



January 07, 2020

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

1-D January 7, 2020

A handwritten signature in black ink, appearing to read "Celia Zavala", is written over a light blue circular stamp.

CELIA ZAVALA
EXECUTIVE OFFICER

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

SUBJECT

This letter recommends that your Board approve loans totaling up to \$56,620,000 to fund the development of six 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 Talisa 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.
2. Acting as a responsible agency pursuant to CEQA, certify that the LACDA has considered the attached exemption determination for the 6th and Julian 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 600 San Pedro 1 & 2 projects, 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 Confianza 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 NoHo 5050 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. Approve loans to the recommended developers identified in Attachment A, using up to a total of \$56,620,000 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.

7. Authorize the Acting 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.

8. Authorize the Acting Executive Director, or designee, to accept and incorporate, as needed, up to \$56,620,000 in NPLH Funds into the LACDA's approved Fiscal Year 2019-2020 budget, and future Fiscal Year budgets, as needed, for the purposes described herein.

9. Authorize the Acting Executive Director, or designee, to reallocate the 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 58 projects were selected for NPLH Program funding. As of November 5, 2019, 26 projects have been approved by your Board. At this time, the LACDA is recommending six 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 six projects seeking approval through this action are affordable multifamily rental housing developments that will provide a total of 550 housing units, consisting of 253 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; 227 units for chronically homeless households; 54 units for homeless households; seven units for general low-income families; 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 \$56,620,000 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 are generated through the sale of bonds by the State of California's Department of Finance. The initial distribution of NPLH funds is 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 \$432 million of NPLH funds requested, which exceeds the \$207 million NPLH funding amount offered in the NOFA. Two projects subsequently withdrew their funding application, reducing the number of approved projects to 58 and the total of NPLH funds requested to approximately \$417 million.

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 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 the projects included in this action will leverage approximately \$208 million in additional external funding sources, which is almost four 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 Acting Executive Director, in consultation with the DMH Director 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 Acting Executive Director, in consultation with the DMH Director 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 Talisa Apartments project was determined exempt from the requirements of CEQA by the City of Los Angeles in accordance with AB 1197 and CEQA Statute Section 21080.27. The LACDA's consideration of the determination satisfies the requirements of CEQA.

The 6th and Julian project was determined ministerially exempt from the requirements of CEQA by the City of Los Angeles in accordance with CEQA Statute Section 21080(b)(1), SB35, and Government Code Section 65913.4. The LACDA's consideration of this determination satisfies the requirements of CEQA.

The 600 San Pedro 1 & 2 projects were determined to qualify for a Sustainable Communities Environmental Assessment by the City of Los Angeles in accordance with CEQA Statute Section

21155.2. The LACDA's consideration of this determination satisfies the requirements of CEQA.

The Confianza project was determined ministerially exempt from the requirements of CEQA by the City of Los Angeles in accordance with CEQA Statute Section 21080(b)(1), SB35, and Government Code Section 65913.4. The LACDA's consideration of this determination satisfies the requirements of CEQA.

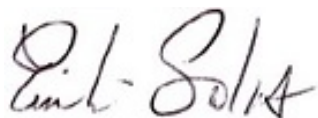
The NoHo 5050 project was determined ministerially exempt from the requirements of CEQA by the City of Los Angeles in accordance with CEQA Statute Section 21080(b)(1), SB35, and Government Code Section 65913.4. The LACDA's consideration of this determination satisfies the requirements of CEQA.

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.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Emilio Salas". The signature is written in a cursive, flowing style.

EMILIO SALAS

Acting Executive Director

ES:LK:ML:BL

Enclosures

ATTACHMENT A
NO PLACE LIKE HOME NOFA 2019-1
RECOMMENDED FUNDING ALLOCATIONS (January 7, 2020)

Sup. Dist.	Jurisdiction	Development/ Applicant	Type of Housing	Total Project Units	NPLH Funds	Other Funding Resources	Total Development Cost
2	Los Angeles	600 San Pedro/ Weingart Center Association	Special Needs	152	\$15,000,000	\$46,074,989	\$61,074,989
2	Los Angeles	600 San Pedro 2/ Weingart Center Association	Special Needs	151	\$15,000,000	\$45,764,134	\$60,764,134
2	Los Angeles	6th and Julian/ Mercy Housing California	Special Needs	94	\$5,060,000	\$54,281,580	\$59,341,580
3	Los Angeles	Talisa Apartments/ Domus GP LLC & LA Family Housing	Special Needs	49	\$8,170,000	\$24,391,284	\$32,561,284
3	Los Angeles	Confianza/ Skid Row Housing Trust	Special Needs	64	\$9,020,000	\$22,906,025	\$31,926,025
3	Los Angeles	NoHo 5050/ Decro Corporation & Daylight Community Development & Downtown Women's Center	Special Needs	40	\$4,370,000	\$15,208,752	\$19,578,752
Totals				550	\$56,620,000	\$208,626,764	\$265,246,764

ATTACHMENT B
ENVIRONMENTAL DOCUMENTATION

TALISA APARTMENTS

COUNTY CLERK'S USE

CITY OF LOS ANGELES
 OFFICE OF THE CITY CLERK
 200 NORTH SPRING STREET, ROOM 395
 LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT
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
 APCNV-2017-612-VZCJ-BL

	CASE NUMBER ENV-2017-613-MND
PROJECT TITLE	COUNCIL DISTRICT 6

PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map) Map attached.
 9502-9508 N. VAN NUYS BLVD. AND 14533-14535 W. PLUMMER ST.

PROJECT DESCRIPTION: Additional page(s) attached.
 49 UNIT PERMANENT SUPPORTIVE HOUSING PROJECT

NAME OF APPLICANT / OWNER:
 DOMUS DEVELOPMENT

CONTACT PERSON (If different from Applicant/Owner above) ERIC LIEBERMAN	(AREA CODE) TELEPHONE NUMBER 818.997.8033	EXT.
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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) 21080.27

CATEGORICAL EXEMPTION(S) (State CEQA Guidelines Sec. 15301-15333 / Class 1-Class 33)
 CEQA Guideline Section(s) / Class(es) _____

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

QUALIFIES AS A PROJECT UNDER AB 1197

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 LAURA FRAZIN STEELE <i>Laura Frazin Steele</i>	STAFF TITLE CITY PLANNER
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ENTITLEMENTS APPROVED
Vesting Zone Change, JJJ, Building Line Removal

FEE: <i>N/A</i>	RECEIPT NO. <i>N/A</i>	REC'D. BY (DCP DSC STAFF NAME) <i>Tracy Williams</i>
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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 APC.NV-2017-012-VZCT-BL



Department Representative

**NOTICE OF EXEMPTION
ATTACHMENT
ENV-2017-613-MND**

The project is an approximately 51,340 square foot, four-story, 45 feet in height, 49 unit multi-family building with 30 stalls of on-grade parking. According to information provided by the applicant, the proposed development is intended for homeless survivors of domestic violence and sex trafficking and homeless individuals with a mental illness.

The proposed development will serve this population with a total of 95 bedrooms through a unit mix of four (4) one-bedrooms, forty-four (44) two-bedrooms for families and one (1) three-bedroom manager's unit. The proposed development was thoughtfully laid-out to be sensitive to the needs of this population with over 6,160 square feet of open space. Of this open space, there are two designed and landscaped courtyards in the interior of the building that open to the sky. The first is a ground level courtyard with childcare related amenities and the second a podium level courtyard with a barbecue area for gatherings that encourage reflection and a sense of tranquility in the middle of the city.

The 27,075 square foot site is located on the northeast corner of Van Nuys Boulevard and Plummer Street and currently has three (3) structures on the property, occupied by four (4) auto-related commercial tenants and one (1) single family residence. The applicant's application states that the applicant will acquire the property as-is, execute a relocation plan for existing tenants, and then demolish the three (3) existing structures. The artfully designed new development will be a welcome addition to the rapidly modernizing street and the planned density is the best and highest use for the centrally located site with the planned light rail.

AB 1197 Qualification

Assembly Bill 1197, signed by Gov. Gavin Newsom September 26, 2019 and effective immediately is applicable to the proposed project:

Within the City of Los Angeles.

The proposed project is located on the northeast corner of Van Nuys Boulevard and Plummer Street in the City of Los Angeles and, therefore, meets AB 1197's jurisdictional requirement of being located in the City of Los Angeles.

Meets the eligibility requirements.

The proposed project meets the eligibility requirements for supportive housing set forth in AB 2162 because the applicant is providing supportive housing for homeless survivors of domestic violence and sex trafficking and homeless individuals with a mental illness.

The "target population" for the proposed project is homeless individuals and families, as defined in Health and Safety Code § 50675.14 and Ca Gov Code § 65650. The proposed project expects the "target population" to occupy at least 40 percent of the apartment units.

The proposed project will provide collaboration with programs, such as LA Family Housing, that provide services to meet the needs of the intended population as required pursuant to Health and Safety Code 50675.14.

Units within the development are subject to a recorded affordability restriction for 55 years. According to information provided by the applicant, the project will have affordability restrictions tied to the property for 55 years that will restrict the use of the units for homeless individuals and homeless families. These restrictions will be evidenced by regulatory agreements executed and recorded on the property as part of the financing program through the City's Prop HHH program and the County's No Place Like Home Program. Additional affordability restrictions will be recorded by the State's Low Income Housing Tax Credit Program.

One hundred percent of the units, excluding managers' units, within the development are dedicated to lower income households and are receiving public funding to ensure affordability of the housing to lower income Californians. All 48-units of the project, one hundred percent of the units, will be restricted to very low, and extremely low income households. The public financing secured through Proposition HHH and No Place Like Home goes to underwrite the development costs of this development. The project will also secure finding from the Housing Authority via Project Based Vouchers that provides ongoing rental subsidies to the residents so that they can maintain their housing in the development.

At least 25 percent of the units in the development or 12 units, whichever is greater, are restricted to residents in supportive housing who meet criteria of the target population. All 48-units of the project, one hundred percent of the units, will be reserved for homeless individuals and families, including 50% of the units designated for chronically homeless households and 67% of the units for household with mental diagnosis such as PTSD, Bipolar disorder and schizophrenia.

Nonresidential floor area shall be used for onsite supportive services. The ground floor (6,475 square feet) is designated for onsite supportive services and community space including a 1,269 square foot community room and 4 offices for on-site case managers. The project is underwritten for 3.5 Full Time Employees providing supportive services with a services budget of \$221,401 annually.

