

MOTION BY SUPERVISOR MARK RIDLEY-THOMAS

MARCH 4, 2020

**Advancing the Western Apartments Project
Relates to Item 2-D**

Item 2-D on the March 4, 2019 agenda will authorize the Los Angeles County Development Authority Board of Commissioners (Board) to allocate \$41,200,000 in Affordable Housing Trust Funds (AHTF) through its Notice of Funding Availability 25-A (NOFA) to fund 10 affordable housing projects throughout the County of Los Angeles (County).

There was a significant demand for the funding that was made available through the NOFA, and while there were many eligible applications, there were insufficient resources available to fund all projects. However, there was only one additional project that was eligible for funding and ready to apply for tax credits by the upcoming March 9, 2020 deadline, should additional resources have been available. This project, known as Western Apartments, is located at 11609 South Western Avenue in the unincorporated community of West Athens/Westmont (Project). It will create 56 new supportive housing units, all of which will be dedicated to those transitioning out of homelessness at extremely low- or very low-incomes. The Zip Code in which the Project is located has some of the highest number of evictions in the County, leading a disproportionate number of renters to be at risk of lasting impacts from evictions and disruptive displacements, including falling into homelessness.

MOTION

SOLIS _____

RIDLEY-THOMAS _____

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BARGER _____

While the NOFA fully expended the allocated AHTF, there is \$5,750,000 of No Place Like Home (NPLH) Program funding that is no longer required by projects previously recommended for funding that could be made available to the Project. This would allow 39 of the 56 units to be designated for clients served by the Department of Mental Health. Moving forward in a timely manner will allow the County to capitalize on an opportunity to deliver additional much-needed affordable housing for the County's most vulnerable constituents.

The Project was determined exempt from the requirements of the California Environmental Quality Act (CEQA) by the County of Los Angeles Department of Regional Planning in accordance with AB 2162, Public Resources Code section 21080(b)(1) and section 15268 of the State CEQA Guidelines. The Board's consideration of the determination satisfies the requirements of CEQA.

I THEREFORE MOVE THAT THE BOARD OF SUPERVISORS, ACTING AS THE BOARD OF COMMISSIONERS OF THE LOS ANGELES COUNTY DEVELOPMENT AUTHORITY:

1. Acting as a responsible agency pursuant to the California Environmental Quality Act (CEQA), certify that the Board of Commissioners (Commissioners) has considered the attached exemption determination for the Western Apartments Project (Project), located at 11609 South Western Avenue, in the unincorporated community of West Athens/Westmont, which was prepared by the County of Los Angeles as lead agency; and find that this Project will not cause a significant impact on the environment;
2. Approve a loan to Affirmed Housing Group, Inc., using up to \$5,750,000 in No Place Like Home (NPLH) Program funds, for the development of the Project and authorize the Acting Executive Director, or his designee, to negotiate, execute, and if necessary, amend, or reduce the loan agreement with Affirmed Housing Group, Inc., or a designee approved by the Los Angeles County

Development Authority (LACDA), and all related documents, including but not limited to documents to subordinate the loan to construction and permanent financing, and any intergovernmental, interagency, or inter-creditor agreements necessary for the implementation of the development, following approval as to form by County Counsel;

3. Authorize the Acting Executive Director, or his designee, to incorporate, as needed, up to \$5,750,000 in NPLH Program funds into the LACDA's approved Fiscal Year 2019-2020 budget, and future Fiscal Year budgets, as needed, for the purposes described herein;
4. Authorize the Acting Executive Director, or his designee, to reallocate LACDA funding set aside for affordable housing at the time of Project funding, as needed and within the Project's approved funding limit, in line with the Project's needs, and within the requirements for each applicable funding source; and
5. Direct the Executive Director to work in collaboration with the Director of the Department of Mental Health to ensure that all obligations under the NPLH Program are satisfied.

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(KK)

AUG 22 2019



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Amy J. Bodek, AICP
Director of Regional Planning

Dennis Slavin
Chief Deputy Director,
Regional Planning

August 14, 2019

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Affirmed Housing Group Inc.
13520 Evening Creek
San Diego, CA 92128

**RE: Administrative Housing Permit RPPL2019000439 &
Ministerial Site Plan Review RPPL2019000440, Project Number 2019-000236
APN: 4057-027-007; 11609 South Western Avenue, Los Angeles CA, 90047**

Dear Applicant:

On **August 14, 2019**, the Director of the Los Angeles County ("County") Department of Regional Planning ("Director") **APPROVED** Administrative Housing Permit RPPL2019000439 and Ministerial Site Plan Review RPPL2019000440 to authorize a fifty-seven (57) unit apartment house with an affordability housing set-aside (the "Project"). The approval is based upon the Project's fulfillment of State and County requirements for density bonus and supportive housing, as set forth herein. The Project is not subject to the California Environmental Quality Act ("CEQA") because project approval pursuant to the supportive housing law (AB 2162) is ministerial, and thereby exempt from CEQA pursuant to Public Resources Code section 21080(b)(1) and section 15268 of the State CEQA Guidelines (Title 14, Cal. Code Regs., Chapter 3, §§ 15000-15387).

