



November 05, 2019

The Honorable Board of Commissioners
Los Angeles County
Development Authority
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Commissioners:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

3-D November 5, 2019

A handwritten signature in black ink, appearing to read "Celia Zavala".

CELIA ZAVALA
EXECUTIVE OFFICER

**APPROVAL OF FUNDING AND ENVIRONMENTAL DOCUMENTATION FOR EIGHT
MULTIFAMILY AFFORDABLE RENTAL HOUSING DEVELOPMENTS LOCATED IN THE CITY OF
LOS ANGELES
(DISTRICTS 1, 2, & 3) (3 VOTES)**

SUBJECT

This letter recommends that your Board approve loans totaling up to \$44,770,000 to fund the development of eight affordable multifamily rental housing developments selected through the No Place Like Home (NPLH) Program Notice of Funding Availability (NOFA), Round 2019-1, issued by the Los Angeles County Development Authority (LACDA).

IT IS RECOMMENDED THAT THE BOARD:

1. Acting as a responsible agency pursuant to the California Environmental Quality Act (CEQA), certify that the LACDA has considered the attached exemption determination for the Lake House project, which was prepared by the City of Los Angeles as lead agency; and find that this project will not cause a significant impact on the environment.
2. Acting as a responsible agency pursuant to CEQA, certify that the LACDA has considered the attached exemption determination for the 619 Westlake Apartments project, which was prepared by the City of Los Angeles as lead agency; and find that this project will not cause a significant impact on the environment.
3. Acting as a responsible agency pursuant to CEQA, certify that the LACDA has considered the attached exemption determination for the Washington LA Apartments project, which was prepared by the City of Los Angeles as lead agency; and find that this project will not cause a significant impact

on the environment.

4. Acting as a responsible agency pursuant to CEQA, certify that the LACDA has considered the attached exemption determination for the HiFi Collective project, which was prepared by the City of Los Angeles as lead agency; and find that this project will not cause a significant impact on the environment.
5. Acting as a responsible agency pursuant to CEQA, certify that the LACDA has considered the attached exemption determination for the Chesterfield project, which was prepared by the City of Los Angeles as lead agency; and find that this project will not cause a significant impact on the environment.
6. Acting as a responsible agency pursuant to CEQA, certify that the LACDA has considered the attached exemption determination for the Amani Apartments project, which was prepared by the City of Los Angeles as lead agency; and find that this project will not cause a significant impact on the environment.
7. Acting as a responsible agency pursuant to CEQA, certify that the LACDA has considered the attached exemption determination for the Mariposa Lily project, which was prepared by the City of Los Angeles as lead agency; and find that this project will not cause a significant impact on the environment.
8. Acting as a responsible agency pursuant to CEQA, certify that the LACDA has considered the attached exemption determination for the Sylmar II project, which was prepared by the City of Los Angeles as lead agency; and find that this project will not cause a significant impact on the environment.
9. Approve loans to the recommended developers identified in Attachment A, using up to a total of \$44,770,000 in NPLH Funds, contingent upon the transfer of NPLH Funds from the State of California Department of Housing and Community Development (HCD) to the LACDA.
10. Authorize the Executive Director, or designee, in consultation with the Director of Department of Mental Health (DMH), or designee, to negotiate, execute, and if necessary, amend, or reduce the loan agreements with the recommended developers identified in Attachment A, or their LACDA-approved designees, and all related documents, including but not limited to documents to subordinate the loans to construction and permanent financing, and any intergovernmental, interagency, or inter-creditor agreements necessary for the implementation of each development, following approval as to form by County Counsel.
11. Authorize the Executive Director, or designee, to accept and incorporate, as needed, up to \$44,770,000 Funds into the LACDA's approved Fiscal Year 2019-2020 budget, and future Fiscal Year budgets, as needed, for the purposes described herein.
12. Authorize the Executive Director, or designee, to reallocate LACDA funding set aside for affordable housing at the time of project funding, as needed and within each project's approved funding limit, in line with each project's needs, and within the requirements for each funding source.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

As a result of NPLH NOFA Round 2019-1, a total of 68 projects applied for NPLH Program funding.

Eighteen of the projects were previously approved by your Board on October 1, 2019. At this time, the LACDA is recommending eight additional projects for approval. The LACDA will return to your Board at a later date with separate actions to recommend awards for remaining projects selected for funding through NPLH NOFA Round 2019-1.

The eight projects seeking approval through this action are affordable multifamily rental housing developments that will provide a total of 510 housing units, consisting of 177 NPLH units set aside for households who are homeless, chronically homeless, or at-risk of chronic homelessness with a serious mental disorder or seriously emotionally disturbed child or adolescent; 151 units for general low-income families; 73 units for homeless seniors; 69 units for homeless households; 31 units for chronically homeless households; and nine units for onsite managers.

Approval is requested to ensure that the housing development projects identified in Attachment A can meet upcoming deadlines for submitting applications to other leveraged finance sources.

FISCAL IMPACT/FINANCING

The recommended loans to the developers identified in Attachment A will provide a total amount of up to \$44,770,000 in NPLH Funds. This amount will be incorporated into the LACDA's approved Fiscal Year 2019-2020 budget on an as-needed basis and included in future Fiscal Year budgets accordingly.

NPLH funds will be generated through the sale of bonds by the State of California's Department of Finance. Once the NPLH bonds are issued and funding is secured, NPLH funds are expected to be transferred by HCD to the LACDA by February 2020. Approval of project funding and disbursement of NPLH funds are contingent upon receipt of NPLH funds from HCD.

The recommended loan amounts are identified in Attachment A.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

In 2004, California voters approved Proposition 63, also known as the Mental Health Services Act (MHSA). MHSA provides funding for various county mental health services by increasing the income tax paid by those with incomes above \$1 million. This income tax increase raises \$1.5 billion to \$2.5 billion per year.

On July 1, 2016, Governor Brown signed Assembly Bill 1618, which authorized the creation of the NPLH Program. The NPLH Program authorizes the issuance of \$2 billion in bond proceeds to be repaid with MHSA funds for the development of supportive housing for those experiencing homelessness, chronic homelessness, or at-risk of chronic homelessness and living with mental illness. On November 6, 2018, California voters approved Proposition 2, also known as the No Place Like Home Act of 2018, which allows the state to carry out the NPLH Program utilizing MHSA funds.

Los Angeles County (County) is authorized to implement the NPLH Program locally, which includes all actions necessary to select, finance, and monitor projects during the life of the affordability covenant. The LACDA has been designated as an agent of the County in the implementation of the NPLH Program for selection, project financing and monitoring in conjunction with DMH. DMH has been designated as an agent of the County to provide supportive services to the tenants in the NPLH-funded units for at least 20 years, monitor the provision of services, and approve eligible

tenants.

On April 30, 2019, the LACDA issued NOFA Round 2019-1 for the NPLH Program. As a result, a total of 68 applications seeking NPLH Program funding were submitted. Of those applications, 60 projects met the minimum eligibility for funding, totaling approximately \$435 million of NPLH funds requested, which exceeds the \$207 million NPLH funding amount offered in the NOFA. Among these projects are those that met the minimum eligibility requirements for funding in NOFA Round 24-A, but were not funded at the time due to insufficient funds, and projects that have secured an award of Proposition HHH funds through the City of Los Angeles. Due to the overwhelming response of applications received and number of funding-eligible applications, the LACDA has established a pipeline of projects and will prioritize funding based on readiness using the anticipated tax credit application dates provided in the applications. The LACDA will return to your Board with separate actions for projects in the pipeline that are ready to close construction financing and/or need to meet upcoming deadlines for submitting applications to other leveraged finance sources.

The NPLH loan agreements and related documents will incorporate affordability restrictions, target assisted populations, and contain provisions requiring the developers to comply with all applicable federal, state, and local laws. Each loan will be evidenced by a promissory note and secured by a deed of trust, with the term of affordability enforced by a recorded regulatory agreement. Approval of these projects will leverage approximately \$254 million in additional external funding sources, which is over five times the amount of NPLH funds invested.

The loan agreements and related documents for these projects will reflect the respective tenant population set-asides and indicate that the assisted units will be affordable to households earning no more than 30% of the median income for the Los Angeles-Long Beach Metropolitan Statistical Area, adjusted for family size, as established by the U.S. Department of Housing and Urban Development. The loan agreements will require that the affordable housing units be set aside for a period of 55 years. Subject to various underwriting requirements, the developers may be required by the LACDA or other lenders to create a single asset entity to designate ownership of the project. These “designees” will be LACDA-approved single asset entities created by the developers prior to execution of the loan agreements and all related loan documents.

This letter recommends that the Executive Director, in consultation with the Director DMH or designee and upon approval by County Counsel, have the authority to amend loan agreements with the recommended developers. Amendments may be necessary in cases where project specifics change after execution of the loan agreement. The recommended authority to reduce any loan below the amounts stated in this action is requested in cases where the financing shows the maximum loan amount is not needed by the project. In this case, any reduction in a loan amount would occur during project underwriting and would take place prior to execution of any loan agreement.

This letter also recommends that the Executive Director, in consultation with the Director of DMH or designee, have the authority to reallocate NPLH funds set aside for affordable housing development at the time of project funding to better align project funds with available resources. Any reallocation of funds will be made within each project’s approved funding limit, in line with project needs, and within the requirements for each funding source.

ENVIRONMENTAL DOCUMENTATION

The proposed projects identified in Attachment A have been reviewed by the LACDA pursuant to the requirements of CEQA.

The Lake House project was determined ministerially exempt from the requirements of CEQA by the City of Los Angeles in accordance with CEQA Guidelines Section 15268. The LACDA's consideration of this determination satisfies the requirements of CEQA.

The 619 Westlake Apartments project was determined exempt from the requirements of CEQA by the City of Los Angeles in accordance with CEQA Guidelines Section 15332. The LACDA's consideration of this determination satisfies the requirements of CEQA.

The Washington LA Apartments project was determined exempt from the requirements of CEQA by the City of Los Angeles in accordance with CEQA Guidelines Section 15332. The LACDA's consideration of this determination satisfies the requirements of CEQA.

The HiFi Collective project was determined exempt from the requirements of CEQA by the City of Los Angeles in accordance with CEQA Guidelines Section 15332. The LACDA's consideration of this determination satisfies the requirements of CEQA.

The Chesterfield project was determined ministerially exempt from the requirements of CEQA by the City of Los Angeles in accordance with Government Code Section 65913.4 and Public Resources Code Section 21080(b)(1). The LACDA's consideration of this determination satisfies the requirements of CEQA.

The Amani Apartments project was determined ministerially exempt from the requirements of CEQA by the City of Los Angeles in accordance with Government Code Section 65913.4 and Public Resources Code Section 21080(b)(1). The LACDA's consideration of this determination satisfies the requirements of CEQA.

The Mariposa Lily project was determined exempt from the requirements of CEQA by the City of Los Angeles in accordance with CEQA Guidelines Section 15332. The LACDA's consideration of this determination satisfies the requirements of CEQA.

The Sylmar II project was determined exempt from the requirements of CEQA by the City of Los Angeles in accordance with CEQA Guidelines Section 15332. The LACDA's consideration of this determination satisfies the requirements of CEQA.

Environmental documentation for the proposed projects are included in Attachment B.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The requested actions will increase the supply of Special Needs and affordable housing units in the County of Los Angeles.

The Honorable Board of Commissioners

11/5/2019

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Monique King-Viehl". The signature is fluid and cursive, with a large, stylized initial "M".

MONIQUE KING-VIEHLAND

Executive Director

MKV:LK:ML:BL

Enclosures

ATTACHMENT A
NO PLACE LIKE HOME NOFA 2019-1
RECOMMENDED FUNDING ALLOCATIONS

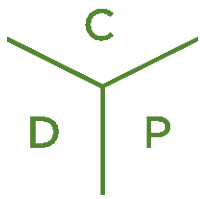
Sup. Dist.	Jurisdiction	Development/ Applicant	Type of Housing	Total Project Units	NPLH Funds	Other Funding Resources	Total Development Cost
1	Los Angeles	Lake House/ Community Development Partners	Special Needs	63	\$7,010,000	\$26,465,842	\$33,475,842
1	Los Angeles	619 Westlake Apartments/ Meta Housing Corporation	Mixed Population	78	\$4,600,000	\$33,921,067	\$38,521,067
1	Los Angeles	Washington/LA Apartments/ AMCAL	Mixed Population	112	\$4,050,000	\$80,439,032	\$84,489,032
2	Los Angeles	HiFi Collective/ LINC Housing Corporation	Special Needs	64	\$6,820,000	\$25,913,989	\$32,733,989
2	Los Angeles	Chesterfield/ Wakeland Housing and Development Corporation	Special Needs	42	\$9,240,000	\$16,650,279	\$25,890,279
2	Los Angeles	Amani Apartments/ Wakeland Housing Development Corporation	Special Needs	54	\$2,420,000	\$29,925,112	\$32,345,112
2	Los Angeles	Mariposa Lily/ West Hollywood Community Housing Corporation	Special Needs	41	\$4,690,000	\$19,515,638	\$24,205,638
3	Los Angeles	Sylmar II/ Meta Housing Corporation & LA Family Housing	Mixed Population	56	\$5,940,000	\$21,952,248	\$27,892,248
Totals				510	\$44,770,000	\$254,783,207	\$299,553,207

ATTACHMENT A
NO PLACE LIKE HOME NOFA 2019-1
RECOMMENDED FUNDING ALLOCATIONS

Sup. Dist.	Jurisdiction	Development/ Applicant	Type of Housing	Total Project Units	NPLH Funds	Other Funding Resources	Total Development Cost
1	Los Angeles	Lake House/ Community Development Partners	Special Needs	63	\$7,010,000	\$26,465,842	\$33,475,842
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Totals				510	\$44,770,000	\$254,783,207	\$299,553,207

ATTACHMENT B
ENVIRONMENTAL DOCUMENTATION

LAKE HOUSE



**Community
Development
Partners**

The Lake House is a by-right project, and does not require discretionary review by Los Angeles City Planning. As such, the project can proceed directly to the Department of Building and Safety to request building permits because it meets the existing standards and zoning regulations outlined in the Los Angeles Municipal Code and its scope does not trigger discretionary entitlement review.

Please find, attached, the Feasibility Study provided by Rudy Arias, LA Department of Building and Safety, confirming the Lake House as a by-right use, and indicating that no planning action is required for the proposed project.



Select Language ▼

[ABOUT](#) [ZONING](#) [DEVELOPMENT SERVICES](#) [PLANS & POLICIES](#) [HISTORIC PRESERVATION](#) [RESOURCES](#) [CONTACT](#)

Planning Applications & Entitlements

Development projects vary in scale and complexity, ranging from home renovation to the construction of a new apartment building. The review process a project goes through and the approvals it requires depend on the project's description and entitlement application.

By-Right / Ministerial Projects

A by-right or ministerial project is one that does not require discretionary review by Los Angeles City Planning. These types of projects can proceed directly to the [Department of Building and Safety](#) to request a building permit(s) because they meet the existing standards and zoning regulations outlined in the [Los Angeles Municipal Code](#) and their scope does not trigger discretionary entitlement review.

Note: A building permit may require sign-off from other departments at the [public counter](#), even if the project does not require planning review or approval.

Administrative Approvals

The By-Right/Ministerial permitting process may also involve administrative approvals to verify compliance with regulations or guidelines, most commonly those of an [overlay](#). Sign-off for these approvals is non-discretionary and can be conducted at the public counter, or by a planner assigned to a specific geography, before the applicant receives a building permit.

By-Right or Ministerial Permitting Process

1

Application Filing

Development Services Center

3

Building Permit Issuance

Department of Building & Safety

2

Building Permit Sign-Off

Development Services Center

Discretionary Entitlement Projects

A discretionary entitlement is a planning approval granted to an applicant to allow for a specific type of land use and/or to allow for the construction, modification, or use of a building. The approval of an entitlement involves a formal discretionary [application process](#), and may require a public hearing prior to issuing a recommendation or a determination letter to approve or deny. Examples of some commonly requested land use entitlements in the City of Los Angeles include: Conditional Use Permits, Zoning Administrator Determinations, Zone Changes, Subdivisions, Site Plan Review, and Project Permit Compliance.

Entitlement Review Process

1

Application Filing

Development Services Center

3

Determination of Decision

Project Denial/Approval

2

Project Review

City Planning

4

Building Permit Issuance

Department of Building & Safety

Projects that require a discretionary entitlement must attain a determination letter of approval before receiving approval of a building permit.

Planning Applications & Entitlements

[Application Process](#)

[Development Services](#)

[Expedited Processing](#)

[Environmental Review](#)

[Published Documents](#)

[Appointments](#)

[Forms](#)

[Fee Estimator](#)

[Home-Sharing](#)

Development Services Case Management

Feasibility Study Form (Zoning)

Project Address:

437 S Westlake Ave

Case Manager:

Rudy Arias

Case No:

CM2019-0297

Date:

07/18/2019

Scope of Work:

New 5-story, 63-unit supportive housing apartment building with ground floor parking, supportive services and amenities.

Information from ZIMAS:

Zoning: R4-1

Lot Area: 15,496 SF (apprx)

Alley: 18' Wide At Reat

Building Line: None

☐ CZCA

☐ HPOZ

☐ ZI 145:

☐ Greater Downtown Incentive Area

☐ POD/CDO/NSO:

Information from ZIMAS:

CRA: Westlake Recovery Redevelopment Project

Enterprise Zone: ZI-2374 LOS ANGELES STATE ENTERPRISE ZONE

Specific Plan/CPIO: None

Easement: Powerlines At Alley (Near PL Overhead)

Legal (Lot Cut): No ARB's (Lot Cut Reference)

ZA, CPC: YD-4863 || PAR-2018-3425-TOC || ZA-19XX-9306

Downtown Design Guide Area: None

ZI: ZI-2275 Westlake Recovery Redevelopment Project

AFF: None found on Zimas / Check IDIS.

Information from ZIMAS:

☐ Methane

☒ Methane Buffer

☐ Oil and Gas

☐ Fire District 1

☐ URM

☐ LIQ/LAN

☐ Flood:

☐

☐ Hillside Area (ZONING)

☒ Special Grading Area (BOE)

☐ Very High Fire Hazard Severity Zone

☐ Alquist-Priolo Earthquake Fault Zone

☐ Prelim Fault Rupture Study Area

☐ Airport Hazard Height Limit

☒ TOC Tier: 3

(must be verified by City Planning)

Item to be Addressed	Per Zoning Code requirement	Requirement Per:			Comment / Proposed	Planning Action
		<input type="checkbox"/> [Q]	<input type="checkbox"/> [D]	<input type="checkbox"/> (Q)		
	<input checked="" type="checkbox"/> No Plans <input type="checkbox"/> Preliminary Plans Provided	<input type="checkbox"/> Specific Plan/CPIO: <input type="checkbox"/> Greater Downtown Housing Incentive area				
1. Use	<input checked="" type="checkbox"/> By Right <input type="checkbox"/> CUP Required per section _____ <input type="checkbox"/> Public benefit projects per section 1406 <input type="checkbox"/> (Discontinued) non conforming use				Apartment houses allowed by right per 12.11.A. Supportive Services (for on-site use) is an accessory use to residential main use per LA City Memo.	<input type="checkbox"/>
2. Height	<input checked="" type="checkbox"/> Height District: <u>R4-1</u> <input type="checkbox"/> Transitional height (12.21.1A10): <input type="checkbox"/> Project subject to Mini Mall /Commercial Corner max 45' for height district 1 and 1L				No Limit Per 12.21.1.	<input type="checkbox"/>
3. FAR (FLOOR AREA RATIO) Note: Buildable Area = lot area for most residential or mixed use projects in C2, C4 & C5 zone	<input checked="" type="checkbox"/> Per Height District: <u>R4-1</u> <input type="checkbox"/> TOC FAR increase: _____ <input checked="" type="checkbox"/> FAR consideration under projections, floor, roof, covered/stacking balconies & exterior walkways or similar construction	If TOC (Base) FAR Incentive: T3 - FAR = 3 X 1.50 = 4.50:1 T4 - FAR = 3 X 1.55 = 4.65:1 [VI.1.b]			FAR = 3:1 Per 12.21.1 B.A. = Lot - Yards (for 1-story bldg) Maximum Floor Area = B.A. X FAR	<input type="checkbox"/>

Item to be Addressed	Per Zoning Code Requirements		Requirement Per:			Comment/Proposed	Planning Action			
			<input type="checkbox"/> [Q]	<input type="checkbox"/> [D]	<input type="checkbox"/> (Q)					
			<input type="checkbox"/> Specific Plan/CPIO: <input type="checkbox"/> Greater Downtown Housing Incentive area							
4. Number of Stories	<input checked="" type="checkbox"/> Per Height District (12.21.1): <u>R4-1</u>					No Limit Per 12.21.1.	<input type="checkbox"/>			
5. Setback Note: FY is required for CR*, C1*, C1.5* MR1, MR2 Side is req'd for CR, C1, C1.5 *not req'd for mini mall / commercial corner	Front	15' (12.11.C)	If TOC (Additional) FAR Incentive: [VII.7.a] Front: Average of adjoining lot front yards (Tier 3 & 4). Side & Rear: Up to 30% / 35% (Tier 3 / Tier 4) decrease of two individual yards.			Front	<input type="checkbox"/>			
	Side	5' + 1' per story over 2nd (12.11.C)				Side				
	Rear	15' + 1' per story over 3rd (12.11.C)				Rear				
	Building Line	None				12.22 C.10: Rear Yard – Includes One-Half Alley. Except in the RS, R1, RU, RZ, RMP, and R2 Zones, in computing the depth of a rear yard where the rear yard opens onto an alley or in the RW Zone onto a court of not more than 30 feet in width, one-half the width of the alley or court may be assumed to be a portion of the required rear yard.				
	<input type="checkbox"/> 5' Landscape required for street frontage and parking area next to residential zone or use per Commercial Corner/Mini Mall 12.22A23(a)(10) (some exception for downtown bus. district) <input type="checkbox"/> Mixed Use Yard Exception per 12.22A18(c)(3)									
6. Parking Note: Non-Conforming Parking is lost once Ceiling Joists are removed.	Use	AUTOMOBILE PKG Factor and Code Section	Floor Area, # of Units/Guestrooms, Etc.	# of Req'd Auto Spaces	# of Req'd Bicycle	Proposed # of Parking Spaces:	<input type="checkbox"/>			
	Apartment (Base) Parking Incentive Per TOC Tier 3	0.5 Spaces per Unit [VI.2]	63 X 0.5 = 31.5	32	See LAMC 12.21 A.16	Auto: ? Bicycle: ?				
	Apartment (Base) Parking Incentive Per TOC Tier 4	0 Spaces Per Unit [VI.2]	63 X 0.0 = 0	0	See LAMC 12.21 A.16	Comments:				
	<input checked="" type="checkbox"/> Parking Bonuses/Exceptions: CRA, Enterprise Zone, Central City, Downtown Pkg, Aff. Hsg Parking Options, Historical									
7. Density	Base Lot Area (Inc Half Alley if any): <u>100 X 155 + 18 X 100 / 2 = 16,400 SF</u>		Required Highway Dedication: _____	Net Lot Area (Condo): _____		Proposed # of Units: <u>63</u>	<input type="checkbox"/>			
	Base Density	Requirement per General Code, Q, or Specific Plan	Density Factor	# of Units Allowed:		Comments: 12.22 C.16: Lot Area – Includes One-Half Alley. In computing the number of dwelling units allowed by the minimum lot area per dwelling unit requirements of this article on a lot abutting upon one or more alleys, one-half the width of such alley or alleys may be assumed to be a portion of the lot.				
		1/400 (12.11.C)	16,400 / 400 = 41	41 Base						
	Density Increase (TOC Guidelines or 12.22A25(c))	Level of Affordability (Extremely Low, Very Low, Low, Moderate)	% Density Increase	# of Units Allowed with Density Increase:						
		T3 - EL 0.10 X 63 = 7 T3 - VL 0.14 X 63 = 9 T3 - LI 0.23 X 63 = 15 T4 - 100% Affordable	T3 - 41 X 1.7 = 69.7 T4 - 41 X 1.8 = 73.8	T3 - 70 T4 - 74						

8. Open Space (12.21G)	# of Habitable Rooms	# of Units	Req'd Open Space (sf)	Total Open Space Req'd:	- Common: Open to Sky 50% Min Modf @ roof Rec. Rm. 600 SF min 25% max to count - Private 8' vert 6' horz 50 SF min 50 SFcnts TOC Add'l Inc: 25% Decrease: 6300 X 0.75 = 4,725 SF	<input type="checkbox"/>
	< 3	63	X 100sf = 6300	6300		
	= 3		X 125sf =			
	> 3		X 175sf =			
9. Passageway, Space Bet. Buildings	Per section 12.21C2		Space Btwn Bldgs. 12.21 C.2 (a) 10'/20' + 2' per story over 2nd		Passageway.12.21 C.2 (b) 10' + 2' per story over 2nd	<input type="checkbox"/>
10. Loading Area	Per section 12.21C6				Not Required. (unless alley, institution, hotel or if any commercial uses proposed)	<input type="checkbox"/>
11. Trash & Recycling	Per section 12.21A19				100 SF Min.	<input type="checkbox"/>

Others:

- ☐ Coastal Zone (CZCA)
- ☐ Subdivision action required
- ☐ Alley, Street Vacation action required
- ☐ Ch 34, all (E) CMU bldg is treated as ordinary shear wall
- ☐ Yards for Churches, Institutions, Schools etc in RA or R zones (12.21C3)
- ☒ Demo of bldgs part of bigger development, CEQA clearance is rq'd. on demo permit. If not, notarized acknowledgement from owner is rq'd.
- ☒ Demo of bldgs. ≥ 45 yrs. DPI and 30-day notification is rq'd.
- ☒ Demo of (E) rental units (RSO). Replacement # of units = greater of # units demo or 20% of new units w/n 5yrs. ORD-184873 Memo 5/25/17

Others:

- ☒ Landscaping
- ☐ Commercial Corner/Mini Mall (12.22A23)(a mixed use project as defined in 13.09B3 or residential project conforms to Downtown Design Guide are exempted)
- ☐ Site Plan Review (16.05)(≥50,000sf; ≥50 units; and increase "trips" and **any residential project in Greater downtown housing incentive area (unless complies with downtown design guide 12.22A30 per 16.05D (7))**
- ☐ Major development (12.24U14)(≥250,000sf warehouse; ≥250 guest rooms; ≥100,000sf cumulative for other non residential, non warehouse area in C2,C4,C5,CM,M1,M2,M3 and **Home Improvement Store.**)

Inform applicant that project requires planning entitlement action needs to follow the "City Design Guidelines" developed by Planning Department. Refer to Planning website: select "Policy Initiatives", then "Urban Design Studio"

Additional Comments:

- [TPC IV.9] Buildings that are Eligible Housing Developments that consist of 100% On-Site Restricted Affordable units, exclusive of a building manager's unit or units shall, for purposes of these Guidelines, be eligible for one increase in Tier than otherwise would be provided.
- Review vehicle maneuvering at alley.
- Project does not require lot line adjustment. May adjust lot lines as allowed. Additional corrections may follow for adjacent building.
- Lot tie would suffice for project.
- If PM/TM/Condominium, lot area is based on lot after dedications for density & floor area considerations.
- SPR: The threshold for a project triggering the Site Plan Review requirements of LAMC 16.05 shall be based on the number of units that would be permitted prior to any density increase from Section VI 1(a) of these Guidelines. [V.2.b]

Rev. 5.14.2018

Note: The information provided by this feasibility study is only to answer your very specific questions without a complete review of plans and it is not meant to include any and all code requirements. It is exclusive of other code requirements that may only be determined once your complete plans have been checked by a plan engineer.

619 WESTLAKE APARTMENTS

ORIGINAL FILED

SEP 05 2018

OFFICE OF THE CITY CLERK
200 NORTH SPRING STREET, ROOM 360
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

LOS ANGELES, COUNTY CLERK

NOTICE OF EXEMPTION

(California Environmental Quality Act Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152 (b). Pursuant to Public Resources Code Section 21167 (d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations being extended to 180 days.

LEAD CITY AGENCY

City of Los Angeles Department of City Planning

COUNCIL DISTRICT
1 - Cedillo

PROJECT TITLE

LOG REFERENCE
ENV-2018-4493-CE

PROJECT LOCATION

619, 623, 627, 629, 631 and 633 South Westlake Avenue

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:

Construction of a 100% affordable housing development (exclusive of the manager's unit) consisting of 78 residential units that is six-stories and contains 108,895 square feet resulting in a floor area ratio (FAR) of 4:1. The project site is located in the Special BOE Grading Area and seeks a haul route for the export 6,120 cubic yards of soil.

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY:

CONTACT PERSON

Elizabeth Tooke

AREA CODE

310

TELEPHONE NUMBER

838-2400

EXT.

EXEMPT STATUS: (Check One)

STATE CEQA GUIDELINES

CITY CEQA GUIDELINES

- | | | |
|---|---------------------------|----------------------------|
| <input type="checkbox"/> MINISTERIAL | Sec. 15268 | Art. II, Sec. 2b |
| <input type="checkbox"/> DECLARED EMERGENCY | Sec. 15269 | Art. II, Sec. 2a (1) |
| <input type="checkbox"/> EMERGENCY PROJECT | Sec. 15269 (b) & (c) | Art. II, Sec. 2a (2) & (3) |
| <input checked="" type="checkbox"/> CATEGORICAL EXEMPTION | Sec. 15300 <i>et seq.</i> | Art. III, Sec. 1 |

Class 32 Category _____ (City CEQA Guidelines)

- ☐ OTHER (See Public Resources Code Sec. 21080 (b) and set forth state and City guideline provision.

JUSTIFICATION FOR PROJECT EXEMPTION: In-fill development meeting the conditions described in CEQA Guidelines 15332: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations. (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. (c) The project site has no value as habitat for endangered, rare or threatened species. (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

SIGNATURE

Monique Acosta

TITLE

City Planning Associate

DATE

8/29/2018

FEE:

\$7,102.02

RECEIPT NO.

48481

REC'D. BY

Edber Macedo

DATE

8/2/2018

DISTRIBUTION: (1) County Clerk, (2) City Clerk, (3) Agency Record
Rev. 11-1-03 Rev. 1-31-06 Word

IF FILED BY THE APPLICANT:

NAME (PRINTED)

SIGNATURE

DATE

UNIVERSITY OF CALIFORNIA
LIBRARY
DIVERSITY AND INCLUSION

I hereby certify and attest this to be a true and correct
copy of the original record on file in the office of the
Department of City Planning of the City of Los Angeles
designated as ENV-2018-4493-QE
Monique Acosta
Department Representative

WASHINGTON/LA APARTMENTS

COUNTY CLERK'S USE

CITY OF LOS ANGELES

CITY CLERK'S USE

OFFICE OF THE CITY CLERK
200 NORTH SPRING STREET, ROOM 360
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

(California Environmental Quality Act Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152 (b). Pursuant to Public Resources Code Section 21167 (d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations being extended to 180 days.

LEAD CITY AGENCY City of Los Angeles Department of City Planning	COUNCIL DISTRICT 9 - Price
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PROJECT TITLE DIR-2018-1094-SPR	LOG REFERENCE ENV-2018-1095-CE
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PROJECT LOCATION
200-224 East Washington Boulevard & 1910-1914 South Los Angeles Street

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:
The proposed project includes the demolition of existing structures and the construction, use and maintenance of a new, five-story, mixed-use building with 112 dwelling units, and 7,300 square feet of commercial space. The project includes a total of 75 automobile parking spaces and 70 bicycle parking spaces.

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY:
Percival Vaz, AMCAL Multi-Housing, Inc.

CONTACT PERSON Jay Ross, AMCAL Multi-Housing, Inc.	AREA CODE 818	TELEPHONE NUMBER 706-0694	EXT. 128
--	-------------------------	-------------------------------------	--------------------

EXEMPT STATUS: (Check One)


	STATE CEQA GUIDELINES	CITY CEQA GUIDELINES
<input type="checkbox"/> MINISTERIAL	Sec. 15268	Art. II, Sec. 2b
<input type="checkbox"/> DECLARED EMERGENCY	Sec. 15269	Art. II, Sec. 2a (1)
<input type="checkbox"/> EMERGENCY PROJECT	Sec. 15269 (b) & (c)	Art. II, Sec. 2a (2) & (3)
<input checked="" type="checkbox"/> CATEGORICAL EXEMPTION	Sec. 15300 <i>et seq.</i>	Art. III, Sec. 1

Class 32 Category _____ (City CEQA Guidelines)

☐ OTHER (See Public Resources Code Sec. 21080 (b) and set forth state and City guideline provision.

JUSTIFICATION FOR PROJECT EXEMPTION: In-fill development meeting the conditions described in this section. (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations. (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. (c) The project site has no value as habitat for endangered, rare or threatened species. (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

SIGNATURE 	TITLE City Planner	DATE January 15, 2019
FEE: \$373.00	RECEIPT NO. 0103856492	REC'D. BY Ulises Gonzalez
		DATE February 28, 2018

DISTRIBUTION: (1) County Clerk, (2) City Clerk, (3) Agency Record
Rev. 11-1-03 **Rev. 1-31-06 Word**

IF FILED BY THE APPLICANT:

NAME (PRINTED)

SIGNATURE

ORIGINAL FILED

JAN 31 2019

LOS ANGELES, COUNTY CLERK

DATE

I hereby certify and attest this to be a true and correct
copy of the original record on file in the office of the
Department of City Planning of the City of Los Angeles
designated as ENU-2018-1015-CE


Department Representative

DR. CLIVE L. FINE
1000 10th St
Los Angeles, CA 90015

**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

SAMANTHA MILLMAN
PRESIDENT

VAHID KHORSAND
VICE-PRESIDENT

DAVID H. J. AMBROZ
CAROLINE CHOE

RENEE DAKE WILSON
KAREN MACK

MARC MITCHELL

VERONICA PADILLA-CAMPOS
DANA M. PERLMAN

**CITY OF LOS ANGELES
CALIFORNIA**



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES

200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
(213) 978-1271

VINCENT P. BERTONI, AICP
DIRECTOR

KEVIN J. KELLER, AICP
EXECUTIVE OFFICER

SHANA M.M. BONSTIN
DEPUTY DIRECTOR

TRICIA KEANE
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

SITE PLAN REVIEW

January 15, 2019

Applicant

Percival Vaz
AMCAL Multi-Housing, Inc.
30141 Agoura Road
Agoura Hills, CA. 91301

Owner

AMCAL Washington Fund, L.P.
30141 Agoura Road
Agoura Hills, CA. 91301

Los Angeles Housing + Community
Investment Department (HCIDLA)
200 North Spring Street
Los Angeles, CA. 90012

Representative

Erci Lieberman
QES, Inc.
14549 Archwood Street
Van Nuys, CA 91405

Case No. DIR-2018-1094-SPR
CEQA: ENV-2018-1095-CE
Location: 200-224 East Washington
Boulevard & 1910-1914
South Los Angeles Street

Council District: 9 - Price
Neighborhood Council: South Central
Community Plan Area: Southeast Los Angeles
Land Use Designation: Community Commercial
Zone: C2-2D-O-CPIO &

(T)(Q)C2-2D-O-CPIO
Legal Description: Lots 3, 4, 5, Fr. Lots 1, 2,
32, Block B, Subdivision
Of The Martin Tract; Lot 2,
Tract 26934

Last Day to File an Appeal: January 30, 2019

DETERMINATION – Site Plan Review

Pursuant to the LAMC Section 16.05, I have reviewed the proposed project and as the designee of the Director of City Planning, I hereby:

Find that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 21080 of the California Public Resources Code, and Article 19, Class 32 of the CEQA Guidelines; and

Conditionally Approve a Site Plan Review for the construction, use and maintenance of a new, five-story, mixed-use building with 112 dwelling units, and 7,300 square feet of commercial space in the C2-2D-O-CPIO & (T)(Q)C2-2D-O-CPIO; and

Adopt the attached findings.

CONDITIONS OF APPROVAL

1. **Site Plan.** The use and development of the subject property shall be in substantial conformance to the site plan, and elevations labeled Exhibit "A" (dated December 4, 2018) attached to the subject case file. The location, type, and size of signage is not a part of this approval. Minor deviations may be allowed in order to comply with provisions of the Municipal Code and the conditions of approval.
2. **Use.** The project shall be limited to a maximum density of 112 residential units and 7,500 square feet of commercial space.
3. **Southeast Community Plan CPIO.** The project shall comply with the provisions of the Southeast Community Plan CPIO.
4. **Floor Area.** The total floor area of the project shall not exceed 142,000 square feet or a 2.27 to one (1) Floor Area Ratio, whichever is less.
5. **Height.** The height of the building shall not exceed 66 feet and five (5) stories.
6. **Automobile Parking.** Automobile parking shall be provided in accordance with the LAMC.
7. **Landscaping.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning.
8. **Rooftop Screening.** Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view of any abutting properties and the public right-of-way. All screening shall be setback at least five feet from the edge of the building.
9. **Electric Vehicle Parking.** The project shall include at least 20 percent of the total code-required parking spaces capable of supporting future electric vehicle supply equipment (EVSE). Plans shall indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating ampacity. Of the twenty percent EV Ready parking, five percent of the total code required parking spaces shall be further provided with EV chargers to immediately accommodate electric vehicles within the parking areas. When the application of either the required 20 percent or five percent results in a fractional space, round up to the next whole number. A label stating "EVCAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point. None of the required EV Ready parking shall apply to parking spaces used for dealership vehicle storage.
10. **Solar Panels.** Solar panels shall be installed on the project's rooftop space to be connected to the building's electrical system. A minimum 15% of the roof area shall be reserved for the installation of a solar photovoltaic system, to be installed prior to the issuance of a certificate of occupancy, in substantial conformance with the plans stamped "Exhibit A".

11. **Maintenance.** The subject property (including all trash storage areas, associated parking facilities, sidewalks, yard areas, parkways, and exterior walls along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.
12. **Lighting.** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way, nor from above.
13. **Trash.** All trash collection and storage areas shall be located on-site and not visible from the public right-of-way.

Administrative Conditions

14. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews 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.
15. **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 Development Services Center for inclusion in the case file.
16. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
17. **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.
18. **Building Plans.** A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
19. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
20. **Expedited Processing Section.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.

21. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

Applicant shall do all of the following:

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

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

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

PROJECT BACKGROUND

The proposed project is the construction, use and maintenance of a five-story, 66-foot tall, mixed-use development with 7,300 square feet of ground floor commercial floor area. The residential component includes 112 units, a courtyard, a gym, business center, community room, office space, and a lobby/leasing area. The residential units consist of 36 three-bedroom units, 49 two-bedroom units, and 27 one-bedroom units. Of these units, one (1) would be a market rate manager's unit, 10 would be "extremely low income" units, seven (7) would be "very low income" units, five (5) would be "low income" units, and 89 would be "moderate income" units. The ground floor commercial retail would include a mix of local retail stores, cafés/restaurants, and office space.

The proposed project would provide 16,493 square feet of open space, consisting of a centralized courtyard, individual balconies, and a community room. The first floor would include a 1,280 square-foot lobby/mailroom and a 1,685 square-foot leasing office, and the second floor would include the community room, business center, and gym area. The courtyard would be centrally located, consisting of approximately 9,950 square feet, open to the sky above, and surrounded by floors two (2) through five (5). In addition, the proposed project would include private open space in the form of balconies for each residential unit. The balconies would be 50 square feet each for a total of 5,600 square feet. The proposed project would also include landscaping and raised planters on the ground floor on all sides of the building as well as community garden plots on the southern side of the building. The project would also include a seating area along the permeable planter on the southern side of the building intended for stormwater infiltration that would provide passive recreation. Additionally, the project would include a courtyard on-top of the podium which would include a contemporary landscape design.

Primary vehicular access to the project site would be provided via one (1) driveway on the east side of Los Angeles Street along the westerly property frontage, which includes access to the at-grade parking garage. Additionally, a vehicle turnaround area would be provided on Santee Street at the southeast corner of the project site for access to on-street parking and fire/emergency vehicle use. Pedestrian access to the garage would be provided by elevators located within the lobby as well as sets of stairs, located on the western, eastern, and northern sides of the project site. Pedestrians would access the building through a lobby with an entrance along Washington Boulevard.

A total of 60 residential parking spaces and 15 commercial parking spaces are proposed, for a total of 75 parking spaces. Three (3) vehicular parking spaces would have electric vehicle (EV) charging stations, while an additional two (2) spaces would be set aside for future EV charging stations. In accordance with the American Disabilities Act (ADA), three (3) spaces would be handicap accessible spaces.

The subject property is a rectangular, 62,382 square-foot (1.43 acre) lot comprised of nine (9) lots with an approximately 300-foot frontage along the south side of Washington Boulevard and an approximately 195 frontage along the east side of Los Angeles Street. The property is currently developed with a car repair facility, a three (3) warehouse/industrial building, one (1) of which was used as a newspaper printing facility, and an occupied apartment complex.

The subject property is zoned C2-2D-O-CPIO & (T)(Q)C2-2D-O-CPIO within the Southeast Los Angeles Community Plan Area with a Community Commercial land use designation. The property is located within the TOD Regional Subarea of the Southeast Los Angeles Community Plan Implementation Ordinance (CPIO). The CPIO establishes limitations for over-concentrated and

auto-oriented uses, such as liquor stores, auto-repair and self-storage among others. Projects must meet pedestrian-oriented design standards and have an active ground floor. Parking, height and/or FAR incentives are offered for targeted uses such as banks, child care and sit-down restaurants, among others. In addition, FAR, parking, density, and/or height incentives are offered for mixed-income and 100% affordable housing projects.