For a development with more than 20 units, at least 3 percent of the total nonresidential floor area shall be provided for onsite supportive services that are limited to tenant use, including, but not limited to, community rooms, case management offices, computer rooms, and community kitchens. The ground floor of the proposed development was thoughtfully laid-out to be sensitive to the needs of this population with over 6,160 square feet of open space. Of this open space, there are two designed and landscaped courtyards in the interior of the building that open to the sky. The first is a ground level courtyard with childcare related amenities and the second a podium level courtyard with a barbecue area for gatherings that encourage reflection and a sense of tranquility in the middle of the city. In addition, there are a number of spaces dedicated to onsite supportive services including a community room (1,269 square feet), case worker offices (478 square feet), a computer room (232 square feet) a conference room (249 square feet) and staff lounge (148 square feet).

Units within the development, excluding managers' units, include at least one bathroom and a kitchen or other cooking facilities, including, at minimum, a stovetop, a sink, and a refrigerator. All units will include one bathroom, a kitchen with a stovetop, a sink and a refrigerator. The project will further adhere to all ADA accessibility requirements by providing 7 units designed for mobility impaired residents and 4 units designed for sensory impaired residents.

If the proposed housing development is located within a city with a population of fewer than 200,000 or the unincorporated area of a county with a population of fewer than 200,000, and the city or the unincorporated area of the county has a population of persons experiencing homelessness of 1,500 or fewer, according to the most recently published homeless point-in-time-count, the development, in addition to the requirements of subdivision (a), shall consist of 50 units or fewer to be a use by right pursuant to this article. A city or county described in this subdivision may develop a policy to approve as a use by right proposed housing developments with a limit higher than 50 units. The project is located in the City of Los Angeles, a population of approximately 4 million, which has experienced a surge in the number of homeless with approximately 36,600 homeless within the City and over 58,936 homeless within the County. The project with a total of 48 units meets the criteria above.

Funded in part or in whole by Specified Funding.

No Place Like Home and Proposition HHH funded Supportive Housing. The proposed development will be financed in part by No Place Like Home and Proposition HHH. The project has secured a commitment for HHH funds and a conditional commitment from No Place Like Home Funds, pending approval of the land use entitlements. Both programs are used to fund qualified permanent supportive housing under the definition of "Supportive Housing" in AB 1197.

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 HCN-2017-612-VZGJ-BL


Department Representative

6TH AND JULIAN



Eric Garcetti, Mayor
Rushmore D. Cervantes, General Manager

DATE: August 14, 2019

TO: Dung Dai Ta and Phuong Thi Quach, Trustees of Dung Dai Ta and Phuong Thi Quach
2002 Trust, Owner

FROM: Marites Cunanan, Senior Management Analyst I *aplucana*
Los Angeles Housing and Community Investment Department

SUBJECT: **SB 35 Determination for
401-411 E. 6th St. and 552 S. San Julian St., Los Angeles, CA 90013**

SITE REQUIREMENTS:

Pursuant to Section 401(c) of the Streamlined Ministerial Approval Process Guidelines (Guidelines) published by the California Department of Housing and Community Development (November 29, 2018) the development proponent shall demonstrate that, as of the date of the application under the Streamlined Ministerial Approval Process (Application) is submitted, the development is not located on a site where any of the following apply:

- (1) The development would require the demolition of the following types of housing:
 - (A) 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.
 - (B) Housing that is subject to any form of rent or price control through a locality's valid exercise of its police power.
 - (C) Housing that has been occupied by tenants, as defined by Section 102(y) of the Guidelines, within the past ten years.
- (2) The site was previously used for housing that was occupied by tenants that was demolished within ten years before the development proponent submits an Application.
 - (A) When property with a building that was demolished in the past ten years has been zoned for exclusively residential use, there is a presumption that it was occupied by tenants, unless the development proponent can provide verifiable documentary evidence from a government or independent third party source to rebut the presumption for each of the ten years prior to the application date.
 - (B) When property with a building that was demolished in the past ten years has been zoned to allow residential use in addition to other uses, the developer proponent shall include in its application a description of the previous use and verification it was not occupied by residential tenants.
- (3) 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.
- (4) The property contains housing units that are occupied by tenants and the development would require a subdivision.

REVIEW OF DOCUMENTS:

Shane Swerdlow of Craig Lawson & Co., LLC (Owner Representative) submitted the Application on behalf of Dung Tai Ta and Phuong Thi Quach, Trustees of Dung Dai Ta and Phuong Thi Quach 2002 Trust, owner of the property located at and commonly known as 401-411 E. 6th St. and 552 S. San Julian St. (APN 5148-013-004) (Property) on July 9, 2019. In order to comply the ten year look back period required, the Los Angeles Housing and Community Investment Department (HCID) collected and reviewed data from July 2009 to July 2019.

Pursuant to the Owner's Grant Deed, it acquired the Property on December 17, 2008.

The Certificate of Occupancy for the Property issued on April 27, 2012 indicates that the Property had a change of use from wholesale to a retail/take out restaurant.

Google Earth, Google Street View, and an internet search on the Property all show a commercial restaurant on site.

Per the Listing of Active Businesses on the City of Los Angeles's Open Data online resource, the Property has had a special food services business active on site since January 1, 2007.

Per Department of City Planning (ZIMAS), County Assessor Parcel Information (LUPAMS), DataTree database, Billing Information Management System (BIMS) database, Code, Compliance, and Rent Information System (CRIS) database, and information from HCIDLA's Rent Stabilization Unit, the property 401-411 E. 6th St. and 552 S. San Julian St. under APN # 5148-013-004 has a use code of "3100-Light Manufacturing/Printing".

The Los Angeles Department of Building and Safety database indicates that the Owner has not applied for a new Building Permit or a Demolition Permit for the project yet.

Owner's Application states that it plans to demolish the commercial restaurant on site and construct a ninety-four (94) unit mixed use building on the Property pursuant to SB 35 and the Greater Downtown Housing Incentive Area.

DETERMINATION:

The proposed development meets the site requirements for the Streamlined Ministerial Approval Process. HCID has determined that since July 9, 2009, the Property is and has continued to be a commercial-use building (ranging from wholesale to retail). The proposed development does not: (1) require the demolition of the prohibited types of housing, (2) was not previously used for tenant occupied housing demolished within the past ten years, (3) does not require the demolition of a historic structure and (4) does not contain housing units occupied by tenants requiring a subdivision.

If you have any questions about this Determination, please contact Doris Kwok of the Los Angeles Housing Community and Investment Department at (213) 928-9016, or doris.kwok@lacity.org.

NOTE: This determination is provisional and is subject to verification by HCIDLA's Rent Division.

cc: Los Angeles Housing and Community Investment Department File
Dung Dai Ta and Phuong Thi Quach, Trustees of Dung Dai Ta and Phuong Thi Quach 2002 Trust, Owner
Ulises Gonzalez, Case Management Section, City Planning Department

MAC:dk

600 SAN PEDRO & 600 SAN PEDRO 2



Weingart Projects

Case Number: ENV-2017-615-SCEA

Project Location: Site 1: 554-562 South San Pedro Street, 555-561 South Crocker Street, Los Angeles, CA 90013;
Site 2: 600-628 South San Pedro Street, 611-615 South Crocker Street, 518-522 East 6th Street, Los Angeles, CA 90013.

Community Plan Area: Central City Community Plan Area

Council District: 14 – José Huizar

Project Description:

Site 1 Project

Site 1 Location: 554-562 South San Pedro Street and 555-5616 South Crocker Street

Site 1 Project Summary: Site 1 development generally includes the demolition and removal of an existing 7,000-square-foot food service building and surface parking area and construction of 222,574 square feet of mixed residential, philanthropic institution, and commercial land uses in two towers (Tower 1A and Tower 1B) and one level of subterranean parking garage with 32 parking spaces (27,300 square feet). The Site 1 Project would include a total of 382 residential dwelling units (194,831 square feet); a total of 25,493 square feet to be used for philanthropic institution land uses; 2,250 square feet to be used for commercial land uses; and approximately 26,060 square feet of common indoor and outdoor open space. Of the 382 residential dwelling units, 378 units would be set aside as Restricted Affordable Units with the remaining four units designated as Manager Units. Vehicular access to Site 1 would be provided via a single driveway on Crocker Street. In addition, the southern paseo would permit limited vehicular access from Crocker Street from an existing curb cut (not out to South San Pedro Street but in and out of Site 1, only). Limited vehicular access would be required per an existing easement to provide loading and unloading opportunities to the abutting Weingart Center Association building and the building located at the northwest corner of Crocker Street and 6th Street.

To allow for the proposed development of Site 1, the Project Applicant is requesting the following discretionary approvals:

- Pursuant to Los Angeles City Charter Section 555 and Los Angeles Municipal Code (LAMC) Section 11.5.6, a General Plan Amendment to the Central City Community Plan to amend the land use designation of Site 1 from Light Manufacturing to Regional Center Commercial and to amend Footnote No. 3 of the Community Plan to permit development on Site 1 to exceed the 6:1 floor area limitations;
- Pursuant to LAMC Section 12.32 F, a Zone and Height District Change from M2-2D to C2-4D and pursuant to LAMC Section 11.5.11(e) and California Government Code 65915(k) the following three Developer Incentives to permit:
 - 35 percent increase in FAR for a maximum 8.1:1 FAR, or 223,615 square feet, in lieu of the Development “D” Limitation of 6:1 FAR, or 165,641 square feet;
 - 26,060 square feet of open space and 48 trees (a 33 percent reduction in required open space and a 50 percent reduction in the number of required trees) in lieu of the 38,200 square feet of open space and 96 trees required pursuant to LAMC Section 12.21 G, and to permit up to 76 percent of the open space to be provided as interior common area (47 percent or 12,285 square feet) and covered outdoor areas (28 percent or 7,305 square feet) in lieu of LAMC Section 12.21 G’s maximum 25 percent interior common open space limitation and its requirement that all open spaces be open to the sky ;
 - No parking spaces to be required for dwelling units set aside for households earning less than 50 percent of the Area Medium Income as determined by the Housing and Community Investment Department in lieu of the parking required pursuant to 12.21 A,4
- Pursuant to LAMC Section 16.05, Site Plan Review, for a project which proposes more than 50 residential dwelling units; and
- Pursuant to LAMC Sections 17.01 and 17.15, approval of Vesting Tentative Tract Map No. 74852, to allow the merger and re-subdivision of land for a phased tract map to permit one master ground lot and three air space lots, a haul route, and a modification of the dedication requirements along Crocker Street.

Site 2 Project

Site 2 Location: 600-628 South San Pedro Street, 611-615 South Crocker Street, and 518-522 East 6th Street

Site 2 Project Summary: Site 2 development generally includes the demolition and removal of an existing surface parking lot and development of the site with 164,875 square feet of mixed-use residential and commercial land uses in two buildings (Building 1 and Building 2). The Site 2 Project would include a total of 303 residential dwelling units (298 Very-Low-Income affordable units and 5 manager units, approximately 148,705 square feet); 3,200 square feet to be used for commercial land uses; 17,100 square feet to be used for office land uses; 33,000 square feet of open space; and 79,752 square feet to be used for parking land uses, providing 212 vehicle parking spaces. A 13,815-square-foot outdoor courtyard/urban park would separate the two buildings and provide pedestrian access to Site 2 from South San Pedro Street and Crocker Street. Vehicular access to Site 2 would be provided via a single driveway on San Pedro Street.