No certificate of occupancy shall be issued for the Project until a covenant and agreement acceptable to the Los Angeles County Development Authority (LACDA) is recorded with the County Registrar-Recorder/County Clerk setting aside the requisite supportive housing and affordable units for a guaranteed duration, as set forth below.

Pursuant to County Code Section 22.166.080.E(1)(a), an appeal of the Director's approval of a housing permit with an off-menu incentive must be filed within twenty-one (21) days after the date of the decision indicated on this letter ("appeal period") or the Project's approval shall be final. Any interested party may appeal the Project's approval, or the County's Regional Planning Commission ("Commission") may initiate a review, during the appeal period. Accordingly, the appeal period for the Project will **close at 5:00**

HOA.102606245.1

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p.m. on September 4, 2019. Information regarding the appeal procedure and requisite filing fees may be obtained from the Commission's secretary at Room 1350, Hall of Records, 320 W. Temple Street, Los Angeles California 90012, or via telephone at (213) 974-6409.

If further information on this project is needed, please contact Elsa M. Rodriguez of the Land Development Coordinating Section Center at (213) 893-7452 or via email erodriguez@planning.lacounty.gov

PROJECT PROPOSAL OVERVIEW:

A new 37,250 sf, 5-story (62 feet tall), fifty-seven (57) unit apartment house consisting of the following:

- Twenty-nine (29) one-bedroom units, and twenty-seven (27) studio units for lower income 80% Area Median Income ("AMI") individuals, and one (1) two-bedroom manager's unit;
- Thirty-four (34) standard parking spaces;
- Thirty-five (35) bicycle parking stalls of which twenty-nine (29) are long-term (covered/secured) and six (6) are short-term (rack only);
- 6,850 sf of landscaping, thirty-one (31) trees; and
- 2,170 sf of non-residential amenity space consisting of case management offices, computer room, and community/multipurpose area.

As part of the project proposal, the applicant requested the following:

- A twenty-one percent (21%) density bonus with a minimum of 11 percent (11%) housing set-aside or six (6) units for lower income (up to 80% AMI) households;
- An off-menu height increase incentive of 62 feet in lieu of the required 35 feet per the existing C-2 Neighborhood Business zone and R-3-PR Limited Density Multiple Residence – Restricted Parking zone; and
- A Conditional Use Permit Exemption / Streamlined Ministerial Review Process for an eligible multi-family residential development that includes a specified level of affordability and supportive housing pursuant to California Government Code Sections 65650–65655 (AB 2162).

STAFF ANALYSIS

1. LOCATION, ZONING AND GENERAL PLAN

APN	Lot Size	Zoning	General/Area/Specific Plan Land Use Category	General Plan Maximum Allowable Density
4057027007	0.93acre	C-2 (Neighborhood Business) zone and R-3-PR (Multiple Residence – Restricted Parking) zone.	C.2 Community Commercial	*50 dwelling units / net acre

* The West Athens/Westmont Community Plan, a component of the General Plan adopted in 1990, does not provide a maximum allowable residential density for residential projects in the C.2 (Community Commercial) land use designation. However, the General Plan, adopted in 2015, provides a maximum allowable residential density of 50 dwelling units per each net acre of land for residential projects in the CG (General Commercial) land use designation. The Director has determined that the C.2 land use designation in the West Athens/Westmont Community Plan, a component of the General Plan, is functionally equivalent to the CG land use designation in the General Plan. Accordingly, the maximum allowable residential density for this project is 50 dwelling units per each net acre of land.

2. PRE-EXISTING SITE CONDITIONS

Applicable State Law	Requirement	Proposed
California Government Code Section 65915(c)(3)	No net loss: existing lower and/or very low income affordable rental units (per Health and Safety C. § 50079.5), or that previously existed during the five-year period prior if the units have been vacated or demolished, must be replaced with affordable units of equivalent size (measured by bedrooms).	Applicant indicated on the Pre-existing Site Condition Questionnaire that there were no existing units occupied by lower or very low income households.

