

PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL CASE:	COUNCIL DISTRICT:
APCSV-2016-4655-ZC-CU-ZV-CDO	ENV-2016-4656-CE	3 - Blumenfield
RELATED CASE NOS.		COUNCIL FILE NO:
<input checked="" type="checkbox"/> N/A		<input checked="" type="checkbox"/> N/A
PROJECT ADDRESS / LOCATION:		
7217 N. Geysler Ave.		
APPLICANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Michael Reiter <input type="checkbox"/> N/A <input type="checkbox"/> New/Changed	(818) 705-5625	harinc@aol.com
APPLICANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Elizabeth Fonvergne <input type="checkbox"/> N/A	(818) 222-7982	Beth.advengcon@gmail.com
APPELLANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
<input checked="" type="checkbox"/> N/A		
APPELLANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
<input checked="" type="checkbox"/> N/A		
PLANNER CONTACT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Laura Frazin Steele	(818) 374-9919	Laura.frazinsteel@lacity.org
ITEMS FOR CITY COUNCIL CONSIDERATION (IE. ENTITLEMENTS, LEGISLATIVE ACTIONS):		
Zone Change <input checked="" type="checkbox"/> <i>The preparation of a draft ordinance by the City Attorney will be required.</i>		
FINAL ENTITLMENTS NOT ADVANCING FOR CITY COUNCIL CONSIDERATION: (UNAPPEALED OR NON-APPEALABLE ITEMS)		
Conditional Use, Zone Variance, Community Design Overlay Plan Approval <input type="checkbox"/> N/A		
ITEMS APPEALED:		
<input checked="" type="checkbox"/> N/A		

ATTACHMENTS:	REVISED:	ENVIRONMENTAL DOCUMENT:	REVISED:
<input checked="" type="checkbox"/> Letter of Determination	<input type="checkbox"/>	<input checked="" type="checkbox"/> Categorical Exemption (CE) (Notice of Exemption)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Findings of Fact	<input type="checkbox"/>	<input type="checkbox"/> Statutory Exemption (SE) (Notice of Exemption)	<input type="checkbox"/>
<input type="checkbox"/> Staff Recommendation Report	<input type="checkbox"/>	<input type="checkbox"/> Negative Declaration (ND)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Conditions of Approval	<input type="checkbox"/>	<input type="checkbox"/> Mitigated Negative Declaration (MND)	<input type="checkbox"/>
<input checked="" type="checkbox"/> T Conditions	<input type="checkbox"/>	<input type="checkbox"/> Environmental Impact Report (EIR)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Proposed Ordinance	<input type="checkbox"/>	<input type="checkbox"/> Mitigation Monitoring Program (MMP)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Zone Change Map and Ordinance	<input type="checkbox"/>	<input type="checkbox"/> Sustainable Communities Project Exemption (SCPE)	<input type="checkbox"/>
<input type="checkbox"/> GPA Resolution	<input type="checkbox"/>	<input type="checkbox"/> Sustainable Communities Environmental Assessment (SCEA)	<input type="checkbox"/>
<input type="checkbox"/> Land Use Map	<input type="checkbox"/>	<input type="checkbox"/> Sustainable Communities Environmental Impact Report (SCEIR)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Exhibit A – Plans	<input type="checkbox"/>	<input type="checkbox"/> Appendices	<input type="checkbox"/>
<input checked="" type="checkbox"/> Mailing List	<input type="checkbox"/>	<input type="checkbox"/> Other:	<input type="checkbox"/>
<input checked="" type="checkbox"/> Interested Parties List	<input type="checkbox"/>		
<input type="checkbox"/> Appeal	<input type="checkbox"/>		
<input type="checkbox"/> Development Agreement	<input type="checkbox"/>		
<input type="checkbox"/> Site Photographs	<input type="checkbox"/>		
<input type="checkbox"/> Other:	<input type="checkbox"/>		

NOTES / INSTRUCTIONS:

N/A

FISCAL IMPACT STATEMENT:

Yes No

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

PLANNING COMMISSION:

- | | |
|---|---|
| <input type="checkbox"/> City Planning Commission (CPC) | <input type="checkbox"/> North Valley Area Planning Commission |
| <input type="checkbox"/> Cultural Heritage Commission (CHC) | <input type="checkbox"/> South LA Area Planning Commission |
| <input type="checkbox"/> Central Area Planning Commission | <input checked="" type="checkbox"/> South Valley Area Planning Commission |
| <input type="checkbox"/> East LA Area Planning Commission | <input type="checkbox"/> West LA Area Planning Commission |
| <input type="checkbox"/> Harbor Area Planning Commission | |

PLANNING COMMISSION HEARING DATE:

January 26, 2023

COMMISSION VOTE:

5 - 0

LAST DAY TO APPEAL:

N/A

DATE APPEALED:

N/A

TRANSMITTED BY:

Linda Lou
Interim Office Manger

TRANSMITTAL DATE:

May 23, 2023



SOUTH VALLEY AREA PLANNING COMMISSION

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

www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: **MAY 01 2023**

Case No.: **APCSV-2016-4655-ZC-CU-ZV-CDO**

Council District: 3 – Blumenfield

CEQA: ENV-2016-4656-CE

Plan Area: Reseda – West Van Nuys

Project Site: 7217 North Geyser Avenue

Applicant: Michael Reiter
Representative: Elizabeth Fonvergne

At its meeting of **January 26, 2023**, the South Valley Area Planning Commission took the actions below in conjunction with the approval of the following Project:

A Zone Change from [Q]P-1VL-CDO to [Q]C2-1VL-CDO for the continued use and maintenance of an automotive and tow truck repair, storage, and dispatch service with multi-family residential use all on an approximately 30,707-square-foot lot. No new construction is proposed.

1. **Determined**, that based on the whole of the administrative record, the Project is exempt from CEQA pursuant to CEQA Guidelines, Section 15301, Class 1, and 15303, Class 3, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. **Approved and Recommended** that the City Council **adopt**, pursuant to Section 12.32 F of the Los Angeles Municipal Code, a Zone Change from [Q]P-1VL-CDO to [Q]C2-1VL-CDO over the entire site and modify Ordinance No. 176,558 (Reseda Central Business District Community Design Overlay) permanent [Q] Conditions that prohibit new auto-related uses, including the open storage of vehicles;
3. **Approved**, pursuant to LAMC Section 12.24 W, a Conditional Use to allow the continued use and maintenance of an automotive and tow truck repair, storage, and dispatch service with multi-family dwelling units in a C Zone with the following deviations from development standards and operating conditions: (a) 0 percent transparency is permitted in the existing doors/windows that are parallel to the street; (b) existing bay doors that are used for vehicular ingress/egress may face a residential zone and use and be located within 100 feet of the residential zone and use; (c) landscaping may deviate from LAMC Sections 12.41 - 12.43 including deviations from the requirement for an automatic irrigation system and minimum five foot landscaped setbacks along all street frontages and the perimeters of parking areas abutting a residential zone/use;
4. **Approved**, pursuant to LAMC Section 12.24 W.50, a Conditional Use to allow the continued open storage of automobiles and trucks within 500 feet of an R Zone;
5. **Approved**, pursuant to LAMC Section 12.27, a Zone Variance to allow the continued use and maintenance of truck repair, towing dispatch, and storage, including the overnight parking and open storage of automobiles and towing vehicles in the C2 Zone;
6. **Approved**, pursuant to LAMC Section 13.08, a Reseda Central Business District Community Design Overlay District plan approval;
7. **Adopted** the attached Modified Conditions of Approval; and

8. **Adopted** the attached Amended Findings.

The vote proceeded as follows:

Moved: Karadjian
Second: Menedjian
Ayes: Barraza, Mather, Dierking

Vote: 5 – 0



Linda Lou, Interim Commission Office Manager
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 as it relates to the Zone Change is appealable by the Applicant only, if disapproved in whole or in part by the Commission, and is appealable to the Los Angeles City Council within 20 days after the mailing date of this determination letter. The decision of the South Valley Area Planning Commission as it relates to the remaining entitlements is appealable to the Los Angeles City Council within 20 days after the mailing 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: MAY 22 2023

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) is not further appealable and the decision is final.

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: Zone Change Ordinance, Map, Modified Conditions of Approval, Amended Findings, Interim Appeal Filing Procedures