To allow for the proposed development of Site 2, the Project Applicant is requesting the following discretionary approvals:

- Pursuant to Los Angeles City Charter Section 555 and LAMC Section 11.5.6, a General Plan Amendment to the Central City Community Plan to amend the land use designation of Site 2 from Light Manufacturing to Regional Center Commercial;
- Pursuant to LAMC Section 12.32 F, a Zone and Height District Change from M2-2D to C2-4D and pursuant to LAMC Section 11.5.11(e) and California Government Code 65915(k) the following two Developer Incentives to permit:
 - 27 percent (9,145 square feet) of the common open space be provided in interior common areas, 30percent (or 10,040 square feet) of the provided open space to be covered by a structure or trellis and 38 trees, in lieu of LAMC Section 12.21 G that limits the interior common areas to 25 percent of required (or 7,574 square feet), mandates all exterior areas to be open to the sky and requires 96 trees. The Project provides 33,000 square feet of open space, or one percent (2,700 square feet) more than required (30,300 square feet) by the LAMC;
 - no parking spaces shall be required for dwelling units set aside for households that earn less than 50 percent of the Area Medium Income as determined by the Housing and Community Investment Department;
- Pursuant to LAMC Section 16.05, Site Plan Review for a project which proposes more than 50 residential dwelling units; and
- Pursuant to LAMC Sections 17.01 and 17.15, approval of Vesting Tentative Tract Map No. 74864to permit the merger and re-subdivision of the land and creation of one ground lot and four airspace lots.

PREPARED FOR:

City of Los Angeles
Department of City Planning

PREPARED BY:

CAJA Environmental Services
15350 Sherman Way, Suite 315
Van Nuys, CA 91406

APPLICANT:

Weingart Center Association
566 South San Pedro Street
Los Angeles, CA 90013

September 2018

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1. INTRODUCTION

This Sustainable Communities Environmental Assessment (SCEA) has been prepared pursuant to Section 21155.2 of the California Public Resources Code.

PROJECT DESCRIPTION SUMMARY

The subject of this Sustainable Communities Environmental Assessment (SCEA) is the proposed Weingart Projects (Project), which include development of two distinct affordable housing projects for permanent long-term housing with supportive services designed to enable homeless persons and individuals/families at risk of homelessness to ensure that they remain housed and live as independently as possible. The two Project Sites are located in Downtown Los Angeles, within the Central City Community Plan Area, in the City of Los Angeles (City). A summary of the location of the Project Sites and a description of the Project is included below.

Site 1 Project

Site 1 Location: 554-562 South San Pedro Street and 555-561 South Crocker Street

Site 1 Project Summary: Site 1 development generally includes the demolition and removal of an existing 7,000-square-foot food service building and surface parking area and construction of 222,574 square feet of mixed residential, philanthropic institution, and commercial land uses in two towers (Tower 1A and Tower 1B) and one level of subterranean parking garage with 32 parking spaces (27,300 square feet). The Site 1 Project would include a total of 382 residential dwelling units (194,831 square feet); a total of 25,493 square feet to be used for philanthropic institution land uses; 2,250 square feet to be used for commercial land uses; and approximately 26,060 square feet of common indoor and outdoor open space. Of the 382 residential dwelling units, 378 units would be set aside as Restricted Affordable Units with the remaining four units designated as Manager Units. Vehicular access to Site 1 would be provided via a single driveway on Crocker Street. In addition, the southern paseo would permit limited vehicular access from Crocker Street from an existing curb cut (not out to South San Pedro Street but in and out of Site 1, only). Limited vehicular access would be required per an existing easement to provide loading and unloading opportunities to the abutting Weingart Center Association building and the building located at the northwest corner of Crocker Street and 6th Street.

To allow for the proposed development of Site 1, the Project Applicant is requesting the following discretionary approvals:

- Pursuant to Los Angeles City Charter Section 555 and Los Angeles Municipal Code (LAMC) Section 11.5.6, a General Plan Amendment to the Central City Community Plan to amend the land use designation of Site 1 from Light Manufacturing to Regional Center Commercial and to amend Footnote No. 3 of the Community Plan to permit development on Site 1 to exceed the 6:1 floor area limitations;

- Pursuant to LAMC Section 12.32 F, a Zone and Height District Change from M2-2D to C2-4D and pursuant to LAMC Section 11.5.11(e) and California Government Code 65915(k) the following three Developer Incentives to permit:
 - 35 percent increase in FAR for a maximum 8.1:1 FAR, or 223,615 square feet, in lieu of the Development “D” Limitation of 6:1 FAR, or 165,641 square feet;
 - 26,060 square feet of open space and 48 trees (a 33 percent reduction in required open space and a 50 percent reduction in the number of required trees) in lieu of the 38,200 square feet of open space and 96 trees required pursuant to LAMC Section 12.21 G, and to permit up to 76 percent of the open space to be provided as interior common area (47 percent or 12,285 square feet) and covered outdoor areas (28 percent or 7,305 square feet) in lieu of LAMC Section 12.21 G’s maximum 25 percent interior common open space limitation and its requirement that all open spaces be open to the sky ;
 - No parking spaces to be required for dwelling units set aside for households earning less than 50 percent of the Area Medium Income as determined by the Housing and Community Investment Department in lieu of the parking required pursuant to 12.21 A,4
- Pursuant to LAMC Section 16.05, Site Plan Review, for a project which proposes more than 50 residential dwelling units; and
- Pursuant to LAMC Sections 17.01 and 17.15, approval of Vesting Tentative Tract Map No. 74852, to allow the merger and re-subdivision of land for a phased tract map to permit one master ground lot and three air space lots, a haul route, and a modification of the dedication requirements along Crocker Street.

Site 2 Project

Site 2 Location: 600-628 South San Pedro Street, 611-615 South Crocker Street, and 518-522 East 6th Street

Site 2 Project Summary: Site 2 development generally includes the demolition and removal of an existing surface parking lot and development of the site with 164,875 square feet of mixed-use residential and commercial land uses in two buildings (Building 1 and Building 2). The Site 2 Project would include a total of 303 residential dwelling units (298 Very-Low-Income affordable units and 5 manager units, approximately 148,705 square feet); 3,200 square feet to be used for commercial land uses; 17,100 square feet to be used for office land uses; 33,000 square feet of open space; and 79,752 square feet to be used for parking land uses, providing 212 vehicle parking spaces. A 13,815-square-foot outdoor courtyard/urban park would separate the two buildings and provide pedestrian access to Site 2 from South San Pedro Street and Crocker Street. Vehicular access to Site 2 would be provided via a single driveway on San Pedro Street.

To allow for the proposed development of Site 2, the Project Applicant is requesting the following discretionary approvals:

- Pursuant to Los Angeles City Charter Section 555 and LAMC Section 11.5.6, a General Plan Amendment to the Central City Community Plan to amend the land use designation of Site 2 from Light Manufacturing to Regional Center Commercial;
- Pursuant to LAMC Section 12.32 F, a Zone and Height District Change from M2-2D to C2-4D and pursuant to LAMC Section 11.5.11(e) and California Government Code 65915(k) the following two Developer Incentives to permit:
 - 27 percent (9,145 square feet) of the common open space be provided in interior common areas, 30percent (or 10,040 square feet) of the provided open space to be covered by a structure or trellis and 38 trees, in lieu of LAMC Section 12.21 G that limits the interior common areas to 25 percent of required (or 7,574 square feet), mandates all exterior areas to be open to the sky and requires 96 trees. The Project provides 33,000 square feet of open space, or one percent (2,700 square feet) more than required (30,300 square feet) by the LAMC;
 - no parking spaces shall be required for dwelling units set aside for households that earn less than 50 percent of the Area Medium Income as determined by the Housing and Community Investment Department;
- Pursuant to LAMC Section 16.05, Site Plan Review for a project which proposes more than 50 residential dwelling units; and
- Pursuant to LAMC Sections 17.01 and 17.15, approval of Vesting Tentative Tract Map No. 74864to permit the merger and re-subdivision of the land and creation of one ground lot and four airspace lots

Lead Agency: City of Los Angeles Department of City Planning
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City Staff Contact: May Sirinopwongsagon, City Planner
213-978-1372

Project Applicant: Weingart Center Association
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BACKGROUND INFORMATION ON SENATE BILL 375 AND THE SCEA

The State of California adopted Senate Bill 375 (SB 375), also known as “The Sustainable Communities and Climate Protection Act of 2008,” which outlines growth strategies that better integrate regional land use and transportation planning and that help meet the State of California’s greenhouse gas (GHG) emissions reduction mandates. SB 375 requires the State’s 18 metropolitan planning organizations to incorporate a “sustainable communities strategy” (SCS) into the regional transportation plans to achieve their respective region’s greenhouse gas emission reduction targets set by CARB. Correspondingly, SB 375 provides various CEQA streamlining provisions for projects that are consistent with an adopted applicable SCS and meet certain objective criteria; one such CEQA streamlining tools is the SCEA.

The Southern California Association of Governments (SCAG) is the metropolitan planning organization for the County of Los Angeles (along with the Counties of Imperial, San Bernardino, Riverside, Orange, and Ventura). On April 7, 2016, SCAG’s Regional Council adopted the 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016-2040 RTP/SCS. For the SCAG region, CARB has set GHG emissions reduction targets at eight percent below 2005 per capita emissions levels by 2020, and 13 percent below 2005 per capita emissions levels by 2035. The 2016-2040 RTP/SCS outlines strategies to meet or exceed the targets set by CARB.¹ By Executive Order, approved June 28, 2016, CARB officially determined that the 2016-2040 RTP/SCS would achieve CARB’s 2020 and 2035 GHG emission reduction targets. (Refer to attached 6/28/2016 CARB Executive Order in Appendix A.)

SB 375 allows the City, acting as lead agency, to prepare a SCEA as the environmental CEQA Clearance for “transit priority projects” (as described below) that are consistent with SCAG’s 2016-2040 RTP/SCS.

TRANSIT PRIORITY PROJECT CRITERIA

SB 375 provides CEQA streamlining benefits to qualifying transit priority projects (TPPs). For purposes of projects in the SCAG region, a qualifying TPP is a project that meets the following four criteria (see Public Resources Code §21155 (a) and (b)):

1. Is consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in the SCAG 2016-2040 RTP/SCS;
2. Contains at least 50 percent residential use, based on total building square footage and, if the project contains between 26 percent and 50 percent nonresidential uses, a floor area ratio of not less than 0.75;
3. Provides a minimum net density of at least 20 units per acre; and

¹ *Southern California Association of Governments, 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy, Introduction, April 7, 2016. <http://scagrtpscs.net/Pages/FINAL2016RTPSCS.aspx>*

4. Is within one-half mile of a major transit stop or high-quality transit corridor included in a regional transportation plan.