SURROUNDING PROPERTIES

The project site is bordered by mixed uses to the north and west, which are located across the street from the project site along Washington Boulevard and Los Angeles Street, respectively. An apartment complex (the Hirsh Apartments) is located to the east of the project site across Santee Street. The Frida Kahlo High School and the Santee Education Complex are located to the south of the project site. Additionally, the Los Angeles County Metropolitan Transportation Authority (Metro) Blue Line, an at-grade light rail line, is located along Washington Boulevard.

STREETS

Washington Boulevard, designated a Boulevard II, is dedicated to a width of 100 feet and improved with asphalt roadway and concrete curb, gutter, and sidewalk.

Los Angeles Street, designated an Avenue II, is dedicated to a variable width of 80 to 85 feet and improved with asphalt roadway and concrete curb, gutter, and sidewalk.

SITE PLAN REVIEW FINDINGS

I have reviewed the subject development project and hereby find the following findings based on the information contained in the application, the report of the Site Plan Review staff, reports received from other departments, supplemental written documents submitted and review of environmental impacts associated with the project pursuant to Section 16.05-C of the Municipal Code:

1. **The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and does not conflict with any applicable regulations, standards, and any applicable specific plan.**

There are twelve elements of the General Plan and many policies derived from these elements are in the form of Code Requirements of Los Angeles Municipal Code. Except for those entitlement requested herein, the project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code.

The Land Use Element of the City's General Plan is divided into 35 Community Plans. The Southeast Los Angeles Community Plan designates the subject property for Community Commercial land uses, corresponding to the C2, C4, RAS3, R3, RAS4, and R4 Zones. The property is zoned C2-2D-O-CPIO and (T)(Q)C2-2D-O-CPIO, consistent with Community Commercial land uses.

The project is in substantial conformance with the purposes, intent and provisions of the General Plan, as reflected in the adopted Framework Element and Community Plan.

The **Community Plan** text includes the following relevant land use goals:

Goal LU4	A commercial sector that is strong and competitive, that serves the needs of individual neighborhoods and the broader community, and that preserves the historic cultural character of the area.
Goal LU5	Medium and higher density mixed-use development that is located appropriately within the community.
Goal LU6	Commercial corridors that foster distinctive neighborhood identities, are high in quality and designed with proper context.
Goal LU7	A diversity of uses which contribute to safe commercial environments that enhance the health and welfare of the community by limiting overconcentrated and detrimental uses and expanding opportunities for others.
Goal LU8	Areas of high pedestrian activity that thrive, with cohesive neighborhoods that feel inviting and safe.
Goal LU10	“Green” development that promotes an ecologically sustainable community and reduces greenhouse gases.
Goal LU12	Strong and competitive Community Commercial corridors that serve the needs of the surrounding community while preserving historic commercial and cultural character

The proposed project will result in the development of a mixed-use project that provides 112 dwelling units, 111 of which are set aside for affordable housing, and 7,300 square feet of ground floor commercial space on land designated for Community Commercial land uses. The project is located in proximity to the Metro Blue Line thereby a commercial corridor near neighborhood-serving commercial uses, and the Metro Blue Line, thereby reducing vehicular trips and congestion generated by project and reducing greenhouse gas emissions.

The project has been designed and will be in full compliance with the TOD Regional Subarea of the Southeast Los Angeles Community Plan Implementation Ordinance (CPIO). The CPIO establishes limitations for over-concentrated and auto-oriented uses, such as liquor stores, auto-repair and self-storage among others. Projects must meet pedestrian-oriented design standards and have an active ground floor. Parking, height and/or FAR incentives are offered for targeted uses such as banks, child care and sit-down restaurants, among others. In addition, FAR, parking, density, and/or height incentives are offered for mixed-income and 100% affordable housing projects

The **Framework Element** for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework Element includes the following goals, objectives and policies relevant to the instant request:

Goal 3A A physically balanced distribution of land uses that contributes towards and facilitates the City's long-term fiscal and economic viability, revitalization of economically depressed areas, conservation of existing residential neighborhoods, equitable distribution of public resources, conservation of natural resources, provision of adequate infrastructure and public services, reduction of traffic congestion and improvement of air quality, enhancement of recreation and open space opportunities, assurance of environmental justice and a healthful living environment, and achievement of the vision for a more liveable city.

Objective 3.1 Accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors.

Policy 3.1.4 Accommodate new development in accordance with land use and density provisions of the General Plan Framework Long-Range Land Use Diagram.

The proposed project will result in the development of a mixed-use project that provides 112 dwelling units, including one (1) market rate manager's unit, 10 would be "extremely low income" units, seven (7) would be "very low income" units, five (5) "low income" units, and 89 "moderate income" units, and 7,300 square feet of ground floor commercial space on land designated for Community Commercial land uses, thereby contributing toward and facilitating the City's long-term economic viability and housing needs.

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

Policy 3.2.1 Provide a pattern of development consisting of distinct districts, centers, boulevards, and neighborhoods that are differentiated by their functional role, scale, and character. This shall be accomplished by considering factors such as the existing concentrations of use, community-oriented activity centers that currently or potentially service adjacent neighborhoods, and existing or potential public transit corridors and stations.

Policy 3.2.2 Establish, through the Framework Long-Range Land Use Diagram, community plans, and other implementing tools, patterns and types of development that improve the integration of housing with commercial uses and the integration of public services and various densities of residential development within neighborhoods at appropriate locations.

The proposed mixed-use, 112-unit development is located on a commercially-zoned property within a commercial corridor near neighborhood-serving commercial uses, and the Metro Blue Line, thereby reducing vehicular trips and congestion generated by project.

Objective 3.4 Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.

- Policy 3.4.1 Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram.

The proposed mixed-use, 112-unit development is located within a commercial corridor near neighborhood-serving commercial uses and public transit services while contributing to the future housing needs of the City without encroaching on any existing single-family and multi-family neighborhoods.

Therefore, the proposed 112-unit, affordable housing, mixed-use development is consistent with the Distribution of Land Use goals, objectives and policies of the General Plan Framework Element.

Goal 3 Pedestrian-oriented, high activity, multi- and mixed-use centers that support and provide identity for Los Angeles' communities.

- Objective 3.9 Reinforce existing and encourage new community centers, which accommodate a broad range of uses that serve the needs of adjacent residents, promote neighborhood and community activity, are compatible with adjacent neighborhoods, and are developed to be desirable places in which to live, work and visit, both in daytime and nighttime.

- Policy 3.9.1 Accommodate the development of community-serving commercial uses and services and residential dwelling units in areas designated as "Community Center" in accordance with Tables 3-1 and 3-5. The ranges and densities/intensities of uses permitted in any area shall be identified in the community plans.

- Policy 3.9.5 Promote pedestrian activity by the design and siting of structures in accordance with Pedestrian-Oriented District Policies 3.16.1 through 3.16.3.

The proposed 112-unit development with 7,300 square feet of ground floor commercial space will support daytime and nighttime activity as a result of the mixture of commercial and residential uses on-site. The project's design, specifically ground floor commercial space will encourage pedestrian activity.

Goal 5A A liveable City for existing and future residents and one that is attractive to future investment. A City of interconnected, diverse neighborhoods that builds on the strengths of those neighborhoods and functions at both the neighborhood and citywide scales.

- Objective 5.2 Encourage future development in centers and in nodes along corridors that are served by transit and are already functioning as centers for the surrounding neighborhoods, the community or the region.

Policy 5.2.2 Encourage the development of centers, districts, and selected corridor/boulevard nodes such that the land uses, scale, and built form allowed and/or encouraged within these areas allow them to function as centers and support transit use, both in daytime and nighttime. Additionally, develop these areas so that they are compatible with surrounding neighborhoods.

Policy 5.2.3 Encourage the development of housing surrounding or adjacent to centers and along designated corridors, at sufficient densities to support the centers, corridors, and the transit system.

b) Buildings in community centers generally should be two to six stories in height, with the first several stories located along the sidewalk. They should also incorporate the pedestrian-oriented elements defined in policy 5.8.1. Either housing or office space may be located above the ground floor storefronts.

The proposed project will result in the development of a five-story, 112-unit mixed-use development with 7,300 square feet of ground floor commercial space along Washington Boulevard and Los Angeles Street, a commercial corridor in the Southeast Los Angeles community. The project is well-served by existing commercial development, as well as has convenient access to the Metro Blue Line.

Therefore, the project is consistent with the Urban Form and Neighborhood Design goals, objectives and policies of the General Plan Framework Element.

The **Housing Element** of the General Plan will be implemented by the recommended action herein. The Housing Element is the City's blueprint for meeting housing and growth challenges. It identifies the City's housing conditions and needs, reiterates goals, objectives, and policies that are the foundation of the City's housing and growth strategy, and provides the array of programs the City has committed to implement to create sustainable, mixed-income neighborhoods across the City. The Housing Element includes the following objectives and policies relevant to the instant request:

Goal 1 Housing Production and Preservation

Objective 1.1 Produce an adequate supply of rental and ownership housing in order to meet current and projected needs.

Policy 1.1.2 Expand affordable rental housing for all income groups that need assistance.

Policy 1.1.3 Facilitate new construction and preservation of a range of different housing types that address the particular needs of the city's households.

Policy 1.1.4 Expand opportunities for residential development, particularly in designated Centers, Transit Oriented Districts and along Mixed-Use Boulevards.

The proposed 112-unit affordable housing development for low-income households is located within an area designated Community Commercial land uses and will expand affordable rental opportunities and address the needs of the city's households.

Goal 2 Safe, Livable, and Sustainable Neighborhoods

Objective 2.2 Promote sustainable neighborhoods that have mixed-income housing, jobs, amenities, services and transit.

Policy 2.2.1 Provide incentives to encourage the integration of housing with other compatible land uses.

Objective 2.5 Promote a more equitable distribution of affordable housing opportunities throughout the City.

Policy 2.5.2 Foster the development of new affordable housing units citywide and within each Community Plan area.

The proposed 112-unit affordable housing development is located within the Southeast Los Angeles Community Plan area. The proposed project will promote a sustainable neighborhood with mixed-income housing while equitably distributing such housing citywide.

Therefore, the project is consistent with the Housing Element goals, objectives and policies of the General Plan.

The **Mobility Element** of the General Plan (Mobility Plan 2035) is not likely to be affected by the recommended action herein. Washington Boulevard, abutting the project to the north, is a Collector Street dedicated to a width of between 100 feet. Los Angeles Street, abutting the project to the west, is an Avenue II dedicated to a variable width of between 80 and 85 feet. The project as designed and conditioned meets the following goals and objectives of Mobility Plan 2035:

Policy 2.3 Recognize walking as a component of every trip, and ensure high-quality pedestrian access in all site planning and public right-of-way modifications to provide a safe and comfortable walking environment.

Policy 2.10 Facilitate the provision of adequate on and off-street loading areas.

The proposed project has been designed with one (1) vehicular entrance located along Los Angeles Street, avoiding any curb cuts along Washington Boulevard, the project's main frontage. In addition, the project incorporates an enhanced pedestrian entry, landscaped planters, and street trees that will improve pedestrian access to the site.

Policy 3.1: Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes - including goods movement - as integral components of the City's transportation system.

- Policy 3.3 Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.
- Policy 3.4 Provide all residents, workers and visitors with affordable, efficient, convenient, and attractive transit services.
- Policy 3.5 Support “first-mile, last-mile solutions” such as multi-modal transportation services, organizations, and activities in the areas around transit stations and major bus stops (transit stops) to maximize multi-modal connectivity and access for transit riders.
- Policy 3.7 Improve transit access and service to major regional destinations, job centers, and inter-modal facilities.
- Policy 3.8 Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.

The project’s proximity to existing transit services (Metro Blue Line) will reduce vehicular trips to and from the project, vehicle miles traveled, and will contribute to the improvement of air quality. The proximity of the transit services along with the creation of 112 dwelling units ties the proposed project into a network of transit and housing.

In addition, the project will provide a total of 70 bicycle parking spaces, including 10 short-term and 60 long-term spaces.

- Policy 5.4 Continue to encourage the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure.

As conditioned, a minimum of 20% of the Code-required parking spaces shall be capable of supporting future electric vehicle supply equipment (EVSE) and of those 20% EV Ready parking spaces, 5% of the total code required parking spaces shall be further provided with EV chargers to immediately accommodate electric vehicles within the parking areas.

Therefore, the project is consistent with Mobility Plan 2035 goals, objectives and policies of the General Plan.

The **Air Quality Element** of the General Plan will be implemented by the recommended action herein. The Air Quality Element sets forth the goals, objectives and policies which will guide the City in the implementation of its air quality improvement programs and strategies. The Air Quality Element recognizes that air quality strategies must be integrated into land use decisions and represent the City’s effort to achieve consistency with regional Air Quality, Growth Management, Mobility and Congestion Management Plans. The Air Quality Element includes the following Goal and Objective relevant to the instant request:

- Goal 5 Energy efficiency through land use and transportation planning, the use of renewable resources and less polluting fuels, and the implementation of conservation measures including passive methods such as site orientation and tree planting.

Objective 5.1 It is the objective of the City of Los Angeles to increase energy efficiency of City facilities and private developments.

As conditioned, a minimum of 15% of the project roof area shall be reserved for the installation of a solar photovoltaic system. Therefore, the project is in conformance with the goals and policies of the Air Quality Element.

2. **That the project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements that is or will be compatible with existing and future development on neighboring properties.**

The proposed project is the construction, use and maintenance of a five-story, 66-foot tall, mixed-use development with 7,300 square feet of ground floor commercial floor area. The ground floor commercial retail would include a mix of local retail stores, cafés/restaurants, and office space.

The subject property is a rectangular, 62,382 square-foot (1.43 acre) lot comprised of nine (9) lots with an approximately 300-foot frontage along the south side of Washington Boulevard and an approximately 195 frontage along the east side of Los Angeles Street. The property is currently developed with a car repair facility, a three (3) warehouse/industrial building, one (1) of which was used as a newspaper printing facility, and an occupied apartment complex.

The subject property is zoned C2-2D-O-CPIO & (T)(Q)C2-2D-O-CPIO within the Southeast Los Angeles Community Plan Area with a Community Commercial land use designation. The property is located within the TOD Regional Subarea of the Southeast Los Angeles Community Plan Implementation Ordinance (CPIO). The CPIO establishes limitations for over-concentrated and auto-oriented uses, such as liquor stores, auto-repair and self-storage among others. Projects must meet pedestrian-oriented design standards and have an active ground floor. Parking, height and/or FAR incentives are offered for targeted uses such as banks, child care and sit-down restaurants, among others. In addition, FAR, parking, density, and/or height incentives are offered for mixed-income and 100% affordable housing projects.

The project site is bordered by mixed uses to the north and west, which are located across the street from the project site along Washington Boulevard and Los Angeles Street, respectively. An apartment complex (the Hirsh Apartments) is located to the east of the project site across Santee Street. The Frida Kahlo High School and the Santee Education Complex are located to the south of the project site. Additionally, the Los Angeles County Metropolitan Transportation Authority (Metro) Blue Line, an at-grade light rail line, is located along Washington Boulevard

Height, Bulk, and Setbacks

The proposed site is comprised of one (1) structure with one (1) at-grade parking level, ground floor commercial uses and four (4) stories of residential above to a maximum of height of approximately 66 feet. The development will create spaces for both private and common open space.

The subject property is permitted a maximum floor area ratio (FAR) of six (6) to one (1), however the project is proposing a 2.27 to one (1) FAR. The project is required a zero-foot front yard setback, eight-foot side yard setbacks and a 17-foot rear setback; the proposed project is providing a one-foot, six-inch front yard setback, eight-foot side yard setbacks and a 17-foot, one-inch rear yard setback.

The height, bulk, and setbacks of subject project are consistent with existing development in the immediate surrounding area and with the underlying C2-2D-O-CPIO and (T)(Q)C2-2D-O-CPIO zone. Therefore, the project will be compatible with the existing and future developments in the neighborhood.

Parking

The project will provide a total of 75 parking spaces including 60 residential automobile parking spaces and 15 commercial parking spaces within one (1) at-grade parking level. 70 bicycle parking spaces will be provided within the building on the ground floor level and 10 short-term bicycle parking stalls located adjacent to building entrances on Washington Boulevard.

The proposed parking is located within the building and therefore will not be visible from the public right-of-way. All ingress and egress for the parking will be located on Los Angeles Street designated as an Avenue II. Pedestrian access to the commercial area will be accessible via the street frontage along Washington Boulevard. Pedestrian access to the residential uses will be accessible via the street frontage along both Washington Boulevard. Therefore, the parking facilities will be compatible with the existing and future developments in the neighborhood.

Lighting

Lighting is required to be provided per LAMC requirements. The project proposes security lighting will be provided to illuminate the building, entrances, walkways and parking areas. The project is required to provide outdoor lighting with shielding, so that the light source cannot be seen from adjacent residential properties. This condition has also been included in the subject approval. Therefore, the lighting will be compatible with the existing and future developments in the neighborhood.

On-Site Landscaping

The project will provide a minimum of 16,493 square feet of open space, consisting of a centralized courtyard, individual balconies, and a community room. The project has been conditioned so that all open areas not used for buildings, driveways, parking areas, recreational facilities or walks will be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect. The planting of any required trees and street trees will be selected and installed per the Bureau of Street Services, Urban Forestry Division's requirements. Therefore, the on-site landscaping will be compatible with the existing the future developments in the neighborhood.

Loading/Trash Area

The development is not required to provide a loading area pursuant to LAMC Section 12.21-C,6. The project will include on-site trash collection for both refuse and recyclable

materials, in conformance with the L.A.M.C. Compliance with these regulations will allow the project to be compatible with existing and future development. The service area for trash and recycling collection will be located at grade level and is accessible from the parking area. Additionally, service area for trash collection is located on all upper floors.

Therefore, as proposed and conditioned, the project is compatible with existing and future development on neighboring properties.

3. That any residential project provides recreational and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties.

The proposed project would provide 16,493 square feet of open space, consisting of a centralized courtyard, individual balconies, and a community room. The first floor would include a 1,280 square-foot lobby/mailroom and a 1,685 square-foot leasing office, and the second floor would include the community room, business center, and gym area. The courtyard would be centrally located, consisting of approximately 9,950 square feet, open to the sky above, and surrounded by floors two (2) through five (5). In addition, the proposed project would include private open space in the form of balconies for each residential unit. The balconies would be 50 square feet each for a total of 5,600 square feet. The proposed project would also include landscaping and raised planters on the ground floor on all sides of the building as well as community garden plots on the southern side of the building. The project would also include a seating area along the permeable planter on the southern side of the building intended for stormwater infiltration that would provide passive recreation. Additionally, the project would include a courtyard on-top of the podium which would include a contemporary landscape design.

Therefore, as proposed, the project is compatible with existing and future development on neighboring properties. Moreover, the project provides recreational and service amenities that will improve habitability for the residents and minimize any impact on neighboring properties.

ADDITIONAL MANDATORY FINDINGS

4. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone X, which is categorized as an area outside of a the 0.2% annual chance floodplain.
5. Based on the whole of the administrative record, the project is exempt from CEQA pursuant to State CEQA Guidelines, Section 15332 (Class 32), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

Authorization - Time Limit and Transferability

The authorization granted herein shall be for a three year period from the effective date. If building permits are not issued and construction work is not begun within such time and carried on diligently so that building permits do not lapse, this approval shall become null and void. There are no time extensions available beyond this three year period. Furthermore, this grant is not a permit or license and that permits and licenses required by all applicable laws must be obtained from the proper agency.

In the event the property is sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise such person or corporation regarding the conditions of this authorization. If any portion of the authorization is utilized, the conditions and requirement of the grant will become operative and must be strictly observed

Appeal Period - Effective Date

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

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

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

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

West Los Angeles
West Los Angeles Development
Services Center
1828 Sawtelle Boulevard, 2nd Floor
Los Angeles, CA 90025
(310) 231-2598

The applicant is further advised that all subsequent contact with this office regarding this Determination must be with the decision-maker who acted on the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished by appointment only, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedures Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

Vincent P. Bertoni, AICP
Director of Planning

Approved by:



Nicholas Hendricks, Senior City Planner

Prepared by:



Oliver Netburn, City Planner

Attachments:

Exhibit A: Architectural Plans

SITE INFORMATION

ZONING:	EXISTING & PROPOSED: C2-2D-O-CPIO
LAND USE:	Community Commercial
GENERAL PLAN:	Community Commercial
COMMUNITY PLAN:	Southeast Los Angeles
SPECIFIC PLAN:	N/A
SITE AREA:	GROSS: 62,382 SF /1.43 ACRES NET: 60,126 SF /1.38 ACRES
DENSITY:	112 UNITS/ 1.38 ACRES = 81 UNITS/ ACRE

LOT COVERAGE:	71.4%
BUILDING FOOTPRINT/ SITE AREA	44,560 SF/ 62,382 SF

TRANSPARENT FRONTAGE:	81.9%
ENTRANCES, EXITS & DISPLAY WINDOWS OR OTHER DISPLAYS	222'-5" / 271'-8"

YARDS:	HEIGHT:
REQUIRED: PROVIDED	MAXIMUM:
FRONT: 0' FRONT: 1'-6"	N/A' PER LAMC 12.21
SIDE: 8' SIDE: 8'	PROVIDED:
REAR: 17' REAR: 17'-1"	T.O.R. = 58'-0"
	T.O.P. = 66'-0"

Note: The projects intention is to remain a Type VA project above the podium by staying within the 60' Building Department Height definition which is measured from average grade plane to highest roof surface which is shown as 58'. (This definition excludes parapets) The zoning building height is 66'-0"

STORIES:	
MAXIMUM: 6 STORIES	PROVIDED: 5 STORIES

OPEN SPACE REQUIRED:	PER LAMC 12.21
1BD UNITS 27 x 100 SF= 2,700 SF	15,125 SF
2BD UNITS 49 x 125 SF= 6,125 SF	
3BD UNITS 36 x 175 SF= 6,300 SF	

OPEN SPACE PROVIDED:	PER LAMC 12.21
GRADE -15' MIN OPEN TO SKY:	500 SF
COURTYARD:	9,950 SF
BALCONIES: 112 x 50 SF	5,600 SF
COMMUNITY ROOM : 1,775 SF x 25%	443 SF

TOTAL PROVIDED:	16,493 SF
FAR:	FAR:
MAXIMUM:	PROVIDED:
6.0	2.27

PREPARED FOR:
AMCAL MULTI-HOUSING, INC.
30141 AGOURA RD., SUITE #100
AGOURA HILLS, CA 91301
(818) 706-0694

PROJECT DESCRIPTION

The applicant proposes to redevelop the Project Site with a mixed-use project that includes 112 apartments, with 99% of the units (111 units) covenanted to be set aside for Very Low- and Low-Income households in accordance with LAMC Section 12.22.A.25 and Government Code Section 65915 (the "Project"), and commercial space on the ground floor. By virtue of its 99% Low-Income household set aside, the Project qualifies for the density bonus and incentives, mandated by Government Code Section 65915 and Los Angeles Municipal Code Section 12.22.A.25.

The Project will have residential located on the upper levels, floors 2-5. The unit mix is 27 1-bedroom apartments (640-775 sf), 49 2-bedroom apartments (925-1075 sf), and 36 3-bedroom apartments (1025-1270 sf). The Project will be 5 stories in height (60 ft.) and will have an internal parking structure of 1 at-grade level, and it will be wrapped and not visible from Washington Blvd. Vehicle entrance will be on Los Angeles St.. Residential lobby entrance and commercial suite entrances will be along Washington Blvd.,

The project will utilize AB744 and Parking Option 3 pursuant to LAMC Section 12.21. A.4(c) which requires 58 residential spaces, and CRA requirements that require 15 commercial spaces (reduced per TOC, CPIO, AB744 as 100% affordable project within ½ mile of a transit station). The project will provide 60 residential spaces and 15 commercial spaces. The project will provide 70 bicycle spaces (60 long-term and 10 short-term) in accordance with the City's Bicycle Parking Ordinance.

The floor area will be 141,796 sf + 35,000 sf garage, for a floor area ratio of 2.27 (non-garage). The Project will feature an open space "courtyard" on the podium level (2nd floor) with a play area, barbecue and trellis and communal social areas. The building mass of the Project will have a strong urban connection along the busy transit and pedestrian street of Washington Blvd. with 7,300 sf of retail and office along the property line and a corner plaza. The Project will provide 16,493 sf of usable open space, which is 1,300 sf more than the requirement of 15,125 sf. The project will have a private alley on the east side, and sports activities can occur at the south end stub. A community room will provide residents with social services offices, a computer lab, media lounge and kitchen area.

UNIT TABULATION

TOTAL 1 BD:						
UNITS	SIZE	QUANTITY	%	NET AREA	GROSS AREA	PATIO AREA
UNIT A1	620 SF	27	24.1%	16,740 SF	NET + (NET x .20)	60 SF * 27 UNITS
TOTAL NET 1BD		27	24.1%	16,740 SF	20,088 SF	1,620 SF

TOTAL 2 BD:						
UNITS	SIZE	QUANTITY	%	NET AREA	GROSS AREA	PATIO AREA
UNIT B1	930 SF	49	43.7%	45,570 SF	NET + (NET x .20)	60 SF * 49 UNITS
TOTAL NET 2BD		49	43.7%	45,570 SF	54,684 SF	2,940 SF

TOTAL 3 BD:						
UNITS	SIZE	QUANTITY	%	NET AREA	GROSS AREA	PATIO AREA
UNIT C1	1,080 SF	28	25.0%	30,240 SF	NET + (NET x .20) 48,264 SF	60 SF * 36 UNITS 2,160 SF
UNIT C2	1,285 SF	4	3.6%	5,140 SF		
UNIT C3	1,210 SF	4	3.6%	4,840 SF		
UNIT C4	1,030 SF	36	32.2%	40,220 SF		
UNIT C5	1,090 SF	3	2.7%	3,270 SF		
TOTAL NET 3BD		42	37.5%	46,580 SF	55,896 SF	2,520 SF

PROJECT TOTALS	QUANTITY	%	NET AREA	GROSS AREA	PATIO AREA
LOBBY/ ADMIN/ MAILROOM			1,280 SF	6,720 SF	
SOCIAL SERVICE OFFICE AND COMM ROOM			1,775 SF		
LEASING/ BUSINESS CENTER			1,685 SF		
TOTAL RESIDENTIAL	112 UNITS	100%	102,530 SF	123,036 SF	
TOTAL COMMERCIAL			7,300 SF	2.27 FAR	
TOTAL FAR AREA			141,796 SF		

RESIDENTIAL PARKING LEVEL	35,000 SF	
TOTAL CONSTRUCTION AREA	176,796 SF	

LAUNDRY COUNT: 3 WASHERS + 4 DRYERS PER LEVEL = TOTAL: 12 WASHERS (FRONT LOADED) + 16 DRYERS (FRONT LOADED)
UNIVERSAL DESIGN: ALL UNITS COMPLY WITH UNIVERSAL DESIGN PRINCIPLES OUTLINED IN TCAC SECTION 10325(c)(9)(B)
NON-SMOKING: 50% OF UNITS
MANAGER'S UNIT: A 2 BD UNIT
SUSTAINABLE DESIGN: CERTIFICATION TO LEED
FIRE SPRINKLERS: AUTOMATIC FIRE SPRINKLERS SYSTEM TO BE INSTALLED
CONSTRUCTION TYPE: (PODIUM LEVEL = TYPE 1A) (RESIDENTIAL LEVELS 2-5 = TYPE VA)

PARKING REQUIRED

RESIDENTIAL:	56 STALLS
PER AB 744 DENSITY BONUS	2 STALLS
.5 Stalls per unit x 112 2 Stalls for Managers Unit *Handicap Required 3 stalls (2 regular / 1 van) / (1) EVCS Stall & (2) Future EV stalls Required	58 STALLS
COMMERCIAL:	15 STALLS
LAMC Section 12.21A4 (c) (General Commercial 1 Stall per 500 SF) 7,300/500 SF *Handicap Required 1 stall (1 van) / (1) EVCS stall Required	
TOTAL REQUIRED	73 STALLS

PARKING PROVIDED

RESIDENTIAL:	60 STALLS
*Handicap Provided 3 stalls (2 regular / 1 van) / (1) EVCS Stall & (2) Future EV stalls Provided	
COMMERCIAL:	15 STALLS
*Handicap Provided 1 stall (1 van) / (1) EVCS stall Provided	
TOTAL PROVIDED	75 STALLS

BICYCLE PARKING REQUIRED

LONG TERM:		
RESIDENTIAL:	1 Stall per 2 Units	56 STALLS
LAMC Section 12.21A16		
COMMERCIAL:	General Commercial 1 Stall per 2,000 SF (2 min stalls)	4 STALLS
LAMC Section 12.21A16		
TOTAL REQUIRED		60 STALLS

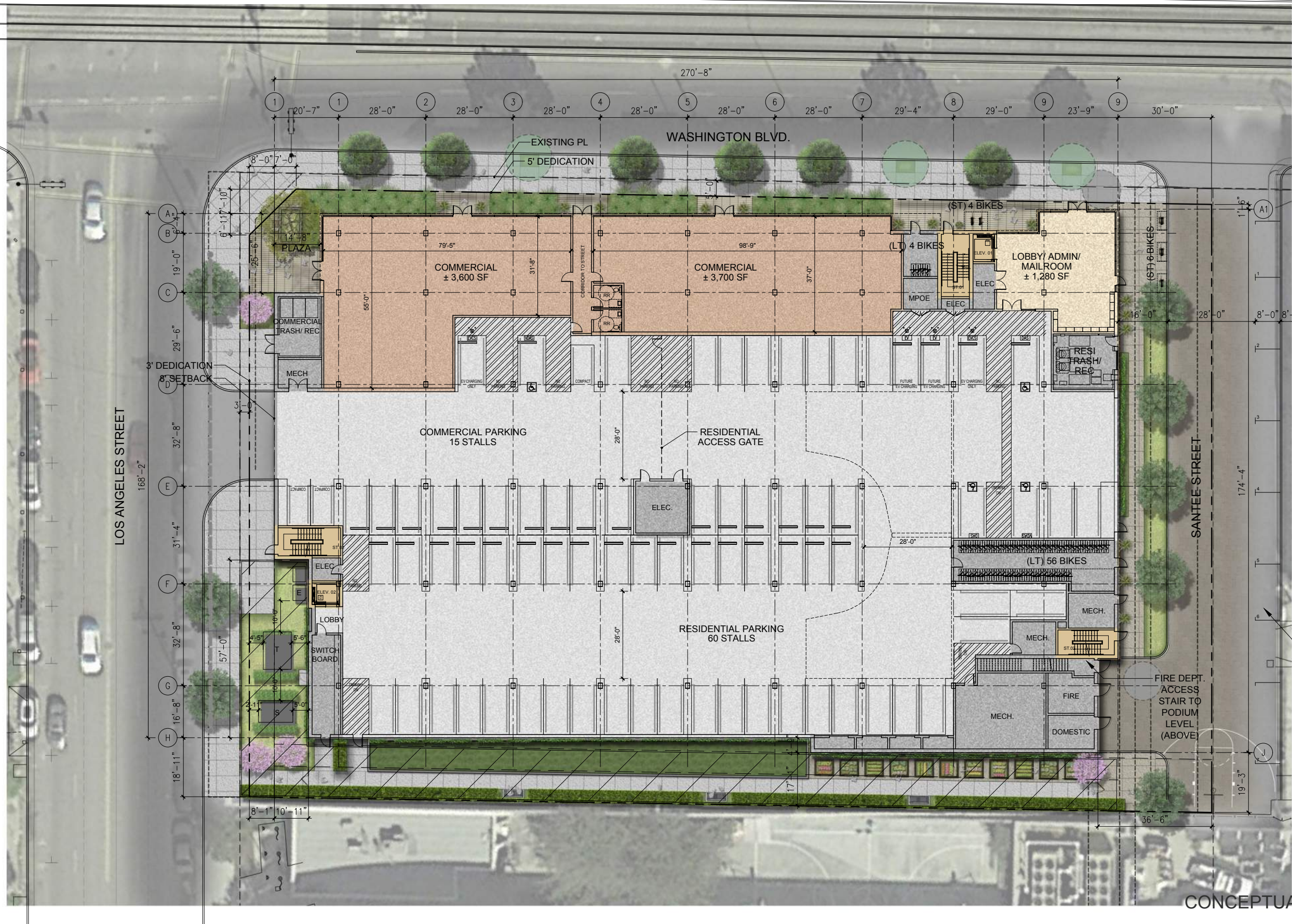
SHORT TERM:		
RESIDENTIAL:	1 Stall per 20 Units	6 STALLS
LAMC Section 12.21A16		
COMMERCIAL:	General Commercial 1 Stall per 2,000 SF (2 min stalls)	4 STALLS
LAMC Section 12.21A16		
TOTAL REQUIRED		10 STALLS

BICYCLE PARKING PROVIDED

LONG TERM:	60 STALLS
SHORT TERM:	10 STALLS
TOTAL PROVIDED	70 STALLS

WASHINGTON BLVD. MIXED USE APARTMENTS AND COMMERCIAL

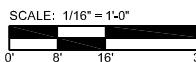




PARKING SUMMARY	
COMMERCIAL REQUIRED: Commercial - 1 Stall per 500sf / 7,300sf = 15 Stalls	
TOTAL COMMERCIAL REQUIRED: 15 Stalls	
RESIDENTIAL REQUIRED: .5 Stalls per unit x 112 Units = 56 Stalls 2 Stalls for Manager = 2 Stalls	
TOTAL RESIDENTIAL REQUIRED: 58 Stalls	
TOTAL PARKING REQUIRED: 73 Stalls	

COMMERCIAL PROVIDED: Standard (8'-4" x 18') - 11 Stalls Compact (7'-6" x 15') - 3 Stalls Van Accessible (17' x 18') - 1 Stall EVCS (not counted as parking stall) (17' x 18') - 1 Stall	
TOTAL COMMERCIAL PROVIDED: 15 Stalls	
RESIDENTIAL PROVIDED: Standard (8'-6" x 18') - 53 Stalls Tandem (Manager) (8'-6" x 18') - 1 Stall Standard Accessible (14' x 18') - 2 Stalls Van Accessible (17' x 18') - 1 Stall EV (Future EV Stalls) (9' x 18') - 3 Stalls EVCS (not counted as parking stall) (17' x 18') - 1 Stall	
TOTAL RESIDENTIAL PROVIDED: 60 Stalls	
TOTAL PARKING PROVIDED: 75 Stalls	

7 PARALLEL PARKING STALLS FOR SCHOOL



A-02

CONCEPTUAL LEVEL ONE SITE PLAN

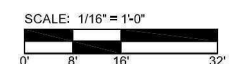
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WASHINGTON BLVD. MIXED USE APARTMENTS AND COMMERCIAL

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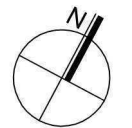
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SCALE: 1/16" = 1'-0"



A-04

RESIDENTIAL FLOOR PLAN LEVEL 3

December 4, 2018

PREPARED FOR:
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WASHINGTON BLVD. MIXED USE APARTMENTS AND COMMERCIAL

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PREPARED FOR:
 AMCAL MULTI-HOUSING, INC.
 30141 AGOURA RD., SUITE #100
 AGOURA HILLS, CA 91301
 (818) 706-0694

WASHINGTON BLVD. MIXED USE APARTMENTS AND COMMERCIAL

DIR-2018-1094-SPR
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Page 5 of 13

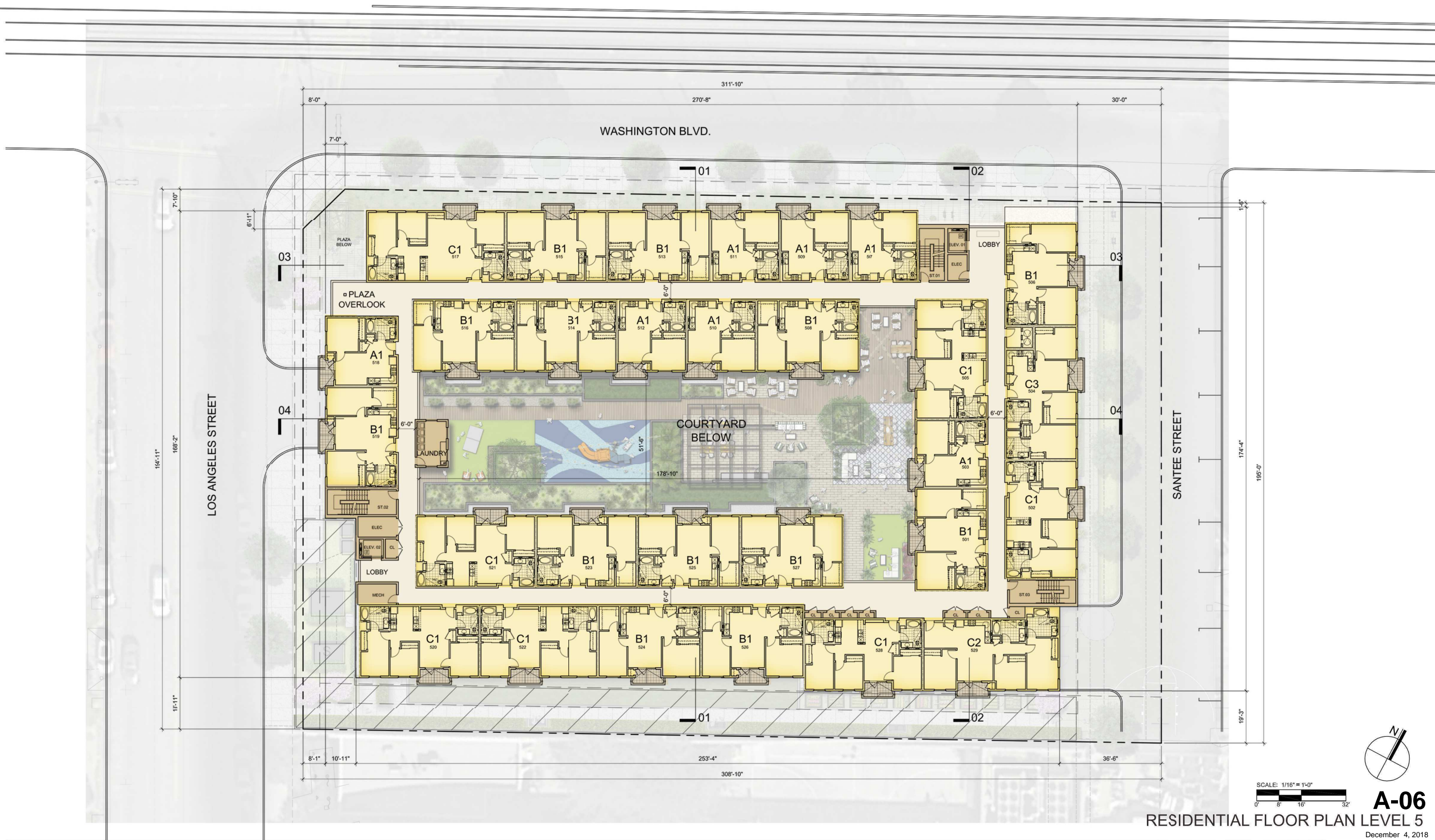
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A-05

RESIDENTIAL FLOOR PLAN LEVEL 4

December 4, 2018



RESIDENTIAL FLOOR PLAN LEVEL 5



A-06

December 4, 2018

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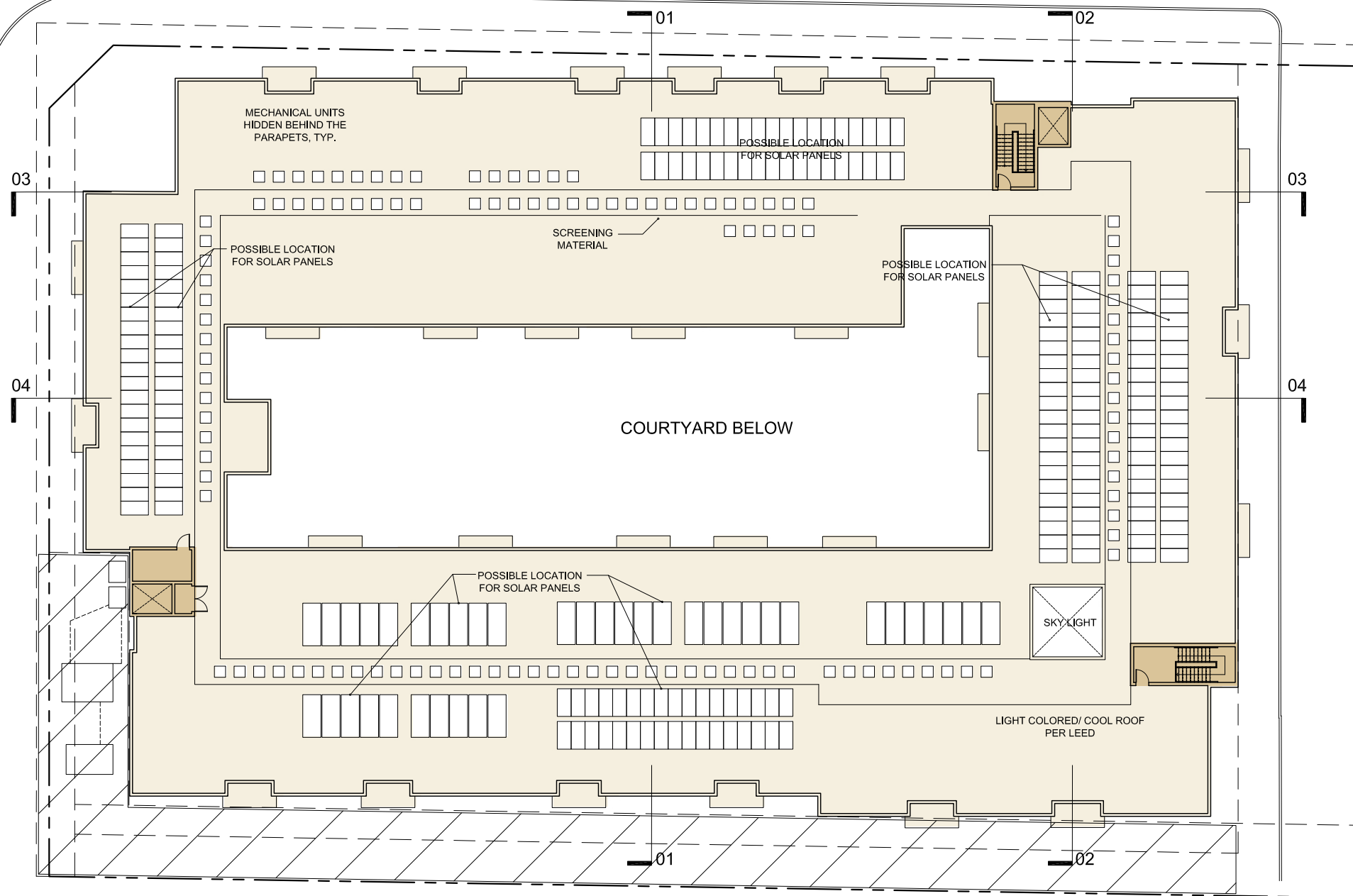
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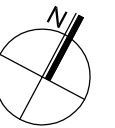
LOS ANGELES STREET

WASHINGTON BLVD.