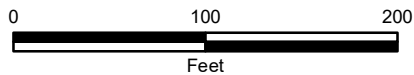
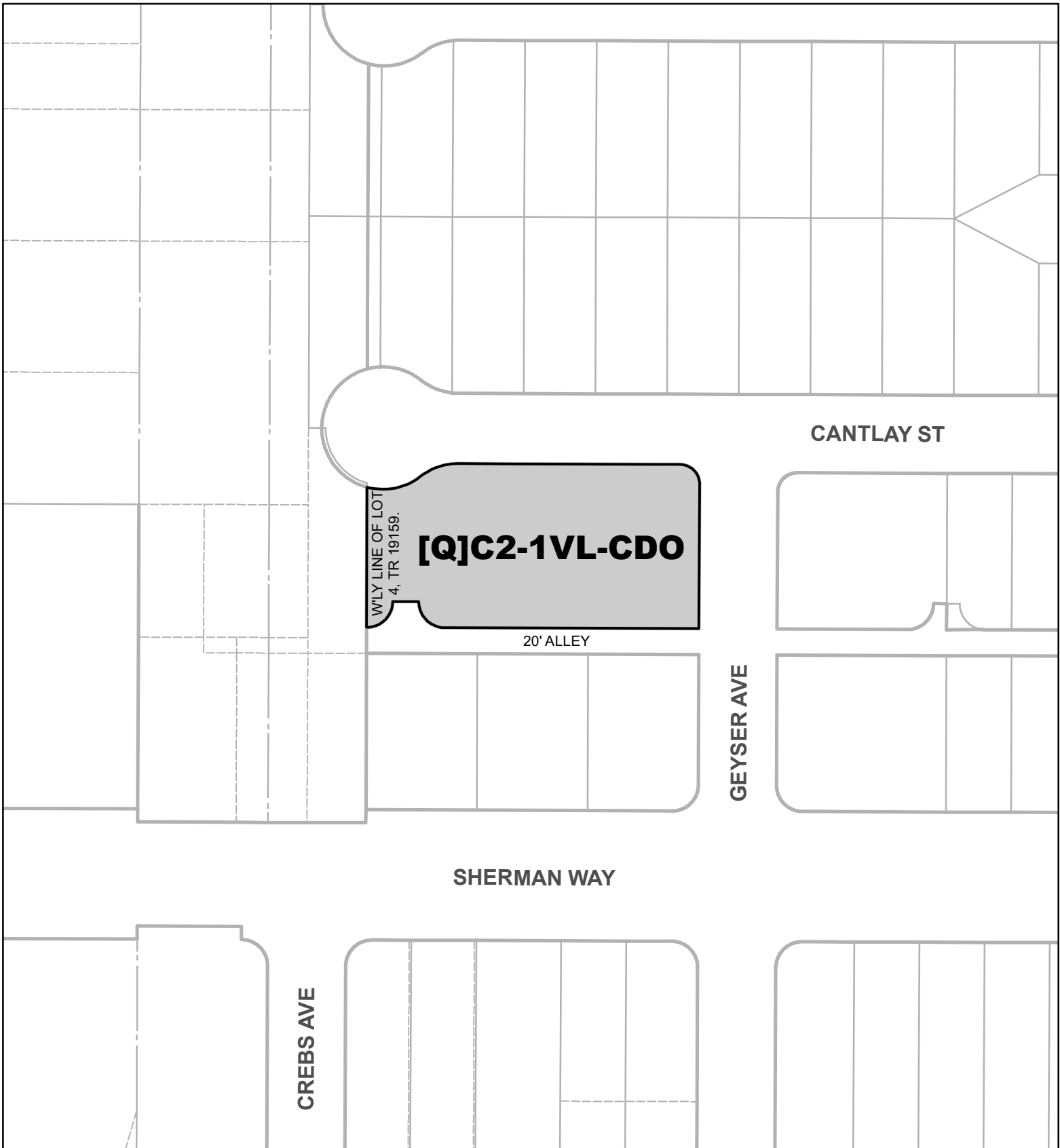
c: Blake Lamb, Principal City Planner
Claudia Rodriguez, Senior City Planner
Laura Frazin-Steele, City Planner

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:

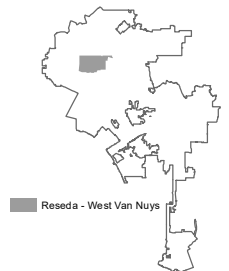
Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zone and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:



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AAI/cf 111022

City of Los Angeles



[Q] QUALIFIED CONDITIONS OF APPROVAL

Pursuant to Section 12.32 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.

1. **Use.** The use of the property shall be limited to the existing automotive and tow truck repair, storage, and dispatch service with multi-family residential uses totaling 13,352 square feet as shown on “**Exhibit A**” as follows:
 - a. The automotive repair service is limited to a maximum of 5,280 square feet and must be wholly conducted on the ground floor.
 - b. The 4,020 square foot business office on the ground floor shall be used for towing dispatch services as an accessory use to the existing automotive repair service.
 - c. If the automotive repair service ceases operation, no towing operations are permitted.
 - d. No wrecked vehicle storage or vehicle repossession operations shall take place on site.
 - e. The only tow vehicles allowed on site are those dispatched from the tow truck dispatching service permitted herein. The tow vehicles shall remain parked in the 1,947 square foot area at the southwest corner of the site away from the residential apartments above and the residences on Cantlay Street.
 - f. All overnight parking (i.e., open storage) of automobiles and tow service vehicles is permitted only on site and not within the public right-of-way/alley. No vehicle parts, equipment, or materials used for vehicular repair may be stored on the second floor or within the public right-of-way/alley.
 - g. A maximum of three multi-family apartment dwelling units shall be located on the second floor.
 - h. No new construction or expansion of the existing uses on site is requested or permitted herein. Any new construction or expansion of use shall require a new entitlement grant.
 - i. No new signage is requested or permitted herein.
 - j. The project shall be prohibited from including off-site signs or digital signs. Signage shall be limited to on-site signage for the proposed commercial tenants.
2. **Height.** The structure shall not exceed the existing two stories and 25.3 feet in height as shown on the project plans dated October 20, 2022 and labeled “**Exhibit A**,” attached to the subject case file.
3. **Plot/Site Plan.** Prior to the issuance of any building permits for the subject project, detailed development plans, including site plans that show landscaping and elevation plans, shall be submitted for review by the Department of City Planning for verification of compliance with the imposed conditions. The plans submitted to Building and Safety shall be in substantial conformance with the plans dated October 20, 2022 and labeled “**Exhibit A**” attached to the subject case file. Minor 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.
4. **Reseda Central Business District Community Design Overlay District (Ordinance No. 176,557).** No entitlement under this grant changes the boundaries of the Reseda

Central Business District Community Design Overlay as delineated in the Boundary Map pursuant to Ordinance No. 176,557.

5. **Reseda Central Business District Community Design Overlay (Ordinance No. 176,558).** The entitlement grant herein allows the following modifications to Ordinance No. 175,558 permanent "Q" Conditions that regulate the Reseda Central Business District Community Design Overlay District:
 - a. Condition 2.A.1 which prohibits new auto-related use and requires compliance with LAMC Section 13.08 E for the remodeling/expansion of any existing, legal non-conforming auto-related use including signage to allow the uses as permitted herein.
 - b. Condition 2.A.1 prohibiting open storage to allow the uses as permitted herein.
 - c. Condition 2.A.2 to allow truck storage and auto-related uses as permitted herein.
 - d. No other permanent [Q] Conditions pursuant to Ordinance No. 175,558 shall be modified under this grant.

6. **Code Compliance.** 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.

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

Pursuant to Section 12.32 G.1 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. All improvements shall be made to the satisfaction of the Bureau of Engineering.
2. Submit plot plans for Fire Department review and approval relative to fire safety prior to issuance of a Certificate of Occupancy.
3. Street lighting shall be provided to the satisfaction of the Bureau of Street Lighting.
4. Street trees shall be provided to the satisfaction of the Urban Forestry Division. Per “**Exhibit A,**” 16 street trees shall be provided along Cantlay Street.

CONDITIONS OF APPROVAL

(As Modified by the South Valley Area Planning Commission at its meeting on January 26, 2023)

Conditional Use Conditions

1. **Plot/Site Plan.** Prior to the issuance of any building permits for the subject project, detailed development plans, including site plans that show landscaping and elevation plans, shall be submitted for review by the Department of City Planning for verification of compliance with the imposed conditions. The plans submitted to Building and Safety shall be in substantial conformance with the plans dated October 20, 2022 and labeled “**Exhibit A**” attached to the subject case file. Minor 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.
2. **Windows.** The exterior walls and doors of the portion of building housing auto and tow truck uses which are parallel to Cantlay Street are permitted 0 percent transparency. The exterior transparent doors and windows facing Geyser Avenue shall remain transparent as shown in “**Exhibit A.**”
3. **Bay Doors.** As shown in “**Exhibit A,**” the existing bay doors/vehicle entrances, exits, and openings are permitted to face the residential uses/R1 Zone along Cantlay Street. No new bay doors and/or vehicular access may be added facing Cantlay Street.
4. **Landscaping.** In lieu of the otherwise required landscaped, planted, and irrigated area having a minimum width of 5 feet along all street frontages, the applicant’s final plans shall show drought-tolerant landscaping as shown in “**Exhibit A,**” within an approximately 170 square foot area along the Geyser Avenue frontage.
5. **Geyser Street Fence/Wall Height.** No new fencing or wall may be constructed along the Geyser Street front lot line that exceeds six feet in height. The existing approximately six foot in height wrought iron fence and gate that encloses the parking area at the northeast portion of the site may be maintained.
6. **Automotive Hoists.** Any automotive hoists shall be enclosed within the auto repair structure and may not be located outdoors.
7. **Signage**
 - a. “No Idling” signage shall be posted on the walls abutting Cantlay Street. The signage shall be posted on the interior of the walls and shall not be visible from Cantlay Street.
 - b. All signage shall meet Los Angeles Municipal Code requirements as regulated by the Los Angeles Department of Building and Safety.
 - c. Notwithstanding the condition requiring “No Idling” signage, no new signage is requested or approved herein.
8. **Utilities.** Any new utilities shall be installed underground or to the satisfaction of the Los Angeles Bureau of Engineering and Department of Water and Power.
9. **Walls.** As shown on “**Exhibit A,**” the approximately six foot in height solid masonry wall topped with approximately one foot of wrought iron fencing at the northern boundary of

the site along Cantlay Street shall be maintained. The wall shall remain painted to match the exterior walls of the main structure and shall be maintained in good condition.

10. **Trash Storage.** All trash storage areas shall be enclosed within a minimum six foot gated enclosure constructed of solid masonry and finished to match the exterior wall materials of the main building.
11. **Lighting.** All exterior and flood lighting shall be directed onto the lot and designed to eliminate any glare to adjoining properties.
12. **Automotive/Tow Repair Use Operating Conditions.** The following operating conditions shall apply:
 - a. Spray painting shall not be conducted.
 - b. Junkyard or automobile dismantling activities shall not be conducted.
 - c. Public address system shall not be permitted.
 - d. Site cleaning, sweeping, trash collection, and deliveries to the site shall be limited to the following hours: Monday through Friday, 7:00 a.m. to 7:00 p.m. and Saturday and Sunday 8:00 a.m. to 5:00 p.m. Trash collection shall not be allowed on Sundays or legal holidays.
 - e. Hours of operation shall be limited to: Monday through Friday, 8:00 a.m. to 7:00 p.m.; Saturday, 9:00 a.m. to 8:00 p.m.; and Sunday, 11:00 a.m. to 8:00 p.m.
 - f. All loading and unloading, including those of vehicles, shall occur on-site.
 - g. Vehicles being repaired shall be stored on-site.
 - h. No accessory sales activities shall occur outside of the fully enclosed building.
 - i. No trailers and/or temporary modular buildings are permitted as a work area.
 - j. No arcades or game machines are permitted.
 - k. No temporary canopy tents are permitted.
 - l. The site shall be kept clear of weeds, rubbish, and all types of litter and combustible materials at all times.
 - m. No repair activities involving automotive/truck sound or alarms shall be permitted.
 - n. The project is subject to all operational conditions pursuant to the Los Angeles Municipal Code and as regulated by the Department of Building and Safety unless otherwise permitted herein.
 - o. On-site pennants, banners, ribbons, streamers, spinners, balloons and supergraphic signs are prohibited.
 - p. All windows and glass doors shall be maintained free of any signs.
13. **Parking.** Parking shall be provided pursuant to the requirements of the Los Angeles Department of Building and Safety with a minimum of 37 parking spaces to accommodate the trucks/automobiles on site.
14. **Good Neighbor Practices.** All staff and employees shall keep noise to a minimum including music and car radios. Customers and employees are encouraged to make a good faith effort to park on-site.