SCEA PROCESS AND STREAMLINING PROVISIONS

Qualifying TPPs that have incorporated all feasible mitigation measures and performance standards or criteria set forth in the prior applicable EIR (SCAG's 2016-2040 RTP/SCS Program EIR) and that are determined to not result in significant and unavoidable environmental impacts may be approved with a SCEA. The specific substantive and procedural requirements for the approval of a SCEA include the following:

1. An initial study shall be prepared for a SCEA to identify all significant impacts or potentially significant impacts, except for the following:
 - a. Growth-inducing impacts, and
 - b. Project-specific or cumulative impacts from cars and light trucks on global warming or the regional transportation network.²

Note: All relevant and applicable 2016-2040 RTP/SCS Program EIR mitigation measures shall be incorporated into the Project prior to conducting the initial study analysis.

2. The initial study shall identify any cumulative impacts that have been adequately addressed and mitigated in a prior applicable certified EIR. Where the lead agency determines the impact has been adequately addressed and mitigated, the impact shall not be cumulatively considerable.
3. The SCEA shall contain mitigation measures that either avoid or mitigate to a level of insignificance all potentially significant or significant effects of the project required to be identified in the initial study.
4. A draft of the SCEA shall be circulated for a public comment period not less than 30 days, and the lead agency shall consider all comments received prior to acting on the SCEA.
5. The SCEA may be approved by the lead agency after the lead agency's legislative body conducts a public hearing, reviews comments received, and finds the following:

² "Regional transportation network" means all existing and proposed transportation system improvements, including the state transportation system, that were included in the transportation and air quality conformity modeling, including congestion modeling, for the final regional transportation plan adopted by the metropolitan planning organization, but shall not include local streets and roads. Nothing in the foregoing relieves any project from a requirement to comply with any conditions, exactions, or fees for the mitigation of the project's impacts on the structure, safety, or operations of the regional transportation network or local streets and roads.

- a. All potentially significant or significant effects required to be identified in the initial study have been identified and analyzed, and
 - b. With respect to each significant effect on the environment required to be identified in the initial study, either of the following apply:
 - i. Changes or alternations have been required in or incorporated into the project that avoid or mitigate the significant effects to a level of insignificance.
 - ii. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
6. The lead agency's decision to review and approve a TPP with a SCEA shall be reviewed under the substantial evidence standard.

REQUIRED FINDINGS

Based on the information contained in Section 2 (Project Description), Section 3 (SCEA Criteria and Transit Priority Project Consistency Analysis), Section 4 (2016-2040 RTP/SCS Project EIR Mitigation Measures), Section 5 (Initial Study Checklist), and Section 6 (Sustainable Communities Environmental Impact Analysis) of this document, the City finds that preparation of a SCEA in accordance with Public Resources Code Section 21155.2(b) is appropriate for the Project for the following reasons:

- The Project is consistent with the general use designations, density, building intensity, and applicable policies specified for the area of the Project Sites in the 2016-2040 RTP/SCS) prepared by SCAG, which is the metropolitan planning organization for the City.
- The State Air Resources Board, pursuant to subparagraph (H) of paragraph (2) of subdivision (b) of Section 65080 of the Government Code, has accepted SCAG's determination that the sustainable communities strategy adopted by SCAG in the 2016-2040 RTP/SCS would, if implemented, achieve the greenhouse gas emission reduction targets.
- The Project qualifies as a transit priority project pursuant to Public Resources Code Section 21155 in that the Project contains more than 50 percent residential use; provides a minimum net density greater than 20 units an acre; and is within one-half mile of a major transit stop or high-quality transit corridor included in a regional transportation plan;
- The Project is a residential or mixed-use project as defined by Public Resources Code Section 21159.28(d);
- The Project incorporates all feasible mitigation measures, performance standards, or criteria set forth in the prior environmental reports and adopted findings made pursuant to Public Resources

Code Section 21081, including the 2016-2040 RTP/SCS Program Environmental Impact Report (Program EIR);

- All potentially significant or significant effects required to be identified and analyzed pursuant to the California Environmental Quality Act (CEQA) in an initial study have been identified and analyzed in an initial study; and
- As outlined in detail in Section 5 (Initial Study Checklist) and Section 6 (Sustainable Communities Environmental Impact Analysis) changes or alterations have been required in or incorporated into the Project that avoid or mitigate the significant effects to a level of less than significant.

ORGANIZATION OF THE SCEA

Based on the information presented above, the SCEA for the Project is organized as follows:

Section 1. Introduction: This section provides introductory information about the Project and background information regarding SB 375, lists the TPP criteria, and describes the required content of the SCEA.

Section 2. Project Description: This section provides a detailed description of the environmental setting and the Project, including Project characteristics and environmental setting.

Section 3. SCEA Criteria and Transit Priority Project Consistency: This section includes a discussion of the Project's consistency with the TPP criteria listed above and demonstrates that the Project satisfies all necessary criteria for approval of a SCEA as set forth in California Public Resources Code Sections 21155 and 21155.2.

Section 4. 2016-2040 RTP/SCS Program EIR Mitigation Measures: This section identifies all of the mitigation measures contained in the Mitigation Monitoring and Reporting Program (MMRP) for SCAG's 2016-2040 RTP/SCS Program EIR and a discussion of the applicability of the mitigation measures to the Project.

Section 5. Initial Study Checklist: This section contains the completed Initial Study Checklist and assesses the significant level under each environmental impact category.

Section 6. Sustainable Communities Environmental Impact Analysis: Each environmental issue identified in the Initial Study Checklist contains an assessment and discussion of Project-specific and cumulative impacts associated with each subject area. Where the evaluation identifies potentially significant effects, as identified on the Checklist, mitigation measures are provided to reduce such impacts to less-than-significant levels.

Section 7. Preparers of the SCEA: This section identifies the parties involved in preparation of the SCEA.

Appendices: Includes various documents, technical reports, and information used in preparation of the SCEA and can be found in the case file for ENV-2017-615-SCEA at the Department of City Planning.

2. PROJECT DESCRIPTION

1. INTRODUCTION

The Project includes the redevelopment of two sites (“Site 1” and “Site 2”; collectively, the “Project Sites”) in Downtown Los Angeles, within the Central City Community Plan Area, in the City of Los Angeles (City) (refer to Figure 2-1). (Additional descriptions of the Project Sites are provided below.) As identified in the Central City Community Plan (CCCP), the Project Sites are located within the boundaries of the Central City East Neighborhood (CCE Neighborhood).¹ As described in the CCCP text on (p. I-10), the neighborhood is generally characterized with office, social service use, light industrial, wholesale and warehouse uses, as well as approximately 6,500 single-room-occupancy (SRO) hotel units. The CCE Neighborhood is a center for social services uses, which include alcohol treatment programs and physical and mental health services. The Project Applicant operates the abutting Weingart Center Association building (formally known as the El Rey Hotel building) located at 566 South San Pedro Street, which offers such services.²

The Project consists of developing Site 1 and Site 2 with a total of 685 dwelling units, with 676 of the units set aside as Restricted Affordable units. The remaining nine (9) units would serve as Manager’s Units. Additionally, the Project would include up to 25,493 square feet of floor area to be utilized for philanthropic institutional purposes, 17,100 square feet of office space, and 5,450 square feet of commercial/retail space.

2. ENVIRONMENTAL SETTING

The Project Sites are located within the fabric of the existing Downtown Los Angeles Community and are primarily urban infill or underutilized lots (with one existing single-story building) and in close proximity to nearby existing utilities infrastructure and freeways, as well as mass transit options. Site 1 is located at 554-562 South San Pedro Street and 555-561 South Crocker Street, bounded by San Pedro Street to the west and Crocker Street to the east. Site 2 is located at 600-628 South San Pedro Street, 611-615 South Crocker Street, and 518-522 East 6th Street, at the southeast corner of South San Pedro Street and East 6th Street. The site is bounded by San Pedro Street to the west, 6th Street to the north, and Crocker Street to the east. The Project Sites are located within a variety of planning and service jurisdictional areas, including the following:

- Greater Downtown Housing Incentive Area as defined in the Los Angeles Municipal Code (LAMC Section 12.22 A,29 and C,3)
- Community Redevelopment Agency Central Industrial Redevelopment Project Area

¹ *Central City Community Plan Update adopted on January 8, 2003; Council File NO. 99-0138.*

² *For the purposes of the SCEA, this building is considered an historical resource under the California Environmental Quality Act (CEQA).*

- Transit Priority Area pursuant to Senate Bill (SB) 743 (Properties located within one-half mile of a major transit stop that is existing or planned. Section 21064.3 of the Public Resources Code defines a “major transit stop” as a site containing an existing rail transit station, 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.)
- High Quality Transit Area pursuant to Southern California Association of Governments (SCAG) (Areas considered to be generally walkable and are located within one half-mile of a well-serviced transit stop or a transit corridor with 15-minute or less service frequency during peak commute hours, consistent with a “major transit stop” as defined by Section 21064.3 of the Public Resources Code.)
- Los Angeles City Council District 14 (Councilmember Huizar)
- Los Angeles County Second Supervisorial District (Supervisor Ridley-Thomas)
- Downtown Los Angeles Neighborhood Council
- Los Angeles County Department of Public Health Service Planning Area