SANTEE STREET



SCALE: 1/16" = 1'-0"



A-07

ROOF FLOOR PLAN

December 4, 2018

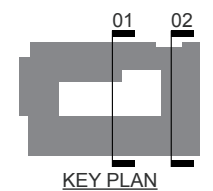
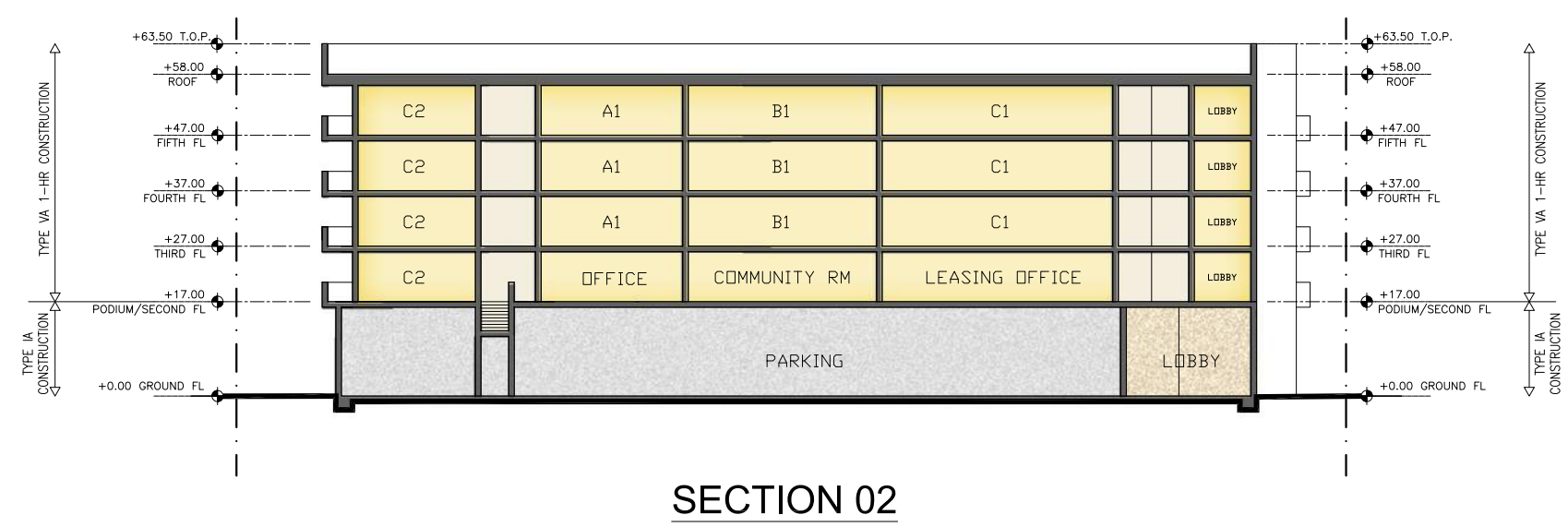
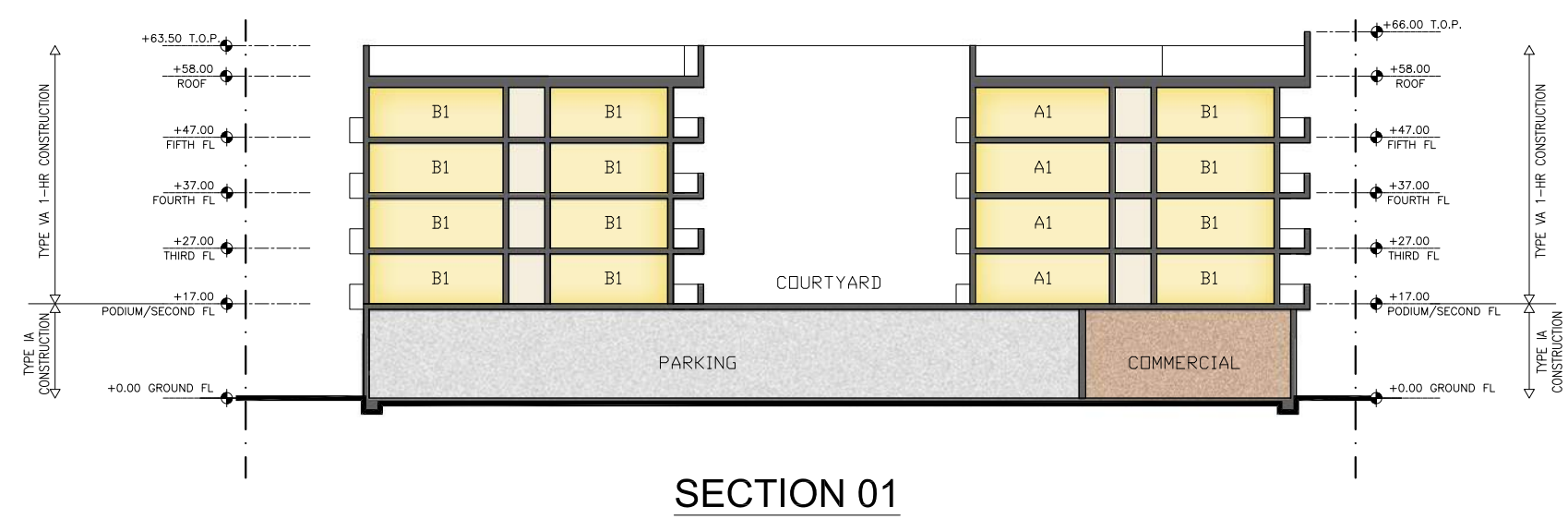
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Note: The projects intention is to remain a Type VA project above the podium by staying within the 60’ Building Department Height definition which is measured from average grade plane to highest roof surface which is shown as 58’. (This definition excludes parapets) The zoning building height is 66’-0”



SCALE: 1/16" = 1'-0"

A-11
SECTIONS 01 & 02
December 4, 2018

PREPARED FOR:
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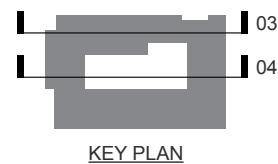
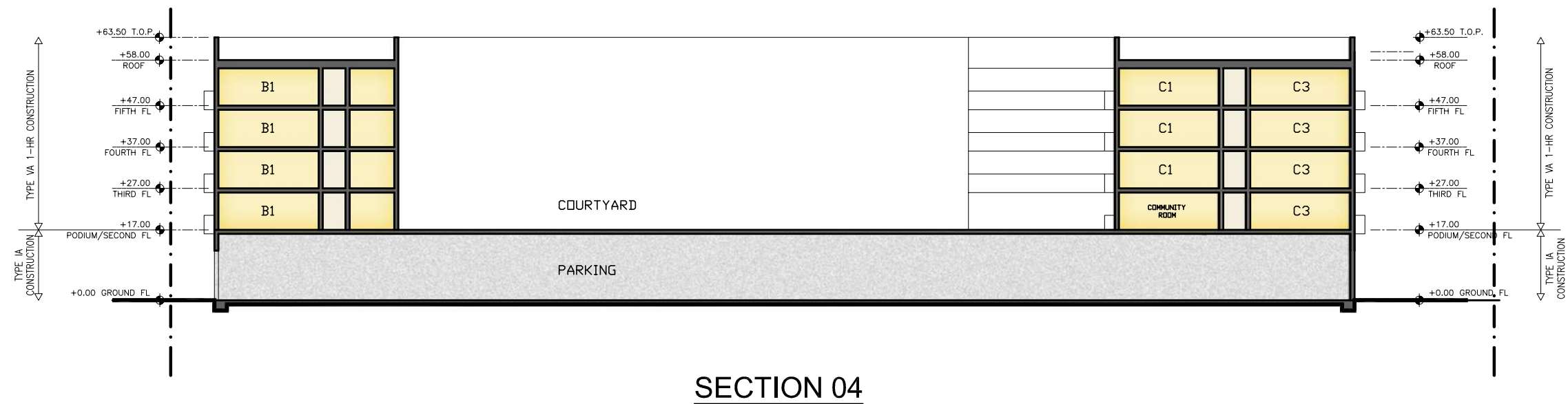
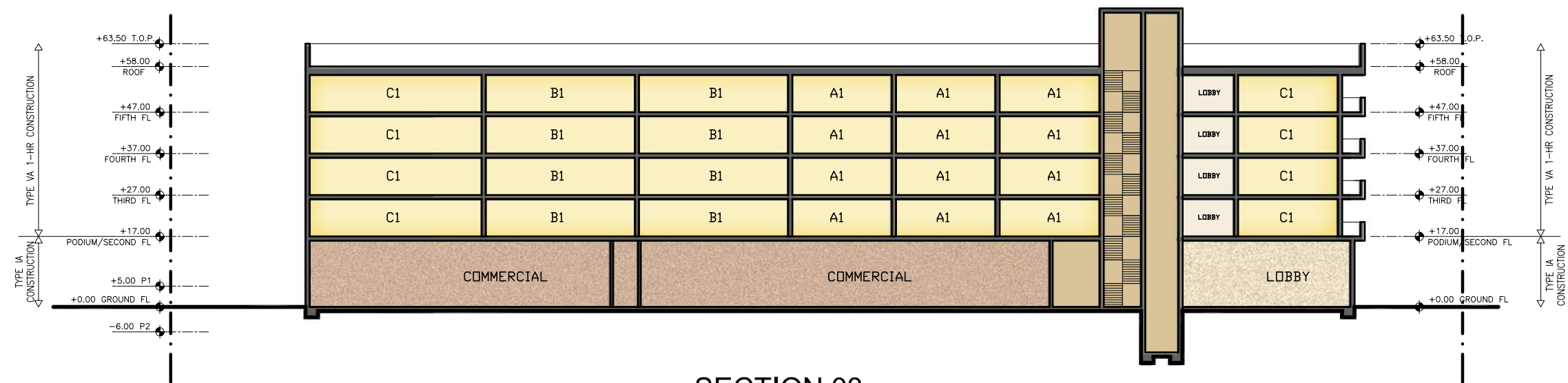
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SCALE: 1/16" = 1'-0"

A-12
SECTIONS 03 & 04
December 4, 2018

PREPARED FOR:
AMCAL MULTI-HOUSING, INC.
30141 AGOURA RD., SUITE #100
AGOURA HILLS, CA 91301
(818) 706-0694

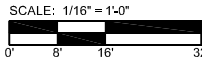
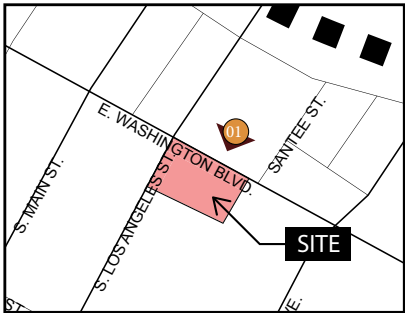
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A-19

(E. WASHINGTON BLVD.) NORTH ELEVATION 01

December 4, 2018

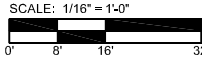
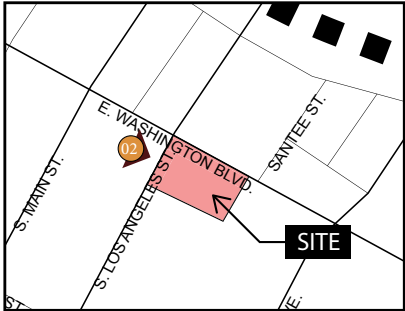
PREPARED FOR:
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WASHINGTON BLVD. MIXED USE APARTMENTS AND COMMERCIAL

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A-20
(S. LOS ANGELES ST.) WEST ELEVATION 02
December 4, 2018

PREPARED FOR:
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(818) 706-0694

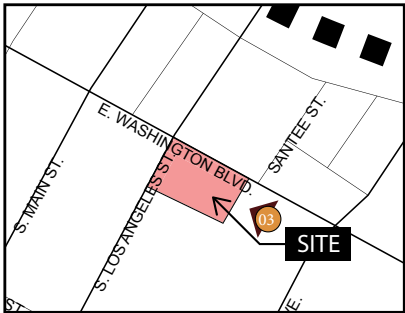
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A-21
(SANTEE ST.) EAST ELEVATION 03
December 4, 2018

PREPARED FOR:
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30141 AGOURA RD., SUITE #100
AGOURA HILLS, CA 91301
(818) 706-0694

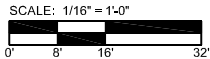
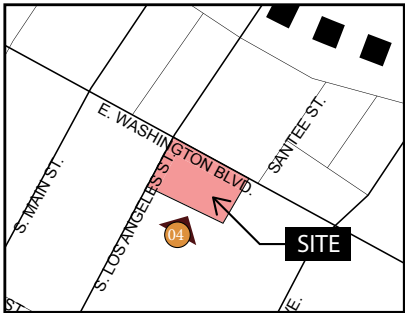
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A-22
SOUTH ELEVATION 04

December 4, 2018

PREPARED FOR:
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CITY PLANNING**

CITY PLANNING COMMISSION

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COMMISSION EXECUTIVE ASSISTANT II
(213) 978-1300

**CITY OF LOS ANGELES
CALIFORNIA**



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES

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INFORMATION
<http://planning.lacity.org>

**DIRECTOR'S DETERMINATION
DENSITY BONUS & AFFORDABLE HOUSING INCENTIVES**

May 5, 2016

Applicant

Rick Ursitti
FDC Ursitti Temple LLC
26610 Agoura Road, Suite 120
Calabasas, CA 91302

Property Owner

Search To Involve Pilipino Americans
3200 W. Temple Street
Los Angeles, CA 90026

Representative

James Santa Maria
The Santa Maria Group, Inc.
550 S. Hope Street, Suite 1910
Los Angeles, CA 90071

Case No.: DIR-2016-129-DB

CEQA: ENV-2016-130-CE

Location: 3200 W. Temple Street

Council District: 13 – O'Farrell

Neighborhood Council: Rampart Village

Community Plan Area: Westlake

Land Use Designation: Highway Oriented

Commercial/Low

Medium Residential

Zone: C2-1/RD2-1

Legal Description: TR 1167, Block B, Lots
3-5

Last Day to File an Appeal: May 20, 2016

DETERMINATION – Density Bonus/Affordable Housing Incentives Program

Pursuant to the Los Angeles Municipal Code (LAMC) Section 12.22 A.25, I have reviewed the proposed Project and as the designee of the Director of Planning, I hereby:

Approve the following three (3) incentives requested by the Applicant for a Project totaling 59 dwelling units, reserving six (6) units for Very Low Income Households and 53 units for Low Income Household occupancy for Senior Citizen Housing for a period of 55 years, with the following requested incentives:

1. **Height.** An 11-foot height increase for the RD2-1 zoned parcel, allowing 56 feet in height in lieu of the maximum allowable 45 feet;
2. **Averaging of Floor Area Ratio, Density, Parking or Open Space, and permitting Vehicular Access.** An averaging of floor area, density, open space and parking over the project site, and permit vehicular access from a less restrictive zone to a more restrictive zone; and
3. **Floor Area Ratio.** A 35 percent increase in the allowable Floor Area Ratio allowing a total floor area ratio of 4.05:1 on the RD2-1 zoned parcel

and a 3:1 Floor Area Ratio in lieu of the otherwise permitted 1.5:1 Floor Area Ratio on the C2-1 zoned parcels.

The Project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 21080 of the California Public Resources Code, and Article III, Section 1, Class 32 of the City of Los Angeles CEQA Guidelines,

Adopt the attached Findings.

CONDITIONS OF APPROVAL

1. **Site Development.** Except as modified herein, the Project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit A," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Central Project Planning Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Los Angeles Municipal Code or the project conditions.
2. **Residential Density.** The Project shall be limited to a maximum density of 59 residential units including Density Bonus Units.
3. **Affordable Units.** A minimum of 59 units shall be reserved as affordable units, as defined by the State Density Bonus Law 65915 (C)(2).
4. **Changes in Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units or change parking numbers shall be consistent with LAMC Section 12.22 A.25 (9a-d).
5. **Housing Requirements.** Prior to issuance of a building permit, the Owner shall execute a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make six (6) units available to Very Low Income Households and 53 units available to Low Income Households, for sale or rental as determined to be affordable to such households by HCIDLA for a period of 55 years. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The Applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The Project shall comply with any monitoring requirements established by the HCIDLA. Refer to the Density Bonus Legislation Background section of this determination.
6. **Floor Area Ratio (FAR).** The Applicant is requesting an increase in the allowable FAR and shall therefore provide no more than 54,305 square feet of floor area.
7. **Height.** The Applicant is requesting an increase in the allowable Height on the RD2-1 zoned parcel and shall therefore be limited to a maximum height of 56 feet on the RD2-1 zoned parcel.
8. **Automobile Parking.** Based upon the number and/or type of dwelling units proposed and the Bicycle Parking Ordinance reduction, a minimum of 27 automobile parking spaces shall be provided for the Project. Vehicle parking shall be provided consistent with LAMC Section 12.21 A.4(u), which permits automobile parking spaces to be reduced to 50 percent of the number otherwise required by LAMC Section 12.21 A.4 for Senior Independent Housing/Assisted Living Care Housing/Housing development Occupied by Disabled Persons. The Bicycle Parking Ordinance, LAMC Section 12.21 A.4, allows affordable residential projects to reduce required automobile parking by 10 percent if the number of LAMC-required bicycle parking spaces does not exceed 10 percent of the reduced number of automobile parking spaces. Therefore, for the residential portion of the Project, a minimum of 27 automobile parking spaces shall be provided. For the office uses, the Project shall provide five (5) automobile parking spaces, at a ratio of one space for every 500 square feet of office square footage.
9. **Adjustment of Parking.** In the event that the number of Restricted Affordable Units should increase, or the composition of such units should change (i.e. the number of bedrooms, or the number of units made available to Senior Citizens and/or Disabled Persons), or the

applicant selects a Parking Option (including Bicycle Parking Ordinance) and no other Condition of Approval or incentive is affected, then no modification of this determination shall be necessary, and the number of parking spaces shall be re-calculated by the Department of Building and Safety based upon the ratios set forth above.

10. **Bicycle Parking.** Bicycle parking shall be provided consistent with LAMC 12.21 A.16. Long-term bicycle parking shall be provided at a rate of one per dwelling unit or guest room. Additionally, short-term bicycle parking shall be provided at a rate of one per ten dwelling units or guest rooms, with a minimum of two short-term bicycle parking spaces. Short-term bicycle parking for office uses requires one bicycle parking space per 10,000 square feet, with a minimum of two bicycle parking spaces. Long-term bicycle parking for office uses requires one bicycle parking space per 5,000 square feet, with a minimum of two bicycle parking spaces. Based upon the number of dwelling units and floor area for office use, a minimum of 71 long-term and 8 short-term bicycle parking spaces shall be provided onsite.
11. **Landscaping.** The landscape plan shall indicate landscape points for the project equivalent to **10% more than otherwise required** by LAMC 12.40 and Landscape Ordinance Guidelines "O". All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning.

Administrative Conditions

12. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Plans Approved". A copy of the Approved Plans, supplied by the applicant, shall be retained in the subject case file.
13. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
14. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
15. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
16. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to

the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.

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

18. Indemnification and Reimbursement of Litigation Costs.

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. 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.

PROJECT BACKGROUND

The proposed Project includes the construction of a five-story, 56-foot tall mixed-use project containing 59 residential units, including six (6) units for Senior Citizen Very Low Income Households and 53 units for Senior Citizen Low Income Households, and 2,500 square feet of office space, totaling 54,305 square feet of floor area. The Project proposes a total of 32 on-site vehicle parking spaces, five (5) for the office use and 27 for the residential use, on one level of at grade parking. The proposed Project also includes 3,430 square feet of indoor usable open space and 4,258 square feet of outdoor usable open space. The Project site consists of three lots that measure approximately 22,379 square feet in area in the Westlake Community Plan Area, zoned C2-1 and RD2-1 with a General Plan Designation of Highway Oriented Commercial and Low Medium Residential; and is within a Transit Priority Area. It is currently developed with a one-story office building and a parking lot, totaling approximately 7,500 square feet. The existing office building is currently utilized as headquarters for the non-profit organization Search to Involve Pilipino Americans (SIPA).

In accordance with California State Law (including Senate Bill 1818, and Assembly Bills 2280 and 2222), the applicant is proposing to utilize Section 12.22 A.25 (Density Bonus) of the Los Angeles Municipal Code (LAMC), which permits a density bonus of 35 percent. This allows for 59 total dwelling units in lieu of the otherwise maximum density limit of 43 dwelling units on the property. A density bonus is automatically granted in exchange for the applicant setting aside 100 percent of dwelling units for Senior Citizen Housing with Low and Very Low Income Households for a period of 55 years. Consistent with the Density Bonus Ordinance, the Applicant is also automatically granted a reduction in required parking based on two Parking Options, or a reduction based on the Bicycle Parking Ordinance. The Applicant selected an automobile reduction based on the Bicycle Parking Ordinance. Based on the 10 percent automobile reduction with the replacement of bicycle parking spaces in excess of the normally required bicycle parking spaces, the proposed Project shall provide a minimum of 27 automobile spaces and a minimum of 79 bicycle parking spaces.

Housing Replacement

With Assembly Bill 2222, applicants of Density Bonus projects filed as of January 1, 2015 must demonstrate compliance with the housing replacement provisions which require replacement of rental dwelling units that either exist at the time of application of a Density Bonus project, or have been vacated or demolished in the five-year period preceding the application of the project. This applies to all pre-existing units that have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; subject to any other form of rent or price control; or occupied by Low or Very Low Income Households. Pursuant to the Determination made by the Housing and Community Investment Department (HCIDLA) dated October 15, 2015, the proposed Project will not be required to provide replacement units affordable to Low or Very Low Income Households. Refer to the Density Bonus Legislation Background section of this determination for additional information.

LAMC Criteria

As permitted by LAMC Section 12.22 A.25 the Applicant is requesting three incentives that will facilitate the provision of affordable housing at the site: 1) a 35 percent increase in the allowable Floor Area Ratio allowing a total floor area ratio of 4.05:1 on the RD2-1 zoned parcel and a 3:1 Floor Area Ratio in lieu of the otherwise permitted 1.5:1 Floor Area Ratio on the C2-1 zoned parcels; 2) an 11-foot height increase for the RD2-1 zoned parcel, allowing 56 feet in height in lieu of the maximum allowable 45 feet; and 3) an averaging of floor area, density, open space and parking over the project site, and to permit vehicular access from a less restrictive zone to a more restrictive zone. Pursuant to LAMC Section 12.22 A.25 (e)(2), in order to be eligible for

any on-menu incentives, a Housing Development Project (other than an Adaptive Reuse Project) shall comply with the following criteria, which it does:

- a. *The façade of any portion of a building that abuts a street shall be articulated with a change of material or a break in plane, so that the façade is not a flat surface.*

The proposed building has three street facing frontages: Temple Street to the north, Dillon Street to the east, and Robertson Street to the west. As evident in "Exhibit A" attached to the case file, these three street facing façades will have articulation in the form of various architectural elements such as horizontal rain screens, painted cement plaster, metal clad projecting overhangs, and projecting balconies, all of which create sufficient breaks in plane and articulation.

- b. *All buildings must be oriented to the street by providing entrances, windows architectural features and/or balconies on the front and along any street facing elevation.*

The proposed Project has three street facing façades: Temple Street to the north, Dillon Street to the east, and Robertson Street to the west. There is a ground floor entrance to the office space along Temple Street and a ground floor entrance to the main lobby along Temple Street. Both entrances are delineated with overhangs. A portion of the ground floor façade is made up of floor to ceiling glass windows allowing transparency into the office space and residential lobby. There are also projecting balconies along the Temple Street and Dillon Street façades.

- c. *The Housing Development Project shall not involve a contributing structure in a designated Historic Preservation Overlay Zone (HPOZ) and shall not involve a structure that is a City of Los Angeles designated Historic-Cultural Monument (HCM).*

The proposed Project is not located within a designated Historic Preservation Overlay Zone, nor does it involve a property that is designated as a City Historic-Cultural Monument.

- d. *The Housing Development Project shall not be located on a substandard street in a Hillside Area or in a Very High Fire Hazard Severity Zone as established in Section 57.25.01 of the LAMC.*

The proposed Project is not located in a Hillside Area, nor is it located in a Very High Fire Hazard Severity Zone.

DENSITY BONUS/AFFORDABLE HOUSING INCENTIVES COMPLIANCE FINDINGS

1. Pursuant to Section 12.22 A.25(c) of the LAMC, the Director shall approve a density bonus and requested incentive(s) unless the director finds that:

- a. *The incentives are not required to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for the affordable units.*

The record does not contain substantial evidence that would allow the Director to make a finding that the requested incentives are not necessary to provide for affordable housing costs per State Law. The California Health & Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs for Very Low, Low, and Moderate Income households. Section 50052.5 addresses owner-occupied housing and Section 50053 addresses rental households. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed 25 percent gross income based on area median income thresholds dependent on affordability levels.

The list of on-menu incentives in 12.22 A.25 was pre-evaluated at the time the Density Bonus Ordinance was adopted to include types of relief that minimize restrictions on the size of the project. As such, the Director will always arrive at the conclusion that the density bonus on-menu incentives are required to provide for affordable housing costs because the incentives by their nature increase the scale of the project.

The requested incentives: an increase in FAR; an increase in height; and an averaging of floor area, density, open space and parking over the project site, and to permit vehicular access from a less restrictive zone to a more restrictive zone, are expressed in the Menu of Incentives per LAMC 12.22 A.25(f) and, as such, permit exceptions to zoning requirements that result in building design or construction efficiencies that provide for affordable housing costs. The requested incentives allow the developer to expand the building envelope so the additional units can be constructed and the overall space dedicated to residential uses is increased. These incentives support the applicant's decision to set aside six (6) Very Low Income dwelling units and 53 Low Income dwelling units for 55 years.

Height: On the RD2-1 zoned parcel, the proposed Project would have a 45 foot height limit by-right. The requested incentive allows for an 11-foot increase in the allowable height. This results in a maximum height limit of 56-feet on the RD2-1 zoned parcel. The C2-1 zoned parcels have an unlimited height limit by-right. The proposed Project, therefore, will measure a uniform 56-feet in height. This requested increase in the height allows for an expanded building envelope.

Floor Area Ratio Increase: The subject site is zoned C2-1 over two parcels and RD2-1 over one parcel. The C2-1 zoned parcels allow 40 units on the 16,004 square foot site, with a maximum 1.5:1 Floor Area Ratio (FAR) and an unlimited height. The RD2-1 zoned parcel allows three (3) units on the 6,375 square foot site, with a maximum 3:1 Floor Area Ratio (FAR) and a 45-foot height limit. The FAR Increase incentive permits a percentage increase in the allowable Floor Area Ratio equal to the percentage of Density Bonus for which the Housing Development Project is eligible, not to exceed 35 percent for the RD2-1 zoned parcel. This incentive also allows a 3:1 FAR in lieu of the otherwise permitted 1.5:1 FAR on the C2-1 zoned parcels. For the RD2-1 zoned parcels, an increase of 35 percent over the 3:1 FAR results in a

maximum FAR of 4.05:1 or 15,795 square feet. For the C2-1 zoned parcels, an increase to a 3:1 FAR in lieu of the otherwise permitted 1.5:1 FAR or 43,626 square feet, in lieu of the otherwise permitted 1.5:1 FAR, or 21,813 square feet. These FAR Increases create a total additional 25,908 square feet in floor area. The Project, however, is proposing approximately 2.94:1 FAR, or 54,305 square feet, which is below the maximum percentage of Density Bonus for which the Housing Development Project is eligible and creates an additional 20,792 square feet. The requested incentive will allow the developer to expand the Project's building envelope so that the six (6) units for Very Low Income households and 53 units for Low Income households can be constructed.

Zone	FAR by-right	Buildable Lot Area (sf)	Total Floor Area (sf)
C2-1	1.5:1	14,542*	14,542 x 1.5 = 21,813
RD2-1	3:1	3,900*	3,900 x 3 = 11,700

*gross floor area

FAR Increase 1.5 to 3	Buildable Lot Area (sf)	Total Floor Area (sf)	Additional Floor Area (sf)
3	14,542	43,626	43,626 – 21,813 = 21,813

FAR 3:1 + 35%	Buildable Lot Area (sf)	Total Floor Area (sf)	Additional Floor Area (sf)
4.05	3,900	15,795	15,795 – 11,700 = 4,095

Averaging of Floor Area Ratio, Density, Parking or Open Space, and permitting Vehicular Access: The proposed Project is comprised of two different zones, C2-1 and RD2-1, with different by-right allowable maximum FARs. The C2-1 Zone allows for a 1.5:1 FAR and the RD2-1 Zone allows for a 3:1 FAR. The FAR averaging permits the total allowable floor area for all parcels to be allocated to the entire site. As shown below, the total maximum floor area allowed across the entire site is 33,513 square feet or a 1.8:1 FAR.

Zone	FAR	Buildable Lot Area	Maximum Floor Area
C2-1	1.5:1	14,542 sf	14,542 sf x 1.5 = 21,813 sf
RD2-1	3:1	3,900 sf	3,900 sf x 3 = 11,700 sf
		Total = 18,442 sf	Total = 33,513 sf

As shown below, the Density Averaging results in a maximum of 43 dwelling units across the two zones. With a requested Density Bonus of 35 percent, the maximum amount of dwelling units allowed shall be 59 units across the two zones.

Zone	Lot Area (sf)	Base Density (units)	Base Density + 35% (units)
C2-1	16,004	16,004/400 = 40	40 x 35% = 54
RD2-1	6,375	6,375/2000 = 3	3 x 35% = 5
		Total = 43 units	Total = 59 units

The requested Averaging Incentive will allow the developer to expand the Project's building envelope so that the restricted affordable units can be constructed and the overall space dedicated to residential units is increased. These incentives support the Applicant's decision to set aside six (6) Very Low Income units and 53 Low Income units for 55 years.

- b. The Incentive will have specific adverse impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.*

The proposed incentives will not have a specific adverse impact. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22.A.25(b)). The proposed Project and potential impacts were analyzed in accordance with the California Environmental Quality Act (CEQA) Guidelines and the City's L.A. CEQA Thresholds Guide. These two documents establish guidelines and thresholds of significant impact, and provide the data for determining whether or not the impacts of a proposed Project reach or exceed those thresholds. Analysis of the proposed Project determined that it is Categorically Exempt from environmental review pursuant to Article III, Section I, and Class 32 of the CEQA Guidelines. The Class 32 Exemption is intended to promote infill development within urbanized areas.

The proposed Project qualifies for a Categorical Exemption because it conforms to the definition of "In-fill Projects" as follows:

- (a) *The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations:***

The proposed Project will be an affordable housing development what will bring new affordable residential housing opportunities for senior citizens in the area. The Project is located within the adopted Westlake Community Plan area, and is designated for Highway Oriented Commercial and Low Medium Residential land uses. The property is zoned C2-1 and RD2-1 which allows up to a combined 59 dwelling units on the project site through the Density Bonus Ordinance. The Project meets parking, yard, open space, and landscaping requirements, with modifications to allow additional building height and FAR; averaging of density, FAR, parking, and open space; and reduced parking through the Bicycle Parking Ordinance.

Consistent with the Community Plan, the proposed 59-unit residential development, which includes 100 percent affordable senior housing units, adds new senior housing to Los Angeles' housing supply, in a neighborhood which is conveniently located adjacent to a variety of community services and transit. The residential units will consist of a mix of 15 studio units, 2 one-bedroom units, and 42 two-bedroom units. The proposed Project will also consist of 2,500 square feet of office/community center space for the residents and to serve as the headquarters for the non-profit organization Search to Involve Pilipino Americans. The proposed Project is, therefore, consistent with the following objectives and policies of the Westlake Community Plan:

Residential Objective 1

To designate a supply of residential land adequate to provide housing of the types, sizes, and densities required to satisfy the varying needs and desires of all segments of the community's population.

Residential Policy 3

That housing for the elderly have convenient access to public transportation, commercial services, recreational and health facilities.

Commercial Objective 3

To improve the compatibility between commercial and residential uses.

Commercial Policy 1

That commercial facilities be located on existing traffic arteries and commercial corridors.

Therefore, it can be found that the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses:

The subject property is located in a highly urbanized area, approximately three miles northwest of Downtown Los Angeles. The subject property is comprised of three legal lots totaling approximately 22,379 square feet, or 0.51 acres, which is well within the five-acre threshold. The subject property is substantially surrounded by urban uses. The site is surrounded by C2-1 zoned properties that are improved with multi-family land uses; RD2-1 zoned properties that are improved with single family and multi-family land uses; RD1.5-1 zoned properties that are improved with single family land uses; and RAS3-1VL zoned properties that are improved with low scale commercial/retail land uses. As the subject property is located approximately 0.6 miles from the Vermont/Beverly Station of the Metro Red Line, it enjoys access to public transportation. There are multiple major bus routes running along Temple Avenue and Beverly Boulevard, which is less than a half-mile from the subject property. Therefore, it can be found that the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

(c) The project site has no value as habitat for endangered, rare or threatened species:

The project site currently contains a one-story commercial office building with a rear surface parking lot. The project is located within an established, fully developed, medium-density residential and commercial neighborhood adjacent to several commercial corridors, large boulevards and other large employment centers. The Project site has no value as a habitat for endangered, rare or threatened species. Therefore, the Project site has no value as habitat for endangered, rare or threatened species.

(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality:

The proposed Project, a 54,305 square foot mixed-use building containing affordable senior housing and office/community center space will replace an approximately 10,440 square foot existing structure. The project proposes to replace an existing 10,440 square foot commercial/office building with 59 dwelling units and 2,500 square

feet of office space. The proposed Project is well below the 91 unit threshold for senior housing and 16,000 square feet for office use threshold set by the Los Angeles Department of Transportation (LADOT) for requiring a traffic study and the project will generate well under 500 daily trips, which is the established CEQA threshold. Based upon the existing mobility and circulation networks in direct proximity to the proposed Project, the introduction of 59 units and the net decrease of 7,940 square feet of commercial/office space to the community will not result in significant traffic impacts.

Noise emanating from the proposed Project would be typical of the current neighborhood as it is surrounded by various land uses including multi-family residential and commercial uses. The noise impacts caused by the construction of the project would be both short-term and temporary in nature. In order to minimize impacts caused by such noise, the project must comply with the adopted City of Los Angeles Noise Ordinance No. 161,574, as well as any subsequent Ordinances, which prohibit the emission or creation of noise beyond certain levels. This Ordinance covers both operational noise levels (i.e., post-construction) and any construction noise impacts. As a result of this mandatory compliance, the proposed project will not result in any significant noise impacts.

The building construction phase includes the construction of the proposed building on the subject property, which includes the grading of approximately 1,000 cubic yards of dirt, connection of utilities, laying irrigation for landscaping, architectural coatings, paving, and landscaping the subject property. These construction activities would temporarily create emissions of dusts, fumes, equipment exhaust, and other air contaminants. Construction activities involving grading and foundation preparation would primarily generate PM2.5 and PM10 emissions. Mobile sources (such as diesel-fueled equipment onsite and traveling to and from the Project Site) would primarily generate NOx emissions. The application of architectural coatings would result primarily in the release of ROG emissions. The amount of emissions generated on a daily basis would vary, depending on the amount and types of construction activities occurring at the same time.

Nevertheless, appropriate dust control measures would be implemented as part of the proposed Project during each phase of development, as required by SCAQMD Rule 403 - Fugitive Dust. Specific Rule 403 control requirements include, but are not limited to, applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, utilizing a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the Project site, and maintaining effective cover over exposed areas.

Best Management Practices (BMP) will be implemented that would include (but not be limited to) the following:

- Unpaved demolition and construction areas shall be wetted at least three times daily during excavation and construction, and temporary dust covers shall be used to reduce emissions and meets SCAQMD Rule 403;
- All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust;
- General contractors shall maintain and operate construction equipment to minimize exhaust emissions; and
- Trucks shall not idle but be turned off.

Possible Project-related air quality concerns will derive from the mobile source emissions generated from the proposed residential and office/community center uses for the Project site. Therefore, operational emissions for Project-related traffic will be less than significant. In addition to mobile sources from vehicles, general development

causes smaller amounts of "area source" air pollution to be generated from on-site energy consumption (natural gas combustion) and from off-site electrical generation. These sources represent a small percentage of the total pollutants. The inclusion of such emissions adds negligibly to the total significant project-related emissions burden generated by the proposed Project and the proposed Project will not cause the SCAQMD's recommended threshold levels to be exceeded. Therefore, operational emission impacts will be at a less than significant level.

The development of the proposed Project would not result in any significant effects relating to water quality. The subject property has a slope of less than 10 percent and is not in a waterway, wetland, an officially mapped area of severe geologic hazard, or within an official Seismic Hazard Zone. The Project is not adjacent to any water sources, therefore construction of the Project will not create any impact to water quality. Furthermore, the project will comply with the City's stormwater management provisions per LAMC 64.70.

(e) The site can be adequately served by all required utilities and public services:

The site is currently and adequately served by the City's Department of Water and Power, the City's Bureau of Sanitation, the Southern California (SoCal) Gas Company, the Los Angeles Police Department, the Los Angeles Fire Department, Los Angeles Unified School District, Los Angeles Public Library, and other public services. These utilities and public services have continuously served the project site for over 20 years since the operation of the existing infrastructure. In addition, the California Green Code requires new construction to meet stringent efficiency standards for both water and power, such as high-efficiency toilets, dual-flush water closets, minimum irrigation standards, LED lighting, etc. As a result of these new building codes, which are required of all projects, it can be anticipated that the proposed project will not create any impact on existing utilities and public services through the net addition of seven dwelling units.

The Project can be characterized as in-fill development within urban areas for the purpose of qualifying for Class 32 Categorical Exemption as a result of meeting the five conditions listed above.

DENSITY BONUS LEGISLATION BACKGROUND

The California State Legislature has declared that "[t]he availability of housing is of vital statewide importance," and has determined that state and local governments have a responsibility to "make adequate provision for the housing needs of all economic segments of the community." Section §65580, subds. (a), (d). Section 65915 further provides that an applicant must agree to, and the municipality must ensure, the "continued affordability of all Low and Very Low Income units that qualified the applicant" for the density bonus.

With Senate Bill 1818 (2004), state law created a requirement that local jurisdictions approve a density bonus and up to three "concessions or incentives" for projects that include defined levels of affordable housing in their projects. In response to this requirement, the City created an ordinance that includes a menu of incentives (referred to as "on-menu" incentives) comprised of eight zoning adjustments that meet the definition of concessions or incentives in state law (California Government Code Section 65915). The eight on-menu incentives allow for: 1) reducing setbacks; 2) reducing lot coverage; 3) reducing lot width, 4) increasing floor area ratio (FAR); 5) increasing height; 6) reducing required open space; 7) allowing for an alternative density calculation that includes streets/alley dedications; and 8) allowing for "averaging" of FAR, density, parking or open space. In order to grant approval of an on-menu incentive, the

City utilizes the same findings contained in state law for the approval of incentives or concessions.

California State Assembly Bill 2222 went into effect January 1, 2015, and with that Density Bonus projects filed as of that date must demonstrate compliance with the housing replacement provisions which require replacement of rental dwelling units that either exist at the time of application of a Density Bonus project, or have been vacated or demolished in the five-year period preceding the application of the project. This applies to all pre-existing units that have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; subject to any other form of rent or price control (including Rent Stabilization Ordinance); or is occupied by Low or Very Low Income Households (i.e., income levels less than 80 percent of the area median income [AMI]). The replacement units must be equivalent in size, type, or both and be made available at affordable rent/cost to, and occupied by, households of the same or lower income category as those meeting the occupancy criteria. Prior to the issuance of any Director's Determination for Density Bonus and Affordable Housing Incentives, the Housing and Community Investment Department (HCIDLA) is responsible for providing the Department of City Planning, along with the applicant, a determination letter addressing replacement unit requirements for individual projects. The City also requires a Land Use Covenant recognizing the conditions be filed with the County of Los Angeles prior to granting a building permit on the project.