Zone Variance Conditions

15. **Plot/Site Plan.** Prior to the issuance of any building permits for the subject project, detailed development plans, including site plans that show landscaping and elevation

plans, shall be submitted for review by the Department of City Planning for verification of compliance with the imposed conditions. The plans submitted to Building and Safety shall be in substantial conformance with the plans dated October 20, 2022 and labeled “**Exhibit A**” attached to the subject case file. Minor 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.

16. **Towing Repair, Storage, and Dispatch.** All towing services are permitted herein as an accessory use to the existing automotive repair service. If the automotive repair service ceases operation, no towing operations are permitted.
17. **Wrecked or Repossessed Vehicles.** No wrecked vehicle storage or vehicle repossession operations shall take place on site.
18. **Overnight Parking.** The only trucks and automobiles allowed on site for overnight parking (i.e., open storage of tow trucks and automobiles) are those dispatched from the tow truck dispatching service and/or currently under repair.
 - a. As shown in “**Exhibit A**,” the tow vehicles shall remain parked in the 1,947 square foot area at the southwest corner of the site as far as practical from the residential apartments above and the residences on Cantlay Street.
 - b. This condition does not apply to the residential uses on site.
19. **Storage of Materials/Equipment.** No material or equipment may be stored to a height greater than the minimum six foot in height wall surrounding the storage area.
20. **New Construction.** No new construction or expansion of the existing uses on site is requested or permitted herein. Any new construction or expansion of use shall require a new entitlement grant.

Reseda Central Business District Community Design Overlay Conditions

21. **Wall.** As shown on “**Exhibit A**,” the wall surrounding the property and facing Cantlay Street residential uses shall in good condition and screened with landscaping.
 - a. Combination wrought-iron and masonry walls are permitted.
 - b. No chain link, barbed wire, or concertina wire fencing is permitted at the perimeter of the site.
 - c. All street trees surrounding the wall shall be preserved and maintained to the satisfaction of Urban Forestry. If for any reason the street trees are removed, the wall shall be screened with drought-tolerant landscaping.
22. **Lighting.** All lighting from the automotive repair and tow truck services shall be directed on site and away from the residential uses above and along Cantlay Street.
23. **Trash and Recycling Areas.** Trash storage and recycling areas shall be enclosed within a walled enclosure constructed of solid masonry, and trash/recycling receptacles shall have a cover. Trash and recycling areas shall be located away from Cantlay Avenue and Geyser Street.

24. **Roof-Top Equipment and/or Utilities.** Any air conditioning units and other equipment and/or utilities shall be fully screened from view of any abutting residential properties.
25. **Graffiti Removal.** 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.
26. **Loading and Unloading.** Tow truck loading and unloading shall take place at the southwestern portion of the site abutting the alley and away from the residential dwellings on the second floor and the residences on Cantlay Street.
27. **Landscaping.** All new landscaping on site shall be native and drought-tolerant.
28. **Colors and Materials.** The exterior color of the structure is limited to a maximum of four colors. The brick shall retain its natural color. Bright colors, including fluorescent and day-glow, are not permitted.
29. **Security Devices.** Any security grilles or similar security devices must be fully retracted during business hours. Any security devices shall be positioned behind storefront windows and be see-through when closed. No barbed wire, razor wire, or concertina wire may be used if it is visible from the Geyser Avenue or Cantlay Street right-of-way.

Administrative Conditions

30. **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 Department of City Planning for placement in the subject file.
31. **LAMC Requirements.** 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.
32. **Code Compliance.** The area, height and use regulations of the zone classification of the subject property shall be complied with, except where conditions herein are more restrictive.
33. **Covenant.** Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master 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 Department of City Planning for attachment to the subject case file.
34. **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.

35. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
36. **Building Plans.** Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and Department of Building and Safety.
37. **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.
38. **Indemnification and Reimbursement of Litigation Costs.**

The applicant shall do all of the following:

- i. Defend, indemnify and hold harmless the City from any and all actions against the City, in whole or in part, 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.
- ii. 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.
- 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.

FINDINGS

(As Amended by the South Valley Area Planning Commission at its meeting on January 26, 2023)

A. GENERAL PLAN/CHARTER FINDINGS

1. General Plan Land Use Designation

The proposed project site is approximately 30,707 square feet, generally flat, and irregular-shaped. The site is located at the southwest corner of Geyser Avenue and Cantlay Street in the Reseda-West Van Nuys Community Plan area. The site is dual zoned [Q]C2-1VL-CDO and [Q]P-1VL-CDO. The Community Plan designates the subject site as General Commercial with corresponding zones of C1.5, C2, CR, C4, RAS3, RAS4, and P. The applicant is requesting a uniform Zone Change to C2 across the entire site, which corresponds with the General Commercial land use designation.

Community Plan Footnote No. 7 limits the height of structures to three stories. The C2-1VL Zone limits height for this use to 45 feet, three stories, and a 1.5:1 floor area ratio (FAR). According to ZIMAS, the project is located within an area of Airport Hazard that limits height to a 300 foot height limit above elevation 790. The project is two stories, approximately 25.3 feet in height, with an FAR of less than 0.5:1.

The proposed project site has been developed with automotive repair and residential uses since 1964 when LADBS issued a Certificate of Occupancy for a two-story, 20 foot in height, 7,700 square foot (60 x 132) retail store, auto repair garage, and apartment hotel (two apartments and two dormitory rooms with a total of 24 beds) and 24 required automobile parking spaces.

The project is not located within a geographic specific plan area but is located within the Reseda Central Business District Community Design Overlay designated under ZIMAS as ZI-2339. The Reseda Central Business Community Design Overlay became effective on May 2, 2005, to establish the Boundary Ordinance (Ordinance No. 176,557), permanent "Q" Conditions (Ordinance No. 176,558), and Design Guidelines and Standards. The purpose of the Reseda Central Business District CDO is to promote the economic viability and small scale commercial retail character, improve the physical appearance of the Central Business District, and establish guidelines to encourage orderly development and revitalization. The boundaries generally encompass Sherman Way just west of Wilbur Avenue and just east of Lindley Avenue and Reseda Boulevard between Kittridge Street to the south and Saticoy Street to the north. The permanent Q Conditions prohibit new automotive uses (with the exception of retail) and require remodeling or expansion of an existing, legal non-conforming auto-related use of an area greater than 20 percent to comply with the Reseda Central Business District CDO Design Guidelines and Standards (permanent Q Condition Nos. 2.A.1 and 2.A.2). The permanent Q Conditions further prohibit open storage (permanent Q Condition No. 2.A.1) and specific industrial uses, including truck rental, sales, or storage (permanent Q Condition 2.A.2).

Allowing the continued operation of the applicant's automotive, tow truck, and residential use is not best accomplished under the existing P Zone. Pursuant to LAMC Section 12.12.1, the P Zone is an automobile parking zone regulating public or private parking areas and parking buildings. The applicant is requesting a zone change to the C2 Zone,

which provides uniform zoning across the site and allows for both automotive and residential uses.

The project has been in operation as an automotive and residential use since Certificates of Occupancy were issued in 1964 (Certificate of Occupancy Nos. VN48910/64, VN52117/64, VN63214/64, VN58138/64). The issuance of Certificates of Occupancy predates the establishment of the Reseda Central Business District Community Design Overlay, which prohibits new automotive uses and open storage and requires compliance with the CDO Design Guidelines and Standards when a project is remodeling or expanding over 20 percent of its area. The applicant is now seeking to legalize tow truck and open storage uses (tow truck dispatch, tow truck service/repair, tow truck and automobile storage) as an accessory to the existing auto repair. Therefore, the applicant is requesting a Zone Change to modify the permanent Q conditions while not removing the project site from the boundary of the CDO.

No other permanent Q Conditions are inconsistent with the request herein. The project is two stories and 25.3 feet in height, which complies with the 45 foot height limitation of the CDO. Other requests herein are not applicable to the CDO permanent Q Conditions, including ground floor residential uses, street front entrances on Sherman Way and Reseda Boulevard, signage, and parking buildings. Therefore, with the granting of the entitlement requests herein, the proposed project as conditioned will conform with the General Plan requirements.

2. Charter Section 556 Findings: That the Zone Change is in substantial conformance with the purposes, intent, and provisions of the General Plan.

Framework Element. The Citywide General Plan Framework Element sets forth a citywide comprehensive long-range growth strategy. The recommended Zone Change to [Q]C2-1VL-CDO across the entire site conforms to the following objectives and policies of the Citywide General Plan Framework Element, as follows:

Policy 3.8.2: Encourage the retention of existing and development of new commercial uses that primarily are oriented to the residents of adjacent neighborhoods...

Objective 3.12: Generally, maintain the uses, density, and character of existing low-intensity commercial districts whose functions serve surrounding neighborhoods...

The automotive, two truck dispatch/service, and storage use maintains an existing two-story, 13,352 square foot, low density commercial use that serves the surrounding residential and commercial neighborhood.

General Plan/Community Plan. The Reseda - West Van Nuys Community Plan includes the following objectives and policies:

Policy 1-1.7: The City should promote neighborhood preservation, particularly in existing single-family neighborhoods, as well as in areas with existing multiple family residences.

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

The existing project includes three multi-family residential dwelling units. Granting the applicant's request herein allows these housing units to be preserved without displacing any tenants.

