition of a one-story three-dwelling unit structure and detached carport. No tree removal is involved.

1. **Determined** based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to Public Resources Code Section 15332, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. **Disapprove** the Zone Change request as filed;
3. **Approve** and **recommend** that the City Council **adopt**, pursuant to Section 12.32 F of the Los Angeles Municipal Code, a Zone Change from [Q]RD1.5-1 to (T)[Q]R3-1;
4. **Adopt** the attached Conditions of Approval, as modified by the Commission, including Staff's Technical Modification dated March 7, 2018; and
5. **Adopt** the attached Findings, as amended by the Commission.

This action was taken by the following vote:

Moved: Dierking
Seconded: Menedjian
Ayes: Beatty, Bishop, Mather

Vote: 5 – 0



Jason Wong, Commission Executive Assistant
South Valley Area Planning Commission

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

Effective Date/Appeals: The decision of the South Valley Area Planning Commission is appealable by the applicant to the Los Angeles City Council within 20 days after the mailing date of this determination letter. 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 Development Service Centers located at 201 North Figueroa Street, Fourth Floor, Los Angeles; 6262 Van Nuys Boulevard, Suite 251, Van Nuys; or 1828 Sawtelle Boulevard, West Los Angeles.

FINAL APPEAL DATE: APR 25 2018

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: Ordinance, Map, Modified Conditions of Approval, Findings

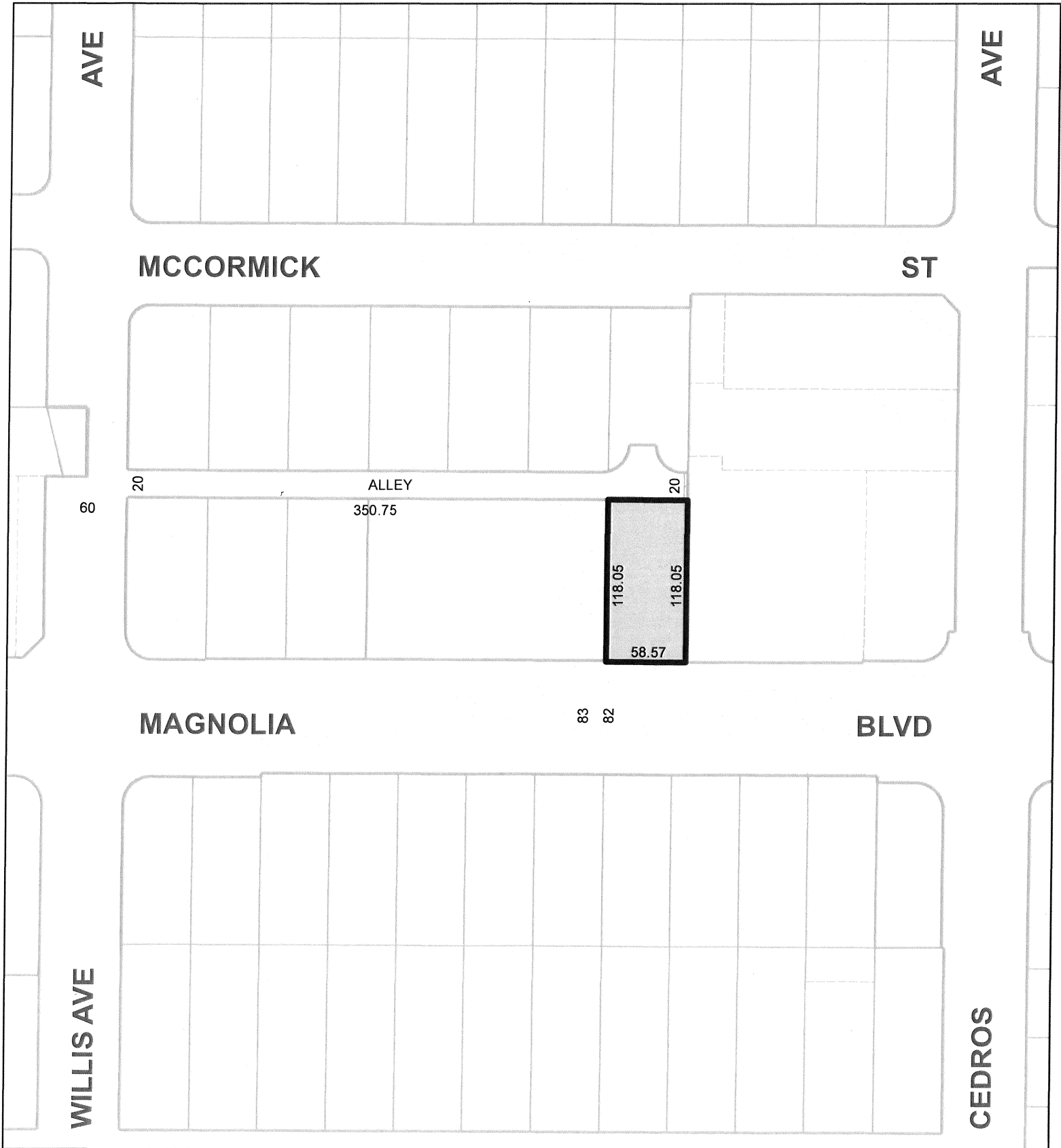
c: Michelle Levy, Senior City Planner
Sarah Hounsell, City Planner
Marianne King, City Planning Associate