Assembly Bill 2222 also increases covenant restrictions from 30 to 55 years for projects approved after January 1, 2015. This determination letter reflects these 55 year covenant restrictions.

Under Government Code Section § 65915(a), § 65915(d)(2)(C) and § 65915(d)(3) the City of Los Angeles complies with the State Density Bonus law by adopting density bonus regulations and procedures as codified in Section 12.22 A.25 of the Los Angeles Municipal Code. Section 12.22 A.25 creates a procedure to waive or modify zoning code standards which may prevent, preclude or interfere with the effect of the density bonus by which the incentive or concession is granted, including legislative body review. The Ordinance must apply equally to all new residential development.

In exchange for setting aside a defined number of affordable dwelling units within a development, applicants may request up to three incentives in addition to the density bonus and parking relief which are permitted by right. The incentives are deviations from the City's development standards, thus providing greater relief from regulatory constraints. Utilization of the Density Bonus/Affordable Housing Incentives Program supersedes requirements of the Los Angeles Municipal Code and underlying ordinances relative to density, number of units, parking, and other requirements relative to incentives, if requested.

For the purpose of clarifying the Covenant Subordination Agreement between the City of Los Angeles and the United States Department of Housing and Urban Development (HUD) note that the covenant required in the Conditions of Approval herein shall prevail unless pre-empted by State or Federal law.

FINANCIAL ANALYSIS/PRO-FORMA

Pursuant to the Affordable Housing Incentive Density Bonus provisions of the LAMC (Section 12.22 A.25), proposed projects that involve on-menu incentives are required to complete the Department's Master Land Use Permit Application form, and no supplemental financial data is required. The City typically has the discretion to request additional information when it is needed to help make required findings. However, the City has determined that the level of detail provided in a pro forma is not necessary to make the findings for on-menu incentives. This is

primarily because each of the City's eight on-menu incentives provides additional buildable area, which, if requested by a developer, can be assumed to provide additional project income and therefore provide for affordable housing costs. When the menu of incentives was adopted by ordinance, the impacts of each were assessed in proportion to the benefits gained with a set-aside of affordable housing units. Therefore, a pro-forma illustrating construction costs and operating income and expenses is not a submittal requirement when filing a request for on-menu incentives. The City's Density Bonus Ordinance requires "a pro forma or other documentation" with requests for off-menu incentives but has no such requirement for on-menu requests.

TIME LIMIT – OBSERVANCE OF CONDITIONS

All terms and conditions of the Director's Determination shall be fulfilled before the use may be established. Pursuant to LAMC Section 12.25 A.2, the instant authorization is further conditional upon the privileges being utilized within **three years** after the effective date of this determination and, if such privileges are not utilized, building permits are not issued, or substantial physical construction work is not begun within said time and carried on diligently so that building permits do not lapse, the authorization shall terminate and become void.

TRANSFERABILITY

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

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

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

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

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

APPEAL PERIOD - EFFECTIVE DATE

The Determination in this matter will become effective and final fifteen (15) days after the date of mailing of the Notice of Director's Determination unless an appeal there from is filed with the Department of City Planning. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the

required fee, a copy of this Determination, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. Forms are available on-line at planning.lacity.org.

Planning Department public offices are located at:

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

Valley Office
Marvin Braude Constituent Service Center
6262 Van Nuys Boulevard, Suite 251
Van Nuys, CA 91401
(818) 374-5050

Only an applicant or any owner or tenant of a property abutting, across the street or alley from, or having a common corner with the subject property can appeal this Density Bonus Compliance Review Determination. Per the Density Bonus Provision of State Law (Government Code Section 65915) the Density Bonus increase in units above the base density zone limits and the appurtenant parking reductions are not a discretionary action and therefore cannot be appealed. Only the requested incentives are appealable. Per Section 12.22-A,25 of the LAMC, appeals of Density Bonus Compliance Review cases are heard by the City Planning Commission.

Verification of condition compliance with building plans and/or building permit applications are done at the Development Services Center of the Department of City Planning at either Figueroa Plaza in Downtown Los Angeles or the Marvin Braude Constituent Service Center in the Valley. In order to assure that you receive service with a minimum amount of waiting, applicants are encouraged to schedule an appointment with the Development Services Center either by calling (213) 482-7077, (818) 374-5050, or through the Department of City Planning website at planning.lacity.org. The applicant is further advised to notify any consultant representing you of this requirement as well.

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedures Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

Vincent P. Bertoni, AICP
Director of Planning

Approved by:



Jane Choi, Senior City Planner

Reviewed by:



Mindy Nguyen, City Planner

Prepared by:



Nicole Sanchez, Planning Assistant
nicole.sanchez@lacity.org

CHESTERFIELD



LOS ANGELES CITY PLANNING COMMISSION

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

www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: **AUG 28 2019**

Case No. CPC-2019-2592-DB-CU-SIP

Council District: 8 – Harris-Dawson

CEQA: N/A

Plan Area: South Los Angeles

Project Site: 4719-4721 South Normandie Avenue; 1409-1411 West 48th Street

Applicant: Chesterfield Apartments, LP
Representative: Jessica Hencier, Craig Lawson & Co., LLC

At its meeting of **August 8, 2019**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following project:

Construction, use, and maintenance of a five-story, 67-foot tall residential building comprised of 43 dwelling units (100 percent affordable, exclusive of one market-rate manager's unit, including five Very Low Income and 37 Low Income units). The Project will provide four parking spaces at grade level, and will provide 38 long-term and six short-term bicycle parking spaces. The Project will be 28,807 square feet in floor area with a Floor Area Ratio (FAR) of 2.73:1. The site currently serves as surface parking, with no trees on the subject site or right-of-way. The Project qualifies as a Streamlined Infill Project (SIP) pursuant to Senate Bill (SB) 35 (California Government Code Section 65913.4).

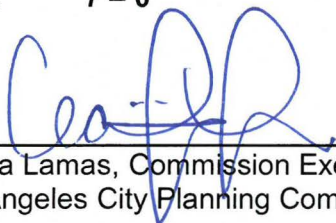
1. **Determined**, pursuant to California Government Code (Gov.) Section 65913.4, that the Project is a Streamlined Infill Project that satisfies all of the objective planning standards of Government Code Section 65913.4(a) and is therefore subject to the streamlined, ministerial approval process provided by Government Code Section 65913.4(b) and (c);
2. **Determined**, based on the whole of the record, the Project is Statutorily Exempt from the California Environmental Quality Act (CEQA) as a ministerial project, pursuant to Government Code Section 65913.4 and California Public Resources Code Section 21080(b)(1);
3. **Approved**, pursuant to Section 12.22 A.25(g)(3) of the Los Angeles Municipal Code (LAMC), a ministerial review of a Density Bonus Compliance Review, for a Project totaling 43 dwelling units, including five dwelling units for Very Low Income household occupancy and 37 dwelling units for Low Income household occupancy for a period of 55 years, with the following three On- and Off-Menu Incentives:
 - a. A 12-foot Ground Floor Height in lieu of the 14-foot Ground Floor Height, as measured from the finished floor to the underside of the structural floor above as otherwise required by the South Los Angeles Community Plan Implementation Overlay (CPIO) Section II-2.A.1(a);
 - b. A 2.73:1 FAR in lieu of the otherwise permitted 1.5:1 FAR for the C2-1VL-CPIO Zone; and
 - c. A building height of 67 feet and 5 stories, in lieu of the 45 feet and three stories otherwise permitted by the C2-1VL-CPIO Zone;

4. **Approved**, pursuant to LAMC Section 12.22 A.25(g)(3), a ministerial review of the following four Waivers of Development Standards:
 - a. A 15-foot rear yard in lieu of the 17-foot rear yard otherwise required for a 5-story building in the C2-1VL-CPIO Zone;
 - b. A 5-foot northerly side yard in lieu of the 8-foot side yard otherwise required for a 5-story building in the C2-1VL-CPIO Zone;
 - c. A 0-foot southerly side yard in lieu of the 8-foot side yard otherwise required for a 5-story building in the C2-1VL-CPIO Zone; and
 - d. A 30 percent reduction in required open space for 3,028 square feet of open space in lieu of 4,325 square feet otherwise required by LAMC Section 12.21 G;
5. **Approved**, pursuant to LAMC Section 12.24 U.26, a ministerial review of a Conditional Use for a 48 percent increase in density over the Project site, for 43 dwelling units in lieu of the otherwise permitted base density of 29 dwelling units;
6. **Adopted** the attached Conditions of Approval; and
7. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Perlman
Second: Ambroz
Ayes: Khorsand, Leung, Mack, Millman, Mitchell
Absent: Choe, Padilla-Campos

Vote: 7 – 0



Cecilia Lamas, Commission Executive Assistant
Los Angeles City 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 Los Angeles City Planning Commission related to the Off-Menu Incentives and Waiver of Development Standards is not appealable. The City Planning Commission's decision related to the Conditional Use is appealable to the Los Angeles City Council. However, the project entitlements are being applied for under the timelines and procedures of Senate Bill 35 (Government Code Section 65913.4), which requires the City to complete design review or public oversight, including final approval, for a project of this size within 90 calendar days of submittal of the application. The applicant submitted a complete application for the development on June 6, 2019. Consequently, all design review or public oversight, including final approval, shall be completed within 90 days from June 6, 2019, or by September 4, 2019, and shall not in any way inhibit, chill or preclude the ministerial approval provided by Government Code Section 65913.4.

Notice: 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: Conditions of Approval, Findings

c: Michelle Singh, Senior City Planner
Connie Chauv, City Planning Associate

CONDITIONS OF APPROVAL

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit A," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, West/South/Coastal Project Planning Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Los Angeles Municipal Code or the project conditions.
2. **Residential Density.** The project shall be limited to a maximum density of 43 residential units including Density Bonus Units.
3. **Affordable Units.** A minimum of 42 units shall be reserved as affordable units for a period of 55 years as follows: 5 units shall be reserved as affordable units for Very Low Income household occupancy, as defined by the State Density Bonus Law 65915 (c)(1) or (c)(2) as determined by the California Department of Housing and Community Development ("HCD"); 10 units shall be reserved for Low Income Household occupancy as defined in Section 50079.5 of the California Health and Safety Code as determined by HCD; and the remaining 27 units shall be reserved for Lower Income Households as determined by either the HCD or the U.S. Department of Housing and Urban Development ("HUD").
4. **Changes in Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units or change parking numbers shall be consistent with LAMC Section 12.22 A.25 (a-d).
5. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make 5 units available to Very Low Income Households and 10 units available to Low Income Households as determined by HCD, for sale or rental as determined to be affordable to such households by HCIDLA for a period of 55 years. The remaining 27 affordable units shall be reserved for Low Income Households as determined by HCD or HUD for a period of 55 years. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with any monitoring requirements established by the HCIDLA. Refer to the Density Bonus Legislation Background section of this determination.
6. **Floor Area Ratio (FAR) (Incentive).** The project shall be limited to a maximum floor area ratio of 2.73:1 per Exhibit "A".
7. **Height (Incentive).**
 - a. The project shall provide a minimum 12-foot Ground Floor Height, as measured from the finished floor to the underside of the structural floor above.
 - b. The project shall be limited to five (5) stories and 67 feet in height per Exhibit "A".
8. **Rear Yard Setback (Waiver).** The project shall observe a minimum 15-foot rear yard setback in lieu of the 17 feet otherwise required in the C2-1VL-CPIO zone.

9. **Side Yard Setbacks (Waiver).** The project shall observe a minimum 5-foot northerly and 0-foot southerly side yard setback in lieu of the eight (8) feet otherwise required in the C2-1VL-CPIO zone.
10. **Open Space (Waiver).** The project shall provide a minimum of 3,028 square feet of usable open space per Exhibit "A".
11. **Zoning.** The project shall comply with all other requirements of the C2-1VL-CPIO zone.
12. **Senate Bill 35.** The project shall comply with all state requirements of Senate Bill 35 and California Government Code Section 65913.4. A minimum of 50 percent of base dwelling units shall be reserved as affordable units to households making below 80 percent of the area median income.
13. **Automobile Parking.** Pursuant to California Government Code Section 65913.4(d)(1), no parking requirements shall apply for multifamily developments located within one-half mile of public transit. No residential parking spaces are required.
14. **Bicycle Parking.** Bicycle parking shall be provided consistent with LAMC 12.21 A.16.
15. **Landscaping.** The landscape plan shall indicate landscape points for the project equivalent to **10% more than otherwise required** by LAMC 12.40 and Landscape Ordinance Guidelines "O". All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning.
16. **Community Plan Implementation Overlay.** Prior to the issuance of a building permit, the applicant shall demonstrate compliance with the South Los Angeles Community Plan Implementation Overlay ("CPIO") pursuant to Ordinance No. 185,927.
17. **Department of Building and Safety.** The project shall comply with all comments and corrections received from the Department of Building and Safety under Permit No. 19010-10000-01161.
18. **Prevailing Wage Requirements.** In accordance with Government Code Section 65913.4(a)(8), the applicant shall confer with Department of Public Works, Bureau of Contract Administration, Office of Contract Compliance, and shall provide the following to the Department of City Planning:
 - a. A signed Preconstruction Checklist Agreement between the Applicant and the Bureau of Contract Administration (maintained in the case file), prior to clearing any Building Permit, which covers the following:
 - i. All construction workers employed in the execution of the development will be paid at least the general prevailing rate of per diem wages for the type of work and geographic area, as determined by the Director of Industrial Relations pursuant to Sections 1773 and 1773.9 of the California Labor Code, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards shall be paid at least the applicable apprentice prevailing rate.
 - ii. The development proponent shall ensure that the prevailing wage requirement is included in all contracts for the performance of the work.
 - iii. All contractors and subcontractors shall pay to all construction workers employed in the execution of the work at least the general prevailing rate of per diem wages, except

- that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards shall be paid at least the applicable apprentice prevailing rate.
- iv. Except as provided in subclause (vi), all contractors and subcontractors shall maintain and verify payroll records pursuant to Section 1776 of the Labor Code and make those records available for inspection and copying as provided in Sections 1776 and 1812 of the Labor Code.
 - v. Except as provided in subclause (vi), the obligation of the contractors and subcontractors to pay prevailing wages may be enforced by the Labor Commissioner through the issuance of a civil wage and penalty assessment pursuant to Section 1741 of the Labor Code, which may be reviewed pursuant to Section 1742 of the Labor Code, within 18 months after the completion of the development, by an underpaid worker through an administrative complaint or civil action, or by a joint labor-management committee through a civil action under Section 1771.2 of the Labor Code. If a civil wage and penalty assessment is issued, the contractor, subcontractor, and surety on a bond or bonds issued to secure the payment of wages covered by the assessment shall be liable for liquidated damages pursuant to Section 1742.1 of the Labor Code.
 - vi. Subclauses (iv) and (v) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires the payment of prevailing wages to all construction workers employed in the execution of the development and provides for enforcement of that obligation through an arbitration procedure. For purposes of this clause, "project labor agreement" has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.
 - vii. Notwithstanding subdivision (c) of Section 1773.1 of the Labor Code, the requirement that employer payments not reduce the obligation to pay the hourly straight time or overtime wages found to be prevailing shall not apply if otherwise provided in a bona fide collective bargaining agreement covering the worker. The requirement to pay at least the general prevailing rate of per diem wages does not preclude use of an alternative workweek schedule adopted pursuant to Section 511 or 514 of the Labor Code.
- b. Bond. A Bond may be required to ensure compliance.

Administrative Conditions

19. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Plans Approved". A copy of the Plans Approved, supplied by the applicant, shall be retained in the subject case file.
20. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
21. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.

22. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
23. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
24. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
25. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

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

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

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in

the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

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

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

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

FINDINGS

STREAMLINED INFILL PROJECT FINDINGS

In accordance with Senate Bill 35 (Government Code Section 65913.4(a)), an applicant may submit an application for a development that is subject to the streamlined, ministerial approval process if the development satisfies all of the objective planning standards of Government Code Section 65913.4(a) as follows:

1. The development is a multifamily housing development that contains two or more residential units.

The project is a multi-family housing development that contains 43 residential units.

2. The development is located on a site that satisfies all of the following:

- A. A site that is a legal parcel or parcels located in a city if, and only if, the city boundaries include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel or parcels wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.**
- B. A site in which at least 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses. For the purposes of this section, parcels that are only separated by a street or highway shall be considered to be adjoined.**
- C. A site that is zoned for residential use or residential mixed-use development, or has a general plan designation that allows residential use or a mix of residential and nonresidential uses, with at least two-thirds of the square footage of the development designated for residential use.**

The Census Bureau¹ identifies two types of urban areas:

- Urbanized Areas of 50,000 or more people; and
- Urban Clusters of at least 2,500 and less than 50,000 people.

According to the U.S. Census Bureau, 2010 Census, Profile of General Population and Housing Characteristics, the City of Los Angeles population in 2010 was 3,792,621, thereby constituting an urbanized area. The project site consists of legal parcels located within the City of Los Angeles.

Section 102(z) of the SB 35 Guidelines define “urban uses” as any current or former residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses (Exhibit G). All adjoining parcels are developed with urban uses. Surrounding properties are developed with a combination of single-family and multi-family residential, commercial uses, churches, autobody uses, and parking.

The project site is located within the South Los Angeles Community Plan, which designates the subject property for Neighborhood Commercial land uses corresponding to the CR, C1, C1.5, C2, C4, RAS3, and R3 Zones. Both the Neighborhood Commercial Land Use

¹ <https://www.census.gov/programs-surveys/geography/guidance/geo-areas/urban-rural/2010-urban-rural.html> (Federal Register Vol. 76, No. 164, Pg. 53030)

Designation and C2-1VL-CPIO Zone allow for multi-family residential use. The applicant proposes a permanent supportive housing development with 43 dwelling units and supportive services. Per California Health and Safety Code Section 50675.14(b)(2), supportive services are accessory to the residential use. As such, the entire development will be designated for residential use.

3. If the development contains units that are subsidized, the development proponent already has recorded, or is required by law to record, a land use restriction for the following applicable minimum durations:

- A. Fifty-five years for units that are rented.**
- B. Forty-five years for units that are owned.**

The SB 35 Guidelines defines “subsidized” as “units that are price or rent restricted such that the units are permanently affordable to households meeting the definitions of very low and lower income, as defined in Sections 50079.5 and 50105 of the Health and Safety Code” (Exhibit G).

The project is a permanent supportive housing development containing 43 units (including 42 affordable units and one (1) market-rate manager’s unit). The applicant is required per the Conditions of Approval to record a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make at least 50 percent of the base 29 units affordable to households making at or below 80 percent area median income, which is equivalent to lower-income households per Health and Safety Code Section 50079.5, for a period of 55 years.

4. The development satisfies both of the following:

- A. Is located in a locality that the department has determined is subject to this subparagraph on the basis that the number of units that have been issued building permits is less than the locality’s share of the regional housing needs, by income category, for that reporting period. A locality shall remain eligible under this subparagraph until the department’s determination for the next reporting period. A locality shall be subject to this subparagraph if it has not submitted an annual housing element report to the department pursuant to paragraph (2) of subdivision (a) of Section 65400 for at least two consecutive years before the development submitted an application for approval under this section.**
- B. The development is subject to a requirement mandating a minimum percentage of below market rate housing based on one of the following:**
 - i. The locality did not submit its latest production report to the department by the time period required by Section 65400, or that production report reflects that there were fewer units of above moderate-income housing approved than were required for the regional housing needs assessment cycle for that reporting period. In addition, if the project contains more than 10 units of housing, the project seeking approval dedicates a minimum of 10 percent of the total number of units to housing affordable to households making below 80 percent of the area median income. If the locality has adopted a local ordinance that requires that greater than 10 percent of the units be dedicated to housing affordable to households making below 80 percent of the area median income, that zoning ordinance applies.**
 - ii. The locality did not submit its latest production report to the department by the time period required by Section 65400, or that production report**

- reflects that there were fewer units of housing affordable to households making below 80 percent of the area median income that were issued building permits than were required for the regional housing needs assessment cycle for that reporting period, and the project seeking approval dedicates 50 percent of the total number of units to housing affordable to households making below 80 percent of the area median income, unless the locality has adopted a local ordinance that requires that greater than 50 percent of the units be dedicated to housing affordable to households making below 80 percent of the area median income, in which case that ordinance applies.
- iii. **The locality did not submit its latest production report to the department by the time period required by Section 65400, or if the production report reflects that there were fewer units of housing affordable to any income level described in clause (i) or (ii) that were issued building permits than were required for the regional housing needs assessment cycle for that reporting period, the project seeking approval may choose between utilizing clause (i) or (ii).**

On February 1, 2018, the California Department of Housing and Community Development (“HCD”) released maps showing which cities and counties in California are subject to streamlined housing development under SB 35. The information shows the City of Los Angeles has met its 2013-2021 Regional Housing Need Allocation (“RHNA”) goals for the “above market” income category; however, the City is not showing sufficient progress in meeting the RHNA for the lower income categories. Therefore, the City of Los Angeles is subject to SB 35.

Section 402(c) of the SB 35 Guidelines dated November 29, 2018 clarifies that “the percentage of units affordable to households making at or below 80 percent of the area median income... is calculated based on the total number of units in the development exclusive of additional units provided by a density bonus”. Therefore, projects are required to provide 50 percent of the total (base density) for lower-income households to qualify under SB 35.

The applicant is required per the Conditions of Approval to record a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (“HCIDLA”) to make at least 50 percent of the base 29 units, that is 15 units, affordable to households making at or below 80 percent area median income, which is equivalent to lower-income households per Health and Safety Code Section 50079.5, for a period of 55 years.

The applicant is providing 5 units for Very Low Income household occupancy, as defined by the State Density Bonus Law 65915 (c)(1) or (c)(2) as determined by the California Department of Housing and Community Development (“HCD”); 10 units reserved for Low Income Household occupancy as determined by HCD; and the remaining 27 units shall be reserved for Lower Income Households as determined by either the HCD or the U.S. Department of Housing and Urban Development (“HUD”). Therefore, the project meets the affordability requirements of SB 35.

5. **The development, excluding any additional density or any other concessions, incentives, or waivers of development standards granted pursuant to the Density Bonus Law in Section 65915, is consistent with objective zoning standards and objective design review standards in effect at the time that the development is submitted to the local government pursuant to this section. For purposes of this paragraph, “objective zoning standards” and “objective design review standards” mean standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or**

criterion available and knowable by both the development applicant or proponent and the public official prior to submittal. These standards may be embodied in alternative objective land use specifications adopted by a city or county, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances, subject to the following:

- A. A development shall be deemed consistent with the objective zoning standards related to housing density, as applicable, if the density proposed is compliant with the maximum density allowed within that land use designation, notwithstanding any specified maximum unit allocation that may result in fewer units of housing being permitted.**
- B. In the event that objective zoning, general plan, or design review standards are mutually inconsistent, a development shall be deemed consistent with the objective zoning standards pursuant to this subdivision if the development is consistent with the standards set forth in the general plan.**

The project site is located within the South Los Angeles Community Plan area, designated for Neighborhood Commercial land uses, and zoned C2-1VL-CPIO. The project site is permitted a base density of 29 dwelling units. The applicant seeks a Conditional Use to increase the density by 48 percent to permit 43 dwelling units in lieu of 29 by-right units in accordance with the State Density Bonus Law. The applicant has requested three (3) On- and Off-Menu Incentives and four (4) Waivers of Development Standards, as listed below:

On- and Off-Menu Incentives

- a. A 12-foot Ground Floor Height in lieu of the 14-foot Ground Floor Height, as measured from the finished floor to the underside of the structural floor above as otherwise required by the South Los Angeles Community Plan Implementation Overlay ("CPIO") Section II-2.A.1(a);
- b. A 2.73:1 FAR in lieu of the otherwise permitted 1.5:1 FAR for the C2-1VL-CPIO Zone; and
- c. A building height of 67 feet and 5 stories, in lieu of the 45 feet and 3 stories otherwise permitted by the C2-1VL-CPIO Zone.

Waivers of Development Standards:

- a. A 15-foot rear yard in lieu of the 17 foot rear yard otherwise required for a 5-story building in the C2-1VL-CPIO Zone;
- b. A 5-foot northerly side yard in lieu of the 8 foot side yard otherwise required for a 5-story building in the C2-1VL-CPIO Zone;
- c. A 0-foot southerly side yard in lieu of the 8 foot side yard otherwise required for a 5-story building in the C2-1VL-CPIO Zone; and
- d. A 30 percent reduction in required open space for 3,318 square feet of open space in lieu of 4,325 square feet otherwise required by LAMC Section 12.21 G.

No other concessions, incentives, or waivers of development standards are requested or granted as part of the subject determination. The development, excluding any additional density or any other concessions, incentives, or waivers of development standards granted pursuant to the State Density Bonus Law (Government Code Section 65915), is consistent

with objective zoning and design review standards in effect at the time that the development was submitted to the City. The site is also located within and therefore subject to the South Los Angeles Community Plan Implementation Overlay ("CPIO") District and the project is subject to all regulations therein.

6. The development is not located on a site that is any of the following:

- A. A coastal zone, as defined in Division 20 (commencing with Section 30000) of the Public Resources Code.**
- B. Either prime farmland or farmland of statewide importance, as defined pursuant to United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the voters of that jurisdiction.**
- C. Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).**
- D. Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code. This subparagraph does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.**
- E. A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.**
- F. Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.**
- G. Within a flood plain as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has been issued a flood plain development permit pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.**
- H. Within a floodway as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations.**
- I. Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.**

- J. Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).**
- K. Lands under conservation easement.**

The site currently serves as surface parking in an urbanized area of the South Los Angeles Community Plan surrounded by urban land uses. The site is designated for Neighborhood Commercial land uses and zoned C2-1VL-CPIO, which allows residential uses. As such, the site is not located within a coastal zone, farmland, agricultural land, or wetland. Per the City's Zone Information and Map Access System (ZIMAS), the site is not located in a very high fire hazard severity zone. The California Department of Toxic Substances Control (DTSC) maintains a database (EnviroStor) that provides access to detailed information on hazardous waste permitted sites and corrective action facilities, as well as existing site cleanup information. A review of EnviroStor did not identify any records of hazardous waste facilities on the project site. The site is located approximately 4.34 kilometers of the Newport - Inglewood Fault Zone (Onshore) and will be subject to Building Code requirements. According to the Federal Emergency Management Agency's Flood Map, the project site is located within Zone X, 0.2% Annual Chance Flood Hazard, and is not located within a floodway. The site is not identified for a conservation or habitat conservation plan or any other adopted natural resource protection plan. The site currently serves as surface parking, and is completely surrounded by urban land uses and therefore has no value as a habitat for protected species. Additionally, there is no conservation easement on site.

7. The development is not located on a site where any of the following apply:

- A. The development would require the demolition of the following types of housing:**
 - i. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.**
 - ii. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.**
 - iii. Housing that has been occupied by tenants within the past 10 years.**
- B. The site was previously used for housing that was occupied by tenants that was demolished within 10 years before the development proponent submits an application under this section.**
- C. The development would require the demolition of a historic structure that was placed on a national, state, or local historic register prior to the submission of an application.**
- D. The property contains housing units that are occupied by tenants, and units at the property are, or were, subsequently offered for sale to the general public by the subdivider or subsequent owner of the property.**

The site currently serves as surface parking. Pursuant to the Determination made by the Los Angeles Housing and Community Investment Department (HCIDLA) dated March 20, 2019, HCIDLA determined that there were no residential units built and demolished on the property in the last 10 years, therefore no AB 2556 replacement affordable units are required (Exhibit D). The project site has not been identified as a historic resource by local, state or federal agencies. The project does not involve the demolition of a historic structure that was placed on a national, state, or local historic register prior to the submission of the application. The site

was not found to be a potential historic resource based on the City's HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles.

8. The development proponent has done both of the following, as applicable:

A. Certified to the locality that either of the following is true, as applicable:

- i. The entirety of the development is a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.**
- ii. If the development is not in its entirety a public work, that all construction workers employed in the execution of the development will be paid at least the general prevailing rate of per diem wages for the type of work and geographic area, as determined by the Director of Industrial Relations pursuant to Sections 1773 and 1773.9 of the Labor Code, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate. If the development is subject to this subparagraph, then for those portions of the development that are not a public work all of the following shall apply:**
 - I. The development proponent shall ensure that the prevailing wage requirement is included in all contracts for the performance of the work.**
 - II. All contractors and subcontractors shall pay to all construction workers employed in the execution of the work at least the general prevailing rate of per diem wages, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate.**
 - III. Except as provided in subclause (V), all contractors and subcontractors shall maintain and verify payroll records pursuant to Section 1776 of the Labor Code and make those records available for inspection and copying as provided in therein.**
 - IV. Except as provided in subclause (V), the obligation of the contractors and subcontractors to pay prevailing wages may be enforced by the Labor Commissioner through the issuance of a civil wage and penalty assessment pursuant to Section 1741 of the Labor Code, which may be reviewed pursuant to Section 1742 of the Labor Code, within 18 months after the completion of the development, by an underpaid worker through an administrative complaint or civil action, or by a joint labor-management committee through a civil action under Section 1771.2 of the Labor Code. If a civil wage and penalty assessment is issued, the contractor, subcontractor, and surety on a bond or bonds issued to secure the payment of wages covered by the assessment shall be liable for liquidated damages pursuant to Section 1742.1 of the Labor Code.**
 - V. Subclauses (III) and (IV) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires the payment of prevailing wages to all construction workers employed in the execution of the development and provides for enforcement of that obligation through an arbitration procedure. For purposes of this clause, "project labor agreement" has the same meaning as**

set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.

- VI. Notwithstanding subdivision (c) of Section 1773.1 of the Labor Code, the requirement that employer payments not reduce the obligation to pay the hourly straight time or overtime wages found to be prevailing shall not apply if otherwise provided in a bona fide collective bargaining agreement covering the worker. The requirement to pay at least the general prevailing rate of per diem wages does not preclude use of an alternative workweek schedule adopted pursuant to Section 511 or 514 of the Labor Code.

B.

- i. For developments for which any of the following conditions apply, certified that a skilled and trained workforce shall be used to complete the development if the application is approved:
 - I. On and after January 1, 2018, until December 31, 2021, the development consists of 75 or more units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction located in a coastal or bay county with a population of 225,000 or more.
 - II. On and after January 1, 2022, until December 31, 2025, the development consists of 50 or more units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction located in a coastal or bay county with a population of 225,000 or more.
 - III. On and after January 1, 2018, until December 31, 2019, the development consists of 75 or more units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county.
 - IV. On and after January 1, 2020, until December 31, 2021, the development consists of more than 50 units and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county.
 - V. On and after January 1, 2022, until December 31, 2025, the development consists of more than 25 units and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal bay county.
- ii. For purposes of this section, “skilled and trained workforce” has the same meaning as provided in Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.
- iii. If the development proponent has certified that a skilled and trained workforce will be used to complete the development and the application is approved, the following shall apply:
 - I. The applicant shall require in all contracts for the performance of work that every contractor and subcontractor at every tier will individually use a skilled and trained workforce to complete the development.
 - II. Every contractor and subcontractor shall use a skilled and trained workforce to complete the development.
 - III. Except as provided in subclause (IV), the applicant shall provide to the locality, on a monthly basis while the development or contract is being performed, a report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code. A monthly report provided

to the locality pursuant to this subclause shall be a public record under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) and shall be open to public inspection. An applicant that fails to provide a monthly report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code shall be subject to a civil penalty of ten thousand dollars (\$10,000) per month for each month for which the report has not been provided. Any contractor or subcontractor that fails to use a skilled and trained workforce shall be subject to a civil penalty of two hundred dollars (\$200) per day for each worker employed in contravention of the skilled and trained workforce requirement. Penalties may be assessed by the Labor Commissioner within 18 months of completion of the development using the same procedures for issuance of civil wage and penalty assessments pursuant to Section 1741 of the Labor Code, and may be reviewed pursuant to the same procedures in Section 1742 of the Labor Code. Penalties shall be paid to the State Public Works Enforcement Fund.

- IV. Subclause (III) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires compliance with the skilled and trained workforce requirement and provides for enforcement of that obligation through an arbitration procedure. For purposes of this subparagraph, "project labor agreement" has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.
- C. Notwithstanding subparagraphs (A) and (B), a development that is subject to approval pursuant to this section is exempt from any requirement to pay prevailing wages or use a skilled and trained workforce if it meets both of the following:
 - i. The project includes 10 or fewer units.
 - ii. The project is not a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.

The project is conditioned to meet the above requirements of Government Code Section 65913.4(a).

- 9. The development did not or does not involve a subdivision of a parcel that is, or, notwithstanding this section, would otherwise be, subject to the Subdivision Map Act (Division 2 (commencing with Section 66410)) or any other applicable law authorizing the subdivision of land, unless either of the following apply:
 - A. The development has received or will receive financing or funding by means of a low-income housing tax credit and is subject to the requirement that prevailing wages be paid pursuant to subparagraph (A) of paragraph (8).
 - B. The development is subject to the requirement that prevailing wages be paid, and a skilled and trained workforce used, pursuant to paragraph (8).

There is no subdivision entitlement requested as part of the project.

- 10. The development shall not be upon an existing parcel of land or site that is governed under the Mobilehome Residency Law (Chapter 2.5 (commencing with Section 798) of Title 2 of Part 2 of Division 2 of the Civil Code), the Recreational Vehicle Park

Occupancy Law (Chapter 2.6 (commencing with Section 799.20) of Title 2 of Part 2 of Division 2 of the Civil Code), the Mobilehome Parks Act (Part 2.1 (commencing with Section 18200) of Division 13 of the Health and Safety Code), or the Special Occupancy Parks Act (Part 2.3 (commencing with Section 18860) of Division 13 of the Health and Safety Code).

The Mobilehome Residency Law and related regulations are not applicable to the site.

Therefore, as provided above, the development satisfies all of the objective planning standards of Government Code Section 65913.4(a), and is therefore subject to the streamlined, ministerial approval process provided in Government Code Section 65913.4(b) and (c).

Additionally, Government Code Section 65913.4(d) states:

Notwithstanding any other law, a local government, whether or not it has adopted an ordinance governing parking requirements in multifamily developments, shall not impose parking standards for a streamlined development that was approved pursuant to this section in any of the following instances:

(A) The development is located within one-half mile of public transit.

(B) The development is located within an architecturally and historically significant historic district.

(C) When on-street parking permits are required but not offered to the occupants of the development.

(D) When there is a car share vehicle located within one block of the development.

Section 102(r) of the SB 35 Guidelines defines “public transit” as “a site containing an existing rail transit station (e.g. light rail, Metro, or BART), a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. For purposes of these Guidelines, measurements for frequency of bus service can include multiple bus lines” (Exhibit G).

The project site is directly adjacent to a bus stop located at the corner of Normandie Avenue and 48th Street that serves the Los Angeles County Metropolitan Transit Authority (“Metro”) bus line 206. The site is within 1,500 feet from the intersection of Normandie Avenue and Vernon Avenue, which serves several bus lines including Metro bus lines 105 and 206, Metro Rapid bus line 705, and Los Angeles Department of Transportation (“LADOT”) DASH Leimert/Slauson Line. As such, the City shall not impose parking standards for the proposed Streamlined Infill Project.

DENSITY BONUS / AFFORDABLE HOUSING INCENTIVES PROGRAM FINDINGS

The applicant has requested three (3) On- and Off-Menu Incentives and four (4) Waivers of Development Standards, as listed below:

On- and Off-Menu Incentives

- d. A 12-foot Ground Floor Height in lieu of the 14-foot Ground Floor Height, as measured from the finished floor to the underside of the structural floor above as otherwise required

by the South Los Angeles Community Plan Implementation Overlay (“CPIO”) Section II-2.A.1(a);

- e. A 2.73:1 FAR in lieu of the otherwise permitted 1.5:1 FAR for the C2-1VL-CPIO Zone; and
- f. A building height of 67 feet and 5 stories, in lieu of the 45 feet and 3 stories otherwise permitted by the C2-1VL-CPIO Zone.

Waivers of Development Standards:

- e. A 15-foot rear yard in lieu of the 17 foot rear yard otherwise required for a 5-story building in the C2-1VL-CPIO Zone;
- f. A 5-foot northerly side yard in lieu of the 8 foot side yard otherwise required for a 5-story building in the C2-1VL-CPIO Zone;
- g. A 0-foot southerly side yard in lieu of the 8 foot side yard otherwise required for a 5-story building in the C2-1VL-CPIO Zone; and
- h. A 30 percent reduction in required open space for 3,318 square feet of open space in lieu of 4,325 square feet otherwise required by LAMC Section 12.21 G.

Based on the set-aside of over 15 percent of base units for Very Low Income households, the applicant is entitled to three (3) Incentives under both the Government Code and LAMC. Therefore, the first On- and Off-Menu requests qualify as the proposed development’s Incentives. The remaining requests must be processed as a Waiver of Development Standard.

Following is a delineation of the findings related to the request for three (3) On- and Off-Menu Incentives, pursuant to LAMC Section 12.22 A.25(g) and Government Code Section 65915.

11. Government Code Section 65915 and LAMC Section 12.22 A.25(c) state that the Commission shall approve a density bonus and requested incentive(s) unless the Commission finds that:

- a. The incentives do not result in identifiable and actual cost reductions to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for the affordable units.***

The record does not contain substantial evidence that would allow the City Planning Commission to make a finding that the requested incentives do not result in identifiable and actual cost reduction to provide for affordable housing costs per State Law. The California Health & Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs for very low, low, and moderate income households. Section 50052.5 addresses owner-occupied housing and Section 50053 addresses rental households. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed 25 percent gross income based on area median income thresholds dependent on affordability levels.

Ground Floor Height Reduction: The South Los Angeles Community Plan Implementation Overlay (“CPIO”) General Corridor Subarea Section II-2.A.1(a) requires a 14-foot Ground Floor height, as measured from the finished floor to the underside of the structural floor above. The applicant has requested an Off-Menu Incentive to provide a 12-foot Ground Floor height in lieu of the 14 feet otherwise required by the CPIO. The

reduction in 2 feet in Ground Floor Height will allow the developer to dedicate more area towards residential units at the upper levels, so that the additional units can be constructed and the overall space dedicated to residential uses is increased.

FAR Increase: The subject site is zoned C2-1VL-CPIO with a Height District No. 1VL that permits a maximum Floor Area Ratio ("FAR") of 1.5:1. LAMC Section 12.22 A.25 permits an FAR increase from 1.5:1 to 3:1 through an On-Menu Incentive for eligible projects within 1,500 feet of transit. The applicant has requested an On-Menu Incentive to allow a 2.73:1 FAR in lieu of the otherwise permitted 1.5:1 FAR. While the proposed project qualifies for a maximum 3:1 FAR, the proposed project is actually providing a maximum floor area of 28,807 square feet or a 2.73:1 FAR. The proposed 2.73:1 FAR creates 12,985 additional square feet. As proposed, the additional FAR will allow for the construction of the affordable residential units. The requested incentive will allow the developer to expand the building envelope so the additional units can be constructed and the overall space dedicated to residential uses is increased.

FAR by-right	Lot Area (sf)	Total Floor Area (sf)
1.5:1	10,548	$10,548 \times 1.5 =$ 15,822

FAR Requested	Buildable Lot Area (sf)	Total Floor Area (sf)	Additional Floor Area (sf)
2.73:1	10,548	28,807	$28,807 - 15,822 =$ 12,985

Height Increase: The subject site is zoned C2-1VL-CPIO, with a Height District No. 1VL that permits a maximum 45-foot building height. The applicant has requested an increase for 22 additional feet in height to allow for 67 feet and 7 stories through an Off-Menu Incentive. The limitation on the height would remove two (2) stories from the proposed building, and will limit the ability to construct the residential dwelling units permitted by-right and the Restricted Affordable Units which are of a sufficient size. As proposed, the additional height will allow for the construction of the affordable residential units. The requested incentive will allow the developer to expand the building envelope so the additional units can be constructed and the overall space dedicated to residential uses is increased.

The requested incentives allow the developer to expand the building envelope so the additional and affordable units can be constructed, provide for design efficiencies, and allow the overall space dedicated to residential uses to be increased. These incentives support the applicant's decision to set aside the specified number of dwelling units for Low Income Households for 55 years.

- b. The incentive(s) will have a specific adverse impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there are no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety (Government Code Section 65915(d)(1)(B) and 65589.5(d)).**

There is no substantial evidence in the record that the proposed incentive(s) will have a specific adverse impact. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22 A.25(b)). As required by Section 12.22 A.25 (e)(2), the project meets the eligibility criterion that is required for density bonus projects. The project also does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. Therefore, there is no substantial evidence that the proposed incentive(s) will have a specific adverse impact on public health and safety.

c. *The incentive(s) are contrary to state or federal law.*

There is no evidence in the record that the proposed incentives are contrary to state or federal law.

Following is a delineation of the findings related to the request for four (4) Waivers of Development Standards, pursuant to Government Code Section 65915.

12. Government Code Section 65915 and LAMC Section 12.22 A.25(c) state that the Commission shall approve a density bonus and requested Waiver of Development Standard(s) unless the Commission finds that:

a. *The waiver(s) or reduction(s) of development standard(s) are contrary to state or federal law.*

There is no evidence in the record that the proposed waivers are contrary to state or federal law.

A project that provides 15 percent of base units for Very Low Income Households qualifies for three (3) Incentives, and may request other "waiver[s] or reduction[s] of development standards that will have the effect of physically precluding the construction of a development meeting the [affordable set-aside percentage] criteria of subdivision (b) at the densities or with the concessions or incentives permitted under [State Density Bonus Law]" (Government Code Section 65915(e)(1)).