Objective 2-3: Preserve community character, scale, and architectural diversity.

Objective 2-4: To maintain and increase the commercial employment base for community residents whenever possible.

The existing small scale use has been a long-standing business within the community since 1964. The continued operation of the automotive and accessory tow truck dispatch, tow truck service/repair, and open storage use will serve the surrounding community, retain the existing community character, and maintain an established source of employment for community residents.

The applicant is requesting to modify the permanent Q Conditions of the Reseda Central Business District CDO to allow tow truck service, dispatch, and repair as an accessory to the continued automotive use. Furthermore, the applicant is requesting the open storage and parking of tow trucks and automobiles. The requested modification of the permanent Q Condition allows for continued use of automotive repair with towing services, which the applicant believes is necessary for the viability of the auto repair service. According to the applicant, an automotive repair shop that owns its own tow vehicles is more beneficial to its clients than a repair shop that does not provide towing services. Furthermore, in compliance with Reseda Central Business District CDO Design Standards and Guidelines, the project includes conditions for walls and fences, landscaping, colors and materials, roof-top equipment and utilities, loading and unloading, graffiti removal, and security devices. As conditioned herein, the project meets the intent of the Reseda Central Business District CDO by promoting its economic viability and small scale commercial retail character, improving the physical appearance of the Central Business District, and encouraging orderly development and revitalization.

Therefore, the Zone Change is in substantial conformance with the purposes, intent, and provisions of the General Plan.

3. Charter Section 558 Findings: That the action is in substantial conformance with the purposes, intent and provisions of the General Plan.

As detailed below under Finding B.4 (findings pursuant to LAMC Section 12.32), the project is in conformance with the public necessity, convenience, general welfare and good zoning practice. As proposed and conditioned herein, the proposed Zone Change will allow the property owner the continued use of an existing business that is valued by the community. The proposed Zone Change will also allow for the continued use of much needed multi-family residential housing units.

B. ENTITLEMENT FINDINGS

The proposed Zone Change, T Conditions, and Q Conditions are consistent with Section 558 of the City Charter and Sections 12.32 of the LAMC and will be in conformance with public necessity, convenience, general welfare, and good zoning practice as described below.

4. **Zone Change: Section 12.32 F of the LAMC: That the zone change is in conformity with the public necessity, convenience, general welfare, and good zoning practice.**

Public Necessity. The approximately 30,707 square foot project site is located at the southwest corner of Geyser Avenue and Cantlay Street in the Reseda-West Van Nuys Community Plan area. The site is dual zoned [Q]C2-1VL-CDO and [Q]P-1VL-CDO. The Community Plan designates the subject site as General Commercial with corresponding zones of C1.5, C2, CR, C4, RAS3, RAS4, and P. The applicant is requesting a uniform Zone Change to C2 across the entire site, which corresponds with the General Commercial land use designation, to allow the continued use and maintenance of an automotive use on the ground floor with residential units above. The project site has been used for automotive repair and residential dwellings since 1964.

The project is located within the Reseda Central Business District Community Design Overlay (CDO). As previously discussed, the site improvements predate the Reseda Central Business CDO, which became effective on May 2, 2005. The Reseda Central Business District CDO includes a Boundary Ordinance (Ordinance No. 176,557), permanent "Q" Conditions (Ordinance No. 176,558), and Design Guidelines and Standards. A central goal of the Reseda Central Business District CDO is to promote the economic viability and small scale commercial retail character of the area. While the project does comply with the overall goal of the Reseda Central Business District CDO by promoting both economic viability and a small scale character, the permanent Q Conditions include prohibitions against tow truck dispatch, service, and repair as well as the open storage of automobiles and tow trucks. Without tow truck uses, the existing automotive service is no longer viable. The applicant's request for a Zone Change to modify the permanent Q Condition to allow tow truck uses is necessary for the continued use of the established automotive repair facility, which provides a needed service in the community. Therefore, the Zone Change as requested is in conformity with the public necessity.

Convenience. The site's current split P and C Zoning pattern is outdated and creates unnecessary confusion during the permitting process. Further, the P Zone does not allow for residential uses, except as a legal, nonconforming right. As such, the applicant is applying for a uniform C2 Zone across the site that allows for both automotive and residential uses and reduces confusion in the permitting process.

General Welfare. The project is conditioned herein to promote the general welfare of the existing residents who reside on the second floor above the automotive/towing uses as well as residents in the surrounding community. First, the use of the property is strictly limited to include the existing three multi-family residential dwelling units, 5,280 square foot automotive and tow truck repair/storage, and 4,020 square foot business office for dispatch. No expansion of the facility and/or uses is permitted herein. To ensure that automotive and towing services are separate from residential uses, all automotive repair and towing dispatch must be located on the ground floor, with all residential uses above. The towing dispatch services are permitted as an accessory use to the existing automotive repair service. If the automotive repair service ceases operation, no towing operations are permitted. Automobiles are to be on-site for repair only. As conditioned, no wrecked vehicle storage or vehicle repossession operations shall take place on site. The only towing vehicles are allowed on-site are those dispatched from the tow truck dispatching service. The towing vehicles are to remain parked in the 1,947 square foot area at the southwest corner of the site away from the residential apartments above and the

residences on Cantlay Street. All overnight parking (i.e., open storage) of automobiles and tow service vehicles is permitted only on site and not within the public right-of-way and/or alley. No vehicle parts, equipment, or materials used for vehicular repair may be stored on the second floor or within the public right-of-way and/or alley. The project is conditioned with good neighbor practices to keep noise (including car radios and music) at a minimum and to encourage employees and customers to park on-site.

Currently, there is no landscaping on site. The applicant is required to submit a site plan that conforms with “**Exhibit A**” and shows additional landscaping within an approximately 170 square foot area at the site frontage abutting Geyser Avenue.

The Reseda Central Business District permanent Q Conditions regulate signage to improve the physical appearance of the Central Business District. The applicant has not requested any modification to these signage conditions. The project is conditioned herein to require all new signage to conform to the permanent Q Conditions to enhance the physical appearance and general welfare of the community. Furthermore, the project shall be prohibited from including off-site or digital signs. Signage shall be limited to on-site signage for the proposed commercial tenants.

As conditioned, the requested Zone Change in conformity with the general welfare of the community.

Good Zoning Practice. As previously stated, the current split P and C Zoning pattern is outdated and creates unnecessary confusion during the permitting process. The requested uniform C Zoning across the site eliminates confusion. The C Zone allows for both automotive and residential use where the P Zone does not allow these uses except as legal, nonconforming uses. Therefore, the Zone Change from P to C is good zoning practice. Furthermore, while this Zone Change action allows for modification of the permanent Q Condition, the boundaries of the CDO will remain unchanged to ensure that any future improvements on the site conform with the permanent Q Conditions. Finally, as is good zoning practice, 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.

No other permanent Q Conditions are inconsistent with the request herein. The balance of the CDO permanent Q Conditions regulate ground floor residential uses, street front entrances on Sherman Way and Reseda Boulevard, and parking buildings.

Therefore, with the granting of the entitlement requests herein, the proposed project as conditioned will conform with the General Plan requirements and will be in harmony with the objectives of the General Plan and is in conformity with the public necessity, convenience, general welfare, and good zoning practice.

5. Q Condition Findings

a. The Q limitations are necessary to protect the best interests of and assure a development more compatible with the surrounding property or neighborhood.

The proposed permanent Q conditions contain provisions regarding site development, use, height, and compliance with the Reseda Central Business District Community

Design Overlay. As conditioned, the building footprint will maintain its current height (25.3 feet), use and square footage (4,020 square foot business office for towing dispatch services, 5,280 square foot automotive repair service, and three multi-family residential dwelling units). No new construction or expansion of the existing uses on site is requested or permitted herein. Any new construction or expansion of use shall require a new entitlement grant. No new signage is requested or permitted herein.

The project is conditioned to separate residential and automotive/towing uses. All business office and repairs will take place on the ground floor. All residential uses will continue to be on the second floor. The tow vehicles will remain parked in the 1,947 square foot area at the southwest corner of the site away from the residential apartments above and the residences on Cantlay Street. All overnight parking (i.e., open storage) of automobiles and tow service vehicles is permitted only on site and not within the public right-of-way/alley. No vehicle parts, equipment, or materials used for vehicular repair may be stored on the second floor or within the public right-of-way/alley. The project is conditioned with good neighbor practices to prohibit loud noise and to encourage on-site parking for both employees and customers.

The project is also conditioned to ensure that towing services are accessory to the automotive repair use. If the automotive repair service ceases operation, no towing operations are permitted. To limit towing services to towing associated with automobiles currently under repair, no wrecked vehicle storage or vehicle repossession operations shall take place on site. Furthermore, the only tow vehicles allowed on site are those dispatched from the tow truck dispatching service.

Therefore, the permanent Q Conditions will protect the best interests of the surrounding residential neighborhood and the multi-family residential uses above.

b. The Q limitations are necessary to secure an appropriate development in harmony with the objectives of the General Plan.

The project site is regulated by the Reseda Central Business District Community Design Overlay boundary ordinance (Ordinance No. 175,557) and permanent Q Conditions (Ordinance No. 175,558). The Q limitations herein do not change the boundaries of the Reseda Central Business District Community Design Overlay as codified in Ordinance No. 175,557. Instead, the Q Conditions herein allow for the modification of Ordinance No. 175,558 to allow the continued operation of a successful business in the community. Specifically, the grant herein modifies Ordinance No. 175,558 permanent [Q] Condition 2.A.1, which prohibits new auto-related use; requires compliance with LAMC Section 13.08 E for the remodeling/expansion of any existing, legal non-conforming auto-related use including signage; and prohibits open storage. As conditioned herein, the permanent Q Conditions are modified to allow an existing automotive repair use to be maintained and to permit towing dispatch services as an accessory to the automotive use (i.e., expansion of the existing automotive use). The modified permanent Q Conditions also allows tow trucks and automotive uses on site (i.e., open storage). Additionally, to allow the uses herein, the project allows for the modification of permanent Q Condition 2.A.2, which prohibits truck storage. Except as permitted to deviate herein, the project is conditioned so that 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.