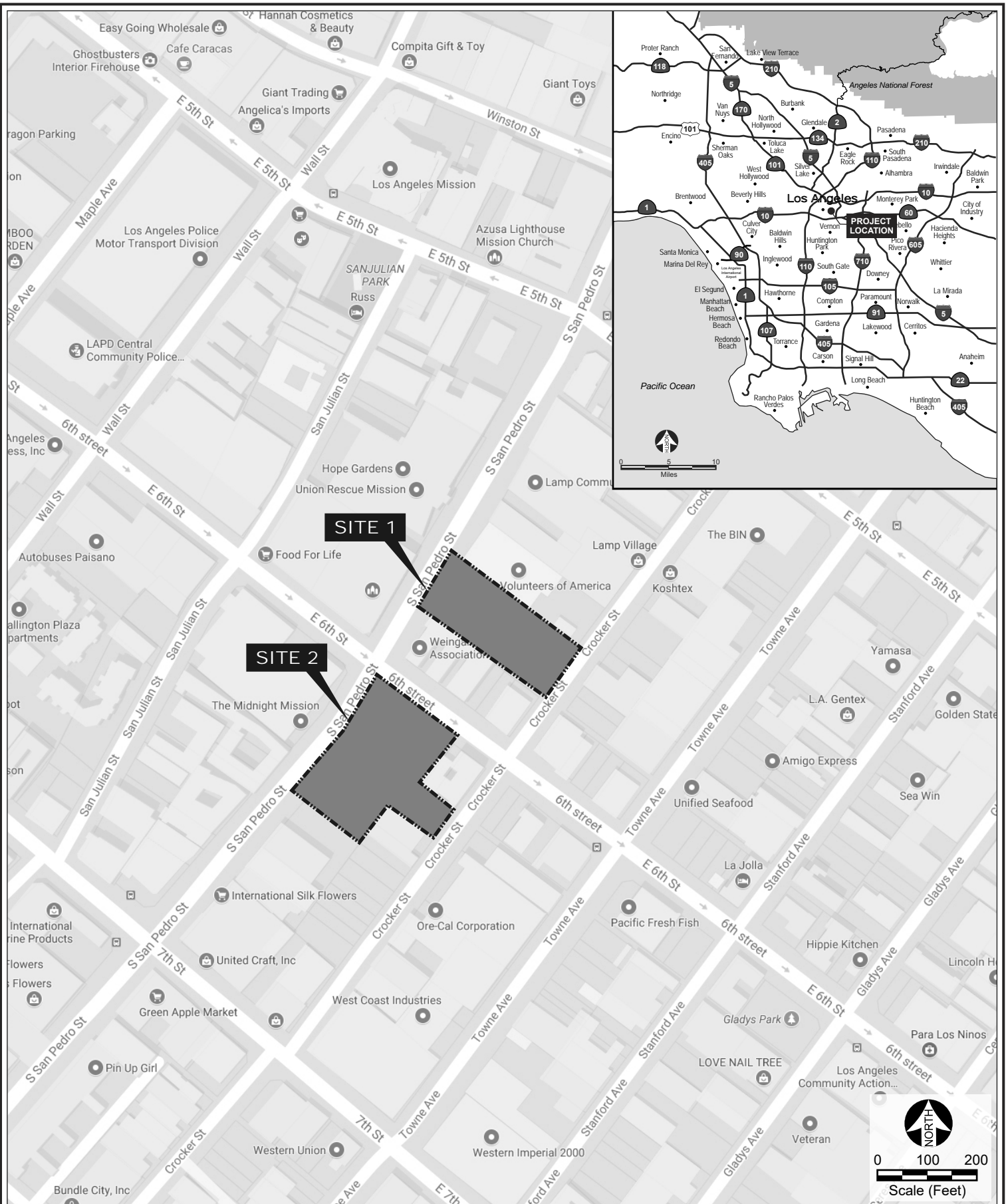
Regional vehicular access to the Project Sites is provided by the U.S. 101 (Hollywood) Freeway, located less than 1.0 mile to the north; the I-10 (Santa Monica) Freeway, located approximately 1.5 miles to the south; U.S. 101/I-10 Freeway, located approximately 1.0 mile to the east; and State Route 110/I-110 (Pasadena/Harbor) Freeway, located approximately 1.0 mile to the west.

Existing utilities are readily available at the Project Sites. Water and electricity are provided by the Los Angeles Department of Water and Power (LADWP). Telephone service is typically provided by AT&T. Cable television is typically provided by Spectrum (formerly Time Warner Cable). The Project Sites are further served by the City’s existing network of sewer and storm drain facilities. Gas is provided by Southern California Gas Company.

A map showing the Project Sites in a regional and local context is included as Figure 2-1. Additional details about the Project Sites are provided on Table 2-1, below.

Table 2-1
Details for the Project Sites

Project Sites	Addresses	APNs	Lot Size (Pre-Dedication)	Existing Land Use Designation	Existing Zoning
Site 1	554-562 South San Pedro Street 555-561 South Crocker Street	5147-024-004, -022, -024, -900, -901	27,606 sf (0.63 acre)	Light Manufacturing	M2-2D (Light Industrial Zone, Height District 2, Development Limitations) ²
Site 2	600-628 South San Pedro Street 611-615 South Crocker Street 518-522 East 6 th Street	5147-126-033	48,816 sf (1.12 acres)		
<i>sf = square feet</i> ¹ <i>Pre-dedication lot area can be used for calculating floor area ratio per LAMC Section 17.05.</i> ² <i>Existing D Limitation imposes a 3:1 floor area ratio.</i>					



Legend

 Project Site

Source: Google Maps 2017.

**Figure 2-1
Regional and Vicinity Map**

Both sites have a land use designation of Light Manufacturing and are zoned M2-2D. Site 1 is subject to the Development “D” Limitations contained within Ordinance No. 164,307 Subarea 1295. Site 2 is subject to the “D” Limitations contained within Subarea 1580 of the same ordinance. The “D” Limitation restricts the total floor area that is contained in all buildings on a lot to not exceed three times the buildable area of the lot, except for projects approved under Section 415 (Rehabilitation and/or Remodeling of Existing Buildings) or Section 416 (Replacement of Existing Buildings) of the Redevelopment Plan for the Central Business District Redevelopment Project.³ Properties that are zoned M2 in Height District 2 are subject to a maximum height limitation. The M2 Zone permits light manufacturing and limited commercial uses. Residential developments are prohibited, except for a dwelling when constructed as an accessory use for a caretaker or watchman. As discussed in Section I. Introduction, the Project Applicant has requested a General Plan Amendment, Zone and Height District Change and associated incentives, Site Plan Review, and a Vesting Tentative Tract Map to implement the Project.

(a) Project Sites

(1) Site 1

Site 1 is generally bound by South San Pedro Street to the west, the Hope Row Resource Center and Weingart Center Association building to the south, South Crocker Street to the east, and the Lamp Community and the Volunteer of America property to the north. Site 1 is approximately 27,606 square feet in area (0.63 acre) and comprises Assessor Parcel Numbers (APN) 5147-024-004, -022, -024, -900, and -901. Site 1 is a through-lot with frontage on the eastern side of South San Pedro Street and the western side of Crocker Street. It is located mid-block, and the larger block is bound by South San Pedro Street to the west, East 6th Street to the south, Crocker Street to the east, and East 5th Street to the north. Site 1 has a General Plan Land Use designation of Light Manufacturing (refer to Figure 2-2) and is zoned M2-2D (Light Industrial Zone, Height District 2, Development Limitations) (refer to Figure 2-3).

Site 1 is currently developed with a surface parking lot and a 7,000-square-foot food service building that was constructed in 1922.⁴ The food service building is operated by Weingart Center Association for the use by Weingart clients living in the adjacent Weingart Center Association building located at 566 South San Pedro Street. The Weingart Center Association is a non-profit social service provider, established as a 501(c)(3) non-profit organization in 1982, that provides a continuum of housing and support service programs for homeless individuals and families, including 623 beds of transitional housing, comprehensive employment preparation, vocational training, and employment placement, permanent housing placement, and integrated substance abuse and mental health treatment services. The surface parking lot has frontage on Crocker Street and the food service building has frontage on South San Pedro Street. Views of Site 1 are shown on Figure 2-4.

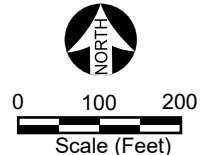
³ The term “floor area” is defined per LAMC Section 12.21.1 A,5 and 12.21.1 B,4.

⁴ City of Los Angeles, Department of Building and Safety, Permit #27664, August 15, 1922.



Legend

- GENERAL PLAN LAND USE**
- LAND USE**
- RESIDENTIAL**
- Minimum Residential
 - Very Low / Very Low I Residential
 - Very Low II Residential
 - Low / Low I Residential
 - Low II Residential
 - Low Medium / Low Medium I Residential
 - Low Medium II Residential
 - Medium Residential
 - High Medium Residential
 - High Density Residential
 - Very High Medium Residential
- COMMERCIAL**
- Limited Commercial
 - Limited Commercial - Mixed Medium Residential
 - Highway Oriented Commercial
 - Highway Oriented and Limited Commercial
 - Highway Oriented Commercial - Mixed Medium Residential
 - Neighborhood Office Commercial
 - Community Commercial
 - Community Commercial - Mixed High Residential
 - Regional Center Commercial
- FRAMEWORK**
- COMMERCIAL**
- Neighborhood Commercial
 - General Commercial
 - Community Commercial
 - Regional Mixed Commercial
- INDUSTRIAL**
- Commercial Manufacturing
 - Limited Manufacturing
 - Light Manufacturing
 - Heavy Manufacturing
 - Hybrid Industrial
- PARKING**
- Parking Buffer
- PORT OF LOS ANGELES**
- General / Bulk Cargo - Non Hazardous (Industrial / Commercial)
 - General / Bulk Cargo - Hazard
 - Commercial Fishing
 - Recreation and Commercial
 - Intermodal Container Transfer Facility Site
- LOS ANGELES INTERNATIONAL AIRPORT**
- Airport Landside / Airport Landside Support
 - Airport Atside
 - LAX Airport Northside
- OPEN SPACE / PUBLIC FACILITIES**
- Open Space
 - Public / Open Space
 - Public / Quasi-Public Open Space
 - Other Public Open Space
 - Public Facilities
- INDUSTRIAL**
- Limited Industrial
 - Light Industrial
 - Neighborhood Park
 - Power Distribution Station (Proposed)



Source: Los Angeles City Planning Department: <http://zimas.lacity.org/>, accessed February 21, 2018.

Figure 2-2
Existing Land Use Designation - Sites 1 and 2



Figure 2-3
Existing Zoning - Sites 1 and 2

Source: Los Angeles City Planning Department: <http://zimas.lacity.org/>, accessed February 21, 2018.



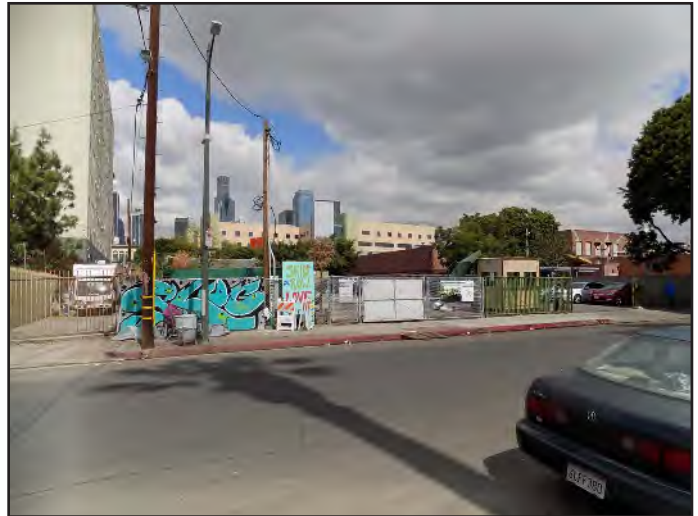
View 1: View looking northeast along San Pedro Street at Site 1.