3. DENSITY AND AFFORDABLE UNITS CALCULATION

Base Units:

General Plan Maximum Allowable Density	Lot Size	Number of Base Units
50 dwelling units net /acre	0.93 acre	50 X 0.93 = 47

Bonus Units:

Number of Base Units	Density Bonus	Number of Bonus Units
47	21%	47 X 0.21 = 10

Total Units:

Number of Base Units	Number of Bonus Units	Total Units Proposed
47	10	47+10 = 57

Total Affordable Units:

Number of Base Units	Minimum Required Set-Aside Affordable Units	Total Affordable Units Proposed
47	47 X 0.11= 6	56

4. AFFORDABLE HOUSING SET-ASIDE

Applicable State Law or County Code	Associated Request	Required Affordable Housing Set-Aside	Proposed
County Code Section 22.120.040	Up to a 21% density bonus, one incentive and a 11% set-aside	<ul style="list-style-type: none"> minimum of 10% for lower income households (80% AMI) 	<ul style="list-style-type: none"> All units (56) except manager's unit are supportive housing units affordable to lower income (80% AMI) households.
California Government Code Sections 65651(a)(2) - (3)	Conditional Use Permit exemption and streamlined ministerial review process	<ul style="list-style-type: none"> minimum 100% (exc. Managers' units and bonus density units) for lower income households (80% AMI) minimum 25% OR 12 units for supportive housing, whichever is greater; 100% if project is 12 units or fewer 	

5. OTHER AB 2162 STANDARDS

Applicable State Law	Requirement	Applicability
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<p>California Government Code Section 65651(a)(5)</p>	<ul style="list-style-type: none"> ▪ At least 3% 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. 	<ul style="list-style-type: none"> ▪ The floor plan for the projects depicts 2,170 sf of non-residential floor area or 5.8% of the total floor area of 37,250 sf consisting of three (3) case managers' and one (1) property manager's offices, a computer room, and multipurpose area.
<p>California Government Code Sections 65651(a)(4), and 65652</p>	<p>Applicant shall provide:</p> <ul style="list-style-type: none"> ▪ Name of the proposed entity/entities that will provide supportive services. ▪ Proposed funding source or sources for the onsite supportive services demonstrating committed public funding or the intent to apply for public funding. ▪ Proposed staffing levels 	<ul style="list-style-type: none"> ▪ The applicant has provided a MOU letter for supportive services between Affirmed Housing Inc. and Homeless Healthcare of Los Angeles (HHCLA) ▪ Proposed staff of two (2) clinical case managers, one (1) residential service coordinator, (1) team lead, and (1) director of housing programs
<p>California Government Code Section 65651(a)(7)</p>	<ul style="list-style-type: none"> ▪ Units within the development, excluding manager's units, include at least one bathroom and a kitchen or other cooking facilities, including, at a minimum, a stovetop, a sink, and a refrigerator. 	<ul style="list-style-type: none"> ▪ The proposed site plan indicates all the units have a kitchen and a bathroom.

6. INTERDEPARTMENTAL REVIEWS

Agency	Date Received	Applicability
<p>Los Angeles County Department of Public Works (DPW)</p>	<p>July 11, 2019</p>	<p>Conceptual site plan approval and road conditions.</p>

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Los Angeles County Development Authority (LACDA)	August 12, 2019	Financial Feasibility/Density Bonus Overview Letter
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7. ZONING ORDINANCE AND DEVELOPMENT STANDARDS COMPLIANCE. The proposed site is adequate in size and shape to accommodate the yards, walls/fences, parking, bicycle parking, landscaping and other features prescribed in Title 22 (zoning code). The project substantially complies with the development standards of the zoning code and those deviations from the zoning code are granted by the housing permit.

8. INCENTIVE(S). Through the Administrative Housing Permit process, off-menu and on-menu incentives may be requested depending on the proposed set-aside type and percentage.