Therefore, the Q limitations are necessary to secure an appropriate development in harmony with the objectives of the General Plan.

c. The Q limitation is necessary to prevent or mitigate adverse environmental effects of the zone change.

The project was analyzed under Case No. ENV-2016-6456-CE as an existing use that is not proposing any new construction but involves a legalization of the existing use to include towing services. As such, the project qualifies for a Categorical Exemption under CEQA Guidelines, Sections 15301 and 15303. No adverse environmental effects of the proposed Zone Change are expected, and therefore, the finding that the Q limitation is necessary to prevent or mitigate adverse environmental effects of the Zone Change is not applicable.

6. T Condition Finding: Public necessity, convenience and general welfare require that provision be made for the orderly arrangement of the property concerned into lots and/or that provision be made for adequate streets, drainage facilities, grading, sewers, utilities, park and recreational facilities; and/or that provision be made for payments of fees in lieu of dedications and/or that provision be made for other dedications; and/or that provision be made for improvements; all in order that the property concerned and the area within which it is located may be properly developed in accordance with the different and additional uses to be permitted within the zone to which the property is proposed for change.

The current action, as recommended, has been made contingent upon compliance with “T” conditions of approval imposed herein for the proposed project. Such T Conditions are necessary to ensure that any identified dedications, improvements, and actions are undertaken to meet the public’s needs, convenience, and general welfare served by the actions required. These T Conditions ensure street improvements, street lighting, and fire safety and access. The existing street trees as shown on “**Exhibit A**” will remain to the satisfaction of the Urban Forestry Division. The project will be reviewed as appropriate by City Departments including Building and Safety, Fire Department, and Street Lighting for any other necessary conditions relating to existing site improvements and project operations. These actions and improvements will provide the necessary infrastructure to serve the proposed community at this site and provide for the public necessity, convenience, and general welfare.

7. Conditional Use Findings: Sections 12.24 E, 12.24 W.4, and 12.24 W.50 of the LAMC

The applicant is requesting a Conditional Use pursuant to LAMC Section 12.24 W.4 to allow an automotive use in a C Zone that does not comply with the development standards and operating conditions as enumerated in LAMC Section 12.22 A.28:

- Existing doors/windows that are parallel to a street consist of 0 percent transparency in lieu of the minimum required 50 percent transparency; and
- Existing bay doors used for vehicular ingress/egress face and are within 100 feet of a residential zone/use; and
- Landscaping deviations from LAMC Sections 12.41-12.43 including the requirement for an automatic irrigation system and minimum five foot landscaped

setbacks along all street frontages and the perimeters of parking areas abutting a residential zone/use.

Storage buildings for household goods, including truck rentals, are permitted by-right in the M1, M2, and M3 Zones and by Conditional Use in the C2 Zone when the subject site is less than 500 feet from an A or R Zone. The applicant is requesting a Conditional Use pursuant to LAMC Section 12.24 W.50 to allow automobile and truck storage within 500 feet of an R Zone.

a. That 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.

As previously stated, the automotive and tow truck repair service is an existing use that is beneficial to community residents who are in need of towing dispatch services to a nearby auto repair use. According to the applicant, an automotive repair shop that owns its own tow vehicles is more useful to its clients than a repair shop that does not provide towing services. The automotive repair use has existed since the 1960s and is a successful business with support from the community. The continued use of the existing three multi-family residential dwelling units is a necessity given that the City is experiencing a crisis of housing units. There is no clear rationale for removing these housing units from the market.

Therefore, the project performs a function and provides a service that is essential and beneficial to the community, city, and region.

b. That 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, welfare, and safety.

The proposed project site is located at the southwest corner of Geyser Avenue and Cantlay Street in the Reseda-West Van Nuys Community Plan area. The proposed project site has been developed with automotive repair and residential uses since 1964. Currently the site is improved with a two-story, 25.3 foot in height, 13,352 square foot structure. A 4,020 square foot business office used for towing dispatch services and a 5,280 square foot automotive repair service are on the ground floor of the structure. The floor above is improved with three multi-family residential dwelling units. The project includes 37 associated parking spaces including four spaces reserved for tow vehicles.

The area surrounding the subject site is developed with automotive, small scale medical and commercial office and retail, and multi- and single-family residential uses. To the north, across Cantlay Street, sites are zoned R1-1 and designated for Low Residential land use by the Community Plan. These sites are improved with single-family residential dwelling units. To the south and southeast, sites along the north side of Sherman Way are zoned [Q]C2-1VL-CDO and designated for General Commercial land use. These sites are developed with one- to three-story structures used as a car wash; auto repair; fast food restaurant; office; adult day care; medical office; and associated surface parking. Further south, across Sherman Way, sites are located in the River Improvement Overlay (RIO) District and are zoned [Q]C2-

1VL-CDO-RIO, [Q]P-1VL-CDO, and R1-1-RIO and designated for General Commercial and Low Residential land use. These sites are developed with auto-related uses, fast-food restaurants, and multi- and single-family dwellings. To the east, the abutting sites are zoned [Q]C2-1VL-CDO and [Q]P-1VL-CDO and are designated for General Commercial land use. These sites are improved with a fast-food restaurant that is currently undergoing renovation and expansion, including the addition of a drive-through lane. To the immediate west, the site is zoned PF-1XL and designated for Public Facilities. This property is used for the LADWP transmission line that runs to the north and south. The Los Angeles County Flood Control Channel (Aliso Canyon Wash) also runs north and south and abuts the LADWP transmission line to the west. The flood control channel is zoned OS-1XL and designed for Open Space. Further to the west, sites are zoned [Q]C2-1VL-CDO, [Q]P-1VL-CDO, and [Q]C1-1VL-CDO and designed for General Commercial land use. These sites are developed with market, restaurant, shopping center, and medical office uses with associated surface parking at the northeast and northwest corner of Wilbur Avenue and Sherman Way. To the west, along Wilbur Avenue, sites are zoned [Q]R1-1-CDO and designated for Low Residential land use. These sites are improved with single-family dwellings. Further west, along Sherman Way, sites are zoned R3-1 and designated for Medium Residential land use. These sites are improved with multi-family residential dwellings.

As conditioned herein, the project will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety. The site improvements will be maintained in conformance with “**Exhibit A**” as conditioned herein. No new construction is proposed or approved herein.

To ensure that the project is compatible with the surrounding neighborhood, many of the conditions herein mirror the requirements codified in LAMC Section 12.22 A.28, which regulates development standards and operating conditions for automotive uses in the C2 and less restrictive zones. Specifically, no arcade or game machines are permitted on site. Any new utilities will be installed underground or to the satisfaction of the Bureau of Engineering and LADWP. All exterior and flood lighting shall be directed onto the lot and designed to eliminate any glare to adjoining properties. No trailers and/or temporary modular buildings/canopies are permitted as a work area. There will be no accessory sales activities outside of a fully enclosed building.

According to materials submitted by the applicant, the north wall facing the residential structures along Cantlay Street has not changed since the building was first constructed in the 1960s. Since no new construction is proposed, the windows facing Cantlay Street will be allowed to maintain 0 percent transparency as originally constructed. Further, the existing bay doors/vehicle entrances, exits, and openings will be allowed to face the residential uses along Cantlay Street. However, no new bay doors or vehicular access may be added facing Cantlay Street. The project is conditioned to provide screening along Cantlay Street via the existing approximately six foot in height solid masonry wall that is topped with an additional approximately one foot of wrought iron. As conditioned, the solid masonry wall shall remain painted to match the exterior of the main building, and the wall will be maintained in good condition. Approximately 170 square feet of drought-tolerant landscaping will be added to enhance the project at the Geyser Avenue frontage. Consistent with LAMC Section 12.22 A.28, no new fencing that exceeds three feet in height may be installed

along the Geyser Avenue frontage. As conditioned, the existing approximately six foot in height wrought iron fence at the northeast portion of the site enclosing the parking area along Geyser Avenue may be maintained. Furthermore, the exterior transparent windows and doors facing Geyser Avenue will remain transparent as conditioned herein.

The applicant did not request to deviate from Code required sign regulations, and any existing signage on site will conform with the Code as determined by LADBS. No new signage is proposed or approved herein. Any new signage proposed at a future date will meet all Code requirements as regulated by LADBS and will be reviewed for compliance with the Reseda Central Business District CDO. However, as conditioned, the applicant is required to post, including "No Idling" signage on the interior of the walls abutting Cantlay Street. All windows and glass doors shall be free of signage. On site pennants, banners, ribbons, streamers, spinners, balloons, and supergraphic signs are prohibited as conditioned herein.

As conditioned, any automotive hoists shall be enclosed so that no hoists will be visible to the residential dwelling units along Cantlay Street. As conditioned and pursuant to LAMC Section 12.22 A.28, there will be no spray painting on site, thereby protecting residential uses from air quality impacts. To reduce noise and blight, pursuant to LAMC Section 12.22 A.28, junkyard or automobile dismantling is prohibited. Furthermore, there will be no public address system on site, and no repair activities involving automotive and/or truck sound or alarms shall be permitted.

Hours of operation are limited to reduce noise and traffic and maintain compatibility with the surrounding residential neighborhood. According to the applicant, current hours of operation are 8:00 a.m. to 8:00 p.m. However, the Los Angeles Municipal Code Section 12.22 A.28 further limits hours of operation. As such, as conditioned herein and based on applicant testimony at the December 12, 2022 Public Hearing, hours of operation are limited to Monday through Friday, 8:00 a.m. to 7:00 p.m., Saturday, 9:00 a.m. to 8:00 p.m., and Sunday 11:00 a.m. to 8:00 p.m. Site cleaning, sweeping, trash collection, and deliveries are limited to Monday through Friday, 7:00 a.m. to 7:00 p.m., and Saturday/Sunday 8:00 a.m. to 5:00 p.m. As conditioned, no trash collection is permitted on Sundays or legal holidays.

Consistent with LAMC Section 12.22 A.28 and to ensure that the project does not degrade the surrounding area, the applicant is required to keep the site clear of weeds, rubbish, litter, and combustible materials at all times. All trash/recycling storage areas shall be enclosed with a minimum six foot gated enclosure constructed of solid masonry and finished to match the exterior wall materials of the main building.