Therefore, the request for the following are recommended as a Waiver of Development Standards. Without the below Waivers, the existing development standards would preclude development of the proposed density bonus units and project amenities:

Rear and Side Yards: LAMC Section 12.14 C.2 requires rear and side yards to conform to the requirements of the R4 Zone for buildings erected and used for residential purposes. The R4 Zone requires rear yards of a minimum of 15 feet, and requires one additional foot in the width of the rear yard for each additional story above the 3rd story; and side yards of a minimum of 5 feet, and requires one additional foot in the width of the required side yards for each additional story above the 2nd story. The Project is a 5-story building containing a ground floor with grade-level parking, residential community center, and supportive service offices, and the upper Levels 2 through 5 are comprised of residential units. Given all levels of the project would be utilized in whole or in part by residential uses, the Project would therefore be required to provide a 17-foot rear yard setback and 8-foot side yard setbacks. The Applicant has requested three Waivers of Development Standards for reduced yards, and proposes a 15-foot rear yard setback in lieu of the 17 feet otherwise required, and 5-foot side yard setbacks in lieu of the 8 feet

otherwise required. Strict compliance with the yard requirements would reduce the buildable lot area by 2 feet for the rear yard and 11 feet for the side yards, thereby limiting the buildable area for new development and reducing the number and range of units that could be developed. The requested waivers allow the developer to reduce setback requirements so the affordable housing units can be constructed and the overall space dedicated to residential uses is increased. By waiving these development standards, the developer will not be physically precluded from constructing the proposed development with 43 dwelling units including 42 affordable units.

Open Space Reduction: LAMC Section 12.21 G requires 100 square feet of usable open space per dwelling unit with less than 3 habitable rooms, and 125 square feet of usable open space per dwelling unit with 3 habitable rooms. For the proposed project with 42 studio units and 1 two-bedroom unit, a total of 4,325 square feet of open space would be required. Strict compliance with the open space requirements would have the effect of physically precluding construction of the development proposing 43 dwelling units, 5 of which will be set aside for Very Low Income and 37 of which will be set aside for Low Income Households. The applicant has requested a 30 percent reduction to allow 3,028 square feet of open space through a Waiver of Development Standard. Without the waiver to reduce the minimum usable open space required to 3,028 square feet, the project would need to provide an additional 1,297 square feet of common or private open space on-site. The project currently proposes dwelling units that range in size from 465 square feet to 934 square feet. Compliance with the minimum usable open space provision would require the removal of floor area that could otherwise be dedicated to the number, configuration, and livability of affordable housing units. Specifically, the project would not only need to comply with the total amount of usable open space requirements, but also the design, dimension, and area requirements set forth in LAMC Section 12.21 G. Common open space would need to be at least 15 feet in width on all sides, have a minimum area of 400 square feet, and be open to sky. The project would lost floor area of the development in order to meet all of these additional requirements for common open space. By waiving this development standard, the developer will not be physically precluded from constructing the proposed development with 43 dwelling units including 42 affordable units.

- b. The waiver will have specific adverse impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse Impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.***

There is no substantial evidence in the record that the proposed incentive(s) will have a specific adverse impact. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22 A.25(b)). As required by Section 12.22 A.25 (e)(2), the project meets the eligibility criterion that is required for density bonus projects. The project also does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. The project does not involve the demolition of a historic structure that was placed on a national, state, or local historic register prior to the submission of the application. Therefore, there is no substantial evidence that the proposed waivers of development standards will have a specific adverse impact on public health and safety.

HOUSING REPLACEMENT

Pursuant to Government Code Section 65915(c)(3) and Assembly Bills 2222 and 2556, applicants of Density Bonus projects filed as of January 1, 2015 must demonstrate compliance with the housing replacement provisions which require replacement of rental dwelling units that either exist at the time of application of a Density Bonus project, or have been vacated or demolished in the five-year period preceding the application of the project. This applies to all pre-existing units that have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; subject to any other form of rent or price control; or occupied by Low or Very Low Income Households. Pursuant to the Determination made by the Los Angeles Housing and Community Investment Department (HCIDLA) dated March 20, 2019, HCIDLA determined that there were no residential units built and demolished in the property in the last 10 years, therefore no AB 2556 replacement affordable units are required (Exhibit D). Refer to the Density Bonus Legislation Background section of this determination for additional information.

DENSITY BONUS LEGISLATION BACKGROUND

The California State Legislature has declared that "[t]he availability of housing is of vital statewide importance," and has determined that state and local governments have a responsibility to "make adequate provision for the housing needs of all economic segments of the community." Section 65580, subds. (a), (d). Section 65915 further provides that an applicant must agree to, and the municipality must ensure, the "continued affordability of all Low and Very Low Income units that qualified the applicant" for the density bonus.

With Senate Bill 1818 (2004), state law created a requirement that local jurisdictions approve a density bonus and up to three "concessions or incentives" for projects that include defined levels of affordable housing in their projects. In response to this requirement, the City created an ordinance that includes a menu of incentives (referred to as "on-menu" incentives) comprised of eight zoning adjustments that meet the definition of concessions or incentives in state law (California Government Code Section 65915). The eight on-menu incentives allow for: 1) reducing setbacks; 2) reducing lot coverage; 3) reducing lot width, 4) increasing floor area ratio (FAR); 5) increasing height; 6) reducing required open space; 7) allowing for an alternative density calculation that includes streets/alley dedications; and 8) allowing for "averaging" of FAR, density, parking or open space. In order to grant approval of an on-menu incentive, the City utilizes the same findings contained in state law for the approval of incentives or concessions.

California State Assembly Bill ("AB") 2222 went into effect January 1, 2015 and was amended by AB 2556 on August 19, 2016, stating that Density Bonus projects filed as of that date must demonstrate compliance with the housing replacement provisions which require replacement of rental dwelling units that either exist at the time of application of a Density Bonus project, or have been vacated or demolished in the five-year period preceding the application of the project. This applies to all pre-existing units that have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; subject to any other form of rent or price control (including Rent Stabilization Ordinance); or is occupied by Low or Very Low Income Households (i.e., income levels less than 80 percent of the area median income [AMI]). The replacement units must be equivalent in size, type, or both and be made available at affordable rent/cost to, and occupied by, households of the same or lower income category as those meeting the occupancy criteria. Prior to the issuance of any Director's Determination for Density Bonus and Affordable Housing Incentives, the Housing and Community Investment Department (HCIDLA) is responsible for providing the Department of City Planning, along with the applicant, a determination letter addressing replacement unit requirements for

individual projects. The City also requires a Land Use Covenant recognizing the conditions be filed with the County of Los Angeles prior to granting a building permit on the project.

AB 2222 also increases covenant restrictions from 30 to 55 years for projects approved after January 1, 2015. This determination letter reflects these 55 year covenant restrictions.

Under Government Code Sections 65915(a), 65915(d)(2)(C) and 65915(d)(3) the City of Los Angeles complies with the State Density Bonus law by adopting density bonus regulations and procedures as codified in Section 12.22 A.25 of the Los Angeles Municipal Code. Section 12.22 A.25 creates a procedure to waive or modify Zoning Code standards which may prevent, preclude or interfere with the effect of the density bonus by which the incentive or concession is granted, including legislative body review. The Ordinance must apply equally to all new residential development.

In exchange for setting aside a defined number of affordable dwelling units within a development, applicants may request up to three incentives in addition to the density bonus and parking relief which are permitted by right. The incentives are deviations from the City's development standards, thus providing greater relief from regulatory constraints. Utilization of the Density Bonus/Affordable Housing Incentives Program supersedes requirements of the Los Angeles Municipal Code and underlying ordinances relative to density, number of units, parking, and other requirements relative to incentives, if requested.

For the purpose of clarifying the Covenant Subordination Agreement between the City of Los Angeles and the United States Department of Housing and Urban Development ("HUD") note that the covenant required in the Conditions of Approval herein shall prevail unless pre-empted by State or Federal law.

CONDITIONAL USE FINDINGS

The following is a delineation of the findings related to the request for a Conditional Use to allow a 48 percent Density Bonus to allow 43 residential units in lieu of 29 dwelling units as otherwise permitted by-right in the C2-1VL-CPIO Zone.

As previously mentioned and as provided under Finding Nos. 11 through 18, the proposed project satisfies all of the objective planning standards and is therefore subject to the streamlined ministerial approval process as provided in SB 35. Pursuant to the SB 35 Guidelines Section 102(n), ministerial processing or approval means the following:

A process for development approval involving little or no personal judgment by the public official as to the wisdom or manner of carrying out the project. The public official merely ensures that the proposed development meets all the "objective zoning standards," "objective subdivision standards," and "objective design review standards" in effect at the time that the application is submitted to the local government, but uses no special discretion or judgment in reaching a decision.

In accordance with SB 35, a local government must streamline the approval of a Streamlined Infill Project only based on objective zoning and design review standards, and the locality's process and application requirements shall not in any way inhibit, chill or preclude the ministerial approval process. When determining consistency with objective zoning and design review standards, the local government can only use those standards that meet the following definition set forth in the Legislature:

Standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal. These standards may be embodied in alternative objective land use specifications adopted by a city or county, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances.

Several findings of the Conditional Use require the City to exercise subjective discretion that does not meet the definition of objective zoning and design review standard in Government Code Section 65913.4(a). These subjective discretionary findings conflict with the streamlined ministerial approval process as provided in SB35 and therefore are not applicable to the proposed Streamlined Infill Project pursuant to SB 35. Staff has responded to these discretionary findings as not applicable in accordance with SB 35. For the remaining objective findings of the Conditional Use, staff has provided a response below.

13. 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.

There are no objective zoning or design review standards relevant to this finding other than those objective standards, as defined by Government Code Section 65913.4(a), that the project has already been determined to be consistent with. Therefore this finding is not applicable to the proposed Streamlined Infill Project pursuant to SB 35

14. 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.

There are no objective zoning or design review standards relevant to this finding other than those objective standards, as defined by Government Code Section 65913.4(a), that the project has already been determined to be consistent with. Therefore this finding is not applicable to the proposed Streamlined Infill Project pursuant to SB 35.

15. 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 Los Angeles General Plan sets forth goals, objectives and programs that guide both Citywide and community specific land use policies. The General Plan is comprised of a range of State-mandated elements, including, Land Use, Transportation, Noise, Safety, Housing and Conservation. The City's Land Use Element is divided into 35 community plans that establish parameters for land use decisions within those sub-areas of the City.

The General Plan is a long-range document determining how a community will grow, reflecting community priorities and values while shaping the future. Policies and programs set forth in the General Plan are subjective in nature, as the General Plan serves as a constitution for development and foundation for land use decisions. As such, there are no objective zoning or design review standards relevant to this finding other than those objective standards, as defined by Government Code Section 65913.4(a), that the project has already been determined to be consistent with.

To the extent this finding requires further analysis, the project substantially conforms with the following purposes and objectives of the General Plan Elements: Framework Element, Housing Element, Mobility Element, and the Land Use Element (South Los Angeles

Community Plan). The site is also located within the South Los Angeles Alcohol Sales Specific Plan which regulates the sale of alcoholic beverages for off-site consumption.

Framework Element

The Framework Element is a strategy for long-term growth which sets a citywide context to guide the update of the Community Plan and Citywide Elements. The Framework Element is a comprehensive, long range document containing purposes, policies and programs for the development of the City of Los Angeles. The Citywide General Plan Framework text defines policies related to growth and includes policies for land use, housing, urban form/neighborhood design, open space/conservation, economic development, transportation, and infrastructure/public services.

The primary objectives of the policies in the Framework Element's Land Use Chapter are to support the viability of the City's residential neighborhoods and commercial districts, and when growth occurs, to encourage sustainable growth in a number of higher-intensity commercial and mixed-use districts, centers and boulevards and industrial districts particularly in proximity to transportation corridors and transit stations.

The Framework Element's Long Range Land Use Diagram for the South Los Angeles area identifies the site as being within a Mixed Use Boulevard. A Mixed Use Boulevard is described as "connect[ing] the city's neighborhood districts and community, regional and Downtown centers. Mixed Use development is encouraged along these boulevards, with the scale, density and height of development compatible with the surrounding areas. Generally, different types of Mixed Use Boulevards will fall within a range of floor area ratios from 1.5:1 up to 4.0:1 and be generally characterized by 1- to 2-story commercial structures, up to 3- to 6-story mixed use buildings between centers and higher buildings within centers. Mixed Use Boulevards are served by a variety of transportation facilities".

The proposed project involves the construction of a 5-story, multi-family residential development containing 43 dwelling units on a site designated for Neighborhood Commercial land uses and zoned C2-1VL-CPIO. The project site is directly adjacent to a bus stop located at the corner of Normandie Avenue and 48th Street that serves the Los Angeles County Metropolitan Transit Authority ("Metro") bus line 206. The site is within 1,500 feet from the intersection of Normandie Avenue and Vernon Avenue, which serves several bus lines including Metro bus lines 105 and 206, Metro Rapid bus line 705, and Los Angeles Department of Transportation ("LADOT") DASH Leimert/Slauson Line. As such, the project is in conformance with the purpose of the Framework Element.

Housing Element

The City's Housing Element for 2013-2021 was adopted by City Council on December 3, 2013. The Housing Element identifies the City's housing conditions and needs, establishes the goals, objectives, and policies that are the foundation of the City's housing and growth strategy, and provides an array of programs the City intends to implement to create sustainable, mixed-income neighborhoods across the City. The Housing Element aims to provide affordable housing and amenity-rich, sustainable neighborhoods for its residents, answering the variety of housing needs of its growing population. Specifically, the Housing Element encourages affordable units to accommodate all income groups that need assistance.

Additionally, the Housing Element indicates that permanent supportive housing and services must be provided to ensure the homeless population and persons who are at risk of being homeless remain housed and get the individualized help they may need.

The proposed project will replace an surface parking lot with 43 residential dwelling units, which reserves 100 percent (exclusive of a market-rate manager's unit) for affordable units. The 42 affordable units will be permanent supportive housing units serving seniors over the age of 55 who are currently without shelter. The project will also provide supportive services on the ground floor, including a community room and offices to provide assistance to its residents.

In addition, the site's Assessor Parcel Numbers (APN #4262009001 and 4262009002) have been identified in the 2013-2021 Housing Element's Inventory of Sites for Housing. The Inventory of Sites for Housing identifies parcels suitable for additional residential development without the need for any discretionary zoning action by the City. Therefore, the project is consistent with the Housing Element's vision of providing housing on these applicable sites. As such, the proposed project substantially conforms to the purpose of the Housing Element of the General Plan.

Mobility Element

The Mobility Plan 2035 includes goals that define the City's high-level mobility priorities. The Mobility Element sets forth objectives and policies to establish a citywide strategy to achieve long-term mobility and accessibility within the City of Los Angeles. Among other objectives and policies, the Mobility Plan aims to support ways to reduce vehicle miles traveled (VMT) per capita by increasing the availability of affordable housing options with proximity to transit stations and major bus stops and offering more non-vehicle alternatives, including transit, walking and bicycling.

The proposed residential building is a pedestrian-oriented development that provides 42 affordable units and one (1) market-rate unit in proximity to several transit options. As previously mentioned, the project site is directly adjacent to a bus stop located at the corner of Normandie Avenue and 48th Street that serves the Los Angeles County Metropolitan Transit Authority ("Metro") bus line 206. The site is within 1,500 feet from the intersection of Normandie Avenue and Vernon Avenue, which serves several bus lines including Metro bus lines 105 and 206, Metro Rapid bus line 705, and Los Angeles Department of Transportation ("LADOT") DASH Leimert/Slauson Line. These transit stations provide access to employment centers and jobs, local and regional destinations, and other neighborhood services for project residents. The proposed project will also allow for the reduction of vehicle trips by placing a high density residential development within proximity to public transit. The availability of many transit options along the commercial corridors creates a lesser need for the use of personal vehicles. Additionally, the project will provide a total of 44 bicycle parking stalls, including 38 long-term and four (4) short-term bicycle parking stalls on site. There will be one (1) centralized enclosed long-term bicycle parking storage area adjacent to the ground-floor open-air courtyard along 48th Street, and the short-term bicycle parking stalls will be located directly adjacent to the lobby area where they are easily accessible from the street. As such, the project conforms to the purpose of the Mobility Element of the General Plan.

Land Use Element – South Los Angeles Community Plan

The South Los Angeles Community Plan was adopted by City Council in November 2017, with related zoning ordinances effective on December 29, 2018. The Community Plan's purpose is to promote an arrangement of land use, circulation, and services which all encourage and contribute to the economic, social and physical health, safety, welfare, and convenience of the Community. The Land Use Designations and corresponding zones in the Community Plan are implemented through zoning regulations in the Los Angeles Municipal Code ("LAMC") including applicable ordinances that are codified in the LAMC.

The South Los Angeles Community Plan designates the site for Neighborhood Commercial land uses. The project site is zoned C2-1VL-CPIO, which is consistent with the corresponding zones of CR, C1, C1.5, C2, C4, RAS3, and R3 in the Community Plan. The C2 Zone allows R4 density at 400 square feet of lot area per dwelling. The project site containing 11,223 square feet (including half-alley) is permitted a base density of 29 dwelling units. The project utilizes the State Density Bonus Law (California Government Code Section 65915) and the City's Ordinance No. 179,681 (Density Bonus Ordinance), codified in LAMC Section 12.22 A.25, and Ordinance No. 185,373 (Value Capture Ordinance), codified in LAMC Section 12.24 U.26 (Conditional Use Section of LAMC) to increase the maximum density from 29 to 43 dwelling units, 42 of which will be set aside for Very Low Income and Low Income Households. The project also proposes supportive services in an area that is close to various bus routes, connecting the project site to other regional and local destinations. The project will contribute to the South Los Angeles area as a medium- to high-density residential development that provides housing and employment services. Furthermore, as found in the Streamlined Infill Development Projects Finding, the project is consistent with applicable objective zoning standards. As such, the project conforms to the purpose of the South Los Angeles Community Plan.

16. The project is consistent with and implements the affordable housing provisions of the Housing Element of the General Plan.

The City's Housing Element for 2013-2021 was adopted by City Council on December 3, 2013. The Housing Element identifies the City's housing conditions and needs, establishes the goals, objectives, and policies that are the foundation of the City's housing and growth strategy, and provides an array of programs the City intends to implement to create sustainable, mixed-income neighborhoods across the City. The Housing Element aims to provide affordable housing and amenity-rich, sustainable neighborhoods for its residents, answering the variety of housing needs of its growing population. Specifically, the Housing Element encourages affordable units to accommodate all income groups that need assistance. Additionally, the Housing Element indicates that permanent supportive housing and services must be provided to ensure the homeless population and persons who are at risk of being homeless remain housed and get the individualized help they may need.

There are no objective zoning or design review standards relevant to this finding other than those objective standards, as defined by Government Code Section 65913.4(a), that the project has already been determined to be consistent with. To the extent this finding requires further analysis, the project is consistent with and implements the affordable housing provisions of the Housing Element as discussed below.

The proposed project will replace a surface parking lot with 43 residential dwelling units, which reserves 100 percent (exclusive of a market-rate manager's unit) for affordable units. The 42 affordable units will be permanent supportive housing units serving seniors over the age of 55 who are currently without shelter. The project will also provide supportive services on the ground floor, including a community room and offices to provide assistance to its residents.

17. The project contains the requisite number of Restricted Affordable Units, based on the number of units permitted by the maximum allowable density on the date of application, as follows:

- a. 11% Very Low Income Units for a 35% density increase; or
- b. 20% Low Income Units for a 35% density increase; or
- c. 40% Moderate Income Units for a 35% density increase in for-sale projects.

The project may then be granted additional density increases beyond 35% by providing additional affordable housing units in the following manner:

- a. **For every additional 1% set aside of Very Low Income Units, the project is granted an additional 2.5% density increase; or**
- b. **For every additional 1% set aside of Low Income Units, the project is granted an additional 1.5% density increase; or**
- c. **For every additional 1% set aside of Moderate Income Units in for-sale projects, the project is granted an additional 1% density increase; or**
- d. **In calculating the density increase and Restricted Affordable Units, each component of any density calculation, including base density and bonus density, resulting in fractional units shall be separately rounded up to the next whole number.**

The City's Density Bonus Ordinance permits a maximum density increase of up to 35 percent in exchange for setting aside 11 percent of the base density units for Very Low Income Households in accordance with the State Density Bonus Law. The State Density Bonus Law (Government Code Section 65915(n)) also allows a city to grant a density bonus greater than 35 percent for a development, if permitted by local ordinance. The City adopted Ordinance No. 185,373 (Value Capture Ordinance), codified in LAMC Section 12.24 U.26, to permit a density increase greater than 35 percent. The Ordinance requires the project to set aside one (1) additional percent of base density units above the 11 percent for Very Low Income Households for every additional 2.5 percent density increase above the 35 percent.

Below is a table showing the requisite percentage of affordable housing units for Very Low Income Households based on the percentage of density increase.

Percentage of Base Density to be Restricted to Very Low Income Households	Percentage of Density Increase Granted
11	35
12	37.5
13	40
14	42.5
15	45
16	47.5
17	50

The applicant requests a Conditional Use for a density increase in excess of 35 percent pursuant to LAMC Section 12.24 U.26, to allow a 48 percent increase in density for a total of 43 dwelling units in lieu of 29 dwelling units as otherwise permitted by-right in the C2-1VL-CPIO Zone. The applicant is required to set aside at least 17 percent, or 5 units, of 29 by-right density units, for Very Low Income Households, for the 48-percent density increase, as provided in the above table. The applicant proposes a project totaling 43 dwelling units, 5 of which will be restricted to Very Low Income Households for a period of 55 years, which is 17 percent of the 29 base density units. As such, the project satisfies the minimum percentage of base density to be restricted to Very Low Income Households.

18. The project meets any applicable dwelling unit replacement requirements of California Government Code Section 65915(c)(3).

On September 27, 2014, Governor Jerry Brown signed Assembly Bill (AB) 2222 as amended by AB 2556 on August 19, 2016, to amend sections of California's Density Bonus Law (Government Code Section 65915). Major changes to the law are applicable to new density bonus developments resulting in a loss in existing affordable units or rent-stabilized units. The law aims to replace units and ensure rental affordability periods for 55 years. Pursuant to the Determination made by the Los Angeles Housing and Community Investment Department (HCIDLA) dated March 20, 2019, there were no residential units built and demolished in the property in the last 10 years, therefore AB 2556 replacement affordable units are required (Exhibit D). As such, the dwelling unit replacement requirements of Government Code Section 65915(c)(3) do not apply.

19. The project's Restricted Affordable Units are subject to a recorded affordability restriction of 55 years from the issuance of the Certificate of Occupancy, recorded in a covenant acceptable to the Housing and Community Investment Department, and subject to fees as set forth in Section 19.14 of the Los Angeles Municipal Code.

Per the Conditions of Approval, the owner is required to execute a covenant to the satisfaction of HCIDLA to make 42 units for affordable units for a period of 55 years, as follows: 5 units for Very Low Income household occupancy, as defined by the State Density Bonus Law 65915 (c)(1) or (c)(2) as determined by the California Department of Housing and Community Development ("HCD"); 10 units reserved for Low Income Household occupancy as determined by HCD; and the remaining 27 units shall be reserved for Lower Income Households as determined by either the HCD or the U.S. Department of Housing and Urban Development ("HUD"). The applicant is required to present a copy of the recorded covenant to the Department of City Planning and the proposed project shall comply with any monitoring requirements established by HCIDLA. Therefore, as conditioned, the project satisfies this finding in regards to subjected restricted affordable units to recorded affordability per HCIDLA.

20. The project addresses the policies and standards contained in the City Planning Commission's Affordable Housing Incentives Guidelines.

The City Planning Commission approved the Affordable Housing Incentives Guidelines (CPC-2005-1101-CA) on June 9, 2005. These were subsequently approved by City Council (CF 05-1345) on February 20, 2008, as a component of the City of Los Angeles Density Bonus Ordinance. The Guidelines describe the density bonus provisions and qualifying criteria, incentives available, design standards, and the procedures through which projects may apply for a density bonus and incentives. The City of Los Angeles Housing and Community Investment Department (HCIDLA) utilizes these Guidelines in the preparation of Housing Covenants for Affordable Housing Projects. On April 9, 2010, the City Council adopted updates to the City's Density Bonus Ordinance (CF 05-1345-S1, Ordinance No. 181,142). However, at that time, the Affordable Housing Incentives Guidelines were not updated to reflect changes to the City's Density Bonus Ordinance or more recent changes in State Density Bonus Law located in the Government Code. Therefore, where there is a conflict between the Guidelines and current laws, the current law prevails. Additionally, many of the policies and standards contained in the Guidelines, including design and location of affordable units to be comparable to the market-rate units, equal distribution of amenities, monitoring requirements, and affordability levels, are covered by the State Density Bonus Laws.

The project requests a 48 percent density increase above the 29 base density units to permit a total of 43 dwelling units. The project will set aside 42 units for affordable units for a period of 55 years, as follows: 5 units for Very Low Income household occupancy, as defined by the State Density Bonus Law 65915 (c)(1) or (c)(2) as determined by the California Department of Housing and Community Development ("HCD"); 10 units reserved for Low Income Household occupancy as determined by HCD; and the remaining 27 units shall be reserved

for Lower Income Households as determined by either the HCD or the U.S. Department of Housing and Urban Development ("HUD"). As such, the project is consistent with the State Density Bonus Law and the local Density Bonus Ordinance, which the Affordable Housing Incentives Guidelines implement. Furthermore, the project is required to record a Covenant and Agreement with the HCIDLA to make 42 units affordable per the Conditions of Approval. Therefore, the project complies with the City Planning Commission's Affordable Housing Incentives Guidelines.

CEQA FINDINGS

Pursuant to Senate Bill ("SB") 35 and Government Code Section 65913.4, a project that satisfies all of the objective planning standards of Government Code Section 65913.4(a) is subject to the streamlined, ministerial approval process provided in Government Code Section 65913.4(b) and (c). Therefore, pursuant to Government Code Section 65913.4 and Public Resources Code Section 21080(b)(1), the Streamlined Infill Project is Statutorily Exempt from the California Environmental Quality Act ("CEQA") as a ministerial project.

AMANI APARTMENTS



LOS ANGELES CITY PLANNING COMMISSION

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

www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: AUG 13 2019

Case No. CPC-2019-2946-CU-DB-SIP

Council District: 10 – Wesson, Jr.

CEQA: N/A

Plan Area: West Adams – Baldwin Hills – Leimert

Project Site: 4200-4208 West Pico Boulevard, 1313 South Crenshaw Boulevard

Applicant: Amani Apartments, LP
Representative: Jim Ries, Craig Lawson & Co., LLC

At its meeting of **August 8, 2019**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following project:

Construction, use, and maintenance of a 5-story, 66-foot tall mixed-use building comprised of 54 dwelling units (100 percent affordable, exclusive of one market-rate manager's unit, including 7 Very Low Income and 46 Low Income units), and 2,500 square feet of at-grade commercial office space. The Project will provide four parking spaces at grade level, and will provide 44 long-term and 4 short-term bicycle parking spaces. The Project will be 30,000 square feet in floor area with a Floor Area Ratio (FAR) of 2.38:1. The site is currently vacant with surface parking, with no trees on the subject site and four trees along the public right-of-way which are proposed to remain. The Project qualifies as a Streamlined Infill Project (SIP) pursuant to Senate Bill (SB) 35 (California Government Code Section 65913.4).

1. **Determined**, pursuant to California Government Code (Gov.) Section 65913.4, that the Project is a Streamlined Infill Project that satisfies all of the objective planning standards of Gov. Section 65913.4(a) and is therefore subject to the streamlined, ministerial approval process provided by Gov. Section 65913.4(b) and (c);
2. **Determined**, based on the whole of the administrative record, the Project is Statutorily Exempt from the California Environmental Quality Act as a ministerial project pursuant to Gov. Section 65913.4 and California Public Resources Code Section 21080(b)(1);
3. **Approved**, pursuant to Section 12.24 U.26 of the Los Angeles Municipal Code (LAMC), a ministerial review of a Conditional Use for a 58 percent increase in density over the project site, for 54 dwelling units in lieu of the otherwise permitted base density of 34 dwelling units;
4. **Approved**, pursuant to LAMC Section 12.22 A.25(g)(3), a ministerial review of a Density Bonus Compliance Review, for a Project totaling 54 dwelling units, including 7 dwelling units for Very Low Income household occupancy and 46 dwelling units for Low Income household occupancy for a period of 55 years, with the following three On- and Off-Menu Incentives:
 - a. A 2.38:1 FAR in lieu of the otherwise permitted 2.0:1 FAR by the C4-2D-O-CPIO Zone and the West Adams - Baldwin Hills - Leimert Community Plan Implementation Overlay ("CPIO") Section III-2.B.2(b);
 - b. A building height of 66 feet and 5 stories, in lieu of the 55 feet otherwise permitted by the C4-2D-O-CPIO Zone and CPIO Section III-2.A.1; and

- c. To waive transitional height requirements of the CPIO Section III-2.A.2;
- 5. **Approved**, pursuant to LAMC Section 12.22 A.25(g)(3), a ministerial review of the following five Waivers of Development Standards:
 - a. A 5-foot rear yard in lieu of the minimum 17 foot rear yard otherwise required for a 5-story building in the C4-2D-O-CPIO Zone;
 - b. A 5-foot westerly side yard in lieu of the minimum 8 foot side yard otherwise required for a 5-story building in the C4-2D-O-CPIO Zone;
 - c. A 21-foot easterly side yard to accommodate a transformer, in lieu of the maximum 2 foot side yard otherwise permitted for a corner lot by the CPIO Section III-2.D.1(a);
 - d. A 25 percent reduction in required open space for 4,069 square feet of open space in lieu of 5,425 square feet otherwise required by LAMC Section 12.21 G; and
 - e. A waiver of loading space requirements of LAMC Section 12.21 C.6;
- 6. **Adopted** the attached Modified Conditions of Approval; and
- 7. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Khorsand
 Second: Leung
 Ayes: Ambroz, Mack, Millman, Mitchell, Perlman
 Absent: Choe, Padilla-Campos

Vote: 7 – 0



Cecilia Lamas, Commission Executive Assistant
 Los Angeles City 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 Los Angeles City Planning Commission related to the Off-Menu Incentives and Waiver of Development Standards is not appealable. The City Planning Commission's decision related to the Conditional Use is appealable to the Los Angeles City Council. However, the project entitlements are being applied for under the timelines and procedures of Senate Bill 35 (Government Code Section 65913.4), which requires the City to complete design review or public oversight, including final approval, for a project of this size within 90 calendar days of submittal of the application. The applicant submitted a complete application for the development on May 16, 2019. Consequently, all design review or public oversight, including final approval, shall be completed within 90 days from May 16, 2019, or by August 14, 2019, and shall not in any way inhibit, chill or preclude the ministerial approval provided by Government Code Section 65913.4.

Notice: 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: Modified Conditions of Approval, Findings

c: Michelle Singh, Senior City Planner
 Connie Chauv, City Planning Associate

CONDITIONS OF APPROVAL

(As modified by the City Planning Commission on August 8, 2019)

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped “Exhibit A,” and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, West/South/Coastal Project Planning Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Los Angeles Municipal Code or the project conditions.
2. **Residential Density.** The project shall be limited to a maximum density of 54 residential units including Density Bonus Units.
3. **Affordable Units.** A minimum of 53 units shall be reserved as affordable units for a period of 55 years as follows: 7 units shall be reserved as affordable units for Very Low Income household occupancy, as defined by the State Density Bonus Law 65915 (c)(1) or (c)(2) as determined by the California Department of Housing and Community Development (“HCD”); 10 units shall be reserved for Low Income Household occupancy as defined in Section 50079.5 of the California Health and Safety Code as determined by HCD; and the remaining 36 units shall be reserved for Lower Income Households as determined by either the HCD or the U.S. Department of Housing and Urban Development (“HUD”).
4. **Changes in Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units or change parking numbers shall be consistent with LAMC Section 12.22 A.25 (a-d).
5. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make 7 units available to Very Low Income Households and 10 units available to Low Income Households as determined by HCD, for sale or rental as determined to be affordable to such households by HCIDLA for a period of 55 years. The remaining 36 affordable units shall be reserved for Low Income Households as determined by HCD or HUD for a period of 55 years. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with any monitoring requirements established by the HCIDLA. Refer to the Density Bonus Legislation Background section of this determination.
6. **Floor Area Ratio (Incentive).** The project shall be limited to a maximum floor area ratio (“FAR”) of 2.38:1.
7. **Height (Incentive).**
 - a. The project shall be limited to five (5) stories and 66 feet in height per Exhibit “A”.
 - b. Transitional height requirements of the West Adams – Baldwin Hills – Leimert Implementation Overlay (“CPIO” Ordinance No. 184,794) Section III-2.A.2 shall not apply.
8. **Rear Yard Setback (Waiver).** The project shall observe a minimum 5-foot rear yard setback in lieu of the 17 feet otherwise required in the C4-2D-O-CPIO zone.

9. **Side Yard Setbacks (Waiver).** The project shall observe a minimum 5-foot westerly side yard setback in lieu of the eight (8) feet otherwise required for a 5-story building in the C4-2D-O-CPIO zone. A maximum 21-foot easterly side yard setback along Crenshaw Boulevard shall be provided to accommodate a transformer as required by the Los Angeles Department of Water and Power, as provided in Exhibit 'A'.
10. **Open Space (Waiver).** The project shall provide a minimum of 4,069 square feet of usable open space per Exhibit "A".
11. **Loading Area (Waiver).** The loading area requirements of LAMC Section 12.21 C.6 shall not apply. The project shall provide a loading area as shown in Exhibit "A".
12. **Zoning.** The project shall comply with all other requirements of the C4-2D-O-CPIO zone.
13. **Senate Bill 35.** The project shall comply with all state requirements of Senate Bill 35 and California Government Code Section 65913.4. A minimum of 50 percent of base dwelling units shall be reserved as affordable units to households making below 80 percent of the area median income.
14. **Automobile Parking.** Pursuant to California Government Code Section 65913.4(d)(1), no parking requirements shall apply for multifamily developments located within one-half mile of public transit. No residential parking spaces are required. Commercial parking shall be provided consistent with LAMC Section 12.21 A.4.
15. **Bicycle Parking.** Bicycle parking shall be provided consistent with LAMC 12.21 A.16.
16. **Landscaping.** The landscape plan shall indicate landscape points for the project equivalent to **10% more than otherwise required** by LAMC 12.40 and Landscape Ordinance Guidelines "O". All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning.
17. **Community Plan Implementation Overlay.** Prior to the issuance of a building permit, the applicant shall demonstrate compliance with the West Adams – Baldwin Hills – Leimert Community Plan Implementation Overlay ("CPIO") pursuant to Ordinance No. 184,794.
18. **Department of Building and Safety.** The project shall comply with all comments and corrections received from the Department of Building and Safety under Permit No. 19010-10000-01089.
19. **Prevailing Wage Requirements.** In accordance with Government Code Section 65913.4(a)(8), the applicant shall confer with Department of Public Works, Bureau of Contract Administration, Office of Contract Compliance, and shall provide the following to the Department of City Planning:
 - a. A signed Preconstruction Checklist Agreement between the Applicant and the Bureau of Contract Administration (maintained in the case file), prior to clearing any Building Permit, which covers the following:
 - i. All construction workers employed in the execution of the development will be paid at least the general prevailing rate of per diem wages for the type of work and geographic area, as determined by the Director of Industrial Relations pursuant to Sections 1773

- and 1773.9 of the California Labor Code, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards shall be paid at least the applicable apprentice prevailing rate.
- ii. The development proponent shall ensure that the prevailing wage requirement is included in all contracts for the performance of the work.
 - iii. All contractors and subcontractors shall pay to all construction workers employed in the execution of the work at least the general prevailing rate of per diem wages, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards shall be paid at least the applicable apprentice prevailing rate.
 - iv. Except as provided in subclause (vi), all contractors and subcontractors shall maintain and verify payroll records pursuant to Section 1776 of the Labor Code and make those records available for inspection and copying as provided in Sections 1776 and 1812 of the Labor Code.
 - v. Except as provided in subclause (vi), the obligation of the contractors and subcontractors to pay prevailing wages may be enforced by the Labor Commissioner through the issuance of a civil wage and penalty assessment pursuant to Section 1741 of the Labor Code, which may be reviewed pursuant to Section 1742 of the Labor Code, within 18 months after the completion of the development, by an underpaid worker through an administrative complaint or civil action, or by a joint labor-management committee through a civil action under Section 1771.2 of the Labor Code. If a civil wage and penalty assessment is issued, the contractor, subcontractor, and surety on a bond or bonds issued to secure the payment of wages covered by the assessment shall be liable for liquidated damages pursuant to Section 1742.1 of the Labor Code.
 - vi. Subclauses (iv) and (v) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires the payment of prevailing wages to all construction workers employed in the execution of the development and provides for enforcement of that obligation through an arbitration procedure. For purposes of this clause, "project labor agreement" has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.
 - vii. Notwithstanding subdivision (c) of Section 1773.1 of the Labor Code, the requirement that employer payments not reduce the obligation to pay the hourly straight time or overtime wages found to be prevailing shall not apply if otherwise provided in a bona fide collective bargaining agreement covering the worker. The requirement to pay at least the general prevailing rate of per diem wages does not preclude use of an alternative workweek schedule adopted pursuant to Section 511 or 514 of the Labor Code.
- b. Bond. A Bond may be required to ensure compliance.

Administrative Conditions

20. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Plans Approved". A copy of the Plans Approved, supplied by the applicant, shall be retained in the subject case file.
21. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of

Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.

22. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
23. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
24. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
25. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.

26. Indemnification and Reimbursement of Litigation Costs.

Applicant shall do all of the following:

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

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

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

For purposes of this condition, the following definitions apply:

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

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

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

FINDINGS

STREAMLINED INFILL PROJECT FINDINGS

In accordance with Senate Bill 35 (Government Code Section 65913.4(a)), an applicant may submit an application for a development that is subject to the streamlined, ministerial approval process if the development satisfies all of the objective planning standards of Government Code Section 65913.4(a) as follows:

1. The development is a multifamily housing development that contains two or more residential units.

The project is a multi-family housing development that contains 54 residential units.

2. The development is located on a site that satisfies all of the following:

- A. A site that is a legal parcel or parcels located in a city if, and only if, the city boundaries include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel or parcels wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.**
- B. A site in which at least 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses. For the purposes of this section, parcels that are only separated by a street or highway shall be considered to be adjoined.**
- C. A site that is zoned for residential use or residential mixed-use development, or has a general plan designation that allows residential use or a mix of residential and nonresidential uses, with at least two-thirds of the square footage of the development designated for residential use.**

The Census Bureau¹ identifies two types of urban areas:

- Urbanized Areas of 50,000 or more people; and
- Urban Clusters of at least 2,500 and less than 50,000 people.

According to the U.S. Census Bureau, 2010 Census, Profile of General Population and Housing Characteristics, the City of Los Angeles population in 2010 was 3,792,621, thereby constituting an urbanized area. The project site consists of legal parcels located within the City of Los Angeles.

Section 102(z) of the SB 35 Guidelines define “urban uses” as any current or former residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses (Exhibit G). All adjoining parcels are developed with urban uses. Surrounding properties are developed with a combination of single-family and multi-family residential, commercial uses, public storage, churches, automotive uses, and parking.

The project site is located within the West Adams – Baldwin Hills – Leimert Community Plan, which designates the subject property for Community Commercial land uses corresponding to the CR, C1.5, C2, C4, R3, R4, RAS3, and RAS4 zones. Both the Community Commercial Land

¹ <https://www.census.gov/programs-surveys/geography/guidance/geo-areas/urban-rural/2010-urban-rural.html> (Federal Register Vol. 76, No. 164, Pg. 53030)

Use Designation and C4-2D-O-CPIO Zone allow for multi-family residential use. The applicant proposes a permanent supportive housing development with 54 dwelling units. The project will provide 2,500 square feet of commercial supportive services, which is approximately 9 percent of the 30,000 square-foot building.

3. If the development contains units that are subsidized, the development proponent already has recorded, or is required by law to record, a land use restriction for the following applicable minimum durations:

- A. Fifty-five years for units that are rented.**
- B. Forty-five years for units that are owned.**

The SB 35 Guidelines defines “subsidized” as “units that are price or rent restricted such that the units are permanently affordable to households meeting the definitions of very low and lower income, as defined in Sections 50079.5 and 50105 of the Health and Safety Code” (Exhibit G).

The project is a permanent supportive housing development containing 54 units (including 53 affordable units and one (1) market-rate manager’s unit). The applicant is required per the Conditions of Approval to record a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make at least 50 percent of the base 34 units affordable to households making at or below 80 percent area median income, which is equivalent to lower-income households per Health and Safety Code Section 50079.5, for a period of 55 years.