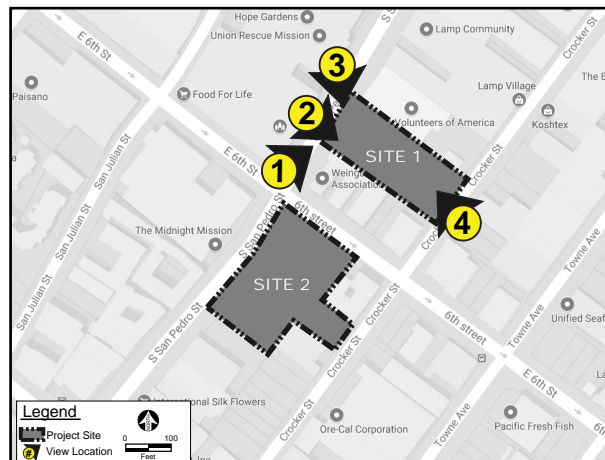
View 2: View looking southeast along San Pedro Street at Site 1.



View 3: View looking southeast along San Pedro Street at Site 1



View 4: View looking northwest along Crocker Street at Site 1.



View Location Map

Figure 2-4
Views of the Project Site - Site 1
Views 1-4

Adjacent properties are improved with a variety of uses, including homeless and residential support services, as well as warehouses. The properties located to the north, south, and east, across Crocker Street, have a land use designation of Light Manufacturing and are zoned M2-2D. The properties located to the west, across San Pedro Street, have a land use designation of High Medium Residential and are zoned [Q]R5-2D. As mentioned previously, the property to the south of Site 1 is improved with a 10-story building that houses the Weingart Center Association and the Hope Row Resources Center. The building provides housing and services, including advocacy and legal services for low-income residents. The property to the north of the site is developed with a one- to two-story building that is occupied by the Lamp Community and Volunteer of America. Lamp Community and Volunteer of America provides permanent housing and social services such as: medical and mental health care, substance abuse services, and life skills programs. The properties to the west, across San Pedro Street, are developed with three- to seven-story buildings. Located across from the site is the Central City Community Church and the Union Rescue Mission. The Central City Community Church is a nondenominational, community-based church for the homeless community in Skid Row. The Union Rescue Mission is a non-profit organization that provides transitional housing, a health care clinic, and a learning center. The property to the east, across Crocker Street, is a surface parking lot and a one-story building occupied by Sam Dae Enterprises, which is a wholesale distributor of clothing and accessories. Views of the land uses surrounding Site 1 are shown on Figure 2-5.

(2) *Site 2*

Site 2 is generally located at the southeast corner of South San Pedro Street and East 6th Street and is bound by South San Pedro Street to the west, East 6th Street to the north, the Skid Row Development Corporation building and South Crocker Street to the east, and commercial development to the south. Site 2 is approximately 48,816 square feet in area (1.12 acres) and comprises APN 5147-026-033. Site 2 has a General Plan Land Use designation of Light Manufacturing (refer to Figure 2-2) and is zoned M2-2D (Light Industrial Zone, Height District 2, Development Limitations) (refer to Figure 2-3). The site is currently developed with a 136-space surface parking lot. The existing surface parking lot has frontage on South San Pedro Street, South Crocker Street, and East 6th Street. Aerial views of Site 2 are shown on Figure 2-6.

The property the north of Site 2 is improved with the Hope Row Resource Center and the Weingart Center Association building, a 10-story facility with housing, clinical, and legal support services. The property to the west is improved with the Midnight Mission, a homeless services organization. The property to the south of is improved with a warehouse. The property to the east improved with a 4-story transitional housing facility. Views of the land uses surrounding Site 2 are shown on Figure 2-7.



View 5: View looking northwest along San Pedro Street at mixed-use buildings across from Site 1.



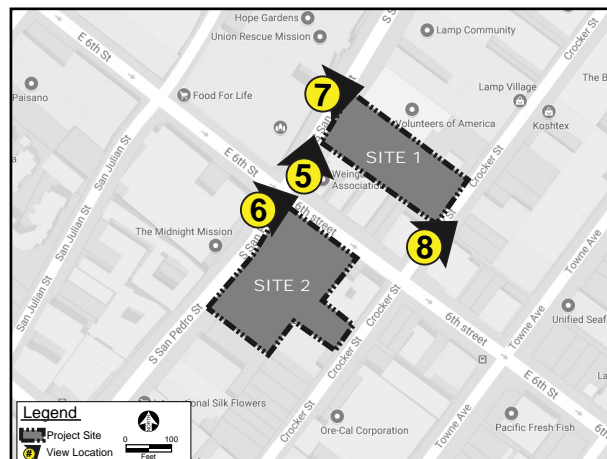
View 6: View looking northeast on the intersection of San Pedro Street and 6th Street at the Weingart Tower adjacent to Site 1.



View 7: View looking southeast along San Pedro Street at Volunteers of America building adjacent to Site 1.



View 8: View looking northeast along Crocker Street at Commercial/industrial buildings across from Site 1.



View Location Map

Figure 2-5
Views of Surrounding Land Uses - Site 1
Views 5-8



View 1: View looking southeast on the intersection of San Pedro Street and 6th Street at Site 2.



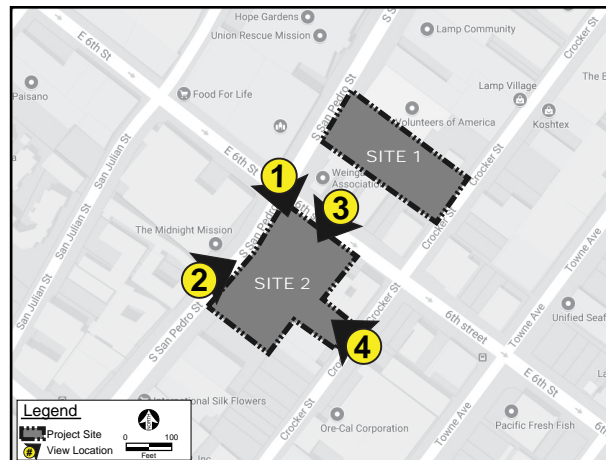
View 2: View looking northeast on San Pedro Street at Site 2.



View 3: View looking southwest on 6th Street at Site 2.

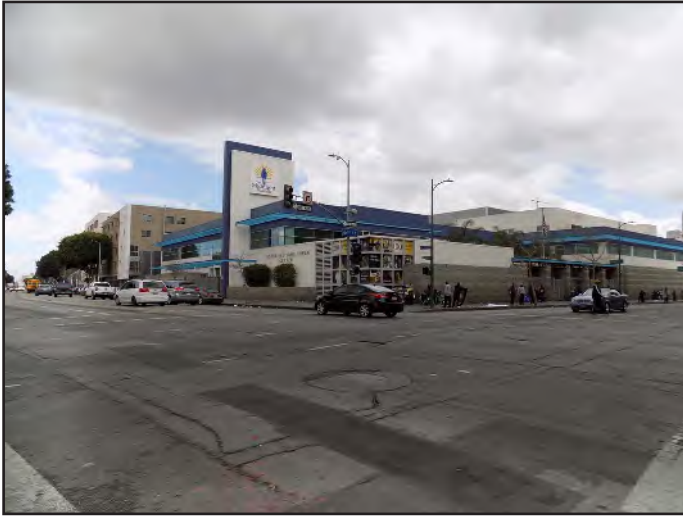


View 4: View looking northwest on Crocker Street at Site 2.



View Location Map

Figure 2-6
Views of the Project Site - Site 2
Views 1-4



View 5: View looking southwest on the intersection of San Pedro Street and 6th Street at The Midnight Mission across from Site 2.



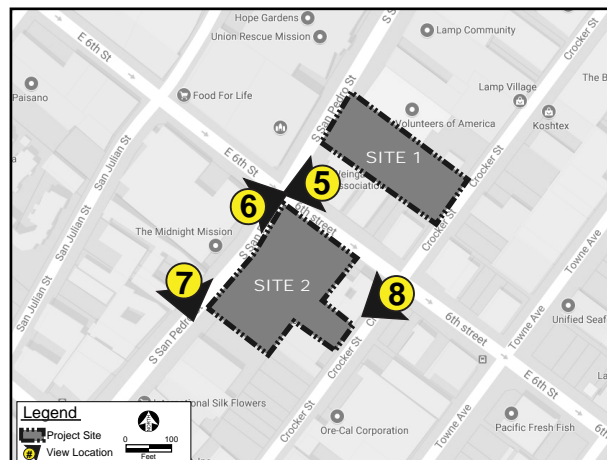
View 6: View looking northeast on the intersection of San Pedro Street and 6th Street at the Weingart Tower across from Site 2.



View 7: View looking northeast along San Pedro Street at the ABC Toys commercial building adjacent to Site 2.



View 8: View looking southwest along Crocker Street at apartment and commercial buildings adjacent and across from Site 2.



View Location Map

Figure 2-7
Views of Surrounding Land Uses - Site 2
Views 5-8

CONFIANZA

2019 312439



FILED

Dec 03 2019

Dean C. Logan, Registrar - Recorder/County Clerk

Electronically signed by ANNA MOVSEYAN

CITY OF LOS ANGELES

OFFICE OF THE CITY CLERK

200 NORTH SPRING STREET, ROOM 395

LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

(PRC Section 21152; CEQA Guidelines Section 15062)

THIS NOTICE WAS POSTED

ON December 03 2019UNTIL January 02 2020

REGISTRAR - RECORDER/COUNTY CLERK

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

CPC-2019-5295-DB-CU-SIP

LEAD CITY AGENCY

City of Los Angeles (Department of City Planning)

CASE NUMBER

N/A

PROJECT TITLE

Confianza

COUNCIL DISTRICT

2 -Paul Krekorian

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

14142-14154 W. Vanowen Street (between Katherine Ave. and Hazeltine Ave.)

 Map attached.

PROJECT DESCRIPTION: The project involves the construction, use, and maintenance of a 3- and 4-story, 40- and 50-foot in height, 64 dwelling unit affordable housing development (100% affordable, exclusive of one market-rate manager's unit) consisting of five smaller buildings linked together via pedestrian bridges and 7,023 square feet of common open space areas. The project will provide six (6) parking spaces at grade level for employees of the supportive services, and will provide 52 long-term and 5 short-term bicycle parking spaces. The project will be 31,167 square feet in floor area with a Floor Area Ratio ("FAR") of 1.70:1 and contain approximately 3,393 square feet of ground floor residential supportive services. The site is currently vacant with six (6) non-protected trees on site and within the parkway, of which two (2) are proposed for removal and the rest are proposed to remain.