To reduce parking impacts on neighboring streets, a minimum of 37 automobile parking spaces shall be provided as shown on "**Exhibit A.**" All parking shall meet Code requirements, as regulated by LADBS. Employees and customers are encouraged to park on-site.

As conditioned herein, all loading, including loading of vehicles, shall be done on site. All repair activities and storage of vehicles shall take place on site. As such, the project will not spill over to the surrounding neighborhood.

Finally, the project is subject to all operational conditions pursuant to the LAMC and as regulated by LADBS unless otherwise permitted herein. As such, 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, welfare, and safety.

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

The Citywide General Plan Framework Element sets forth a citywide comprehensive long-range growth strategy. The project conforms to the following objectives and policies of the Citywide General Plan Framework Element, as follows:

Policy 3.8.2: Encourage the retention of existing and development of new commercial uses that primarily are oriented to the residents of adjacent neighborhoods...

Objective 3.12: Generally, maintain the uses, density, and character of existing low-intensity commercial districts whose functions serve surrounding neighborhoods...

The automotive, tow truck dispatch/service, and storage use maintains an existing 13,352 square foot, low density commercial use that serves the surrounding residential and commercial neighborhood.

The Reseda - West Van Nuys Community Plan includes the following objectives and policies:

Policy 1-1.7: The City should promote neighborhood preservation, particularly in existing single-family neighborhoods, as well as in areas with existing multiple family residences.

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

The existing project includes three multi-family residential dwelling units. Granting the applicant's request herein allows these housing units to be preserved without displacing any tenants.

Objective 2-3: Preserve community character, scale, and architectural diversity.

Objective 2-4: To maintain and increase the commercial employment base for community residents whenever possible.

The existing small scale use has been a long-standing business within the community since 1964. The continued operation of the automotive and accessory tow truck dispatch, tow truck service/repair, and open storage use will serve the surrounding community. According to the applicant, an automotive repair shop that owns its own tow vehicles is more beneficial to its clients than a repair shop that does not provide towing services. Furthermore, the continued operation of towing services at this site will contribute toward retaining the existing community character and maintaining an established source of employment for community residents.

The project site is not located within a specific plan area. As conditioned herein, the project conforms with the purpose, intent and provisions of the General Plan and the Reseda – West Van Nuys Community Plan.

d. That project approval will not create or add to a detrimental concentration of automotive uses in the vicinity of the proposed automotive use.

The project site has been developed with automotive repair and residential uses since 1964 when LADBS issued a Certificate of Occupancy for a two-story, 20 foot in height, 7,700 square foot (60 x 132) retail store, auto repair garage, and apartment hotel (two apartments and two dormitory rooms with a total of 24 beds) and 24 required automobile parking spaces. Currently, the project is a two-story, 25.3 foot in height, 13,352 square foot structure all on a 30,707 square foot lot. The site is legally permitted for auto repair and three multi-family residential dwelling units. The applicant is now seeking to legalize existing tow truck repair, storage, and dispatch services. As proposed, 1,947 square feet of the 30,707 square foot project site will be used to park (i.e., store) four tow vehicles. The existing 4,020 square foot business office will be used to operate a tow dispatch service. As these uses are currently existing, approval of the project will not create or add to a detrimental concentration of automotive uses in the vicinity.

e. That based on data provided by the Department of Transportation or a licensed traffic engineer, ingress to, egress from and associated parking of the automotive use will not constitute a traffic hazard or cause significant traffic congestion or disruption of vehicular circulation on adjacent streets.

The Los Angeles Department of Transportation (LADOT) Vehicle Miles Traveled (VMT) Calculator shows that the existing legally permitted land uses (automotive repair, office, and multi-family residential housing) will result in 160 daily vehicle trips and 1,359 daily VMT. The proposed legalization of the tow truck services yields approximately 2,000 square feet of tow truck parking use (i.e., storage) within the existing 30,707 square foot lot. This tow truck parking use together with the existing permitted uses on site results in a slight increase to 172 daily vehicle trips and 1,466 daily VMT which does not trigger a parking study. Therefore, ingress to, egress from, and associated parking of the automotive use will not constitute a traffic hazard or cause significant traffic congestion or disruption of vehicular circulation on adjacent streets.

f. That any spray painting will be conducted within a fully enclosed structure located at least 500 feet away from a school or A or R zone, and that all spray painting will be conducted in full compliance with the provisions of Article 7, Chapter 5 of this Code, as well as South Coast Air Quality Management District Rules 1132 and 1151, regulating these installations.

Not applicable; no spray painting is proposed or permitted herein.

g. That the applicant has submitted an appropriate landscape plan setting forth all plant materials and irrigation systems, and a written maintenance schedule indicating how the landscaping will be maintained.

The applicant is requesting herein to deviate from LAMC Section 12.41-12.43, including the requirement for an automatic irrigation system and minimum five foot landscaped setbacks along all street frontages and the perimeters of parking areas abutting a residential zone or use. The applicant's materials attached to the case file document that it would not be possible to provide all Code required landscaping. However, in the spirit of providing landscaping to the maximum extent feasible, the applicant has identified an approximately 170 square foot area to be landscaped at the Geyser Avenue frontage (see "**Exhibit A**"). The project is conditioned herein to show drought-tolerant landscaping within this 170 square foot area on the final plans. Further, as conditioned herein and as shown on "**Exhibit A**," the existing street trees surrounding the wall shall be preserved and maintained to the satisfaction of Urban Forestry. If for any reason the street trees are removed, the wall shall be screened with drought-tolerant landscaping. As such, the applicant meets the intent of providing a landscape plan appropriate to this fully improved site.

8. Zone Variance Findings: Section 12.27 D of the LAMC

The applicant is requesting a Zone Variance to allow truck repair, towing dispatch, and storage including the overnight parking/storage of automobiles and towing vehicles in the C2 Zone as otherwise prohibited by LAMC Section 12.14. Consistent with Charter Section 562, the following five findings must be made.

a. That the strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.

The intent of the zoning regulations is not to close a viable business that provides services to the community and a source of income to the business owner. Similarly, the intent of the zoning regulations is not to remove housing units from the market during a housing crisis. However, the strict application of the zoning ordinance would have exactly that effect without a Zone Variance as requested herein.

The applicant is operating a facility that has been successfully used for automotive repair and residential use since 1964. The applicant is now requesting to legalize towing services that support the existing auto repair service. A Zoning Administrator's Determination was issued on December 5, 1989 under Case No. ZA-1989-1317-ZAI to clarify that a tow truck dispatch business is a permitted use in the C2 Zone and the storage of tow vehicles on the site is a permitted accessory use to the tow truck dispatching business under the following circumstances: (1) no towed vehicle is stored on the site; (2) the only tow vehicles stored on the site are those dispatched from the permitted tow truck dispatching business; and (3) the storage of tow trucks conforms to LAMC Section 12.14 A.42 which regulates uses customarily incident to any of the uses permitted in the C2 Zone, and accessory buildings, when located on the same lot. Specifically, open storage of materials and equipment, including used materials and equipment, shall be permitted only when incidental to the use of an office, store or other commercial building located on the front portion of the same lot, and provided that: (a) Such storage is located on the rear one-half of the lot and is confined to an area of not to exceed 3,000 square feet; (b) No power driven excavating or road building equipment is stored on the premises; (c) The storage area is completely enclosed by a solid wall or fence not less than six feet in height with necessary solid gates of the same height; and (d) No material or equipment is stored to a height greater

than that of the wall or fence enclosing the storage area; and (e) There shall be no rental, storage or storage for rental purposes of a commercial vehicle which exceeds a registered net weight of 5,600 pounds.

Case No. ZA-1989-1317-ZAI clarifies that the tow truck dispatch as conditioned herein is permitted in the C2 Zone. The applicant is requesting a Zone Variance to allow tow truck servicing on site, which is not permitted under the C2 Zone. Truck servicing is considered a truck repair use and is permitted by-right under the MR1, M1, MR2, M2, and M3 Zones. Truck sales or storage is permitted by-right in the M1, M2, and M3 Zones. To avoid confusion in the permitting process and to allow tow vehicles capable of supporting the automobiles it services, the applicant is requesting a Zone Variance herein for all truck related activities on site including truck repair, towing dispatch, and storage (overnight parking and open storage of automobiles and towing vehicles).

There is no one zone that allows for residential, automotive, and truck related activities all on the same site. Residential uses are not permitted in an M or MR Zone. Therefore, the applicant is required to apply for a Zone Variance so that all uses may continue to co-exist on one site. According to the applicant, if the Zone Variance were to be denied, the applicant would be forced to find another facility outside of the community where tow vehicles can be parked and serviced. This would be costly and impractical and would likely result in closure of a business that has been successfully operating since 1964. The inability to dispatch, repair, and store (i.e., park) trucks overnight is impractical, and would severely curtail the applicant's ability to repair automobiles. Conversely, allowing for daily and overnight parking of company owned tow truck vehicles while customers are having their automobile repaired is a practical use of the automotive business.

Therefore, the strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.

b. That there are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.

The subject site has limited possibilities for development given its irregular-shape and location; the site is sandwiched between a cul-de-sac, public facilities, open space, and an alley. The 30,707 square foot subject site is bounded by irregular lot lines, which are approximately 245 feet in length to the north and 275 feet in length to the south. The northerly lot line abuts Cantlay Street, which ends in a cul-de-sac at the northwest portion of the lot. The southerly lot line abuts an alley. To the west, the subject site abuts an LADWP transmission line that runs to the north and south. Further west, the Los Angeles County Flood Control Channel (Aliso Canyon Wash) also runs north and south.

The area surrounding the subject site is fully developed with automotive, small scale medical and commercial office and retail, and multi- and single-family residential uses. None of these sites are irregular in shape and abut public facilities, a cul-de-sac, and an alley. To the north, across Cantlay Street, sites are improved with single-family residential dwelling units. To the south, southeast, and east, sites are developed with one- to three-story structures used as a car wash; auto repair; other auto-related uses;

fast food restaurant; office; adult day care; medical office; associated surface parking; and residential uses. To the west of the LADWP transmission line and flood control channel, sites are developed with a market, restaurant, shopping center, medical office uses; associated surface parking; and residential uses. The abutting sites developed with commercial uses share the same C2 Zone requested herein for the subject site.