4. The development satisfies both of the following:

- A. Is located in a locality that the department has determined is subject to this subparagraph on the basis that the number of units that have been issued building permits is less than the locality’s share of the regional housing needs, by income category, for that reporting period. A locality shall remain eligible under this subparagraph until the department’s determination for the next reporting period. A locality shall be subject to this subparagraph if it has not submitted an annual housing element report to the department pursuant to paragraph (2) of subdivision (a) of Section 65400 for at least two consecutive years before the development submitted an application for approval under this section.**
- B. The development is subject to a requirement mandating a minimum percentage of below market rate housing based on one of the following:**
 - i. The locality did not submit its latest production report to the department by the time period required by Section 65400, or that production report reflects that there were fewer units of above moderate-income housing approved than were required for the regional housing needs assessment cycle for that reporting period. In addition, if the project contains more than 10 units of housing, the project seeking approval dedicates a minimum of 10 percent of the total number of units to housing affordable to households making below 80 percent of the area median income. If the locality has adopted a local ordinance that requires that greater than 10 percent of the units be dedicated to housing affordable to households making below 80 percent of the area median income, that zoning ordinance applies.**
 - ii. The locality did not submit its latest production report to the department by the time period required by Section 65400, or that production report reflects that there were fewer units of housing affordable to households**

- making below 80 percent of the area median income that were issued building permits than were required for the regional housing needs assessment cycle for that reporting period, and the project seeking approval dedicates 50 percent of the total number of units to housing affordable to households making below 80 percent of the area median income, unless the locality has adopted a local ordinance that requires that greater than 50 percent of the units be dedicated to housing affordable to households making below 80 percent of the area median income, in which case that ordinance applies.
- iii. **The locality did not submit its latest production report to the department by the time period required by Section 65400, or if the production report reflects that there were fewer units of housing affordable to any income level described in clause (i) or (ii) that were issued building permits than were required for the regional housing needs assessment cycle for that reporting period, the project seeking approval may choose between utilizing clause (i) or (ii).**

On February 1, 2018, the California Department of Housing and Community Development (“HCD”) released maps showing which cities and counties in California are subject to streamlined housing development under SB 35. The information shows the City of Los Angeles has met its 2013-2021 Regional Housing Need Allocation (“RHNA”) goals for the “above market” income category; however, the City is not showing sufficient progress in meeting the RHNA for the lower income categories. Therefore, the City of Los Angeles is subject to SB 35.

Section 402(c) of the SB 35 Guidelines dated November 29, 2018 clarifies that “the percentage of units affordable to households making at or below 80 percent of the area median income... is calculated based on the total number of units in the development exclusive of additional units provided by a density bonus”. Therefore, projects are required to provide 50 percent of the total (base density) for lower-income households to qualify under SB 35.

The applicant is required per the Conditions of Approval to record a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (“HCIDLA”) to make at least 50 percent of the base 34 units, that is 17 units, affordable to households making at or below 80 percent area median income, which is equivalent to lower-income households per Health and Safety Code Section 50079.5, for a period of 55 years.

The applicant is providing 7 units for Very Low Income household occupancy, as defined by the State Density Bonus Law 65915 (c)(1) or (c)(2) as determined by the California Department of Housing and Community Development (“HCD”); 10 units reserved for Low Income Household occupancy as determined by HCD; and 36 units reserved for Lower Income Households as determined by either the HCD or the U.S. Department of Housing and Urban Development (“HUD”). Therefore, the project meets the affordability requirements of SB 35.

5. **The development, excluding any additional density or any other concessions, incentives, or waivers of development standards granted pursuant to the Density Bonus Law in Section 65915, is consistent with objective zoning standards and objective design review standards in effect at the time that the development is submitted to the local government pursuant to this section. For purposes of this paragraph, “objective zoning standards” and “objective design review standards” mean standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or**

criterion available and knowable by both the development applicant or proponent and the public official prior to submittal. These standards may be embodied in alternative objective land use specifications adopted by a city or county, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances, subject to the following:

- A. A development shall be deemed consistent with the objective zoning standards related to housing density, as applicable, if the density proposed is compliant with the maximum density allowed within that land use designation, notwithstanding any specified maximum unit allocation that may result in fewer units of housing being permitted.**
- B. In the event that objective zoning, general plan, or design review standards are mutually inconsistent, a development shall be deemed consistent with the objective zoning standards pursuant to this subdivision if the development is consistent with the standards set forth in the general plan.**

The project site is located within the West Adams – Baldwin Hills – Leimert Community Plan area, designated for Community Commercial land uses, and zoned C4-2D-O-CPIO. The project site is permitted a base density of 34 dwelling units. The applicant seeks a Conditional Use to increase the density by 58 percent to permit 54 dwelling units in lieu of 34 by-right units in accordance with the State Density Bonus Law. The applicant has requested three (3) On- and Off-Menu Incentives and five (5) Waivers of Development Standards, as listed below:

On- and Off-Menu Incentives

- a. A 2.38:1 FAR in lieu of the otherwise permitted 2.0:1 FAR by the C4-2D-O-CPIO Zone and CPIO Section III-2.B.2(b);
- b. A building height of 66 feet and 5 stories, in lieu of the 55 feet otherwise permitted by the C4-2D-O-CPIO Zone and CPIO Section III-2.A.1;
- c. To waive transitional height requirements of the CPIO Section III-2.A.2.

Waivers of Development Standards:

- a. A 5-foot rear yard in lieu of the minimum 17 foot rear yard otherwise required for a 5-story building in the C4-2D-O-CPIO Zone;
- b. A 5-foot westerly side yard in lieu of the minimum 8 foot side yard otherwise required for a 5-story building in the C4-2D-O-CPIO Zone;
- c. A 21-foot easterly side yard to accommodate a transformer, in lieu of the maximum 2 foot side yard otherwise permitted for a corner lot by the CPIO Section III-2.D.1(a);
- d. A 25 percent reduction in required open space for 4,069 square feet of open space in lieu of 5,425 square feet otherwise required by LAMC Section 12.21 G;
- e. A waiver of loading space requirements of LAMC Section 12.21 C.6.

No other concessions, incentives, or waivers of development standards are requested or granted as part of the subject determination. The development, excluding any additional density or any other concessions, incentives, or waivers of development standards granted pursuant to the State Density Bonus Law (Government Code Section 65915), is consistent with objective zoning and design review standards in effect at the time that the development

was submitted to the City. The site is also located within and therefore subject to the West Adams – Baldwin Hills – Leimert Community Plan Implementation Overlay (“CPIO”) District, and the project is subject to all regulations therein.

6. The development is not located on a site that is any of the following:

- A. A coastal zone, as defined in Division 20 (commencing with Section 30000) of the Public Resources Code.**
- B. Either prime farmland or farmland of statewide importance, as defined pursuant to United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the voters of that jurisdiction.**
- C. Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).**
- D. Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code. This subparagraph does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.**
- E. A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.**
- F. Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.**
- G. Within a flood plain as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has been issued a flood plain development permit pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.**
- H. Within a floodway as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations.**
- I. Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.**
- J. Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species**

protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).

K. Lands under conservation easement.

The site is currently vacant with surface parking in an urbanized area of the West Adams – Baldwin Hills – Leimert Community Plan surrounded by urban land uses. The site is designated for Community Commercial land uses and zoned C4-2D-O-CPIO, which allows residential uses. As such, the site is not located within a coastal zone, farmland, agricultural land, or wetland. Per the City's Zone Information and Map Access System (ZIMAS), the site is not located in a very high fire hazard severity zone. The California Department of Toxic Substances Control (DTSC) maintains a database (EnviroStor) that provides access to detailed information on hazardous waste permitted sites and corrective action facilities, as well as existing site cleanup information. A review of EnviroStor did not identify any records of hazardous waste facilities on the project site. The site is located approximately 2.52 kilometers from the Puente Hills Blind Thrust Fault, is within a methane zone, and will be subject to Building Code requirements. According to the Federal Emergency Management Agency's Flood Map, the project site is located within Zone X, Area of Minimal Flood Hazard, and is not located within a floodway. The site is not identified for a conservation or habitat conservation plan or any other adopted natural resource protection plan. The site is currently vacant with surface parking, and is completely surrounded by urban land uses and therefore has no value as a habitat for protected species. Additionally, there is no conservation easement on site.

7. The development is not located on a site where any of the following apply:

- A. The development would require the demolition of the following types of housing:**
 - i. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.**
 - ii. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.**
 - iii. Housing that has been occupied by tenants within the past 10 years.**
- B. The site was previously used for housing that was occupied by tenants that was demolished within 10 years before the development proponent submits an application under this section.**
- C. The development would require the demolition of a historic structure that was placed on a national, state, or local historic register prior to the submission of an application.**
- D. The property contains housing units that are occupied by tenants, and units at the property are, or were, subsequently offered for sale to the general public by the subdivider or subsequent owner of the property.**

The site is currently vacant with surface parking. Pursuant to the Determination made by the Los Angeles Housing and Community Investment Department (HCIDLA) dated June 4, 2019, HCIDLA determined that there were no residential units built and demolished on the property in the last 10 years, therefore no AB 2556 replacement affordable units are required (Exhibit D). The project site has not been identified as a historic resource by local, state or federal agencies. The project does not involve the demolition of a historic structure that was placed on a national, state, or local historic register prior to the submission of the application. The site

was not found to be a potential historic resource based on the City's HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles.

8. The development proponent has done both of the following, as applicable:

A. Certified to the locality that either of the following is true, as applicable:

- i. The entirety of the development is a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.**
- ii. If the development is not in its entirety a public work, that all construction workers employed in the execution of the development will be paid at least the general prevailing rate of per diem wages for the type of work and geographic area, as determined by the Director of Industrial Relations pursuant to Sections 1773 and 1773.9 of the Labor Code, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate. If the development is subject to this subparagraph, then for those portions of the development that are not a public work all of the following shall apply:**
 - I. The development proponent shall ensure that the prevailing wage requirement is included in all contracts for the performance of the work.**
 - II. All contractors and subcontractors shall pay to all construction workers employed in the execution of the work at least the general prevailing rate of per diem wages, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate.**
 - III. Except as provided in subclause (V), all contractors and subcontractors shall maintain and verify payroll records pursuant to Section 1776 of the Labor Code and make those records available for inspection and copying as provided in therein.**
 - IV. Except as provided in subclause (V), the obligation of the contractors and subcontractors to pay prevailing wages may be enforced by the Labor Commissioner through the issuance of a civil wage and penalty assessment pursuant to Section 1741 of the Labor Code, which may be reviewed pursuant to Section 1742 of the Labor Code, within 18 months after the completion of the development, by an underpaid worker through an administrative complaint or civil action, or by a joint labor-management committee through a civil action under Section 1771.2 of the Labor Code. If a civil wage and penalty assessment is issued, the contractor, subcontractor, and surety on a bond or bonds issued to secure the payment of wages covered by the assessment shall be liable for liquidated damages pursuant to Section 1742.1 of the Labor Code.**
 - V. Subclauses (III) and (IV) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires the payment of prevailing wages to all construction workers employed in the execution of the development and provides for enforcement of that obligation through an arbitration procedure. For purposes of this clause, "project labor agreement" has the same meaning as**

set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.

- VI. Notwithstanding subdivision (c) of Section 1773.1 of the Labor Code, the requirement that employer payments not reduce the obligation to pay the hourly straight time or overtime wages found to be prevailing shall not apply if otherwise provided in a bona fide collective bargaining agreement covering the worker. The requirement to pay at least the general prevailing rate of per diem wages does not preclude use of an alternative workweek schedule adopted pursuant to Section 511 or 514 of the Labor Code.

B.

- i. For developments for which any of the following conditions apply, certified that a skilled and trained workforce shall be used to complete the development if the application is approved:
- I. On and after January 1, 2018, until December 31, 2021, the development consists of 75 or more units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction located in a coastal or bay county with a population of 225,000 or more.
 - II. On and after January 1, 2022, until December 31, 2025, the development consists of 50 or more units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction located in a coastal or bay county with a population of 225,000 or more.
 - III. On and after January 1, 2018, until December 31, 2019, the development consists of 75 or more units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county.
 - IV. On and after January 1, 2020, until December 31, 2021, the development consists of more than 50 units and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county.
 - V. On and after January 1, 2022, until December 31, 2025, the development consists of more than 25 units and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal bay county.
- ii. For purposes of this section, “skilled and trained workforce” has the same meaning as provided in Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.
- iii. If the development proponent has certified that a skilled and trained workforce will be used to complete the development and the application is approved, the following shall apply:
- I. The applicant shall require in all contracts for the performance of work that every contractor and subcontractor at every tier will individually use a skilled and trained workforce to complete the development.
 - II. Every contractor and subcontractor shall use a skilled and trained workforce to complete the development.
 - III. Except as provided in subclause (IV), the applicant shall provide to the locality, on a monthly basis while the development or contract is being performed, a report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code. A monthly report provided

to the locality pursuant to this subclause shall be a public record under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) and shall be open to public inspection. An applicant that fails to provide a monthly report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code shall be subject to a civil penalty of ten thousand dollars (\$10,000) per month for each month for which the report has not been provided. Any contractor or subcontractor that fails to use a skilled and trained workforce shall be subject to a civil penalty of two hundred dollars (\$200) per day for each worker employed in contravention of the skilled and trained workforce requirement. Penalties may be assessed by the Labor Commissioner within 18 months of completion of the development using the same procedures for issuance of civil wage and penalty assessments pursuant to Section 1741 of the Labor Code, and may be reviewed pursuant to the same procedures in Section 1742 of the Labor Code. Penalties shall be paid to the State Public Works Enforcement Fund.

- IV. Subclause (III) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires compliance with the skilled and trained workforce requirement and provides for enforcement of that obligation through an arbitration procedure. For purposes of this subparagraph, "project labor agreement" has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.
- C. Notwithstanding subparagraphs (A) and (B), a development that is subject to approval pursuant to this section is exempt from any requirement to pay prevailing wages or use a skilled and trained workforce if it meets both of the following:
 - i. The project includes 10 or fewer units.
 - ii. The project is not a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.

The project is conditioned to meet the above requirements of Government Code Section 65913.4(a).

- 9. The development did not or does not involve a subdivision of a parcel that is, or, notwithstanding this section, would otherwise be, subject to the Subdivision Map Act (Division 2 (commencing with Section 66410)) or any other applicable law authorizing the subdivision of land, unless either of the following apply:
 - A. The development has received or will receive financing or funding by means of a low-income housing tax credit and is subject to the requirement that prevailing wages be paid pursuant to subparagraph (A) of paragraph (8).
 - B. The development is subject to the requirement that prevailing wages be paid, and a skilled and trained workforce used, pursuant to paragraph (8).

There is no subdivision entitlement requested as part of the project.

- 10. The development shall not be upon an existing parcel of land or site that is governed under the Mobilehome Residency Law (Chapter 2.5 (commencing with Section 798) of Title 2 of Part 2 of Division 2 of the Civil Code), the Recreational Vehicle Park

Occupancy Law (Chapter 2.6 (commencing with Section 799.20) of Title 2 of Part 2 of Division 2 of the Civil Code), the Mobilehome Parks Act (Part 2.1 (commencing with Section 18200) of Division 13 of the Health and Safety Code), or the Special Occupancy Parks Act (Part 2.3 (commencing with Section 18860) of Division 13 of the Health and Safety Code).

The Mobilehome Residency Law and related regulations are not applicable to the site.

Therefore, as provided above, the development satisfies all of the objective planning standards of Government Code Section 65913.4(a), and is therefore subject to the streamlined, ministerial approval process provided in Government Code Section 65913.4(b) and (c).

Additionally, Government Code Section 65913.4(d) states:

Notwithstanding any other law, a local government, whether or not it has adopted an ordinance governing parking requirements in multifamily developments, shall not impose parking standards for a streamlined development that was approved pursuant to this section in any of the following instances:

(A) The development is located within one-half mile of public transit.

(B) The development is located within an architecturally and historically significant historic district.

(C) When on-street parking permits are required but not offered to the occupants of the development.

(D) When there is a car share vehicle located within one block of the development.

Section 102(r) of the SB 35 Guidelines defines “public transit” as “a site containing an existing rail transit station (e.g. light rail, Metro, or BART), a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. For purposes of these Guidelines, measurements for frequency of bus service can include multiple bus lines” (Exhibit G).

The project site is located at the intersection of Pico Boulevard and Crenshaw Boulevard, which serves the Los Angeles County Metropolitan Transit Authority (“Metro”) bus line 30/330 and 210, Metro Rapid bus line 710, and Big Blue Bus Rapid line 7. As such, the City shall not impose parking standards for the proposed Streamlined Infill Project.

CONDITIONAL USE FINDINGS

The following is a delineation of the findings related to the request for a Conditional Use to allow a 58 percent Density Bonus to allow 54 residential units in lieu of 34 dwelling units as otherwise permitted by-right in the C4-2D-O-CPIO Zone.

As previously mentioned and as provided under Finding Nos. 11 through 18, the proposed project satisfies all of the objective planning standards and is therefore subject to the streamlined ministerial approval process as provided in SB 35. Pursuant to the SB 35 Guidelines Section 102(n), ministerial processing or approval means the following:

A process for development approval involving little or no personal judgment by the public official as to the wisdom or manner of carrying out the project. The public official merely ensures that the proposed development meets all the "objective zoning standards," "objective subdivision standards," and "objective design review standards" in effect at the time that the application is submitted to the local government, but uses no special discretion or judgment in reaching a decision.

In accordance with SB 35, a local government must streamline the approval of a Streamlined Infill Project only based on objective zoning and design review standards, and the locality's process and application requirements shall not in any way inhibit, chill or preclude the ministerial approval process. When determining consistency with objective zoning and design review standards, the local government can only use those standards that meet the following definition set forth in the Legislature:

Standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal. These standards may be embodied in alternative objective land use specifications adopted by a city or county, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances.

Several findings of the Conditional Use require the City to exercise subjective discretion that does not meet the definition of objective zoning and design review standard in Government Code Section 65913.4(a). These subjective discretionary findings conflict with the streamlined ministerial approval process as provided in SB35 and therefore are not applicable to the proposed Streamlined Infill Project pursuant to SB 35. Staff has responded to these discretionary findings as not applicable in accordance with SB 35. For the remaining objective findings of the Conditional Use, staff has provided a response below.

11. 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.

There are no objective zoning or design review standards relevant to this finding other than those objective standards, as defined by Government Code Section 65913.4(a), that the project has already been determined to be consistent with. Therefore this finding is not applicable to the proposed Streamlined Infill Project pursuant to SB 35

12. 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.

There are no objective zoning or design review standards relevant to this finding other than those objective standards, as defined by Government Code Section 65913.4(a), that the project has already been determined to be consistent with. Therefore this finding is not applicable to the proposed Streamlined Infill Project pursuant to SB 35.

13. 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 Los Angeles General Plan sets forth goals, objectives and programs that guide both Citywide and community specific land use policies. The General Plan is comprised of a range

of State-mandated elements, including, Land Use, Transportation, Noise, Safety, Housing and Conservation. The City's Land Use Element is divided into 35 community plans that establish parameters for land use decisions within those sub-areas of the City.

The General Plan is a long-range document determining how a community will grow, reflecting community priorities and values while shaping the future. Policies and programs set forth in the General Plan are subjective in nature, as the General Plan serves as a constitution for development and foundation for land use decisions. As such, there are no objective zoning or design review standards relevant to this finding other than those objective standards, as defined by Government Code Section 65913.4(a), that the project has already been determined to be consistent with.

To the extent this finding requires further analysis, the project substantially conforms with the following purposes and objectives of the General Plan Elements: Framework Element, Housing Element, Mobility Element, and the Land Use Element (West Adams – Baldwin Hills – Leimert Community Plan).

Framework Element

The Framework Element is a strategy for long-term growth which sets a citywide context to guide the update of the Community Plan and Citywide Elements. The Framework Element is a comprehensive, long range document containing purposes, policies and programs for the development of the City of Los Angeles. The Citywide General Plan Framework text defines policies related to growth and includes policies for land use, housing, urban form/neighborhood design, open space/conservation, economic development, transportation, and infrastructure/public services.

The primary objectives of the policies in the Framework Element's Land Use Chapter are to support the viability of the City's residential neighborhoods and commercial districts, and when growth occurs, to encourage sustainable growth in a number of higher-intensity commercial and mixed-use districts, centers and boulevards and industrial districts particularly in proximity to transportation corridors and transit stations.

The proposed project involves the construction of a 5-story, mixed-use residential development containing 54 dwelling units on a site designated for Community Commercial land uses and zoned C4-2D-O-CPIO. The project site is located at the intersection of Pico Boulevard and Crenshaw Boulevard, which serves the Los Angeles County Metropolitan Transit Authority ("Metro") bus line 30/330 and 210, Metro Rapid bus line 710, and Big Blue Bus Rapid line 7. As such, the project is in conformance with the purpose of the Framework Element.

Housing Element

The City's Housing Element for 2013-2021 was adopted by City Council on December 3, 2013. The Housing Element identifies the City's housing conditions and needs, establishes the goals, objectives, and policies that are the foundation of the City's housing and growth strategy, and provides an array of programs the City intends to implement to create sustainable, mixed-income neighborhoods across the City. The Housing Element aims to provide affordable housing and amenity-rich, sustainable neighborhoods for its residents, answering the variety of housing needs of its growing population. Specifically, the Housing Element encourages affordable units to accommodate all income groups that need assistance.

Additionally, the Housing Element indicates that permanent supportive housing and services must be provided to ensure the homeless population and persons who are at risk of being homeless remain housed and get the individualized help they may need.

The proposed project will replace an existing vacant lot and surface parking lot with 54 residential dwelling units, which reserves 100 percent (exclusive of a market-rate manager's unit) for affordable units. The 53 affordable units will be permanent supportive housing units serving seniors over the age of 55 who are currently without shelter. The project will also provide supportive services on the ground floor, including social service offices and a computer lab, to provide assistance to its residents.

In addition, the site's Assessor Parcel Number (APN # 5082023002) have been identified in the 2013-2021 Housing Element's Inventory of Sites for Housing. The Inventory of Sites for Housing identifies parcels suitable for additional residential development without the need for any discretionary zoning action by the City. Therefore, the project is consistent with the Housing Element's vision of providing housing on these applicable sites. As such, the proposed project substantially conforms to the purpose of the Housing Element of the General Plan.

Mobility Element

The Mobility Plan 2035 includes goals that define the City's high-level mobility priorities. The Mobility Element sets forth objectives and policies to establish a citywide strategy to achieve long-term mobility and accessibility within the City of Los Angeles. Among other objectives and policies, the Mobility Plan aims to support ways to reduce vehicle miles traveled (VMT) per capita by increasing the availability of affordable housing options with proximity to transit stations and major bus stops and offering more non-vehicle alternatives, including transit, walking and bicycling.

The proposed mixed-use building is a pedestrian-oriented development that provides 53 affordable units and one (1) market-rate unit in proximity to several transit options. As previously mentioned, the project site is located at the intersection of Pico Boulevard and Crenshaw Boulevard, which serves the Los Angeles County Metropolitan Transit Authority ("Metro") bus line 30/330 and 210, Metro Rapid bus line 710, and Big Blue Bus Rapid line 7. These transit stations provide access to employment centers and jobs, local and regional destinations, and other neighborhood services for project residents. The proposed project will also allow for the reduction of vehicle trips by placing a high density residential development within proximity to public transit. The availability of many transit options along the commercial corridors creates a lesser need for the use of personal vehicles. Additionally, the project will provide a total of 48 bicycle parking stalls, including 44 long-term and 4 short-term bicycle parking stalls on site. There will be one (1) centralized enclosed long-term bicycle parking storage area at the ground floor, and the short-term bicycle parking stalls will be located directly adjacent to the lobby area where they are easily accessible from the street. As such, the project conforms to the purpose of the Mobility Element of the General Plan.

Land Use Element – West Adams – Baldwin Hills – Leimert Community Plan

The West Adams – Baldwin Hills – Leimert Community Plan was adopted by City Council in March 2017, with related zoning ordinances effective on April 19, 2017. The Community Plan's purpose is to promote an arrangement of land use, circulation, and services which all encourage and contribute to the economic, social and physical health, safety, welfare, and convenience of the Community. The Land Use Designations and corresponding zones in the Community Plan are implemented through zoning regulations in the Los Angeles Municipal Code ("LAMC") including applicable ordinances that are codified in the LAMC.

The West Adams – Baldwin Hills – Leimert Community Plan designates the site for Community Commercial land uses. The project site is zoned C4-2D-O-CPIO, which is consistent with the corresponding zones of CR, C1.5, C2, C4, R3, R4, RAS3, and RAS4 in the Community Plan. The C4 Zone allows R4 density at 400 square feet of lot area per dwelling. The project site containing 13,345 square feet (including half-alley) is permitted a base density of 34 dwelling units. The project utilizes the State Density Bonus Law (California Government Code Section 65915) and the City's Ordinance No. 179,681 (Density Bonus Ordinance), codified in LAMC Section 12.22 A.25, and Ordinance No. 185,373 (Value Capture Ordinance), codified in LAMC Section 12.24 U.26 (Conditional Use Section of LAMC) to increase the maximum density from 34 to 54 dwelling units, 53 of which will be set aside for Very Low Income and Low Income Households. The project also proposes supportive services in an area that is close to various bus routes, connecting the project site to other regional and local destinations. The project will contribute to the West Adams – Baldwin Hills – Leimert area as a medium- to high-density residential development that provides housing and employment services. Furthermore, as found in the Streamlined Infill Development Projects Finding, the project is consistent with applicable objective zoning standards. As such, the project conforms to the purpose of the West Adams – Baldwin Hills – Leimert Community Plan.

14. The project is consistent with and implements the affordable housing provisions of the Housing Element of the General Plan.

The City's Housing Element for 2013-2021 was adopted by City Council on December 3, 2013. The Housing Element identifies the City's housing conditions and needs, establishes the goals, objectives, and policies that are the foundation of the City's housing and growth strategy, and provides an array of programs the City intends to implement to create sustainable, mixed-income neighborhoods across the City. The Housing Element aims to provide affordable housing and amenity-rich, sustainable neighborhoods for its residents, answering the variety of housing needs of its growing population. Specifically, the Housing Element encourages affordable units to accommodate all income groups that need assistance. Additionally, the Housing Element indicates that permanent supportive housing and services must be provided to ensure the homeless population and persons who are at risk of being homeless remain housed and get the individualized help they may need.

There are no objective zoning or design review standards relevant to this finding other than those objective standards, as defined by Government Code Section 65913.4(a), that the project has already been determined to be consistent with. To the extent this finding requires further analysis, the project is consistent with and implements the affordable housing provisions of the Housing Element as discussed below.

The proposed project will replace an existing vacant lot with surface parking with 54 residential dwelling units, which reserves 100 percent (exclusive of a market-rate manager's unit) for affordable units. The 53 affordable units will be permanent supportive housing units serving seniors over the age of 55 who are currently without shelter. The project will also provide supportive services on the ground floor including social service offices and a computer lab to provide assistance to its residents.

15. The project contains the requisite number of Restricted Affordable Units, based on the number of units permitted by the maximum allowable density on the date of application, as follows:

- a. 11% Very Low Income Units for a 35% density increase; or
- b. 20% Low Income Units for a 35% density increase; or

c. 40% Moderate Income Units for a 35% density increase in for-sale projects.

The project may then be granted additional density increases beyond 35% by providing additional affordable housing units in the following manner:

- a. For every additional 1% set aside of Very Low Income Units, the project is granted an additional 2.5% density increase; or
- b. For every additional 1% set aside of Low Income Units, the project is granted an additional 1.5% density increase; or
- c. For every additional 1% set aside of Moderate Income Units in for-sale projects, the project is granted an additional 1% density increase; or
- d. In calculating the density increase and Restricted Affordable Units, each component of any density calculation, including base density and bonus density, resulting in fractional units shall be separately rounded up to the next whole number.

The City's Density Bonus Ordinance permits a maximum density increase of up to 35 percent in exchange for setting aside 11 percent of the base density units for Very Low Income Households in accordance with the State Density Bonus Law. The State Density Bonus Law (Government Code Section 65915(n)) also allows a city to grant a density bonus greater than 35 percent for a development, if permitted by local ordinance. The City adopted Ordinance No. 185,373 (Value Capture Ordinance), codified in LAMC Section 12.24 U.26, to permit a density increase greater than 35 percent. The Ordinance requires the project to set aside one (1) additional percent of base density units above the 11 percent for Very Low Income Households for every additional 2.5 percent density increase above the 35 percent.

Below is a table showing the requisite percentage of affordable housing units for Very Low Income Households based on the percentage of density increase.

Percentage of Base Density to be Restricted to Very Low Income Households	Percentage of Density Increase Granted
11	35
12	37.5
13	40
14	42.5
15	45
16	47.5
17	50
18	52.5
19	55
20	57.5

The applicant requests a Conditional Use for a density increase in excess of 35 percent pursuant to LAMC Section 12.24 U.26, to allow a 58 percent increase in density for a total of 54 dwelling units in lieu of 34 dwelling units as otherwise permitted by-right in the C4-2D-O-CPIO Zone. The applicant is required to set aside at least 20 percent, or 7 units, of 34 by-right density units, for Very Low Income Households, for the 58-percent density increase, as provided in the above table. The applicant proposes a project totaling 54 dwelling units, 7 of which will be restricted to Very Low Income Households for a period of 55 years, which is 20

percent of the 34 base density units. As such, the project satisfies the minimum percentage of base density to be restricted to Very Low Income Households.

16. The project meets any applicable dwelling unit replacement requirements of California Government Code Section 65915(c)(3).

On September 27, 2014, Governor Jerry Brown signed Assembly Bill (AB) 2222 as amended by AB 2556 on August 19, 2016, to amend sections of California's Density Bonus Law (Government Code Section 65915). Major changes to the law are applicable to new density bonus developments resulting in a loss in existing affordable units or rent-stabilized units. The law aims to replace units and ensure rental affordability periods for 55 years. Pursuant to the Determination made by the Los Angeles Housing and Community Investment Department (HCIDLA) dated June 4, 2019, there were no residential units built and demolished in the property in the last 10 years, therefore AB 2556 replacement affordable units are required (Exhibit D). As such, the dwelling unit replacement requirements of Government Code Section 65915(c)(3) do not apply.

17. The project's Restricted Affordable Units are subject to a recorded affordability restriction of 55 years from the issuance of the Certificate of Occupancy, recorded in a covenant acceptable to the Housing and Community Investment Department, and subject to fees as set forth in Section 19.14 of the Los Angeles Municipal Code.

Per the Conditions of Approval, the owner is required to execute a covenant to the satisfaction of HCIDLA to make 53 units for affordable units for a period of 55 years, as follows: 7 units for Very Low Income household occupancy, as defined by the State Density Bonus Law 65915 (c)(1) or (c)(2) as determined by the California Department of Housing and Community Development ("HCD"); 10 units reserved for Low Income Household occupancy as determined by HCD; and 36 units reserved for Lower Income Households as determined by either the HCD or the U.S. Department of Housing and Urban Development ("HUD"). The applicant is required to present a copy of the recorded covenant to the Department of City Planning and the proposed project shall comply with any monitoring requirements established by HCIDLA. Therefore, as conditioned, the project satisfies this finding in regards to subjected restricted affordable units to recorded affordability per HCIDLA.

18. The project addresses the policies and standards contained in the City Planning Commission's Affordable Housing Incentives Guidelines.

The City Planning Commission approved the Affordable Housing Incentives Guidelines (CPC-2005-1101-CA) on June 9, 2005. These were subsequently approved by City Council (CF 05-1345) on February 20, 2008, as a component of the City of Los Angeles Density Bonus Ordinance. The Guidelines describe the density bonus provisions and qualifying criteria, incentives available, design standards, and the procedures through which projects may apply for a density bonus and incentives. The City of Los Angeles Housing and Community Investment Department (HCIDLA) utilizes these Guidelines in the preparation of Housing Covenants for Affordable Housing Projects. On April 9, 2010, the City Council adopted updates to the City's Density Bonus Ordinance (CF 05-1345-S1, Ordinance No. 181,142). However, at that time, the Affordable Housing Incentives Guidelines were not updated to reflect changes to the City's Density Bonus Ordinance or more recent changes in State Density Bonus Law located in the Government Code. Therefore, where there is a conflict between the Guidelines and current laws, the current law prevails. Additionally, many of the policies and standards contained in the Guidelines, including design and location of affordable units to be comparable to the market-rate units, equal distribution of amenities, monitoring requirements, and affordability levels, are covered by the State Density Bonus Laws.

The project requests a 58 percent density increase above the 34 base density units to permit a total of 54 dwelling units. The project will set aside 53 units for affordable units for a period of 55 years, as follows: 7 units for Very Low Income household occupancy, as defined by the State Density Bonus Law 65915 (c)(1) or (c)(2) as determined by the California Department of Housing and Community Development (“HCD”); 10 units reserved for Low Income Household occupancy as determined by HCD; and 36 units reserved for Lower Income Households as determined by either the HCD or the U.S. Department of Housing and Urban Development (“HUD”). As such, the project is consistent with the State Density Bonus Law and the local Density Bonus Ordinance, which the Affordable Housing Incentives Guidelines implement. Furthermore, the project is required to record a Covenant and Agreement with the HCIDLA to make 54 units affordable per the Conditions of Approval. Therefore, the project complies with the City Planning Commission’s Affordable Housing Incentives Guidelines.

DENSITY BONUS / AFFORDABLE HOUSING INCENTIVES PROGRAM FINDINGS

The applicant has requested three (3) On- and Off-Menu Incentives and five (5) Waivers of Development Standards, as listed below:

On- and Off-Menu Incentives

- a. A 2.38:1 FAR in lieu of the otherwise permitted 2.0:1 FAR by the C4-2D-O-CPIO Zone and CPIO Section III-2.B.2(b);
- b. A building height of 66 feet and 5 stories, in lieu of the 55 feet otherwise permitted by the C4-2D-O-CPIO Zone and CPIO Section III-2.A.1;
- c. To waive transitional height requirements of the CPIO Section III-2.A.2

Waivers of Development Standards:

- a. A 5-foot rear yard in lieu of the minimum 17 foot rear yard otherwise required for a 5-story building in the C4-2D-O-CPIO Zone;
- b. A 5-foot westerly side yard in lieu of the minimum 8 foot side yard otherwise required for a 5-story building in the C4-2D-O-CPIO Zone;
- c. A 21-foot easterly side yard to accommodate a transformer, in lieu of the maximum 2 foot side yard otherwise permitted for a corner lot by the CPIO Section III-2.D.1(a);
- d. A 25 percent reduction in required open space for 4,069 square feet of open space in lieu of 5,425 square feet otherwise required by LAMC Section 12.21 G;
- e. A waiver of loading space requirements of LAMC Section 12.21 C.6.

Based on the set-aside of over 15 percent of base units for Very Low Income households, the applicant is entitled to three (3) Incentives under both the Government Code and LAMC. Therefore, the first On- and Off-Menu requests qualify as the proposed development’s Incentives. The remaining requests must be processed as a Waiver of Development Standard.

Following is a delineation of the findings related to the request for three (3) On- and Off-Menu Incentives, pursuant to LAMC Section 12.22 A.25(g) and Government Code Section 65915.

19. Government Code Section 65915 and LAMC Section 12.22 A.25(c) state that the Commission shall approve a density bonus and requested incentive(s) unless the Commission finds that:

- a. The incentives do not result in identifiable and actual cost reductions to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for the affordable units.***

The record does not contain substantial evidence that would allow the City Planning Commission to make a finding that the requested incentives do not result in identifiable and actual cost reduction to provide for affordable housing costs per State Law. The California Health & Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs for very low, low, and moderate income households. Section 50052.5 addresses owner-occupied housing and Section 50053 addresses rental households. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed 25 percent gross income based on area median income thresholds dependent on affordability levels.

FAR Increase: The subject site is zoned C4-2D-O-CPIO with a Height District No. 2 that permits a maximum Floor Area Ratio ("FAR") of 6.0:1, however the "D" Limitation relating to the West Adams – Baldwin Hills – Leimert Implementation Overlay ("CPIO") Section III-2.B.2(b) limits the maximum FAR to 2.0:1. LAMC Section 12.22 A.25 permits an FAR increase of 35 percent to 2.7:1 FAR through an On-Menu Incentive for eligible projects within 1,500 feet of transit. The applicant has requested an On-Menu Incentive to allow a 2.38:1 FAR in lieu of the otherwise permitted 2.0:1 FAR. While the proposed project qualifies for a maximum 2.7:1 FAR, the proposed project is actually providing a maximum floor area of 30,000 square feet or a 2.38:1 FAR. The proposed 2.38:1 FAR creates 4,754 additional square feet. As proposed, the additional FAR will allow for the construction of the affordable residential units. The requested incentive will allow the developer to expand the building envelope so the additional units can be constructed and the overall space dedicated to residential uses is increased.

FAR by-right	Lot Area (sf)	Total Floor Area (sf)
2.0:1	12,623	$12,623 \times 2.0 =$ 25,246

FAR Requested	Buildable Lot Area (sf)	Total Floor Area (sf)	Additional Floor Area (sf)
2.38:1	12,623	30,000	$30,000 - 25,246 =$ 4,754

Height Increase: The subject site is zoned C4-2D-O-CPIO, with a Height District No. 2 that permits unlimited building height, however the "D" Limitation relating to CPIO Section III-2.A.1(a) permits a maximum 55-foot building height. The applicant has requested an increase for 11 additional feet in height to allow for 66 feet and 5 stories through an On-Menu Incentive. The limitation on the height would remove one (1) story from the proposed building, and will limit the ability to construct the residential dwelling units permitted by-right and the Restricted Affordable Units which are of a sufficient size. As proposed, the additional height will allow for the construction of the affordable residential units. The requested incentive will allow the developer to expand the building

envelope so the additional units can be constructed and the overall space dedicated to residential uses is increased.

Transitional Height: The West Adams – Baldwin Hills – Leimert Implementation Overlay (“CPIO”) Section III-2.A.2 requires the project to comply with transitional height requirements due to the site’s adjacency (containing a rear property line that is separated by a 15-foot wide alley) to a residential lot. Specifically, the CPIO requires the project the entire building to be set back, or individual floors stepped back, one horizontal foot for every one vertical foot in building height as measured from grade at the residential property line. The applicant has requested an Off-Menu Incentive to waive transitional height requirements of the CPIO. Strict compliance with the CPIO transitional height requirements would require the removal of two or more dwelling units at all upper floors, in order to provide sufficient setbacks from the neighboring residential lot. Waiving transitional height requirements will allow the developer to dedicate more area towards residential units at the upper levels, so that the additional units can be constructed and the overall space dedicated to residential uses is increased. The applicant proposes to utilize the transitional height requirements of the Transit Oriented Communities (“TOC”) Guidelines which allow the transitional height to be measured starting at a 25-foot height from the residential property line, and applies only to the first 25 feet of depth from the residential property line.

The requested incentives allow the developer to expand the building envelope so the additional and affordable units can be constructed, provide for design efficiencies, and allow the overall space dedicated to residential uses to be increased. These incentives support the applicant’s decision to set aside the specified number of dwelling units for Low Income Households for 55 years.

- b. The incentive(s) will have a specific adverse impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there are no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety (Government Code Section 65915(d)(1)(B) and 65589.5(d)).**

There is no substantial evidence in the record that the proposed incentive(s) will have a specific adverse impact. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22 A.25(b)). As required by Section 12.22 A.25 (e)(2), the project meets the eligibility criterion that is required for density bonus projects. The project also does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. Therefore, there is no substantial evidence that the proposed incentive(s) will have a specific adverse impact on public health and safety.

- c. The incentive(s) are contrary to state or federal law.**

There is no evidence in the record that the proposed incentives are contrary to state or federal law.

Following is a delineation of the findings related to the request for five (5) Waivers of Development Standards, pursuant to Government Code Section 65915.

20. Government Code Section 65915 and LAMC Section 12.22 A.25(c) state that the Commission shall approve a density bonus and requested Waiver of Development Standard(s) unless the Commission finds that:

- a. The waiver(s) or reduction(s) of development standard(s) are contrary to state or federal law.***

There is no evidence in the record that the proposed waivers are contrary to state or federal law.

A project that provides 15 percent of base units for Very Low Income Households qualifies for three (3) Incentives, and may request other “waiver[s] or reduction[s] of development standards that will have the effect of physically precluding the construction of a development meeting the [affordable set-aside percentage] criteria of subdivision (b) at the densities or with the concessions or incentives permitted under [State Density Bonus Law]” (Government Code Section 65915(e)(1)).

Therefore, the request for the following are recommended as a Waiver of Development Standards. Without the below Waivers, the existing development standards would preclude development of the proposed density bonus units and project amenities:

Rear and Side Yards: LAMC Section 12.14 C.2 requires rear and side yards to conform to the requirements of the R4 Zone for buildings erected and used for residential purposes. The R4 Zone requires rear yards of a minimum of 15 feet, and requires one additional foot in the width of the rear yard for each additional story above the 3rd story; and side yards of a minimum of 5 feet, and requires one additional foot in the width of the required side yards for each additional story above the 2nd story. The Project is a 5-story mixed-use building containing a ground floor with supportive service offices, grade-level parking, and residential units, and the upper Levels 2 through 5 are comprised of residential units. Given all levels of the project would be utilized in whole or in part by residential uses, the Project would therefore be required to provide a 17-foot rear yard setback and 8-foot side yard setbacks. The West Adams – Baldwin Hills – Leimert Implementation Overlay (“CPIO”) Section III-2.D.1(a) allows a maximum 2-foot side yard setback for a mixed-use project on a corner lot for Pedestrian Amenities. However, the Los Angeles Department of Water and Power (“LADWP”) requires a transformer to be located within this side yard, with a depth of 21 feet to remain clear for access. The Applicant has requested three Waivers of Development Standards for reduced yards, and proposes a 5-foot rear yard setback in lieu of the 17 feet otherwise required, a 5-foot westerly side yard setback in lieu of the 8 feet otherwise required, and a maximum 21-foot easterly setback to accommodate the transformer area in lieu of the maximum 2 feet otherwise required by the CPIO. Strict compliance with the yard requirements would reduce the buildable lot area by 2 feet for the rear yard and 3 feet for the westerly side yard, and would require the floor plan to be reconfigured to accommodate a transformer at another location, thereby limiting the buildable area for new development and reducing the number and range of units that could be developed. The requested waivers allow the developer to reduce setback requirements so the affordable housing units can be constructed and the overall space dedicated to residential uses is increased. By waiving these development standards, the developer will not be physically precluded from constructing the proposed development with 54 dwelling units including 53 affordable units.