ORDINANCE NO. _____

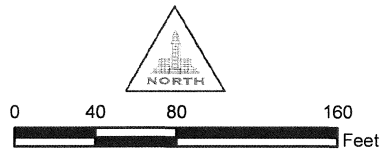
An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the Zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zone and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:



 **(T)[Q]R3-1**

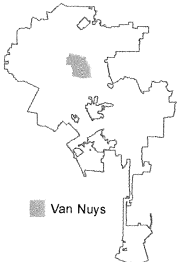


APCSV-2017-894-ZC

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030818

City of Los Angeles



Van Nuys

[Q] QUALIFIED CONDITIONS OF APPROVAL
As Modified by the South Valley Area Planning Commission on March 8, 2018

Pursuant to Section 12.32-G of the Los Angeles Municipal Code (“LAMC”), 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 R3-1 Zone as defined in Section 12.10 of the L.A.M.C.
2. **Density.** A maximum of nine (9) residential dwelling units.
3. **Height.** The building height, to the top of the parapet, shall not exceed 35 feet except for rooftop projections (e.g. stairwells, elevators) as allowed per Section 12.21.1 of the LAMC and Ordinance No. 167,939, Area 8, Subarea 103.
4. **Plans.** The use and development of the property shall be in substantial conformance with the Site Plan, Floor Plans, and Building Elevations (Exhibit “A”, stamped date February 9, 2018) of the subject case file except as modified below:
 - a. The third story shall be setback a total of five (5) feet from the wall face of the north façade (wall facing the alley).
 - b. The third story windows on the north façade shall be opaque/non-transparent.
 - c. The plans submitted to the Department of Building and Safety shall be revised in conformance with this approval. 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.
5. **Parking.** Automobile and bicycle parking shall be provided on-site as required by LAMC Sections 12.21 A.4 and 12.21 A.16, respectively.
6. **Landscape Plans.** 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 the landscape plan dated February 27, 2017, prepared by a licensed landscape architect or licensed architect and submitted for approval to the Department of City Planning.
7. **Roof Top Deck.** A minimum 1,318 square foot rooftop deck area shall be provided as shown on Exhibit “A,” located near the center of the roof and surrounded with landscape planters.
8. **Common Open Space.** Common open space areas, such as the rooftop deck, shall incorporate recreational amenities such as spas, picnic tables, benches, barbecue areas and sitting areas.
9. **Common Open Space Landscaping.** A minimum of 25 percent of the common open space area shall be planted with ground cover, shrubs or trees. At least one 24-inch box tree for every four dwelling units shall be provided on site and may include street trees in the parkway. For a surface area not located directly on finished grade that is used for common open space, and located at ground level or the first habitable room level, shrubs and/or trees shall be contained within permanent planters at least 30-inches in depth, and lawn or ground cover shall be at least 12-inches in depth. All required landscaped areas shall be equipped with an automatic irrigation system and be properly drained.