Therefore, there are special circumstances applicable to the subject property; specifically, lot shape, location, and surroundings, that do not apply generally to the other fully developed property in the same zone and vicinity.

- c. That the variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question.**

As previously stated, properties in the same zone and vicinity to the south, southeast, and east are developed with automotive uses (such as a car wash, auto repair, auto parts, and auto sales). The practical difficulty posed is that this site is currently improved with uses that cannot comply with existing zoning regulations. For towing services to be allowed by-right, the applicant would need to request a Zone Change to a manufacturing zone. However, the site is currently developed with multi-family residential dwelling units, which cannot be sited in a manufacturing zone. The co-existence of these dwelling units and automotive uses on the same lot since the 1960s predate current Municipal Code regulations. To deny the Zone Variance would be an unnecessary hardship: either the existing business on the ground floor would dissolved or the residents above would be displaced.

Therefore, the variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question.

- d. That the granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located.**

The applicant states that the type of trucks operated by the subject use have a gross vehicle weight of 26,000 and under (Class C, State of California DMV). As such, these trucks are smaller, lightweight, and passenger oriented when compared to larger industrial size vehicles. Furthermore, the approval of the variance request would not allow the applicant the ability to bring any and all trucks for service and repairs. The request herein is limited to allowing this facility to service the vehicles operated by this business. As conditioned, there will be no wrecked automobile storage or repossession services permitted under this grant.

The loading/unloading of tow trucks will have limited effect on abutting properties, because tow vehicles partially operate away from the dispatch site. Towing vehicles operate throughout the community as necessary when cars are loaded onto tow trucks. The towing operations that take place on site involve unloading cars and parking tow vehicles when the dispatch office is closed.

The business frontage and access are on Geyser Avenue. There are no residential uses on the corner of Geyser Avenue and Sherman Way. All of the abutting residential uses are to the north across Cantlay Street. All tow truck loading and unloading shall take place at the southwestern portion of the site abutting the alley and away from the residential dwellings on the second floor of the structure and on Cantlay Street.

Finally, as conditioned herein, the variance will not be detrimental or injurious to the surrounding community. For example, the applicant is required to maintain the site in accordance with the current improvements on-site as shown on the site plan submitted with the application materials (“**Exhibit A**”). No new construction or expansion of use is permitted herein. All towing services permitted herein are accessory to the existing automotive repair service. If the automobile repair service ceases to operate, no towing operations are permitted. Overnight parking of tow trucks is permitted only in the 1,947 square foot area at the southwest corner of the site as far as practical from the residential apartments above and the residences on Cantlay Street. Consistent with Case No. ZA-1989-1317-ZAI, no material or equipment may be stored to a height greater than the 6 foot in height wall surrounding the storage area. The project is conditioned to be a “good neighbor” by regulating the music volume and encouraging all employees and customers to park on-site.

Therefore, the granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located.

e. That the granting of the variance will not adversely affect any element of the General Plan.

As previously discussed, the Citywide General Plan Framework Element sets forth a citywide comprehensive long-range growth strategy. The project conforms to the following objectives and policies of the Citywide General Plan Framework Element, as follows:

Policy 3.8.2: Encourage the retention of existing and development of new commercial uses that primarily are oriented to the residents of adjacent neighborhoods...

Objective 3.12: Generally, maintain the uses, density, and character of existing low-intensity commercial districts whose functions serve surrounding neighborhoods...

The automotive, tow truck dispatch/service, and storage use maintains an existing 13,352 square foot, low density commercial use that serves the surrounding residential and commercial neighborhood and as conditioned herein does not adversely affect surrounding uses.

The Reseda - West Van Nuys Community Plan includes the following objectives and policies:

Policy 1-1.7: The City should promote neighborhood preservation, particularly in existing single-family neighborhoods, as well as in areas with existing multiple family residences.

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

The existing project includes three multi-family residential dwelling units. Granting the applicant's request herein allows these housing units to be preserved without displacing any tenants and furthers the policies and objectives of the general plan.

Objective 2-3: Preserve community character, scale, and architectural diversity.

Objective 2-4: To maintain and increase the commercial employment base for community residents whenever possible.

The existing small scale use has been a long-standing business within the community since 1964. The continued operation of the automotive and accessory tow truck dispatch, tow truck service/repair, and open storage use will serve the surrounding community, retain the existing community character, and maintain an established source of employment for community residents.

As conditioned herein, the granting of the variance will not adversely affect any element of the Reseda – West Van Nuys Community Plan.

9. Reseda Central Business District Community Design Overlay Findings: Section 13.08 of the LAMC

The applicant is requesting an approval of plans to comply with the Reseda Central Business District Community Design Overlay Ordinance Nos. 176,557 and 176,558 except as modified herein under the requested Zone Change. Pursuant to LAMC Section 13.08, the following findings must be made.

a. The project substantially complies with the adopted Community Design Overlay and Design Guidelines and Standards.

The subject site is located within the Reseda Central Business District Community Design Overlay designated under ZIMAS as ZI-2339. The Reseda Central Business District Community Design Overlay became effective on May 2, 2005, to establish the Boundary Ordinance (Ordinance No. 176,557), permanent "Q" Conditions (Ordinance No. 176,558), and Design Guidelines and Standards. The purpose of the Reseda Central Business District CDO is to promote the economic viability and small scale commercial retail character, improve the physical appearance of the Central Business District, and establish guidelines to encourage orderly development and revitalization. The boundaries generally encompass Sherman Way just west of Wilbur Avenue and just east of Lindley Avenue and Reseda Boulevard between Kittridge Street to the south and Saticoy Street to the north.

The Reseda Central Business District CDO permanent Q Conditions prohibit new automotive uses (with the exception of retail) and require remodeling or expansion of an existing, legal non-conforming auto-related use of an area greater than 20 percent to comply with the Reseda Central Business District CDO Design Guidelines and Standards (permanent Q Condition Nos. 2.A.1 and 2.A.2). The permanent Q Conditions further prohibit open storage (permanent Q Condition No. 2.A.1) and specific industrial uses, including truck rental, sales, or storage (permanent Q

Condition 2.A.2). The applicant has applied for a Zone Change herein to modify these permanent Q Conditions (Ordinance No. 176,558) but is not requesting to change the boundaries of the CDO (Ordinance No. 176,557). By modifying the permanent Q Conditions, the project achieves the CDO goal to promote economic viability in the area by allowing the continued operation of a successful business that has been at the same location in the community since 1964. By retaining the CDO boundaries, the project achieves the CDO goal to encourage orderly development and revitalization for any future use and/or site improvements.

Permanent Q Condition 2.B regulates building/structural height, and limits height to properties in the C2 Zone to 45 feet. The project height is two stories, approximately 25.3 feet in height, thereby complying with Condition 2.B.

Permanent Q Condition 2.C regulates signage. Prohibited signs include pole signs, off-site commercial signs including billboards, freestanding signs on walls and fences, illuminated architectural canopy signs, cabinet signs, roof signs, inflatable signs, blinking or flashing signs that give the impression of moving parts, and/or flags. The number and size of signs are also restricted (total signage per business is limited to 2 square feet for each 1 foot of building frontage) with one wall or channel letter wall sign permitted for each public entrance. Projecting signs are limited to one per business and are also limited in size. Awning signs are limited to 1 square foot for each 1 foot of building frontage. Finally, rear signs are required to be non-illuminated. The applicant is not requesting any new signage and has not requested to deviate from these conditions. Any existing signage will be reviewed for legal, non-conforming use at the discretion of the Los Angeles Department of Building and Safety.

None of the remaining permanent Q Conditions are applicable to the request herein. These conditions regulate ground floor residential uses (2.A.c), projects fronting on Sherman Way and Reseda Boulevard (2.A.d), and parking buildings (2.D).

The Reseda Central Business District CDO established design guidelines, which are set forth in Section 5 of the Design Guidelines and Standards. The project complies with the applicable design guidelines and standards as follows:

5.A Site Planning

Guideline 2: Provide privacy to residents in the surrounding neighborhoods and screen automobiles from public view...

Standard 2b: Surface parking projects adjoining a public street should be screened by a solid wall having a continuous height of 42 inches...

As shown in “**Exhibit A**,” and as conditioned herein, the wall surrounding the parking areas facing the Cantlay Street residential uses shall remain in good condition. The wall is screened with 16 existing street trees. No street trees may be removed except with the approval of the Board of Public Works, Urban Forestry Division. If for any reason the trees are removed, the applicant is required to screen the wall with drought-tolerant landscaping.

Standard 3a: Lighting should be directed on-site and shielded away from surrounding residential areas.

As conditioned, all lighting from the automotive repair and tow truck services shall be directed on-site and away from the residential uses above and along Cantlay Street.

Guideline 6: Create space and provide security by enclosing parking areas and sites with decorative walls and fences. Combination wrought iron and masonry walls are encouraged.

Standard 6a: Walls should incorporate surfaces and textures to discourage graffiti where possible...

Standard 6b: Chain link should be avoided and should never be the primary fencing materials.

As conditioned, the walls surrounding the subject site are permitted to be a combination of wrought-iron and masonry walls. No chain link, barbed wire, or concertina wire fencing is permitted at the perimeter of the site.

Guideline 7: Enhance the visual look of secondary features such as trash and recycling areas, mechanical equipment, and loading areas by screening them from public view.

Standard 7a: Trash storage bins and recycling areas should be located away from the street, behind or to the side of buildings, and should be fully enclosed with a decorative masonry wall or fence and landscaped to prevent off-site transport of trash. Each individual trash bin should have a cover.

As conditioned, trash storage and recycling areas shall be enclosed within a minimum 6 foot gated enclosure constructed of solid masonry, and trash/recycling receptacles shall have a cover. Trash and recycling areas shall be located away from Cantlay Avenue and Geyser Street.

As conditioned herein, any roof-top air conditioning units and other equipment and/or utilities shall be fully screened from view of the abutting residential sites. Furthermore, all tow truck loading and unloading shall take place at the southwestern portion of the site abutting the alley and away from the residential dwellings on the second floor of the structure and on Cantlay Street.