Development Standard	Zoning Code/General Plan Section/State Law	Required	Proposed
Height	22.20.040-A	35 feet	62 feet
Stories	Not applicable	Not applicable	Five (5)
Floor Area Ratio	Not applicable	Not applicable	0.92
Lot Coverage	22.20.040-A	Maximum 90% of net lot	84%
Setbacks	Not applicable	Not applicable	Front: 10' Side: 10' Rear: 325'
Landscaping	22.20.040-A	Minimum 10% of the lot	16% (6,850 sf)
Tree Planting	22.126.030(A)(1)(c)	One (1) 15-gallon tree for every 5,000-sq. ft. of building footprint.	Thirty-one (31) trees
Multifamily Bicycle Parking	22.112.100-A	One (1) short-term space for every 10 units One (1) long-term space for every 2 units	Six (6) short-term and (29) long-term
Multifamily Vehicle Parking	Government Code 65654	No parking is required for qualified projects within 0.5 mi of a major transit stop.	Voluntarily proposed thirty-four standard (34) stalls
Fences/Walls/Gates	22.110.070	Maximum height allowed is six (6) feet	Six (6) feet
Grading	22.140.240	Not applicable	No grading is proposed or approved.
Oak Trees	22.174	Not applicable	None are indicated to be onsite.
Certificate of Compliance	Government Code 66410 66499.35(a)	Unconditional Certificate of Compliance is required and was recorded on July 17, 2019 Doc. No. 20190697343	

The applicant is proposing a 62-foot height in lieu of the required 35 feet maximum. The request is consistent with the proposed, but not yet effective, Connect Southwest LA Specific Plan, which proposes to allow heights up to 65 feet. The Board of Supervisors'

Zoning Code Section	Total on-menu Incentives Requested	Total off-menu Incentives Requested
22.150.050	Zero	One (1) Increased height exceeding 10 feet

hearing for the proposed Specific Plan is scheduled for August 13, 2019. The increased height is justified and supports the 2015 General Plan's Housing Element which encourages denser development and varied housing types. If the Specific Plan is approved, similar developments in size, height, and mass would be allowed under a ministerial review for other developments also situated along Western Avenue. The proposed project provides supportive affordable housing for an underserved target population, with the ground floor dedicated to case management offices and support services. Furthermore, the proposed height is consistent with the County's existing mixed-use zone and other mixed-use projects along large thoroughfares similar to Western Ave. Due to the 62 feet height maximum, the project will not only support greater density and housing affordability, but can also accommodate supportive services for residents onsite pursuant to AB 2162.

Additionally, the project design is stepped back after the 3rd floor and the project faces Southwest L.A. Community College. The southern property line abuts an existing motel and the northern property line abuts commercially zoned uses including a large grocery store (Food for Less) and gas station. The western property line of the parcel abuts R-1 single-family zoning. However, the orientation of the building is located closest to Western Avenue and the portion of the project abutting the residences consists of vehicle parking, landscaping and covered bicycle parking. The building is approximately 300 feet away from the single-family residences and does not constitute a specific adverse impact on the community.



BASED ON THE FOREGOING, THE DIRECTOR FINDS THAT:

- A. The requested incentive results in identifiable and actual cost reductions to enable the Project to provide affordable housing costs or affordable rents for the targeted units, and does not have a specific adverse impact upon the public health and safety or the physical environment or on any real property listed in the California Register of Historical Resources for which there is a feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to very low, lower, or moderate income households (Per County Code Section 22.166.080.B);
- B. The density bonus request is in compliance with California Government Code Section 65915 (Density Bonus Law) and Chapters 22.120 (Density Bonus) and 22.166 (Housing Permits) of the County Code;

- C. The Project meets all criteria set forth in California Government Code Sections 65650–65655 (AB 2162) and is thereby exempt from a Conditional Use Permit;
- D. The Project provides sufficient supportive housing units pursuant to California Government Code Sections 65650–65655 (AB 2162) and is exempt from CEQA pursuant to Public Resources Code Section 21080(b)(1) and section 15268 of the State CEQA Guidelines because it is a ministerial project; and
- E. The project is in compliance with all applicable development standards pertaining to yards, walls/fences, parking, bicycle parking, landscaping and other features prescribed in Title 22, except for the height restriction granted as an incentive pursuant to County Code Section 22.120.040.

THEREFORE, applicant has met and substantiated the requirements for an Administrative Housing Permit pursuant to Title 22 of the Los Angeles County Code and the Project is APPROVED. Applicant shall immediately record a covenant and agreement with the Registrar-Recorder/County Clerk that is acceptable to the Los Angeles County Development Authority (LACDA) that guarantees the following covenant

1. The continuing availability of the fifty-six (56) supportive housing units for lower income (up to 80% AMI/special needs individuals); and
2. The relevant affordability criteria will be observed for at least fifty-five (55) years from the issuance of the certificate of occupancy, pursuant to Section 22.120.040.A.1.b of the Los Angeles County Code.

BY:  Elsa Rodriguez
2019.08.19
14:11:11-07'00'  DATE: 8/14/2019

Elsa M. Rodriguez
Senior Regional Planner
Department of Regional Planning
County of Los Angeles