10. **Utility Equipment/Structures.** Above ground utility structures, such as transformer vaults, shall be located at the rear of the building and designed so they are integrated with the color, texture, architecture and/or landscaping of the project. Utility meters shall be located at the side or rear of the building or in landscaped areas and out of the line-of-sight from or sidewalks.
11. **Rooftop Equipment.** Rooftop equipment such as air conditioning units, antennas and communication equipment, mechanical equipment, and vents shall be screened from viewed from the public right-of-way and adjacent properties.

B. Administrative Conditions:

12. **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 case file.
13. **Code Conformance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
14. **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.
15. **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.
16. **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.
17. **Building Plans.** Page one 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.
18. **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.
19. **Indemnification.** Applicant shall do all of the following:
 - a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of 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 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 (ii).
 - 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 (ii).
 - 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.

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

As Amended by the South Valley Area Planning Commission on March 8, 2018

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.

Responsibilities/Guarantees.

1. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.
2. Prior to issuance of sign-offs for final site plan approval and/or project permits by the Planning Department, the applicant/developer shall provide written verification to the Planning Department from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to project design required by a public agency shall be documented in writing and submitted for review by the Planning Department.
 - a. Street Dedication.

Magnolia Boulevard (Avenue II) – A 1-foot strip of land along the property frontage to complete a 43-foot half right-of-way in accordance with Avenue II street standards of Mobility Plan 2035.
 - b. Right-of-Way Improvements.

Magnolia Boulevard – Construct a new 13-foot wide concrete sidewalk along the property frontage. Repair all broken, off grade or bad order concrete curb and gutter.

Alley – Repair all broken, off-grade alley pavement and longitudinal concrete gutter along the property frontage.
3. Installation of 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. Some tree removal in conjunction with the street improvements may require Board of Public Works approval. The applicant should contact the Urban Forestry Division for further information at (213) 847-3077.
4. Construction of necessary sewer facilities to the satisfaction of the Bureau of Engineering. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
5. Construction of necessary drainage facilities to the satisfaction of the Bureau of Engineering.
6. Construction of tree wells and planting of street trees and parkway landscaping to the satisfaction of the Street Tree Division of the Bureau of Street Maintenance.

7. Preparation of a parking area and driveway plan to the satisfaction of the appropriate Valley District Office of the Bureau of Engineering and the Department of Transportation. The driveway, parking and loading area(s) shall be developed substantially in conformance with the provisions and conditions of the subject Department of Transportation authorization. Emergency vehicular access shall be subject to the approval of the Fire Department and other responsible agencies.
8. Installation of street lights to the satisfaction of the Bureau of Street Lighting.
9. Preparation of a plot plan to the satisfaction of the Fire Department.
10. 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.
11. Police Department. Preparation of a 'plot plan in conformance with the Design Out Crime Guideline Booklet and guidelines defined in the Crime Prevention Through Environmental Design (CPTED) handbook to mitigate impacts on police services. Police recommendations may include but are not limited to secured parking, security fencing, security lighting, information signs, building design and landscaping to reduce places of potential concealment. The plans shall be to the satisfaction of LAPD Crime Prevention Section Personnel.
12. 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.
13. 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 herein, are completed to the satisfaction of the City Engineer.
14. 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.
15. Recreation and Parks. Per Section 12.33 of the Los Angeles Municipal Code, the applicant shall dedicate land for park or recreational purposes or pay the applicable Quimby fees for the construction of condominiums, or Recreation and Park fees for construction of apartment buildings.