NAME OF APPLICANT / OWNER:

Sierra Atilano; Confianza LP

CONTACT PERSON (If different from Applicant/Owner above)

Jessica Hencier; Craig Lawson & Co., LLC

(AREA CODE) TELEPHONE NUMBER

(310) 838-2424

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) 21080(b)(1) and Government Code Section 65913.4 CATEGORICAL EXEMPTION(S) (State CEQA Guidelines Sec. 15301-15333 / Class 1-Class 33)

CEQA Guideline Section(s) / Class(es) _____

 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

The proposed project is a Streamlined Infill Project that satisfies the objective planning standards set forth in Senate Bill ("SB") 35 (Government Code Section 65913.4(a)) and is subject to streamlined ministerial approval provided by SB 35 (Government Code Sections 65913.4(b) and (c)). The proposed project is therefore a ministerial project that is statutorily exempt from CEQA pursuant to Public Resources Code Section 21080(b)(1).

 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

Sarah Hounsell

STAFF TITLE

City Planner

ENTITLEMENTS APPROVED

Density Bonus, Conditional Use, Streamlined Infill Project

FEE:

N/A

RECEIPT NO.

N/A

REC'D. BY (DCP DSC STAFF NAME)

N/A

DISTRIBUTION: County Clerk, Agency Record

Rev. 3-27-2019

I hereby certify and attest this to be a true and correct copy of the official record on file in the office of the Department of City Planning of the City of Los Angeles

designated as APC-2019-5275

Mark Crowell
Department Representative

2019 312439



FILED
Dec 03 2019

Dean C. Logan, Registrar-Recorder/County Clerk

Electronically signed by ANNA MOVSIYAN

2019 312439

This is a true and certified copy of the record
if it bears the seal, imprinted in purple ink,
of the Registrar-Recorder/County Clerk

DEC 03 2019

Deane Logan REGISTRAR-RECORDER/COUNTY CLERK
LOS ANGELES COUNTY, CALIFORNIA



NOHO 5050



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: DEC 09 2019

Case No. CPC-2019-4953-DB-CU-PSH-SIP

Council District: 2 – Krekorian

CEQA: N/A

Plan Area: North Hollywood - Valley Village

Project Site: 5050 – 5054 North Bakman Avenue

Applicant: NoHo 5050, LP c/o Decro NoHo 5050, LLC
Representative: Dana Sayles, ThreeSixty

At its meeting of **November 21, 2019**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following project:

Demolition of two one-story residential buildings and accessory structures with a total of six residential units and the construction, use and maintenance of a five-story, 56-foot in height building with 40-units including 32 Very Low Income units (Supportive Housing), seven Low Income units, and one market-rate manager's unit. The Project will provide four parking spaces at grade level, and 35 long-term, and three short-term bicycle parking spaces. The Project includes the removal of seven significant trees.

1. **Determined**, pursuant to California Government Code Section 65650 - 65656, a review of a Supportive Housing Development that meets the specified criteria of Government Code Section 65651-65652 and 65654 and is therefore subject to an approval process of a specified period provided by Government Code Section 65583;
2. **Determined**, pursuant to Government Code Section 65651 and Public Resources Code Section 21080(b)(1), based on the whole of the record, that the Supportive Housing Development is Statutorily Exempt from the California Environmental Quality Act ("CEQA") as a ministerial project;
3. **Approved**, pursuant to Los Angeles Municipal Code (LAMC) Section 12.22 A.25(g)(3), a ministerial review of a Density Bonus Compliance Review, for a project totaling 40 dwelling units, including 32 dwelling units for Very Low Income household occupancy and 7 dwelling units for Low Income household occupancy for a period of 55 years, with the following three On- and Off-Menu Incentives:
 - a. An On-Menu Incentive, for 11 feet of additional height for a total of 56 feet in lieu of the otherwise permitted 45 feet in the R4-1VL zone;
 - b. An Off-Menu Incentive, for a 35 percent decrease in the northerly side yard for a total width of 5 feet, 3-inches in lieu of the otherwise required 8-feet; and
 - c. An Off-Menu Incentive, for a 35 percent decrease in the southerly side yard for a total width of 5 feet, 3-inches in lieu of the otherwise required 8-feet;
4. **Approved**, pursuant to LAMC Section 12.22 A.25(g)(3), a ministerial review of the following two Waivers of Development Standards:
 - a. A 55 percent increase in Floor Area Ratio for a total of 4.65: 1 in lieu of the otherwise permitted 3:1; and
 - b. An 80 percent reduction in required open space for 840 square feet of open space in lieu of 4,200 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 122 percent increase in density, for 40 dwelling units in lieu of the otherwise permitted base density of 18 dwelling units;
6. **Adopted** the a Conditions of Approval; and
7. **Adopted** the attached Findings.

The vote proceeded as follows:

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

Vote: 5 – 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 September 20, 2019. Consequently, all design review or public oversight, including final approval, shall be completed within 90 days from September 20, 2019, or by November 20, 2019, and shall not in any way inhibit, chill or preclude the ministerial approval provided by Government Code Section 65913.4. However, the applicant granted an extension of 1 day to allow the case to be heard at the City Planning Commission meeting to November 21, 2019.

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: Blake Lamb, Principal City Planner
Michelle Levy, Senior City Planner
Sarah Hounsell, City Planner
Daniel Skolnick, 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, Valley Project Planning Bureau, 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 40 residential units, including Density Bonus Units.
3. **Affordable Units.** A minimum of 39 units shall be reserved as affordable units for a period of 55 years as follows: 32 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"); 7 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.
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 32 units available to Very Low Income Households and 7 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. 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. **Height (Incentive).** The project shall be limited to five (5) stories and 56 feet in height per Exhibit "A".
7. **Side Yard Setbacks (Incentive).** The project shall observe a minimum 5-foot, 3 inch side yard setback in lieu of the eight (8) feet otherwise required in the R4 Zone.
8. **Open Space (Waiver).** The project shall provide a minimum of 840 square feet of open space per Exhibit "A".
9. **Floor Area Ratio (FAR) (Waiver).** The project shall be limited to a maximum floor area ratio of 4.65:1 per Exhibit "A".
10. **Assembly Bill 2162.** The project shall comply with all state requirements of Assembly Bill 2162 and California Government Code Section 65583 and Article 11, Section 65650, of Chapter 3, Division 1 of Title 7, of the Government Code relating to Land Use.
11. **Automobile Parking.** Four (4) parking spaces shall be provided consistent with Exhibit "A".

12. **Bicycle Parking.** Bicycle parking shall be provided consistent with LAMC Section 12.21 A.16.
13. **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. All landscaping is intended to be native, drought-tolerant planting which is compatible with the climate of the surrounding area.
14. **Street Trees.** The project will incorporate a new street tree in the public right-of-way.

Administrative Conditions

15. **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.
16. **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.
17. **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.
18. **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.
19. **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.
20. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
21. **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

AB 2162 PROJECT FINDINGS

In accordance with Assembly Bill AB2162 (Government Code Section 65913.4(a)), Supportive housing shall be a use by right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses, if the proposed housing development satisfies all of the following requirements:

1. Units within the development are subject to a recorded affordability restriction for 55 years.

There will be 40 units in the project in total. Seven units will be restricted to Low Income and 32 units will be restricted to Very Low Income affordability level restrictions for 55 years. The last unit will be reserved for the resident manager and will not be income restricted. The Project will be subject to a covenant for a period of 55 years, monitored and regulated by the Los Angeles Housing and Community Investment Department, in accordance with LAMC Section 12.22 A.25. The covenant will designate 32 units as Supportive Housing units and seven units as Low Income units.

2. One hundred percent of the units, excluding managers' units, within the development are dedicated to lower income households and are receiving public funding to ensure affordability of the housing to lower income Californians. For purposes of this paragraph, "lower income households" has the same meaning as defined in Section 50079.5 of the Health and Safety Code.

There will be 40 units in the project and seven units will be restricted to Low Income and 32 units (80%) will be restricted to Very Low Income affordability level. This excludes the manager's unit in compliance with Section 50079.5 of the Health and Safety Code. The developer has applied for and anticipates receiving public funding from the following sources to ensure the affordability of the units: Los Angeles County No Place Like Home financing, City of Los Angeles Measure HHH funding, and project based vouchers through the Housing Authority of the City of Los Angeles. Additionally, the Los Angeles County Department of Health Services and Department of Mental Health have committed to fund the supportive services provided at the project site through Measure H funding.

3. At least 25 percent of the units in the development or 12 units, whichever is greater, are restricted to residents in supportive housing who meet criteria of the target population. If the development consists of fewer than 12 units, then 100 percent of the units, excluding managers' units, in the development shall be restricted to residents in supportive housing.

There will be 40 units in the project and seven units will be restricted to Low Income and 32 units will be restricted to Very Low Income affordability level, exceeding the 25% threshold requirement for supportive housing.

4. The developer provides the planning agency with a plan for providing supportive services, with documentation demonstrating that supportive services will be provided onsite to residents in the project describing those services, which shall include the name of the proposed entity or entities that will provide supportive services, the proposed funding source or sources for the provided onsite supportive services, and proposed staffing levels.

The developer has provided the Department of City Planning with a plan for providing supportive services. The plan identifies an organization called the Downtown Woman's Center as the provider of supportive services. Funding for supportive services will be provided through the County of Los Angeles Measure H fund, as administered through the Department of Health Services, for a per person, per month basis. A Case Manager and a Social Worker – will be scheduled from approximately 9 AM to 5 PM Monday through Friday. Other Downtown Women's Center staff and management may be on-site periodically, depending on need.

5. Nonresidential floor area shall be used for onsite supportive services. For a development with 20 or fewer total units, at least 90 square feet shall be provided for onsite supportive services. For a development with more than 20 units, at least 3 percent of the total nonresidential floor area shall be provided for onsite supportive services that are limited to tenant use, including, but not limited to, community rooms, case management offices, computer rooms, and community kitchens.

The 40 unit project is required to provide at least 90 square feet for onsite supportive services. The project will provide an approximately 1,607 square foot non-residential area for onsite supportive services out of a total of 3,555 square feet of total nonresidential area, exceeding the 3% minimum requirement of 107 square feet. Nonresidential space includes a community room, a learning room, offices, and a conference room.

6. The developer replaces any dwelling units on the site of the supportive housing development in the manner provided in paragraph (3) of subdivision (c) of Section 65915.

Per the AB 2556 Determination completed by the Los Angeles Housing and Community Investment Department, the project is required to restrict three units for Very Low Income households, two units for a Low Income households and one market rate RSO unit. The applicant has proposed to restrict the 32 units for Very Low Income units (Supportive Housing) and seven (7) units for Low Income units, and a RSO manager's unit. As proposed, the project exceeds the housing affordability requirements of the AB 2556 Determination dated July 23, 2019, from the Los Angeles Housing and Community Investment Department.

7. Units within the development, excluding managers' units, include at least one bathroom and a kitchen or other cooking facilities, including, at minimum, a stovetop, a sink, and a refrigerator.

All units within the development, excluding manager's unit include at least one bathroom and a kitchen, as depicted in Exhibit "A".