Open Space Reduction: LAMC Section 12.21 G requires 100 square feet of usable open space per dwelling unit with less than 3 habitable rooms, and 125 square feet of

usable open space per dwelling unit with 3 habitable rooms. For the proposed project with 53 studio units and 1 two-bedroom unit, a total of 5,425 square feet of open space would be required. Strict compliance with the open space requirements would have the effect of physically precluding construction of the development proposing 54 dwelling units, 7 of which will be set aside for Very Low Income and 46 of which will be set aside for Low Income Households. The applicant has requested a 25 percent reduction to allow 4,069 square feet of open space through a Waiver of Development Standard. Without the waiver to reduce the minimum usable open space required to 4,069 square feet, the project would need to provide an additional 1,356 square feet of common or private open space on-site. The project currently proposes dwelling units that range in size from 400 square feet to 899 square feet. Compliance with the minimum usable open space provision would require the removal of floor area that could otherwise be dedicated to the number, configuration, and livability of affordable housing units. Specifically, the project would not only need to comply with the total amount of usable open space requirements, but also the design, dimension, and area requirements set forth in LAMC Section 12.21 G. Common open space would need to be at least 15 feet in width on all sides, have a minimum area of 400 square feet, and be open to sky. The project would lost floor area of the development in order to meet all of these additional requirements for common open space. By waiving this development standard, the developer will not be physically precluded from constructing the proposed development with 54 dwelling units including 53 affordable units.

Loading Space: LAMC Section 12.21 C.6 requires that a loading space be provided and maintained for a building with a commercial use that is located on a C or M Zone abutting an alley. As a mixed-use building with a commercial component at the ground floor on a C4-2D-O-CPIO zoned lot adjacent to an alley, the project would be required to provide a loading area with a minimum height of 14 feet, be accessible through a usable door not less than 3 feet in width and not less than 6 feet 6 inches in height, with a minimum area of 400 square feet, and a minimum width of 20 feet as measured along the alley. The applicant has requested to waive the loading space requirements of LAMC Section 12.21 C.6, and contends that the proposed supportive service office use does not necessitate a loading space for day-to-day business operations. The applicant proposes a loading zone along the alley that has a maximum height of 11 feet and 6 inches that does not comply with the 14-foot height requirements of the code. The reduction in 2 feet and 6 inches for the loading area will allow the developer to dedicate more area towards residential units at the upper levels, so that the additional units can be constructed and the overall space dedicated to residential uses is increased.

- b. The waiver will have specific adverse impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse Impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.***

There is no substantial evidence in the record that the proposed incentive(s) will have a specific adverse impact. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22 A.25(b)). As required by Section 12.22 A.25 (e)(2), the project meets the eligibility criterion that is required for density bonus projects. The project also does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of

Historical-Cultural Monuments. The project does not involve the demolition of a historic structure that was placed on a national, state, or local historic register prior to the submission of the application. Therefore, there is no substantial evidence that the proposed waivers of development standards will have a specific adverse impact on public health and safety.

HOUSING REPLACEMENT

Pursuant to Government Code Section 65915(c)(3) and Assembly Bills 2222 and 2556, applicants of Density Bonus projects filed as of January 1, 2015 must demonstrate compliance with the housing replacement provisions which require replacement of rental dwelling units that either exist at the time of application of a Density Bonus project, or have been vacated or demolished in the five-year period preceding the application of the project. This applies to all pre-existing units that have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; subject to any other form of rent or price control; or occupied by Low or Very Low Income Households. Pursuant to the Determination made by the Los Angeles Housing and Community Investment Department (HCIDLA) dated June 4, 2019, HCIDLA determined that there were no residential units built and demolished in the property in the last 10 years, therefore no AB 2556 replacement affordable units are required (Exhibit D). Refer to the Density Bonus Legislation Background section of this determination for additional information.

DENSITY BONUS LEGISLATION BACKGROUND

The California State Legislature has declared that "[t]he availability of housing is of vital statewide importance," and has determined that state and local governments have a responsibility to "make adequate provision for the housing needs of all economic segments of the community." Section 65580, subds. (a), (d). Section 65915 further provides that an applicant must agree to, and the municipality must ensure, the "continued affordability of all Low and Very Low Income units that qualified the applicant" for the density bonus.

With Senate Bill 1818 (2004), state law created a requirement that local jurisdictions approve a density bonus and up to three "concessions or incentives" for projects that include defined levels of affordable housing in their projects. In response to this requirement, the City created an ordinance that includes a menu of incentives (referred to as "on-menu" incentives) comprised of eight zoning adjustments that meet the definition of concessions or incentives in state law (California Government Code Section 65915). The eight on-menu incentives allow for: 1) reducing setbacks; 2) reducing lot coverage; 3) reducing lot width, 4) increasing floor area ratio (FAR); 5) increasing height; 6) reducing required open space; 7) allowing for an alternative density calculation that includes streets/alley dedications; and 8) allowing for "averaging" of FAR, density, parking or open space. In order to grant approval of an on-menu incentive, the City utilizes the same findings contained in state law for the approval of incentives or concessions.

California State Assembly Bill ("AB") 2222 went into effect January 1, 2015 and was amended by AB 2556 on August 19, 2016, stating that Density Bonus projects filed as of that date must demonstrate compliance with the housing replacement provisions which require replacement of rental dwelling units that either exist at the time of application of a Density Bonus project, or have been vacated or demolished in the five-year period preceding the application of the project. This applies to all pre-existing units that have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; subject to any other form of rent or price control (including Rent Stabilization Ordinance); or is occupied by Low or Very Low Income Households (i.e., income levels less than 80 percent of the area median income [AMI]). The replacement units must be equivalent in size, type, or both and be

made available at affordable rent/cost to, and occupied by, households of the same or lower income category as those meeting the occupancy criteria. Prior to the issuance of any Director's Determination for Density Bonus and Affordable Housing Incentives, the Housing and Community Investment Department (HCIDLA) is responsible for providing the Department of City Planning, along with the applicant, a determination letter addressing replacement unit requirements for individual projects. The City also requires a Land Use Covenant recognizing the conditions be filed with the County of Los Angeles prior to granting a building permit on the project.

AB 2222 also increases covenant restrictions from 30 to 55 years for projects approved after January 1, 2015. This determination letter reflects these 55 year covenant restrictions.

Under Government Code Sections 65915(a), 65915(d)(2)(C) and 65915(d)(3) the City of Los Angeles complies with the State Density Bonus law by adopting density bonus regulations and procedures as codified in Section 12.22 A.25 of the Los Angeles Municipal Code. Section 12.22 A.25 creates a procedure to waive or modify Zoning Code standards which may prevent, preclude or interfere with the effect of the density bonus by which the incentive or concession is granted, including legislative body review. The Ordinance must apply equally to all new residential development.

In exchange for setting aside a defined number of affordable dwelling units within a development, applicants may request up to three incentives in addition to the density bonus and parking relief which are permitted by right. The incentives are deviations from the City's development standards, thus providing greater relief from regulatory constraints. Utilization of the Density Bonus/Affordable Housing Incentives Program supersedes requirements of the Los Angeles Municipal Code and underlying ordinances relative to density, number of units, parking, and other requirements relative to incentives, if requested.

For the purpose of clarifying the Covenant Subordination Agreement between the City of Los Angeles and the United States Department of Housing and Urban Development ("HUD") note that the covenant required in the Conditions of Approval herein shall prevail unless pre-empted by State or Federal law.

CEQA FINDINGS

Pursuant to Senate Bill ("SB") 35 and Government Code Section 65913.4, a project that satisfies all of the objective planning standards of Government Code Section 65913.4(a) is subject to the streamlined, ministerial approval process provided in Government Code Section 65913.4(b) and (c). Therefore, pursuant to Government Code Section 65913.4 and Public Resources Code Section 21080(b)(1), the Streamlined Infill Project is Statutorily Exempt from the California Environmental Quality Act ("CEQA") as a ministerial project.

MARIPOSA LILY

COUNTY CLERK'S USE
ORIGINAL FILED

JUL 26 2019

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
200 NORTH SPRING STREET, ROOM 395
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

LOS ANGELES, COUNTY CLERK NOTICE OF EXEMPTION

(PRC Section 21152; CEQA Guidelines Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152(b) and CEQA Guidelines Section 15062. Pursuant to Public Resources Code Section 21167 (d), the posting of this notice starts a 35-day statute of limitations on court challenges to reliance on an exemption for the project. Failure to file this notice as provided above, results in the statute of limitations being extended to 180 days.

PARENT CASE NUMBER(S) / REQUESTED ENTITLEMENTS

DIR-2019-366-TOC-1A/Transit Oriented Communities Affordable Housing Incentive Program

LEAD CITY AGENCY

City of Los Angeles (Department of City Planning)

CASE NUMBER

ENV-2019-367-CE

PROJECT TITLE

Mariposa Lily Affordable Housing Project

COUNCIL DISTRICT

10

PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map)

1047 - 1055 S. Mariposa Avenue; Los Angeles, CA 90006 (Between W. Olympic Blvd. and W. 11th St.)

☒ Map attached.

PROJECT DESCRIPTION:

☒ Additional page(s) attached.

Construction, use and maintenance of a 7-story, 100% affordable housing development, exclusive of a market-rate manager's unit, with a total of 41 dwelling units, 40 of which will be restricted to Very Low and Low Income Households. Twenty (20) of these restricted units will be set aside to provide supportive housing to formerly homeless individuals, across approximately 36,266.5 square feet of Floor Area on an approximately 11,809 square-foot site. The project will provide approximately 3,909 square feet of open space, 8 non-required on-site automobile parking spaces, and 40 bicycle parking spaces. The project site contains one non-protected tree which will be removed. There are no trees in the public right-of-way.

NAME OF APPLICANT / OWNER:

West Hollywood Community Housing Corporation

CONTACT PERSON (If different from Applicant/Owner above)

Christopher Murray

(AREA CODE) TELEPHONE NUMBER

(818) 716-2782

EXT.

EXEMPT STATUS: (Check all boxes, and include all exemptions, that apply and provide relevant citations.)

STATE CEQA STATUTE & GUIDELINES

☐ STATUTORY EXEMPTION(S)

Public Resources Code Section(s) _____

☒ CATEGORICAL EXEMPTION(S) (State CEQA Guidelines Sec. 15301-15333 / Class 1-Class 33)

CEQA Guideline Section(s) / Class(es) **Section 15332 Class 32**

☐ OTHER BASIS FOR EXEMPTION (E.g., CEQA Guidelines Section 15061(b)(3) or (b)(4) or Section 15378(b))

JUSTIFICATION FOR PROJECT EXEMPTION:

☒ Additional page(s) attached

Class 32 - (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. (c) The project site has no value as habitat for endangered, rare or threatened species. (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services.

☒ None of the exceptions in CEQA Guidelines Section 15300.2 to the categorical exemption(s) apply to the Project.

☐ The project is identified in one or more of the list of activities in the City of Los Angeles CEQA Guidelines as cited in the justification.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

If different from the applicant, the identity of the person undertaking the project.

CITY STAFF USE ONLY:

CITY STAFF NAME AND SIGNATURE

Nuri Cho



STAFF TITLE

City Planning Associate

ENTITLEMENTS APPROVED

TOC Affordable Housing Incentive Program Review - See Case # DIR-2019-366-TOC-1A

FEE:

\$5,774.00+surcharges

RECEIPT NO.

0104991224

REC'D. BY (DCP DSC STAFF NAME)

Eric Claros

DISTRIBUTION: County Clerk, Agency Record

Rev. 3-27-2019

I hereby certify and attest this to be a true and correct
copy of the original record on file in the office of the
Department of City Planning of the City of Los Angeles
designated as City Planning Commission
Nuricha Mwale 7/25/19
Department Representative

SYLMAR II

**DEPARTMENT OF
CITY PLANNING**

CITY PLANNING COMMISSION

SAMANTHA MILLMAN
PRESIDENT

VAHID KHORSAND
VICE-PRESIDENT

DAVID H. J. AMBROZ
CAROLINE CHOE
HELEN LEUNG
KAREN MACK
MARC MITCHELL
VERONICA PADILLA-CAMPOS
DANA M. PERLMAN

**CITY OF LOS ANGELES
CALIFORNIA**



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES

200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801

VINCENT P. BERTONI, AICP
DIRECTOR

KEVIN J. KELLER, AICP
EXECUTIVE OFFICER

SHANA M.M. BONSTIN
DEPUTY DIRECTOR

TRICIA KEANE
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

SITE PLAN REVIEW

October 9, 2019

Applicant / Owner

Meta Housing Corporation
11150 West Olympic Blvd #620
Los Angeles, CA 90064

Case No. DIR-2019-4261-SPR
CEQA: ENV-2019-4262-CE
Location: 12663 – 12667 N. San Fernando
Road

Council District: 7 – Rodriguez

Neighborhood Council: Sylmar

Community Plan Area: Sylmar

Land Use Designation: Community Commercial
Zone: C2-1VL-CPIO

Legal Description: Lot 4 (Arbs 2 & 3), Block A, Tract
TR 5813

Representative

Christopher Murray / Erika Iverson
Rosenheim & Associates, Inc
21600 Oxnard Street #630
Woodland Hills, CA 91367

Last Day to File an Appeal: October 24, 2019

DETERMINATION

Pursuant to LAMC Section 16.05.E, I have reviewed the proposed project and as the designee of the Director of Planning, I hereby:

Determine based on the whole of the administrative record, the Project is exempt from CEQA pursuant to State CEQA Guidelines, Article 19, Section 15332, Class 32, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies; and

Approve with Conditions a Site Plan Review for the construction, use and maintenance of an approximately 34,080 square-foot, four (4)-story, multi-family residential development on an approximately 21,159 square-foot lot located within the C2-1VL-CPIO Zone. The project includes a total of 56 residential dwelling units, with 55 residential units restricted to Low Income Households, and one (1) on-site manager's unit. The proposed building contains three (3) stories constructed over ground-level parking, office and community room space with a maximum height of 45 feet.

The project is located in the Sylmar Community Plan Implementation Overlay (CPIO) and will have a separate future filing of an Administrative (ADM) case that will demonstrate compliance with the CPIO regulations.

The project approval is based upon the attached Findings, and subject to the attached Conditions of Approval:

CONDITIONS OF APPROVAL

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped Exhibit "A", and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Valley Project Planning Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code or the project conditions.
2. **Floor Area.** The Floor Area, as defined by 12.03 of the LAMC, on the project site shall not exceed 34,080 square feet.
3. **Height.** The project shall be limited to 45 feet in height with a maximum of four (4) stories.
4. **Automobile Parking.** The project shall provide a minimum of 25 off-street parking spaces. Fourteen of those parking spaces shall be in accordance with AB 744 (2015), and Government Code Section 65915(p)(3), at a ratio of 0.3 parking spaces for each restricted affordable unit set aside for special needs occupants within 0.5 miles of a qualifying bus service. Forty five of the restricted Low Income dwelling units calculate to the 14 parking spaces pursuant to AB 744 (2015). The remaining 11 parking spaces shall be provided as required by the Los Angeles Municipal Code Section 12.21 A.4.
5. **Bicycle Parking.** Bicycle parking shall be provided in accordance with LAMC 12.21 A.16.
6. **Changes in Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units or change parking numbers shall be consistent with LAMC Sections 12.21 A.4, 12.22 A.25 (a-d), or AB 744 (2015) parking requirements as applicable.
7. **Lighting.** The project shall avoid excess exterior illumination of the structure. The use of flood lights and/or similar lighting devices is strictly prohibited. Lighting shall be provided to illuminate the pedestrian walkway, the vehicle driveway, and the landscaping areas. All lighting shall be low intensity and directed away from the neighboring residential properties, designed and installed with shielding such that the light source cannot be seen from adjacent residential properties or the public right-of-way, nor from above.
8. **Landscaping.** The project shall be in substantial conformance with the landscape plan as shown on Exhibit "A", in accordance with LAMC Section 12.21 G2(a)(3).
9. **Trash and recycling collections.** Trash storage bins shall remain located within the building as shown in Exhibit "A", or they shall be located in a gated, covered enclosure constructed of

materials identical to the exterior wall materials of the building and screened with landscaping, so as not to be viewed from public right-of-way or adjacent uses.

Administrative Conditions

10. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
11. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
12. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
13. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
14. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
15. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
16. **Expiration.** In the event that this grant is not utilized within three years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
17. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and

approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

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

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

FINDINGS

PROJECT BACKGROUND

The proposed project is for the construction, use and maintenance of an approximately 34,080 square-foot, four (4)-story, multi-family residential development on an approximately 21,159 square foot lot located within the C2-1VL-CPIO Zone. The project includes a total of 56 residential dwelling units, with 55 residential units restricted to Low Income Households, and one (1) on-site manager's unit, for a total of 56 units.

While the Exhibit "A" notes the project is for 56 units of "Supportive Housing," 45 of these units are defined as "special needs" by the State Health and Safety Code Section 51312¹, and 10 are regular Restricted Low-Income Units. The "special needs" units as defined by the State are eligible for parking standards of AB 744 (2015), which amended sections of Government Code Section 65915 (State Density Bonus Law), and provided new parking requirements for eligible projects. Although the conditions above reflect these requirements pursuant to State Code, the subject case is not a State Density Bonus incentive case; the subject case is a Site Plan Review for the request of a building with more than 50 units pursuant to LAMC Section 16.05. Had the project been less than 50 units, the density increases, restricted units, parking requirements, etc., would all have been by-right and ministerial.

The proposed building contains three (3) stories constructed over ground-level parking, office and community room space with a maximum height of 45 feet.

CEQA FINDING

1. Based on the whole of the administrative record as supported by the justification prepared and found in the environmental case file, the project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, Article 19, Section 15332, Class 32, and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical resources applies.

SITE PLAN REVIEW FINDINGS

2. **The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan.**

The subject property is located within the C2-1VL-CPIO Zone and is located within the Sylmar Community Plan. The Community Plan designates the subject property for

¹State Health and Safety Code Section 51312:
http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=HSC§ionNum=51312

Community Commercial land use corresponding to the C2, C4, R3 and RAS3 Zones. Additionally, the subject property is within the Mixed-Use Corridor of the Sylmar Community Plan Implementation Overlay District, and the Los Angeles State Enterprise Zone. The property is not located in a Specific Plan area.

The General Plan is the City's roadmap for future growth and development. The General Plan elements establish goals, policies, purposes, and programs that provide for the regulatory environment in managing the City, and for addressing environmental concerns and problems. The majority of the policies derived from these elements are in the form of Los Angeles Municipal Code requirements. Except for the entitlement described herein, the project does not propose to deviate from any other Los Angeles Municipal Code requirements. The General Plan is comprised of the Framework Element, seven state-mandated elements, and four additional elements adopted by the City Council. The Framework Element establishes the broad overall policy and direction for the General Plan. Approval of the project is in substantial conformance with the following Framework Element housing goals and objectives:

General Plan Goal 4A: An equitable distribution of housing opportunities by type and cost accessible to all residents of the City.

General Plan Objective 4.2: Encourage the location of new multi-family housing development to occur in proximity to transit stations, along some transit corridors, and within some high activity areas with adequate transitions and buffers between higher-density developments and surrounding lower-density residential neighborhoods.

The project is constructing new affordable housing, and in doing so, is strengthening the capacity for affordable housing options within the community near viable transit options, on what is a currently vacant lot. As such, the project complies with the General Plan Framework.

The Housing Element provides a plan for the City's existing and future housing needs to ensure a range of housing choices for residents of all income levels. The Housing Element determined the City was "facing an unprecedented housing crisis" due to the high demand for housing and the lack of affordable options. The Housing Element provides decision-makers policy guidance to evaluate discretionary housing applications. This approval conforms to the following goals and objectives in the Housing Element:

Housing Goal 1: A City where housing production and preservation result in an adequate supply of ownership and rental housing that is safe, healthy and affordable to people of all income levels, races, ages and suitable for their various needs.

Housing Objective 1.1: Produce an adequate supply of rental and ownership housing in order to meet the current and projected needs.

Housing Policy 1.1.2: Expand affordable rental housing for all income groups that need assistance.

Housing Policy 1.1.3: Facilitate new construction and preservation of a range of different housing types that address the particular needs of the city's households.

Housing Policy 1.1.4: Expand opportunities for residential development, particularly in designated Centers, Transit Oriented Districts and along Mixed-Use Boulevards.

Housing Policy 1.1.7: Strengthen the capacity of the development community to develop affordable housing.

Housing Goal 2: A City in which housing helps to create safe, livable and sustainable neighborhoods

Housing Objective 2.2: Promote sustainable neighborhoods that have mixed-income housing, jobs, amenities, services and transit.

Housing Policy 2.2.1: Provide incentives to encourage the integration of housing with other compatible land uses

Housing Policy 2.2.2: Provide incentives and flexibility to generate new multi-family housing near transit and centers, in accordance with the General Plan Framework element.

Housing Policy 2.2.5: Provide sufficient services and amenities to support the planned population while preserving the neighborhood for those currently there.

The project proposes a total of 56 residential dwelling units consisting of 55 dwelling units reserved for a combination of low-income and special needs households; and one (1) unrestricted dwelling unit for on-site property management staff. The project offers the construction of affordable housing to address the needs of low-income and at-risk income levels, while strengthening the capacity for affordable housing options within the community. This project is also located within an identified Mixed-Use Corridor of the Sylmar Community Plan and near viable transit options. The new construction will meet all applicable California Building Code requirements including California Green Building and Accessibility requirements. Therefore, the project is in conformance with the goals, objectives, and policies of the General Plan, and the Housing Element of the General Plan, by increasing the housing production and supply of ownership and rental housing that is safe, healthy and affordable to people of all income levels, and ages and suitable for their various needs while in proximity to transit stations along transit corridors.

The Land Use Element of the City's General Plan divides the City into 35 Community Plans. The subject property is located within a commercial land use designation of the Community Plan as part of the Sylmar Community Plan. Moreover, the subject is identified as part of the Sylmar Mixed-Use Corridor as shown on Figure 3-8 of the Sylmar Community Plan. These Mixed-Use Corridors provide a combination of multi-family housing and commercial uses and services near public transit. This approval conforms to the following goals and objectives in the Sylmar Community Plan:

Land Use Goal 19: A vibrant Transit-Oriented District and Mixed-Use Boulevards that builds upon the existing residential core and Sylmar's Metrolink station, and provide a mix of commercial and residential uses, shopping and employment opportunities, open spaces, and civic uses.

Land Use Policy 19.6: Housing: Include a variety of new housing types, such as townhomes, apartments, and condominiums that cater to a diversity of households near public transit as a means of enhancing retail, transit viability, and reducing vehicle trips.

Land Use Goal 20: Visually rich Transit-Oriented Districts and Mixed-Use Boulevards that are vibrant, engage pedestrians, and contribute to street life, vitality, and safety along San Fernando Road and Maclay Street.

Land Use Policy 20.1: Building Orientation and Setbacks. Orient buildings toward the boulevards and maintain a consistent landscaped setback that enlivens the street wall with main entrances fronting the street. Develop the site so that the majority of the building façade is built to the property line in order to create a consistent street wall along the sidewalk.

Land Use Policy 20.3: Pedestrian-Oriented Architecture. Incorporate architectural features that encourage walking, such as storefront windows, awnings, and arcades and include architectural features that divide large buildings into smaller, human-scaled components.

The proposed project will provide affordable and supportive housing dwelling units to the subject property located along an area of San Fernando Road identified as part of the Mixed-Use Boulevard within the Community Plan. The subject property is located along the 224 local Metro Bus Line with the north bound stop located at San Fernando Road and Polk Street and southbound stop located at San Fernando Road and Lakeside Street. In addition, the subject property is located approximately 0.8 miles from the Sylmar/San Fernando Metro Link Station, a transportation hub served by the Antelope Valley Line, LADOT Commuter Express, and local Metro Bus Lines.

The proposed project consists of an infill of a vacant parcel. As shown on Exhibit "A", the proposed project is oriented toward the San Fernando Road street frontage and utilizes floor to ceiling storefront windows along the building lobby and property management offices at the ground floor creating transparency along the street edge and promoting a pedestrian environment. The project proposes a variety of building materials to break up the building mass and create visual articulation along the building façade for a visually rich and consistent street wall along the sidewalk. The project's location on San Fernando Boulevard, a Mixed-Use Corridor, along with the proximity to transit options including Metro's Local Bus Line, and the Metrolink, along with the project's pedestrian oriented design, create a vibrant and engaging contribution to street life, vitality and safety along San Fernando Road in accordance with the Sylmar Community Plan's land use goals and policies. Therefore, the project is in substantial conformance with the purposes, intent and provisions of the Sylmar Community Plan's land use goals and policies.

The 2010 Master Bicycle Plan includes programs to expand bicycle-parking requirements in non-residential public and private developments and proposes to expand bicycle-parking requirements to include residential multi-family developments. The City of Los Angeles

currently mandates the provision of off-street bicycle parking spaces. Moreover, specific bicycle parking standards for the proposed project are regulated by LAMC Sections 12.21 A.16, and 12.21 A.4(c). The project includes 46 long-term bicycle parking spaces and four (4) short-term bicycle parking spaces.

The subject property is located within the Los Angeles State Enterprise Zone, Employment and Economic Incentive Program Area (EZ).

The site is not subject to any Plan footnotes and is otherwise not located within any other specific plan or special land use district.

The proposed development will provide additional housing opportunities for residents, while contributing to the redevelopment of the Sylmar Community Plan Mixed-Use Boulevard corridor. The proposed project is consistent with the General Plan and will serve to implement the goals and objectives of the adopted Community Plan.

3. The project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements, that is or will be compatible with existing and future development on adjacent properties and neighboring properties.

The subject property is located midblock on the south side of San Fernando Road within the Sylmar Community of the City of Los Angeles. The subject property is located within the C2-1VL-CPIO Zone and is located within the Mixed-Use Corridor of the Sylmar Community Plan that seeks to provide a variety of commercial and residential uses along this corridor to promote a vibrant street edge and encourage pedestrian activity. The proposed project consists of the construction, operation and maintenance of an approximately 34,080 square-foot housing development containing 56 dwelling units, with 55 of these dwelling units restricted for Low Income Households, along with one (1) on-site manager's unit. As shown on the Exhibit "A", the proposed project consists of four (4)-stories with a maximum height of 45 feet. The project includes 27 on-site parking spaces within the building footprint at ground level.

The surrounding properties (within 500 feet) are zoned C2-1VL-CPIO, M2-1, RE9-1, R1-1, RD3-1 and PF-1VL, and improved with the Metrolink Train Line, commercial and industrial uses, as well as single- and multi-family uses. The proposed project is in conformance with the applicable development regulations and will be compatible with the existing and future development on the surrounding properties.

Height

The project proposes four (4)-stories with a maximum height of 45 feet to the top of the parapet. The surrounding properties to the north, south, east and west of the subject site are no taller than a two (2)-story building, which makes the proposed four (4)-story project the tallest structure on the block. However, the subject property is located in Height District 1VL, which, pursuant to the LAMC Section 12.21.1 A.1, limits buildings that are designed and used entirely for residential purposes to be limited as to the number of feet in height but not as to the number of stories. As Height District 1VL allows projects within C2 Zone for a maximum height of 45 feet, the proposed project's maximum height of 45 feet is compatible with potential future development on the adjacent properties.

Building Materials

As shown on “Exhibit A,” the project proposes that the building’s design to use a variety of building materials that creates articulation of the building façade. The ground floor utilizes floor to ceiling glass storefront windows and horizontal cementitious siding. Upper stories are clad in wood siding, brick veneer and stucco finish. Accent metal railing is employed at roof deck openings and key windows to create visual interest and upper floor windows are recessed to break up the building plane. As such, the proposed project is compatible with applicable development regulations for building materials.

Setbacks

The subject property is located within the C2-1VL Zone. Pursuant to LAMC Section 12.14.C, the side yard requirement for a four (4)-story building is seven (7) feet and the required rear yard is 16 feet. The CPIO regulates the front yard setback requirement and in the case of the Mixed-Use Corridor, the proposed project meets the required a setback of 18 inches. The project will have a separate future filing of an Administrative (ADM) case that will demonstrate compliance with the CPIO regulations. As conditioned, the proposed project is compatible with applicable development regulations for setbacks.

Parking

The proposed project consists of an affordable housing development containing 56 apartment units (55 units restricted to Low Income Households). The proposed project will provide parking in accordance with AB 744 (2015) and Government Code Section 65915(p)(3). The project will set aside 45 of the restricted Low Income dwelling units for the special needs population of chronically homeless tenants and the remaining 11 dwelling units will be parked as required by LAMC Section 12.21 A.4. As shown on Exhibit “A”, the proposed project is required 25 parking spaces, and will provide a total of 27 parking spaces. Additionally, the project will provide 45 long-term bicycling parking spaces and four (4) short-term bicycle parking spaces on the ground floor level. As conditioned, the proposed project is compatible with applicable development regulations for parking.

Lighting

The project has been conditioned to provide security lighting to illuminate the building, entrances, walkways and parking areas. All project-related lighting will be directed onsite and shielded to eliminate spillover onto adjacent properties. Pursuant to the City’s building permit plan check process, all lighting will meet all Green Building Code requirements. As conditioned, the proposed project is compatible with applicable development regulations for lighting.

Landscaping

As shown on Exhibit “A”, a minimum of 25 percent, or approximately 1,400 square-feet, of the required open space will be landscaped, pursuant to LAMC Section 12.21 G2(a)(3). Twenty trees (24-inch box size) are proposed throughout the ground floor and second floor outdoor common space areas. Two (2) existing street trees will remain in place along the street frontage. As conditioned, the proposed project is compatible with applicable development regulations for landscaping.

Trash Collection

Enclosures for trash and recycling collection are located on the ground level, within the building footprint, accessible from the ground level parking area. Trash and recycling areas

are fully enclosed and shielded from public view. As conditioned, the proposed project is compatible with applicable development regulations for trash collection.

As conditioned, the project will be compatible with existing and future developments on adjacent properties and neighboring properties in regards to height, building materials, setbacks, parking, bicycling parking, lighting, landscaping, and trash collection.

4. The residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.

The proposed project contains onsite recreational and service amenities. The proposed project contains a total of 56 dwelling units; all dwelling units having less than three (3) habitable rooms. As such and pursuant to LAMC Section 12.21 G2, the proposed project provides a total of 5,726 square feet of open space. The ground floor level provides a 1,000 square foot community room and a 1,576 square foot outdoor dog walk area. The upper residential levels are designed around an outdoor courtyard located on the second-floor level which is designated as common open space with seating and gathering areas flanked by raised landscaped planters. There is also an approximately 500 square-foot deck on the fourth-floor level. In addition to the common open space the proposed project includes support services for the residents. Service Provider offices are located on the second and fourth floor. A technology room outfitted with computer stations and internet access is provided on the ground floor level, open for use by the residents. The combination of these recreational features and service amenities would provide adequate amenities and improve habitability for the building residents, and minimize impacts on neighboring properties.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

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

TRANSFERABILITY

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

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

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

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

APPEAL PERIOD - EFFECTIVE DATE

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

The Determination in this matter will become effective and final fifteen (15) days after the date of mailing of the Notice of Director's Determination unless an appeal there from is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of this Determination, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. Forms are available on-line at www.lacity.org/pln. Planning Department public offices are located at:

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

*Marvin Braude San Fernando
Valley Constituent Service
Center
6262 Van Nuys Boulevard,
Suite 251
Van Nuys, CA 91401
(818) 374-5050*

*West Los Angeles
Development Services Center
1828 Sawtelle Boulevard,
2nd Floor
Los Angeles, CA 90025
(310) 231-2901*

Verification of condition compliance with building plans and/or building permit applications are done at the Development Services Center of the Department of City Planning at either Figueroa Plaza in Downtown Los Angeles or the Marvin Braude Building in the Valley. In order to assure that you receive service with a minimum amount of waiting, applicants are encouraged to schedule an appointment with the Development Services Center either by calling (213) 482-7077 or through the Department of City Planning website at <http://cityplanning.lacity.org>. The applicant is further advised to notify any consultant representing you of this requirement as well.

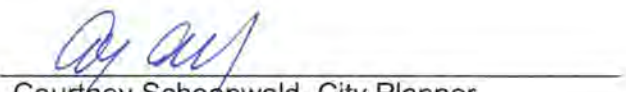
The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedures Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

Vincent P. Bertoni, AICP
Director of Planning

Approved by:

Reviewed by:


Michelle Levy, Senior City Planner


Courtney Schoenwald, City Planner

Prepared by:


Dang Q. Nguyen, Planning Assistant
Dang.Nguyen@lacity.org

Sylmar II

- 56 UNIT SUPPORTIVE HOUSING -

12663 - 12667 N. SAN FERNANDO RD.
LOS ANGELES, CA 91342
APN: 2604-028-031

THIS IS A PUBLICLY FUNDED HOUSING PROJECT AND MUST COMPLY WITH CALIFORNIA BUILDING CODE CHAPTER 11B.
ALL WORK SHALL CONFORM TO THE FOLLOWING CODES: CALIFORNIA CODE OF REGULATIONS T-24, 2017 LOS ANGELES
BUILDING CODE, FIRE CODE (LAFD), ELECTRICAL, MECHANICAL, PLUMBING, ENERGY, GREEN CODES, CALIFORNIA ENERGY
EFFICIENCY STANDARDS, NFPA STANDARDS

PROJECT:	56 UNIT SUPPORTIVE HOUSING PROJECT • (45) SPECIAL NEEDS UNITS • (11) AFFORDABLE UNITS	FLOOR AREA RATIO:	3:1 ALLOWED (per CPIO) FLOOR AREA 34,080 SF / SITE AREA 21,159 SF
SCOPE OF WORK:	4 STORY SUPPORTIVE HOUSING PROJECT WITH 1 TO 3 LEVELS OF AFFORDABLE HOUSING OVER 1 STORY PARKING GARAGE AND 1 STORY COMMUNITY ROOM AND OFFICES	FAR PROVIDED:	1.81 : 1
ADDRESS:	12663 - 12667 N. SAN FERNANDO RD. LOS ANGELES, CA 91342	MAX HEIGHT ALLOWED:	45 FEET
LEGAL DESCRIPTION:	APN: 2604-028-031	MAX HEIGHT PROVIDED:	45 FEET
SITE AREA:	21,159 SF	OPEN AREA REQUIRED:	53 - STUDIOS @ 100 SF = 5,300 SF 3 - 1 BR @ 100 SF = 300 SF
BUILDING ZONE:	C2-1VL-CPIO	OPEN AREA PROVIDED:	5,600 SF
CITY FIRE DISTRICT:	CITY OF LOS ANGELES FIRE DEPARTMENT	OPEN AREA PROVIDED:	COURTYARD = 2,650 SF REAR YARD = 1,575 SF 4TH FLOOR DECK = 500 SF COMM. AREA-MAX 25% = 5,000 SF
BUILDING CONSTRUCTION TYPE:	GARAGE: TYPE I FULLY SPRINKLERED RESIDENTIAL: TYPE V-A FULLY SPRINKLERED *SUPERVISED AUTOMATIC SPRINKLER SYSTEM NFPA 13	TOTAL OPEN AREA PROVIDED:	5,726 SF
BUILDING OCCUPANCY:	GROUP R2: RESIDENTIAL GROUP S2: PARKING GROUP A3: COMMUNITY ROOM	BUILDING AREA:	1ST FLOOR GARAGE = 13,702 SF COMM. RM = 1,000 SF LOBBY / OFFICE = 1,801 SF TOTAL AREA = 16,503 SF
NUMBER OF STORIES:	4 STORIES (1 LEVEL OF PARKING + 3 LEVELS RESIDENTIAL)	2ND FLOOR:	= 13,129 SF
DENSITY ALLOWED:	1 UNIT / 400 SF 21,159 SF / 400 SF = 52 UNITS 35% DB - 52 UNITS X 1.35 = 71 UNITS	3RD FLOOR:	= 11,282 SF
DENSITY PROVIDED:	56 UNITS	4TH FLOOR:	= 6,888 SF
LOT COVERAGE:	BUILDING COVERAGE: 78% LANDSCAPE COVERAGE: 8% HARDSCAPE COVERAGE: 14%	TOTAL BUILDING AREA:	= 47,782 SF
EARTHWORK QUANTITIES:	CUT FOR R&R: 2,850 Cubic Yards FILL TO RG PAD: 2,400 Cubic Yards SHRINKAGE (10%): 240 Cubic Yards NET (EXPORT): 210 Cubic Yards	TOTAL AREA EXCLUDING GARAGE:	= 34,080 SF
ACCESSIBLE UNITS SUMMARY	PUBLICLY FUNDED PROJECT: MINIMUM REQUIRED: 11 UNITS MINIMUM REQUIRED: 11 UNITS TOTAL: 11 UNITS		
UNIT TYPES	STUDIO	1 BEDROOM	TOTAL No. OF UNITS
TOTAL NUMBER OF UNIT TYPES	50	5	55
15% FULLY ACCESSIBLE UNITS REQUIRED:	7.5	0.75	8.25
FULLY ACCESSIBLE UNITS PROVIDED:	8	1	9
4% HEARING & VISUAL IMPAIRED UNITS REQUIRED:	2.52	0.18	2.7
HEARING & VISUAL IMPAIRED UNITS PROVIDED:	3	1	4
BICYCLE PARKING REQUIRED:	DWELLING UNITS 1 - 25 LONG TERM = 1 SPACE / UNIT (@ 25 UNITS) = 25 BICYCLE SPACES DWELLING UNITS 26 - 100 LONG TERM = 1 SPACE / 1.5 UNITS (@ 31 UNITS) = 20 BICYCLE SPACES DWELLING UNITS 1 - 25 SHORT TERM = 1 SPACE / 10 UNITS (@ 31 UNITS) = 2 BICYCLE SPACES DWELLING UNITS 26 - 100 SHORT TERM = 1 SPACE / 15 UNITS (@ 56 UNITS) = 2 BICYCLE SPACES		
BICYCLE PARKING PROVIDED:	LONG TERM = 45 BICYCLE SPACES SHORT TERM = 4 BICYCLE SPACES		
INCENTIVES:	DENSITY BONUS PARKING REDUCTION		

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SHEET INDEX

ARCHITECTURAL

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A-004	SECOND LEVEL FLOOR PLAN
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A-006	FOURTH LEVEL FLOOR PLAN
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A-008	UNIT PLANS
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A-013	LANDSCAPE PLAN

VICINITY MAP



OCT 09 2019
EXHIBIT "A"
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Case No. DIR-2019-4261-SR



OWNER

NAME: META HOUSING CORPORATION
CONTACT: ARA KIM
ADDRESS: 11150 WEST OLYMPIC BLVD. SUITE 620
LOS ANGELES, CA 90064
PHONE: 310-575-3543
FAX:
E-MAIL: AKIM@METAHOUSING.COM
WEB SITE: WWW.METAHOUSING.COM

CERTIFIED ACCESS SPECIALIST (CASP)

NAME: RJC GROUP, INC.
CONTACT: RICHARD CARDOZA
ADDRESS: 19072 KASSY DR.
NORTH TUSTIN, CA 92705
PHONE: 714-745-4102
FAX:
E-MAIL: RJCGRP@COX.NET
WEB SITE:

ARCHITECT

NAME: YM ARCHITECTS
CONTACT: KEVIN MAFFRIS, AIA
RYAN YANAGITA, AIA
ADDRESS: 724 S. SPRING ST #304
LOS ANGELES, CA 90014
PHONE: (213) 623-2107
FAX: (213) 623-2108
E-MAIL: KMAFFRIS@YMARCH.COM
RYANAGITA@YMARCH.COM
WEB SITE: WWW.YMARCH.COM

STRUCTURAL ENGINEER

NAME: DAVID CHOI & ASSOCIATES, INC.
CONTACT: DAVID CHOI
SCOTT ADAMS
ADDRESS: 1327 LOMA AVENUE
LONG BEACH, CA 90804
PHONE: (562) 382-8040
FAX:
E-MAIL: DAVID@DCH-SE.COM
SCOTT@DCA-SE.COM
WEB SITE: WWW.DCH-SE.COM

CIVIL ENGINEER

NAME: DKE ENGINEER, CORP
CONTACT: DAN KRIEF
MATT PLOURDE
ADDRESS: 6383 WILSHIRE BLVD STE #745
BEVERLY HILLS, CA 90211
PHONE: (310) 926-0248
FAX:
E-MAIL: DKRIEF@DKENGINEERCORP.COM
MPLOURDE@DKENGINEERCORP.COM
WEB SITE: WWW.DKENGINEERCORP.COM

MINIMUM CONSTRUCTION STANDARDS:

APPLICANTS SHALL PROVIDE A "STATEMENT OF INTENT" UTILIZING LANDSCAPING AND CONSTRUCTION MATERIALS THAT ARE COMPATIBLE WITH THE NEIGHBORHOOD IN WHICH THE PROPOSED PROJECT WILL BE LOCATED, AND THAT THE ARCHITECTURAL DESIGN AND CONSTRUCTION MATERIALS WILL PROVIDE FOR LOW MAINTENANCE AND DURABILITY, AS WELL AS BE SUITED TO THE ENVIRONMENTAL CONDITIONS TO WHICH THE PROJECT WILL BE SUBJECTED. ADDITIONALLY, THIS STATEMENT OF INTENT SHALL NOTE THAT THE FOLLOWING MINIMUM SPECIFICATIONS WILL BE INCORPORATED INTO THE PROJECT DESIGN FOR ALL NEW CONSTRUCTION PROJECTS:

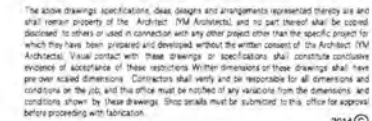
- (A) LANDSCAPING - A VARIETY OF PLANT AND TREE SPECIES THAT REQUIRE LOW WATER USE (CALIFORNIA NATIVE PLANTS PREFERRED) SHALL BE PROVIDED IN SUFFICIENT QUANTITIES BASED ON LANDSCAPING PRACTICES IN THE GENERAL MARKET AREA AND LOW MAINTENANCE NEEDS.
(B) ROOFS - ROOFING SHALL CARRY A THREE-YEAR SUBCONTRACTOR GUARANTEE AND AT LEAST A 20-YEAR MANUFACTURER'S WARRANTY.
(C) EXTERIOR DOORS - INSULATED OR SOLID CORE, FLUSH, PAINT OR STAIN GRADE EXTERIOR DOORS SHALL BE MADE OF METAL CLAD OR HARDWOOD FACES, WITH A STANDARD ONE-YEAR GUARANTEE AND ALL SIX SIDES FACTORY PRIMED.
(D) APPLIANCES - ENERGY STAR RATED APPLIANCES, INCLUDING BUT NOT LIMITED TO, REFRIGERATORS, DISHWASHERS, AND CLOTHES WASHERS SHALL BE INSTALLED WHEN SUCH APPLIANCES ARE PROVIDED WITHIN LOW-INCOME UNITS AND/OR IN ON-SITE COMMUNITY FACILITIES.
(E) WINDOW COVERINGS - WINDOW COVERINGS SHALL BE PROVIDED AND MAY INCLUDE FIRE RETARDANT DRAPES OR BLINDS.
(F) WATER HEATER - FOR UNITS WITH INDIVIDUAL WATER HEATERS, MINIMUM CAPACITIES ARE TO BE 30 GALLONS FOR ONE- AND TWO-BEDROOM UNITS AND 40 GALLONS FOR THREE-BEDROOM UNITS OR LARGER.
(G) FLOOR COVERINGS - FOR LIGHT AND MEDIUM TRAFFIC AREAS VINYL OR LINOLEUM SHALL BE AT LEAST 3/32" THICK; FOR HEAVY TRAFFIC AREAS IT SHALL BE A MINIMUM 1/8" THICK, A HARD, WATER RESISTANT, CLEANABLE SURFACE SHALL BE REQUIRED FOR ALL KITCHEN AND BATH AREAS. CARPET COMPLYING WITH U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT / FEDERAL HOUSING ADMINISTRATION UMD, OR ALTERNATIVELY, CORK, BAMBOO, LINOLEUM OR HARDWOOD FLOORS SHALL BE PROVIDED IN ALL OTHER FLOOR SPACES UNLESS THIS REQUIREMENT IS SPECIFICALLY WAIVED BY THE GENERAL MANAGER.
(H) USE OF LOW VOLATILE ORGANIC COMPOUND (VOC) PAINTS AND STAINS (NON-FLAT: 150 G/L OR LESS, FLAT: 50 G/L OR LESS) FOR ALL INTERIOR SURFACES WHERE PAINTS AND STAINS ARE APPLIED.