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18. **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.
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- 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 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 (ii).
 - 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 (ii).
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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.

FINDINGS

General Plan/Charter Findings

1. **General Plan Land Use Designation.** The subject property is located within the Van Nuys – North Sherman Oaks Community Plan which was last updated and adopted by the City Council on September 9, 1998. The Community Plan designates the subject property for Medium Residential land use, with the corresponding zone of R3. The proposed zone change to (T)[Q]R3-1 is consistent with the land use designation in the Community Plan 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 Van Nuys–North Sherman Oaks 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.

Policy 1-1.2: Protect existing single family residential neighborhood from new, out of scale development.

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.

Objective 1-2: To locate new housing in a manner which reduces vehicular trips and makes it accessible to services and facilities.

Policy 1-2.1: Locate higher residential densities near commercial centers, light rail transit stations, and major bus routes where public service facilities and utilities will accommodate this development.

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

Policy 1-3.1: Require a high degree of architectural compatibility with articulated landscaping for new in-fill development to protect the character and scale of existing residential neighborhoods.

Objective 1-5: To promote and ensure the provision of adequate housing for all persons regardless of income, age, or ethnic background.

Policy 1-5.1: Promote greater individual choice in type, quality, price, and location of housing.

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 designation.

The project will provide new modern style multi-family units located on a busy boulevard. Magnolia Boulevard is served by Metro Bus No. 183 and the project site is located in between two major transportation corridors in the San Fernando Valley, Van Nuys Boulevard, which is approximately ¼ mile east of the site, and Sepulveda Boulevard, which is a little over ½ mile to the west. The project is within walking distance to the neighborhood commercial corners at Kester Avenue and Magnolia Boulevard as well as to the commercial businesses on Van Nuys Boulevard. As such, the project location can serve to help reduce vehicle trips to and from the site.

The project will be compatible with the existing neighborhood land use and character, which on Magnolia Boulevard is predominately two and three story multi-family buildings. The project has been revised to address privacy concerns raised by the single family home owners across the alley, north of the site, by stepping back the rear of the building five feet on the third floor level as conditioned by the South Valley Area Planning Commission, removing the third floor balconies facing north, and reducing the size of the windows. The third floor windows facing north have also been conditioned by the South Valley Area Planning Commission to be opaque/non-transparent, which further addresses the privacy concerns raised. Additionally, articulation and building design elements proposed for the front of the building, have been added to the rear façade as well.

The Plan also sets standards for Urban Design, coupled with the 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 pedestrian entrance and a fifteen-foot front yard setback. In addition, the parking will be subterranean and accessed from the rear of the site, resulting in a more attractive project as viewed from the street, with housing at grade instead of parking and allowing for a fully landscaped front yard setback. The building design includes complementary building materials on the façade, such as stone and a vertical wood elements, as well as building articulation that will enhance the appearance of the building and neighborhood.

Therefore, as proposed and conditioned herein, the development meets the objectives of the Community Plan, is permitted in the R3 Zone, and is consistent with the General Plan Land Use designation.

Entitlement Findings

3. 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 proposed (T)[Q]R3-1 zone is consistent with the Community Plan Medium Residential Land Use designation and consistent with the "Q" condition which limits the building height to 35 feet. The project is conveniently located within close proximity to bus lines and within walking distance to commercial areas. As an infill project, there will be adequate access to existing City services and infrastructure. The project will provide new modern style two-bedroom apartments and will provided additional housing units for the area. The immediate area along Magnolia Boulevard is developed with two- and three-story multi-family buildings and is adjacent to a three-story condominium

building of the same height. The project has also been designed to be compatible with the single family neighborhood to the north.

The action, as recommended, has been made contingent upon compliance with the “(T)” and “[Q]” conditions imposed herein. Such limitations are necessary to protect the best interests of, and to assure a development 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.

CEQA Findings

4. Environmental

DETERMINED based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to CEQA Guidelines, Section 15332 (Class 32 – Infill Development), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.