Guideline 8: Use landscaping to augment ground cover, provide an attractive buffer, filter noise, soften glare, and enhance the overall aesthetic appeal of the community.

Standard 8a: Areas fronting the public right-of-way free of structures, driveways, walkways, or required parking should be adequately landscaped.

Standard 8c: Use an effective variety and density of plant materials including, but not limited to, evergreen (non-deciduous), drought-tolerant, native trees, shrubs, perennials, flowers, ground cover, and vines of various heights and species.

Guideline 9: Soften, buffer, and conceal views of parking areas from adjacent uses with sufficient planting materials...

As previously discussed, the existing street trees along Cantlay Street abutting the residential uses to the north may only be removed with the approval of the Department of Public Works, Urban Forestry Division. Although the site is not landscaped to meet Code requirements due to the built-out nature of the site, all new landscaping will be native and drought-tolerant.

Guideline 11: Use exterior surface materials that will reduce the incidence and appearance of graffiti.

The applicant is not building a new structure, and the project is conditioned to remove or paint over all graffiti on-site to match the color or surface to which it is applied within 24 hours of its occurrence.

Guideline 12: Tie building elements together through the use of color.

Standard 12a: A maximum of four exterior colors should be used.

Guideline 13: Avoid highly reflective colors, especially those that produce glare.

Standard 13: Bright colors including fluorescent and day-glow are not permitted, except when used as accent.

The exterior of the structure is currently painted white and blue. The project is conditioned to limit the exterior colors of the structure to a maximum of four colors. The existing brick shall maintain its natural color. As conditioned, bright colors, including fluorescent and day-glow, are not permitted.

Guideline 21: Enhance the area...by minimizing the appearance of security devices during business hours and by incorporating such elements into the facade design (security measures may be necessary for protection from theft and vandalism but should not detract from the buildings' architecture).

Standard 21a: The use of barbed wire, razor wire, and concertina wire should not be visible from the public right-of-way. If devices are needed, they should be installed to have minimum visual impact on the community.

Standard 21b: Security devices should be positioned behind storefront windows and should be see-through when closed to provide a visibility into the interior for law enforcement after hours, when feasible. Security devices such as transparent film covering or alarm systems, which do not have a negative impact on the building design are permissible.

No security devices are currently visible from the public right-of-way. As conditioned, any security grilles or similar security devices that may be installed at a future date must be fully retracted during business hours. Any security devices should be positioned behind storefront windows and be see-through when closed. No barbed wire, razor wire, or concertina wire may be used if it is visible from the Geyser Avenue or Cantlay Street right-of-way.

Guideline 26: Automotive Uses. Minimize visual blight by designing buildings to screen work activity away from public view and residential properties.

As previously stated, the subject site was improved with the existing automotive use in 1964 prior to the effectuation of the Reseda Central Business District CDO. However, the project is designed and conditioned to minimize visual blight. As shown in “**Exhibit A,**” and as conditioned herein, the wall surrounding the parking areas facing the Cantlay Street residential uses shall remain in good condition. As conditioned, trash storage and recycling areas shall be enclosed with a masonry wall. Any roof-top air conditioning units and other equipment and/or utilities shall be fully screened from view of the abutting residential sites. Furthermore, all tow truck loading and unloading shall take place at the southwestern portion of the site abutting the alley and away from the residential dwellings on the second floor of the structure and on Cantlay Street.

Therefore, as conditioned, the project substantially complies with the adopted Community Design Overlay and Design Guidelines and Standards.

b. The structures, site plan and landscaping are harmonious in scale and design with existing development and any cultural, scenic, or environmental resources adjacent to the site and in the vicinity.

The project is currently improved with a one-story, 25.3 foot in height, 13,352 square foot structure and associated surface parking. No new structures or changes to the building footprint are proposed or approved herein. The small scale automotive/towing and multi-family residential use is harmonious in scale and design with the surrounding sites. The properties surrounding the subject site are developed with a mix of uses, including automotive, small scale medical and commercial office and retail, and multi- and single-family residential uses. To the north, across Cantlay Street, sites are improved with single-family residential dwelling units. To the south and southeast, sites are developed with one- to three-story structures used as a car wash; auto repair; other auto-related uses; fast food restaurant; office; adult day care; medical office; associated surface parking; and multi- and single-family dwellings. To the east, abutting sites are improved with a fast-food restaurant that is under expansion, including the additional of a drive-through lane. To the immediate west, an LADWP transmission line runs to the north and south. The Los Angeles County Flood Control Channel (Aliso Canyon Wash) also runs north and south and abuts the LADWP transmission line to the west. Further to the west, sites are developed with a market, restaurant, shopping center, medical office uses, and single- and multi-family dwellings.

The project is conditioned herein to comply with the Reseda Central Business District Community Design Overlay to maintain compatibility with surrounding uses and improve the physical appearance of the area. As conditioned, to provide privacy to the surrounding residents, the existing walls surrounding the site will be maintained in good condition. To enhance the area, combination wrought-iron and masonry is permitted, and no chain link, barbed wire, or concertina wire is permitted. To further improve the physical appearance, roof-top equipment and facilities will be screened from view. Any graffiti will be removed or painted over within 24 hours of its occurrence. As conditioned, a maximum of four colors may be used, and no bright or fluorescent/day-glow is permitted. The brick will retain its natural color. To minimize visual blight, no security devices will be permitted that are visible from the public right-of-way. Any security grilles or similar security devices that may be installed at a future

date must be fully retracted during business hours. Any security devices will be positioned behind storefront windows and be see-through when closed. As conditioned herein and as shown on the site plan (see “**Exhibit A**”), the applicant will add approximately 170 square feet of drought-tolerant landscaping to the site frontage.

There are no cultural, scenic, or environmental resources adjacent to the site. As discussed in the associated environmental Case No. ENV-2016-4656-CE, the project site has not been identified as a historic resource by local or state agencies, and the project site has not been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, or the Los Angeles Historic-Cultural Monuments Register, and/or any local register according to the City’s HistoricPlacesLA website. The subject site is not located along a State Scenic Highway, nor are there any designated State Scenic Highways located near the project site. While the subject site is approximately 500 feet to the north of sites located in the River Improvement Overlay District, which is designated under ZIMAS as ZI-2358, the subject site is approximately 1 mile north of the Los Angeles River and is not river adjacent. The subject site is approximately 75 feet east of the Los Angeles County Flood Control Channel (Aliso Canyon Wash) but is separated from flood control channel by LADWP transmission lines.

Therefore, the structures, site plan and landscaping are harmonious in scale and design with existing development and any cultural, scenic, or environmental resources adjacent to the site and in the vicinity.

C. CEQA FINDINGS

The project was analyzed under Case No. ENV-2016-4656-CE as the continued use and maintenance of an automotive and tow truck repair, storage, and dispatch service with multi-family residential use all on an approximately 30,707 square foot lot. No new construction is proposed.

The subject site is designated for General Commercial land use under the Reseda-West Van Nuys Community Plan, and the proposed change in zoning is consistent with the land use designation. As such, the project qualifies for a Categorical Exemption under CEQA Guidelines, Sections 15301, Class 1 and 15303, Class 3. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features involving negligible or no expansion of existing or former use. Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. Class 1 and Class 3 are applicable, because the applicant is requesting herein to legalize tow truck services uses (repair, storage, and dispatch) as an accessory to an existing automotive use with multi-family residential uses. No new structures are proposed. No modifications are proposed to the exterior of the structure.

Furthermore, the project is subject to any of the exceptions from the use of a categorical exemption due to location, cumulative impact of similar projects, or unusual circumstances, as codified at CEQA Guidelines Section 15300.2. The project is not located on a scenic highway or hazardous waste site. The project is not the site of a historic resource. Therefore, as set

forth in State CEQA Guidelines Section 15300.2, there are no exceptions that would prohibit the use of any categorical exemption and no mitigations measures are required.

Furthermore, the project is subject to review under existing City ordinances (Sewer Ordinance, Grading Ordinance, Flood Plain Management, Xeriscape Ordinance, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

Therefore, Find, based on the whole of the administrative record, the project is exempt from CEQA pursuant to CEQA Guidelines 15301, Class 1, and Section 15303, Class 3, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

The records upon which this decision is based are with Valley Project Planning, Department of City Planning, 6262 Van Nuys Boulevard, Room 430, Los Angeles, CA 91401.

COVID-19 UPDATE

Interim Appeal Filing Procedures

Fall 2020



Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, City Planning has implemented new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction.

OPTION 1: Online Appeal Portal

(planning.lacity.org/development-services/appeal-application-online)

Entitlement and CEQA appeals can be submitted online and payment can be made by credit card or e-check. The online appeal portal allows appellants to fill out and submit the appeal application directly to the Development Services Center (DSC). Once the appeal is accepted, the portal allows for appellants to submit a credit card payment, enabling the appeal and payment to be submitted entirely electronically. A 2.7% credit card processing service fee will be charged - there is no charge for paying online by e-check. Appeals should be filed early to ensure DSC staff has adequate time to review and accept the documents, and to allow Appellants time to submit payment. On the final day to file an appeal, the application must be submitted and paid for by 4:30PM (PT). Should the final day fall on a weekend or legal holiday, the time for filing an appeal shall be extended to 4:30PM (PT) on the next succeeding working day. Building and Safety appeals (LAMC Section 12.26K) can only be filed using Option 2 below.

OPTION 2: Drop off at DSC

An appellant may continue to submit an appeal application and payment at any of the three Development Services Center (DSC) locations. City Planning established drop off areas at the DSCs with physical boxes where appellants can drop.

Metro DSC

(213) 482-7077
201 N. Figueroa Street
Los Angeles, CA 90012

Van Nuys DSC

(818) 374-5050
6262 Van Nuys Boulevard
Van Nuys, CA 91401

West Los Angeles DSC

(310) 231-2901
1828 Sawtelle Boulevard
West Los Angeles, CA 90025

City Planning staff will follow up with the Appellant via email and/or phone to:

- Confirm that the appeal package is complete and meets the applicable LAMC provisions
- Provide a receipt for payment