PROJECT WILL COMPLY WITH THE FOLLOWING ACCESSIBILITY STANDARDS INCLUDING, BUT NOT LIMITED TO:

- SECTION 504 OF THE REHABILITATION ACT OF 1973, AS AMENDED, AND ITS IMPLEMENTING REGULATIONS AT CFR PART 8, EFFECTIVE JULY 11, 1988 AND THE UNIFORM FEDERAL ACCESSIBILITY STANDARD (UFAS) 24 CFR PART 40;
- HUD'S ALTERNATIVE ACCESSIBILITY STANDARD PUBLISHED IN THE FEDERAL REGISTER MAY 23, 2014 (VOL. 79 NUMBER 100) THAT ALLOWS RECIPIENTS OF HUD FUNDS TO USE THE 2010 ADA BY HUD TO PROVIDE GREATER ACCESSIBILITY;
- THE 2010 STANDARDS FOR STATE AND LOCAL GOVERNMENTS, WHICH CONSIST OF THE TITLE II REGULATIONS AT 28 CFR 35.151 AND THE 2004 ADAAG AT 36 CFR PART 1191, APPENDICES B AND D;
- THE 2010 STANDARDS FOR PUBLIC ACCOMMODATIONS AND COMMERCIAL FACILITIES, WHICH CONSIST OF THE TITLE II REGULATIONS AT 28 CFR PART 36, SUBPART 2, AND THE 2004 ADAAG AT 36 CFR PART 1191, APPENDICES B AND D;
- TITLE VIII OF THE CIVIL RIGHTS ACT OF 1968 (FAIR HOUSING ACT) PROHIBITS DISCRIMINATION IN THE SALE, RENTAL AND FINANCING OF DWELLINGS BASED ON RACE, COLOR, RELIGION, SEX OR NATIONAL ORIGIN. TITLE VIII WAS AMENDED IN 1988 (EFFECTIVE MARCH 13, 1991) BY THE FAIR HOUSING AMENDMENTS ACT THAT DESCRIBES REQUIRED CONSTRUCTION STANDARDS FOR ALL MULTIFAMILY PROPERTIES. FAIR HOUSING ACT, 42 U.S.C. 3601, ET SEQ; 24 CFR PARTS 100, 103, AND 104;
- CALIFORNIA BUILDING CODE CHAPTERS 11A & B (ARCHITECT MUST INCLUDE THIS NOTE ON TITLE PAGE OF PLANS: "THIS IS A PUBLICLY FUNDED HOUSING PROJECT AND MUST COMPLY WITH CALIFORNIA BUILDING CODE CHAPTER 11B").

IN ADDITION TO THE PROJECT SITE AND THE BUILDINGS BEING ACCESSIBLE TO PEOPLE WITH DISABILITIES, THE DEVELOPMENT MUST CONSTRUCT AT LEAST:

- 4% OF THE TOTAL UNITS IN THE PROJECT MUST BE ACCESSIBLE TO PERSONS WITH SENSORY IMPAIRMENTS, AND;
- 10% OF THE TOTAL UNITS IN THE PROJECT MUST BE ACCESSIBLE TO PERSONS WITH MOBILITY IMPAIRMENTS.

[illegible]

Sylmar II

Meta Housing Corporation

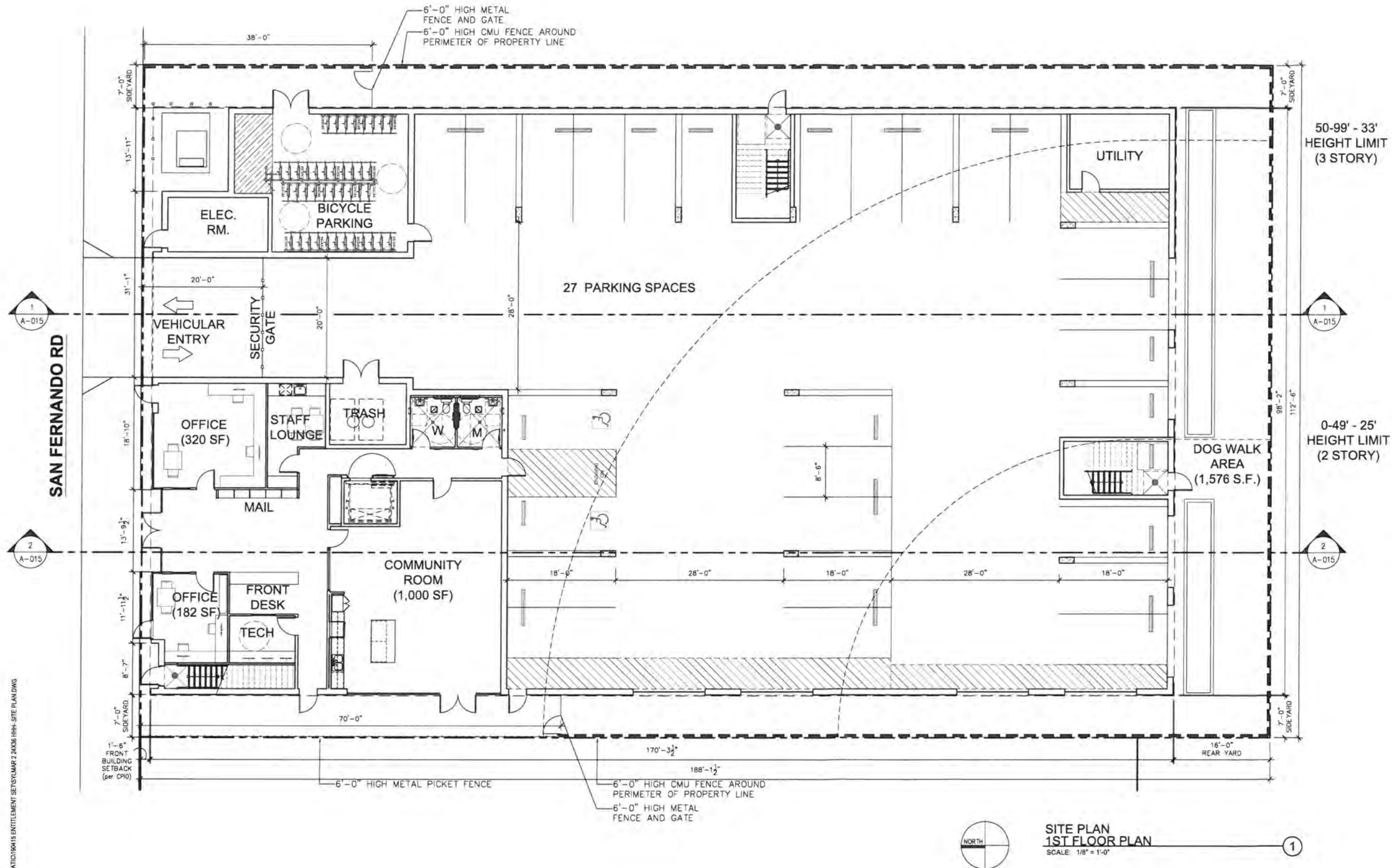
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The above drawings, specifications, ideas, designs and arrangements represented hereby are and shall remain property of the Architect (Y&M Architects), and no part thereof shall be copied, disclosed to others or used in connection with any other project other than the specific project for which they have been prepared and developed, without the written consent of the Architect (Y&M Architects). Visual contact with these drawings or specifications shall constitute conclusive evidence of acceptance of these restrictions. Written dimensions on these drawings shall have pre-over scaled dimensions. Contractors shall verify and be responsible for all dimensions and conditions on the job, and this office must be notified of any variations from the dimensions and conditions shown by these drawings. Shop details must be submitted to this office for approval before proceeding with fabrication.

2014 ©

PROJECT: SYLMAR II 101_CADD_000_SHEETS/SCHEMATIC/190415 ENTITLEMENT SET/SYLMAR 2 2003 IRRH SITE PLAN DWG
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Y&M Architects

Y&M Architects
 724 S. Spring Street #304
 Los Angeles, CA 90014
 Tel. 213 623 2107 Fax. 213 623 2108
 www.ymarch.com

Sylmar II

Project. 12667 N. San Fernando Rd.

Meta Housing Corporation/LA Family Housing

Developer. 11150 W. Olympic Blvd. Suite #620, Los Angeles, CA 90064

04.12.19

Date

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EXHIBIT "A"

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Case No. DIR-2019-7261-SPP



50-99' - 33'
HEIGHT LIMIT
(3 STORY)

0-49' - 25'
HEIGHT LIMIT
(2 STORY)

LEGEND:



DESIGNATED MOBILITY UNITS
(PROVIDED: 10% OF EACH UNIT TYPE)



DESIGNATED SENSORY UNITS
(PROVIDED: 4% OF EACH UNIT TYPE)



2ND FLOOR PLAN
SCALE: 1/8" = 1'-0"

1

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Sylmar II

Project: 12667 N. San Fernando Rd.

Meta Housing Corporation/LA Family Housing

Developer: 11150 W. Olympic Blvd. Suite #620, Los Angeles, CA 90064

04.12.19

Date

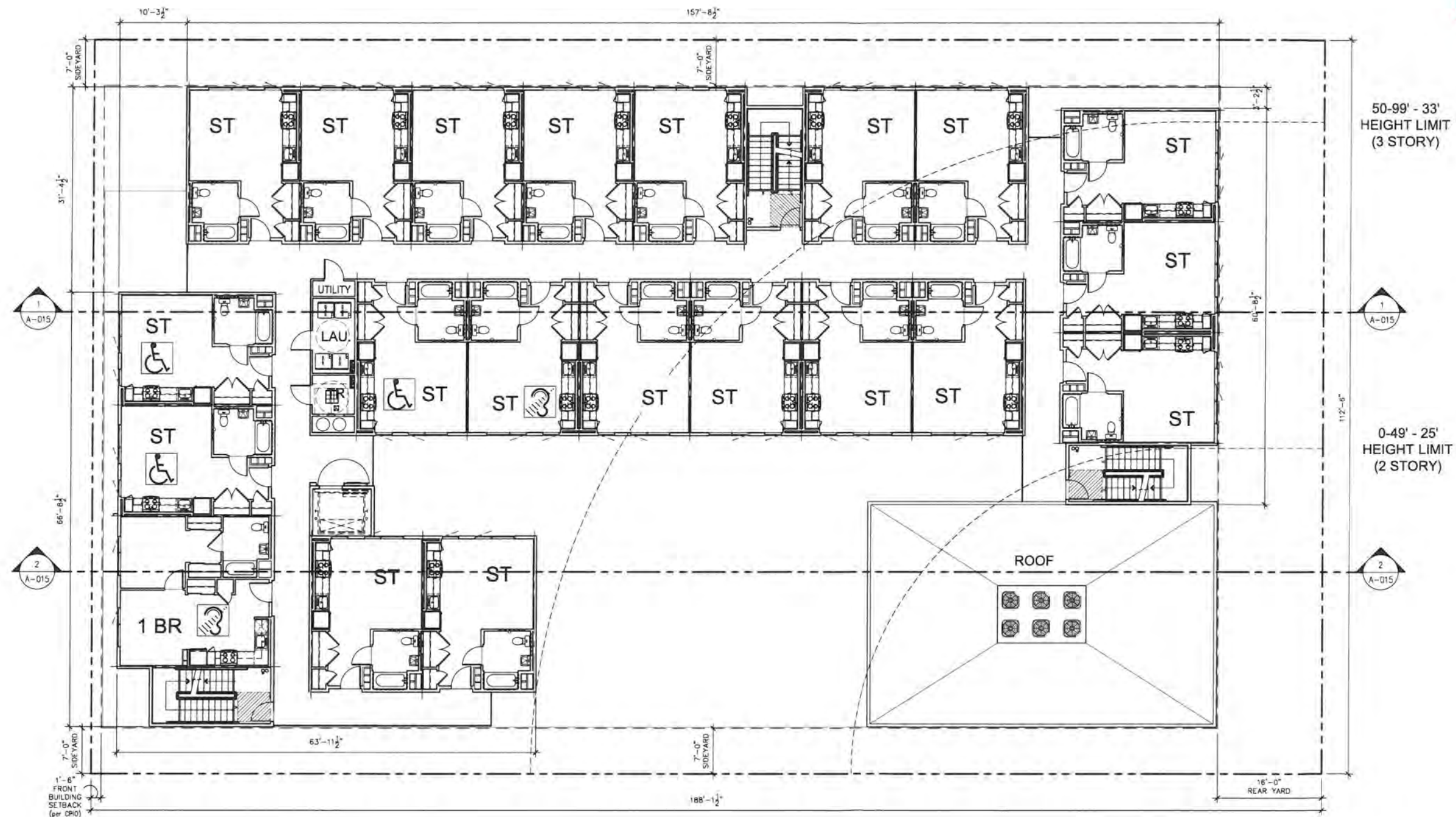
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PROJECT: SYLMAR II_CAD: 000_SHEETS/SCHEMATIC/0415 ENTITLEMENT SET/SYLMAR 2 24X36 HHH SITE PLANS.DWG 4/12/2019 2:32 PM

OCT 09 2019

EXHIBIT "A"
Page No. 5 of 13
Case No. DIR-2019-7261-SPL



LEGEND:



DESIGNATED MOBILITY UNITS
(PROVIDED: 10% OF EACH UNIT TYPE)



DESIGNATED SENSORY UNITS
(PROVIDED: 4% OF EACH UNIT TYPE)



3RD FLOOR PLAN
SCALE: 1/8" = 1'-0"

1

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Y&M Architects

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Tel. 213 623 2107 Fax. 213 623 2108
www.ymarch.com

Sylmar II

Project. 12667 N. San Fernando Rd.

Meta Housing Corporation/LA Family Housing

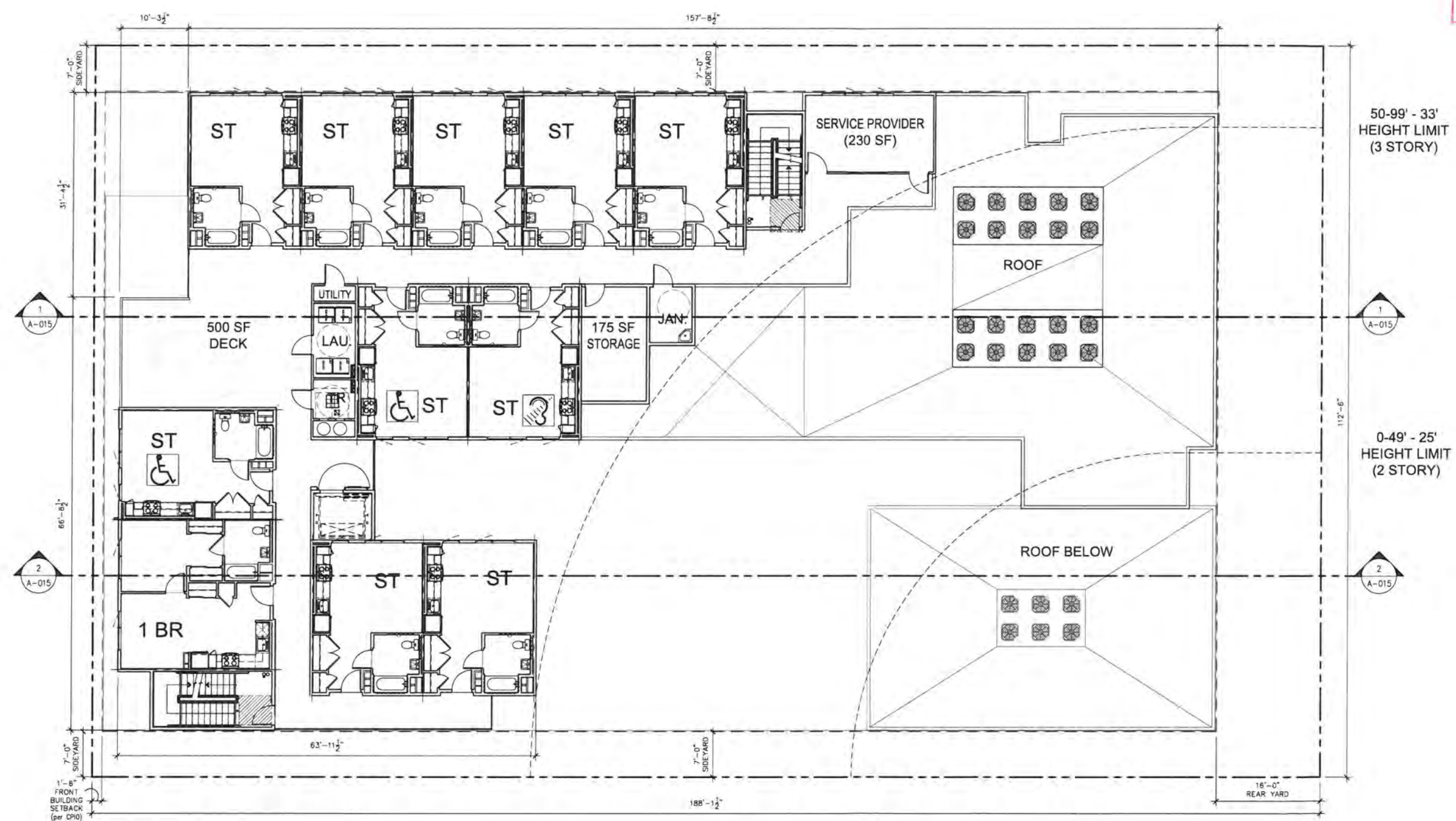
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A-005

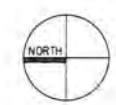
Date

Page



LEGEND:

- DESIGNATED MOBILITY UNITS
(PROVIDED: 10% OF EACH UNIT TYPE)
- DESIGNATED SENSORY UNITS
(PROVIDED: 4% OF EACH UNIT TYPE)



4TH FLOOR PLAN
 SCALE: 1/8" = 1'-0"
 1

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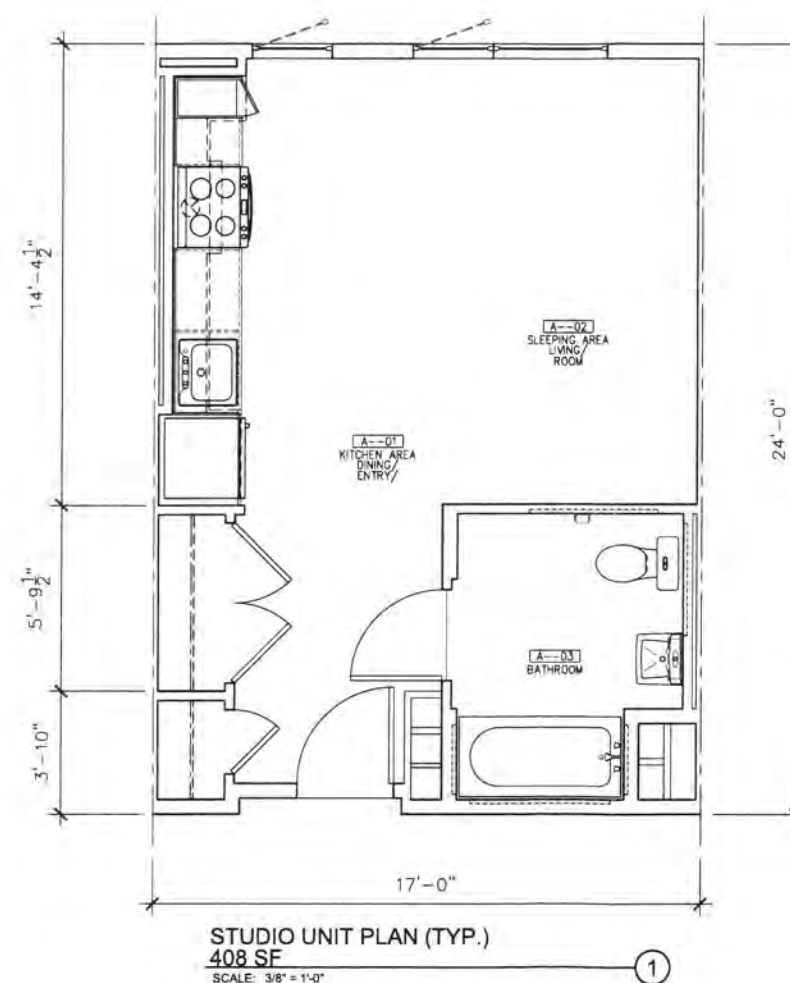
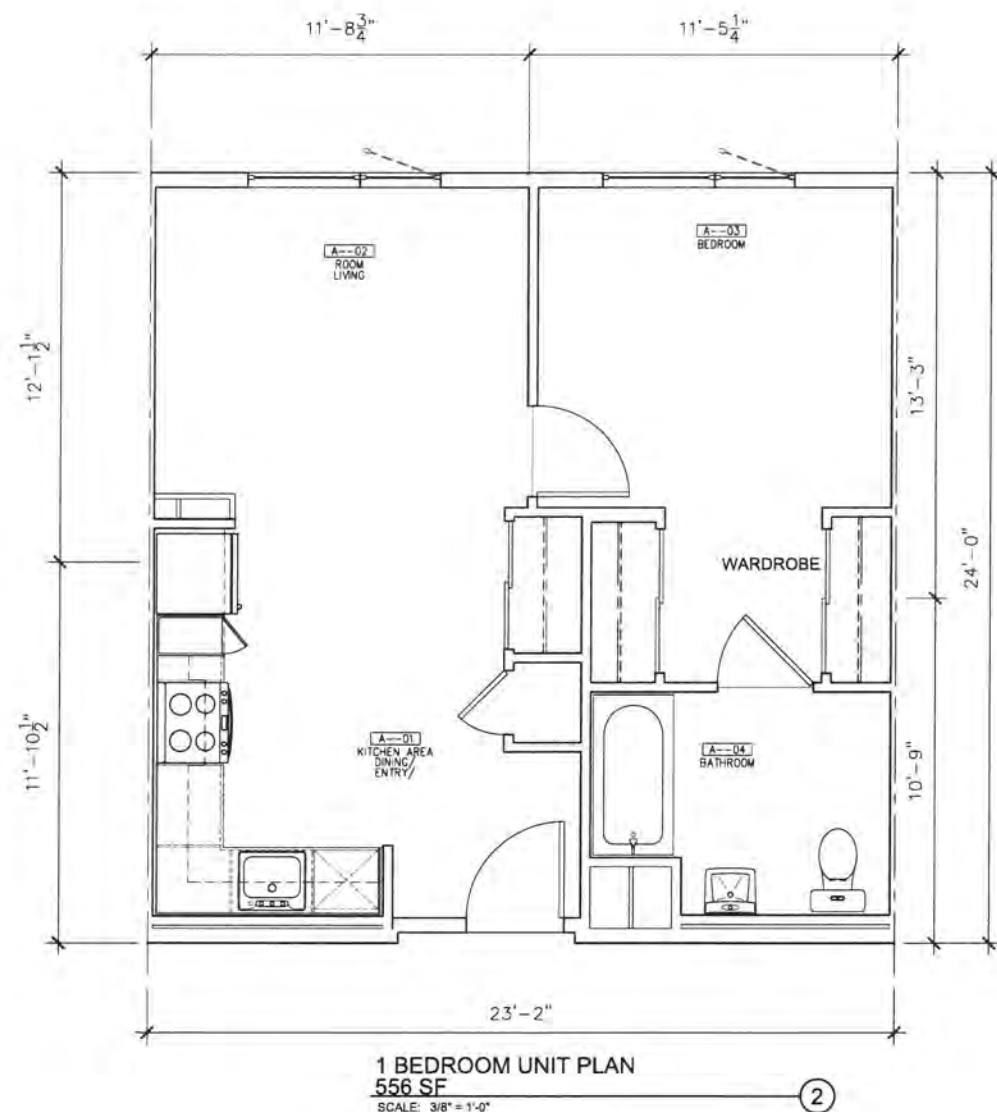
PROJECT: SYLMAR II, 12667 N. SAN FERNANDO RD., SYLMAR, CA 91783
 SHEET: 4TH FLOOR PLAN
 DATE: 04.12.19
 DRAWN BY: J. L. LEE
 CHECKED BY: J. L. LEE
 APPROVED BY: J. L. LEE

OCT 09 2019

EXHIBIT "A"

Page No. 8 of 13

Case No. DIR-2019-4161-SPP



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Sylmar II

Project. 12667 N. San Fernando Rd.

Meta Housing Corporation/LA Family Housing

Developer. 11150 W. Olympic Blvd. Suite #620, Los Angeles, CA 90064

04.12.19

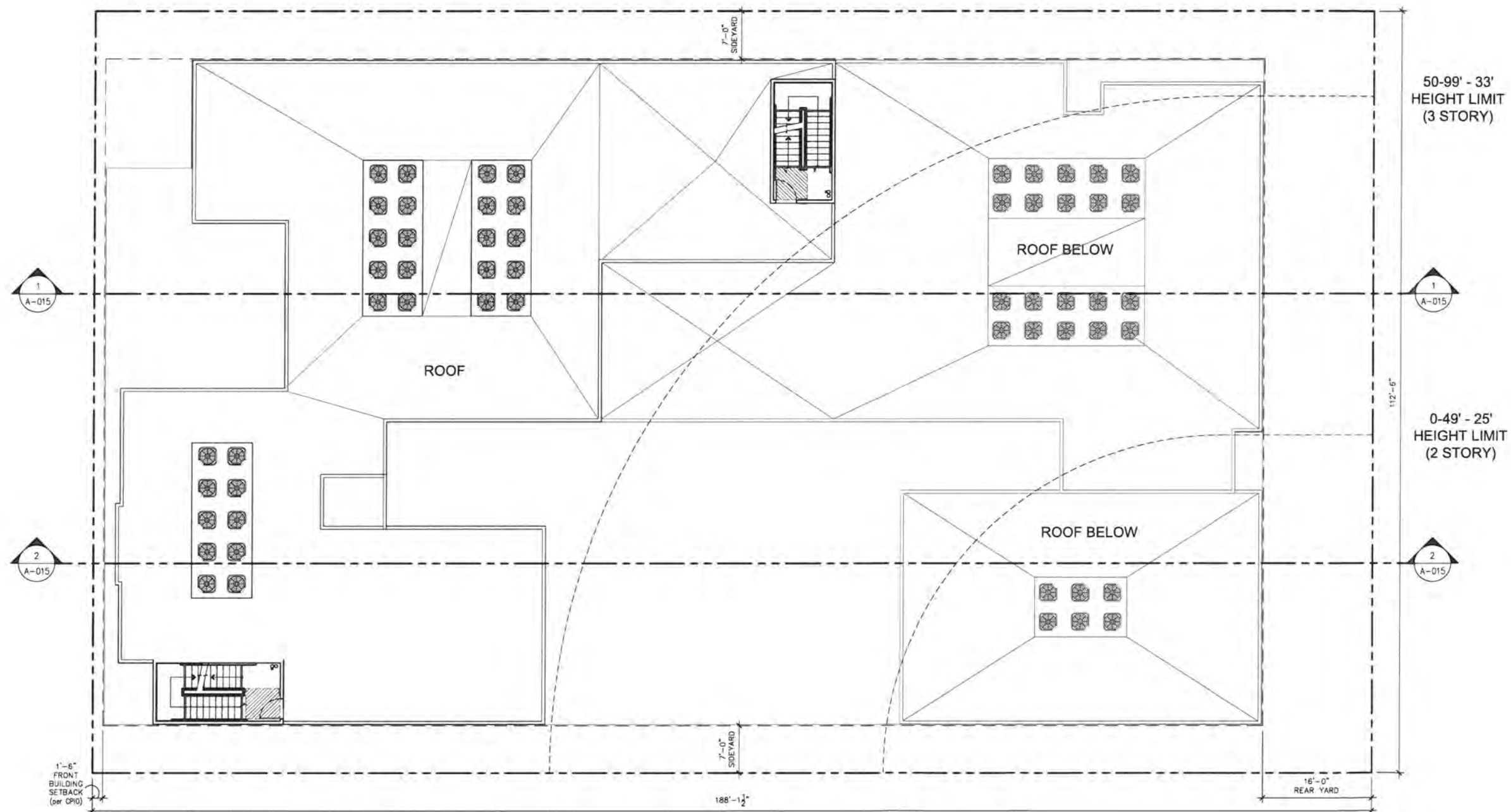
Date

A-008

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 Case No. DIR-2019-4261-SPR



ROOF PLAN
 SCALE: 1/8" = 1'-0"

1

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Date

A-007

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 Case No. DPR-2019-4261-SPR



NORTH ELEVATION
 SCALE: 1/8" = 1'-0"

2



WEST ELEVATION
 SCALE: 1/8" = 1'-0"

1

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Date

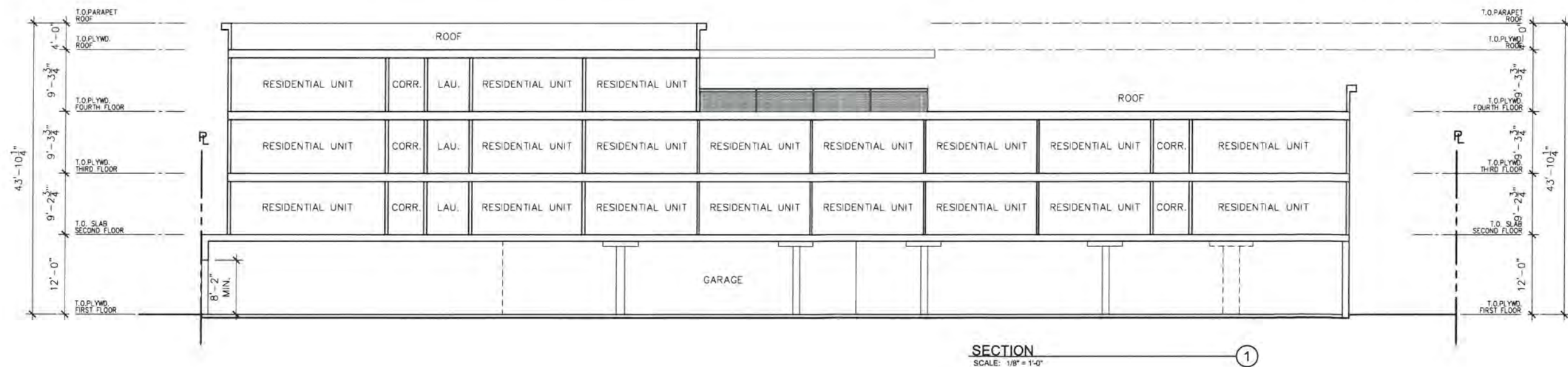
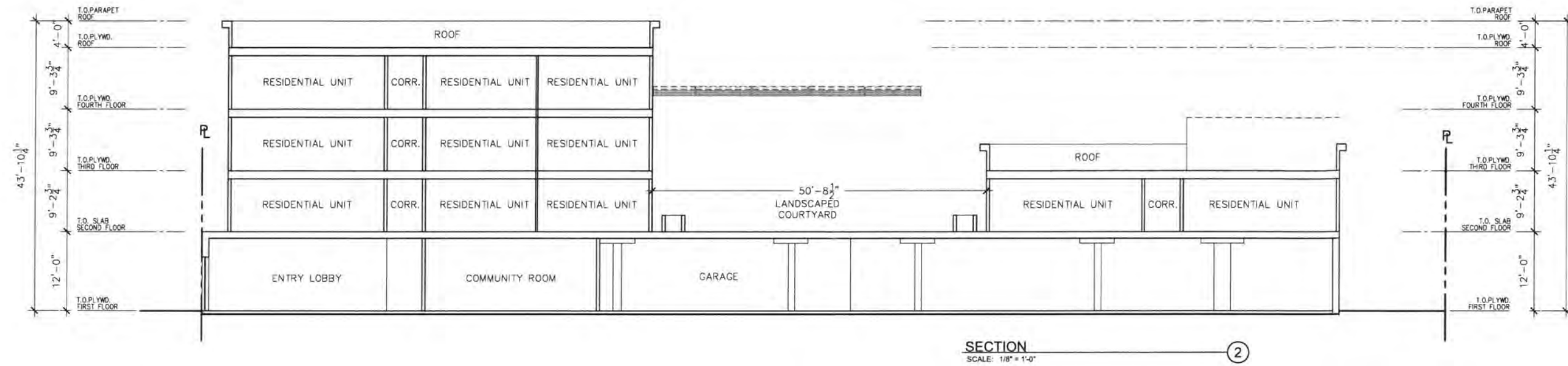
A-009

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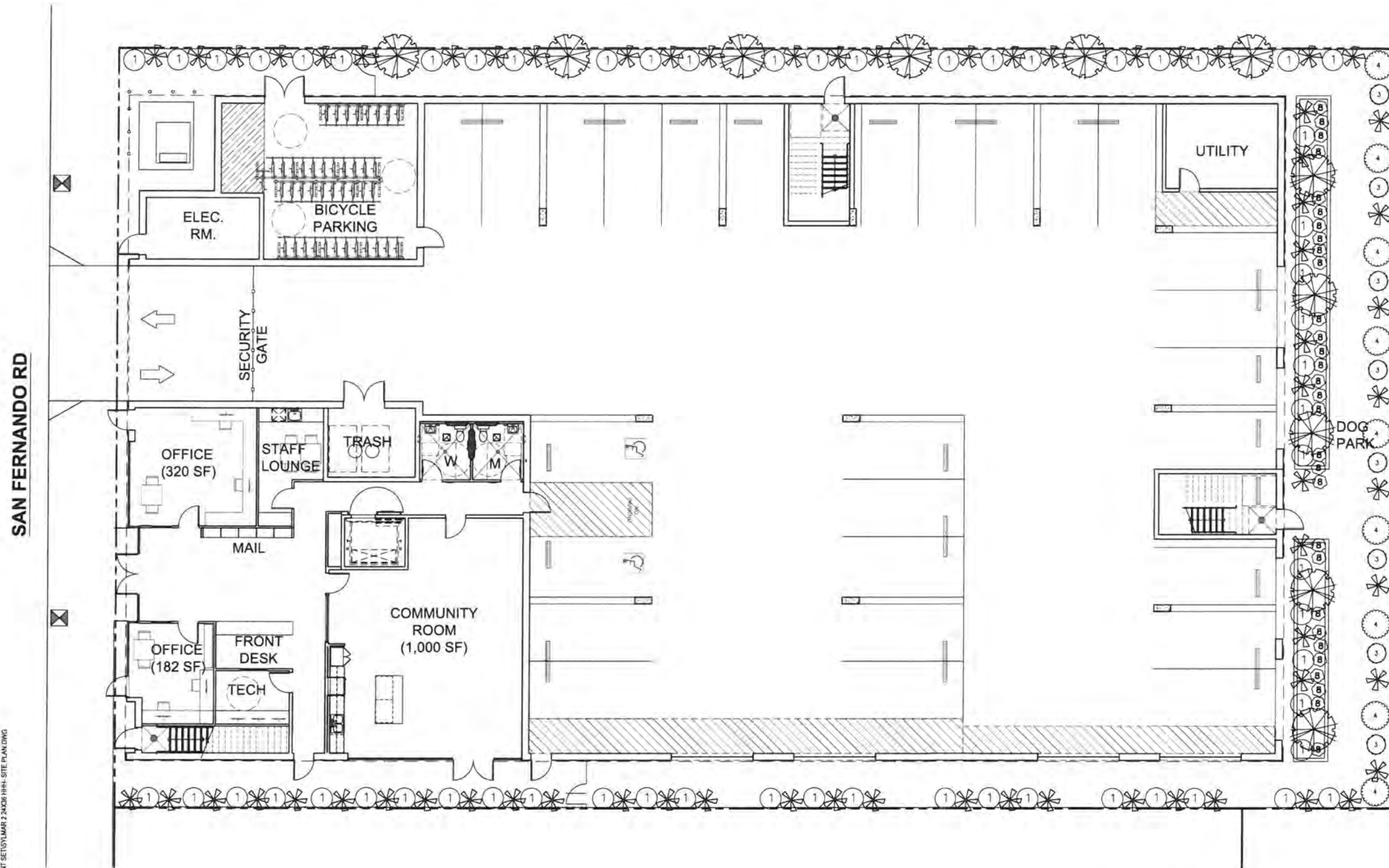


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Case No. DIP - 2019 - 4261 - SPR



PLANT SCHEDULE							
TREES	BOTANICAL NAME	COMMON NAME	SIZE	QTY.	WATER USE	REMARKS	FUEL MODIFICATION
1	LAGERSTROEKIA HYBRID	GRAPE MYRTLE	24" BOX	14	LDW		
2	OLEA EUROPAEA	FRUITLESS OLIVE	24" BOX	6	LDW		
3	STREET TREES PER CITY OF LOS ANGELES REQUIREMENTS		24" BOX	8			
4	EXISTING STREET TREE TO REMAIN - PROTECT IN PLACE			2			
SHRUBS	BOTANICAL NAME	COMMON NAME	SIZE	QTY.	WATER USE	REMARKS	FUEL MODIFICATION
5	LAVANDULA STOECHAS	FRENCH LAVENDER	5 GAL.	42	LDW		
6	DIANELLA REVOLUTA	LITTLE REV	5 GAL.	40	LDW		
7	RHAPHILOPSIS INDICA	PINK LADY	5 GAL.	20	LDW	SPACE 5' O.C.	
8	FELICIA SELLOWIANA	PINEAPPLE GUAVA	5 GAL.	9	LDW		
9	EUPHORBIA WILLIS	CROWN OF THORNS	5 GAL.	40	LDW		
GROUNDCOVERS	BOTANICAL NAME	COMMON NAME	SIZE	QTY.	WATER USE	REMARKS	FUEL MODIFICATION
10	ROSMARINUS OFFICINALIS	PROSTRATUS	5 GAL.	-	LDW	SPACE 5' O.C.	
11	GERANIUM BIKOVIDO	BIKOVIDO GERANIUM	5 GAL.	-	LDW	SPACE 5' O.C.	
12	FESTUCA MAIREI	MAIRE'S FESCUE	5 GAL.	-	LDW	SPACE 5' O.C.	
NOTE: 75% OF PLANTS ARE IN COMPLIANCE WITH THE LA COUNTY Brought Tolerant Plant List. NATIVE AND/OR BROUGHT TOLERANT PLANT SPECIES SHALL BE USED AND INSTALLED WITH AN AUTOMATIC IRRIGATION SYSTEM OR COMPARABLE WATERING SYSTEM ON ALL LANDSCAPED AREAS.							



LANDSCAPE PLAN
1ST FLOOR
SCALE: 1/8" = 1'-0"

1

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PROJECT: SYLMAR II; CAD: 000; SHEET: SCHEMATIC/PHASE 1; ENTITLEMENT SET; SYLMAR 2; 2019; HHH; SITE PLANNING; 4/12/2019 1:20 PM

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