DENSITY BONUS / AFFORDABLE HOUSING INCENTIVES PROGRAM FINDINGS

The applicant has requested one (1) On- and two (2) Off-Menu Incentives and two (2) Waivers of Development Standards, as listed below:

On- and Off-Menu Incentives

An On-Menu Incentive, for 11 feet of additional height for an overall height of 56 feet in lieu of the otherwise permitted 45 feet in the R4-1VL Zone (LAMC Section 12.21.1);

Two Off-Menu Incentives, for a 35 percent decreases in each of the side yards, for total widths of 5 feet, 3-inches in lieu of the otherwise required 8-feet of the R4 Zone (LAMC 12.11 C.2).

Waivers of Development Standards:

Waiver of Development Standards for a 55 percent increase in Floor Area Ratio for a total of 4.65:1 in lieu of the otherwise permitted 3:1 (LAMC 12.21.1);

A Waiver of Development Standards for an 80 percent reduction in required open space to provide 840 square feet of open space in lieu of 4,200 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 Density Bonus 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 one (1) On- and two (2) Off-Menu Incentives, pursuant to LAMC Section 12.22 A.25(g) and Government Code Section 65915.

1. Government Code Section 65915 and LAMC Section 12.22 A.25(g) 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.

Height Increase: The subject site is zoned R4, with a Height District No. 1VL which permits a base building height of up to 45 feet. The applicant has requested an increase for 11 additional feet in height to allow for 56 feet and five 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.

Northerly and Southerly Side Yards: LAMC Section 12.11 C.2 requires side yards to conform to a minimum of 5 feet, and requires one additional foot in the width of the required side yards for each additional story above the second story. The Project is a 5-story building with grade-level parking, and supportive service offices on the ground floor, 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 8-foot side yards. The Applicant has requested two

incentives for reduced yards, and proposes 5-foot 3-inch side yard setbacks in lieu of the 8 feet otherwise required. Strict compliance with the yard requirements would reduce the buildable lot area on lot only 50 feet in width, 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 yard requirements so the affordable housing units can be constructed and the overall space dedicated to residential uses is increased. By approving these incentives, the developer will not be physically precluded from constructing the proposed development with 40 dwelling units including 39 affordable units.

- 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 incentives 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 two (2) Waivers of Development Standards, pursuant to Government Code Section 65915.

- 2. 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 waivers or reductions of development standards 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 is 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:

FAR Increase: The subject site is zoned R4 with a Height District No. 1VL that permits a Floor Area Ratio (“FAR”) of 3:1. The applicant has requested a Waiver of Development Standards to allow a FAR of 4.65:1. As proposed, the additional FAR will allow for the construction of the affordable residential units. The requested waiver 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. Strict application of the existing FAR would physically preclude the construction of the proposed number of units at the proposed size, and proposed required amenities.

FAR by-right	Buildable Lot Area (sf)	Total by-right Floor Area
3:1	7,800	23,400

FAR Requested	Buildable Lot Area (sf)	Total Floor Area (sf)	Additional Floor Area (sf)
4.65:1	7,800	<u>36,270</u> Proposed area is only 33,690 sf.*	36,270- 23,400= <u>12,870</u>

The requested waiver allows 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 including a full bathroom, kitchen and storage space in each unit. These incentives support the applicant’s decision to set aside the specified number of dwelling units for Low Income Households for 55 years.

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 4 studio units, 28 one-bedroom units and 8 two-bedroom unit, a total of 4,200 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 40 dwelling units, of which 32 will be set aside for Very Low Income and 7 of which will be set aside for Low Income Households. The applicant has requested an 80 percent reduction to allow 840 square feet of open space through an Off-Menu incentive. Without the incentive to reduce the minimum usable open space required to 840 square feet, the project would need to provide an additional 3,360 square feet of common or private open space on-site. The project currently proposes dwelling units that range in size from 456 square feet to 758 square feet. In addition, the project includes on-site service area as part of supportive housing totaling 855 square feet with offices, learning rooms and a conference room. The project is also within 750 feet from a City park. 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. for 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 the sky. The project would lose floor area in order to meet all of these additional requirements for Common Open Space. It should also be noted that only 25% or 210 square feet of the 756 square foot proposed community room counts as open space per LAMC Section 12.21 G.6. By waiving this development standard, the developer will not be physically precluded from constructing the proposed development with 40 dwelling units including 39 affordable units

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

- 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. See AB 2556 Determination Memo HIMS# 19-126299.

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 July 23, 2019, HCIDLA determined that six (6) residential units are proposed to be demolished. Pursuant to CHAS, five units need to be replaced with equivalent types, three (3) units restricted to Very Low Income Households and two (2) units to Low Income Households. The (1) remaining units has been presumed to have been occupied by an above-lower income person or household, as permitted by the California Government Code.

See AB 2556 Determination Memo HIMS# 19-126299, Exhibit D.

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 122.5 percent Density Bonus to allow 40 residential units in lieu of 18 dwelling units as otherwise permitted by-right in the Community Redevelopment Agency’s (CRA) North Hollywood Redevelopment Project area designation of High-Medium Residential. .

3. 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.

To the extent this finding requires analysis, the project provides Low Income and Supportive Housing units, which will house 40 households accompanied with supportive services to ensure housing stability. Approximately 400 women experience homelessness in CD2, which is a 19% increase over 2018. This gender-specific supportive service provider assisting low income women will provide a service that is essential and beneficial to the community, city and region.

4. That the project’s location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

The proposed project is flanked by two large residential buildings of similar height and scale creating more continuity throughout the block as well as adding to the variety of architecture in the area. The Project will provide illumination at street level for security. All lighting on the upper levels will be shielded and focused on the project site and directed away from the neighboring land uses. Project proposes to provide landscaping along the street level, as well as in the side yards and shared courtyards. The project will incorporate a new street tree in the public right-of-way and additional new trees across the site. All landscaping is intended to be native, drought-tolerant planting which is compatible with the climate of the surrounding area. As such, the project’s location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

5. 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 (North Hollywood – Valley Village Community Plan). The site is also located within the North Hollywood Redevelopment Project Area.

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 project is consistent with and advances the following objectives and policies of the General Plan Framework:

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.

The Project will provide 32 units as Permanent Supportive Housing and 7 units will be restricted to Low Income Households, thus supplementing diversity within the existing housing stock in the North Hollywood – Valley Village area. These units will be located less than 2640 feet from the North Hollywood Redline and Orange line Station. This provides regional connectivity to Downtown Los Angeles and the larger Los Angeles Region. The property is also served by MTA 183, 224, 501, and 656 local bus lines.

Just east of the property is a variety of neighborhood serving commercial that hosts full-service and quick-service restaurants, entertainment venues, as well as a variety of other retail options. The area also contains several educational institutions, and to the west, a city park and library. Therefore, the project is consistent with 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 Housing Element includes the following goals, policies, objectives:

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.

Objective: 1.4 Reduce regulatory and procedural barriers to the production and preservation of housing at all income levels and needs.

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

Goal 3: A City where there are housing opportunities for all without discrimination.

Goal 4: A City committed to ending and preventing homelessness.

Policy: 4.1.3 Provide permanent supportive housing options with services for homeless persons and persons/families at risk of homelessness to ensure that they remain housed and get the individualized help they may need.

The proposed project will increase the existing amount of housing on-site by over sevenfold, creating homes for 40 households who are either currently homeless in need of permanent housing or at-risk of falling into homelessness. This project will augment a typical housing development with supportive services on the ground floor, which are intended to assist residents in maintaining stable housing, jobs, or assisting with other specialized needs. The Project is directly consistent with the goals, objectives, and policies 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.

This project increases density in proximity to current and future regional transportation centers. The project site is located on Bakman Avenue. The property is classified as Transit Oriented Communities (TOC) Tier 3 and is located less than 2,640 feet from the North Hollywood Redline and Orange line Station. This provides regional connectivity to Downtown Los Angeles and the larger Los Angeles Region. The property is also served by Metro Bus lines 183, 224, 501, and 656. Finally, the site is served by a Greyhound bus station on the cross streets of Magnolia Blvd. and Klump Ave. Therefore, the project increases the overall quality and supply of housing in Los Angeles, while decreasing future vehicular trips. As such, the project conforms to the purpose of the Mobility Element of the General Plan.

Land Use Element – North Hollywood-Valley Village Community Plan

The North Hollywood-Valley Village Community Plan was adopted by City Council on October 27, 2009. 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 North Hollywood-Valley Village Community Plan designates the site for High Medium Residential land uses. The project site is zoned R4-1VL, which is consistent with the corresponding zones of R4 in the Community Plan. The R4 density permits 400 square feet of lot area per dwelling. The project site containing 11,250 square feet is permitted a base density of 18 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 18 to 40 dwelling units, 32 of which will be set aside for Very Low Income and 7 of which will be set aside for 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 North Hollywood-Valley Village area as a High Medium Residential development that provides housing and employment services.

6. 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 increase the existing amount of housing on-site by over sevenfold, creating housing for 40 households who are either currently homeless in need of permanent housing or at-risk of falling into homelessness. This project will augment a typical housing development with supportive services on the ground floor, which are intended to assist residents in maintaining stable housing, jobs, or assisting with other specialized needs.

7. 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
44	117.5
45	120
46	122.5
47	125
48	127.5

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 122.5 percent increase in density for a total of 40 dwelling units in lieu of 18 dwelling units as otherwise permitted by-right in the R4-1VL Zone and North Hollywood Redevelopment Project area designation of High-Medium Residential. The applicant is required to set aside at least 46 percent of units as provided in the above table. The applicant proposes a project totaling 40 dwelling units, of 32 which will be restricted to Very Low Income Households for a period of 55 years, which is 177 percent

of the 18 base density units. As such, the project exceeds and thus satisfies the minimum percentage of base density to be restricted to Very Low Income Households.

8. 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 July 23, 2019, 6 units have been identified on the site, therefore AB 2556 replacement affordable units are required (Exhibit D). As such, the dwelling unit replacement requirements of Government Code Section 65915(c)(3) is conditioned.

9. 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 40 units for affordable units for a period of 55 years, as follows: 32 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"); 7 units reserved for Low Income Household occupancy as determined by HCD; and the unit as a managers unit. 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.

10. 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 35 percent density increase above the 35 base density units to permit a total of 40 dwelling units. The project will set aside units for affordable units for a period of 55 years, as follows: 32 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”); 7 units reserved for Low Income Household occupancy as determined by HCD; and the remaining unit shall be used as a on-site managers unit. 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 39 units affordable for a period of 55 years per the Conditions of Approval. Therefore, the project complies with the City Planning Commission’s Affordable Housing Incentives Guidelines.

CEQA EXEMPTION

Pursuant to Government Code Section 65651 and Public Resources Code Section 21080(b)(1), the project satisfies all the objective planning standards for a Supportive Housing Development and is Statutorily Exempt from the California Environmental Quality Act (“CEQA”) as a ministerial project.