



CITY PLANNING COMMISSION

200 N. Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
<http://cityplanning.lacity.org/>

Determination Mailing Date: MAR 11 2015

CASE NO.:
CPC-2014-1947-CU-DB-SPP-SPPA-SPR
CEQA: ENV-2014-1948-MND

Location: 211, 215, 217, 221, 223, 225, 227, 231, 233, 235, 237, 239, 241 N. Vermont Ave.
Council District: 13 – O'Farrell
Plan Area: Wilshire
Zone: C2-1, SNAP Subarea B Mixed Use Boulevards
Requested Action(s): Conditional Use, Density Bonus On-Menu Incentives and Off-Menu Incentives, Project Permit Compliance, Project Permit Adjustments, Site Plan Review

Applicant: Luxmi Vaz, Arjun Nagarkatti, ACAL
Meridian Fund, L.P.
Representative: Eric Lieberman, QES

At its meeting of February 26, 2015, the City Planning Commission took the following action:

1. **Approved a Conditional Use**, pursuant to Section 12.24 U.26. of the Municipal Code, to allow a density bonus increase of 89 percent in order to permit 100 residential units (99 restricted affordable and one market rate manager's unit) in lieu of 53 residential units.
2. **Approved a condition as part of the Conditional Use**, pursuant to Section 12.24 F of the Municipal Code, to allow an approximately 2.31:1 Floor Area Ratio (FAR) in lieu of a 2:1 FAR required by Section 8.B.1. of the SNAP Specific Plan.
3. **Approved the following three (3) on-menu incentives**, pursuant to Section 12.22 A.25(g)(2) of the Municipal Code, requested by the applicant for a project totaling 100 dwelling units, reserving 50 for Very Low Income household occupancy and reserving 49 for Low Income household occupancy for a period of 55 years:
 - A. **Height.** A five-foot increase in the height requirement, allowing 55 feet in height in lieu of the normally required 50 feet.
 - B. **Height.** An 11-foot increase in the setback height requirement, allowing 41 feet in height in lieu of the normally required 30 feet.
 - C. **Height.** A 10-foot increase in the setback height requirement, allowing the setback at the third floor in lieu of the second floor.
4. **Approved the following three (3) off-menu incentives**, pursuant to Section 12.22 A.25(g)(3) of the Municipal Code, requested by the applicant for a project totaling 100 dwelling units, reserving 50 for Very Low Income household occupancy and reserving 49 for Low Income household occupancy for a period of 55 years:
 - A. **Transitional Height.** A 14-foot six-inch increase in the Transitional Height requirement, allowing 39 feet six inches in Transitional Height in lieu of 25 feet required for buildings located within a distance of 0 to 49 feet from an abutting lot in Subarea A and a 15-foot five-inch increase in the transitional height requirement, allowing 48 feet five inches in Transitional Height in lieu of 33 feet required for buildings located within a distance of 50 to 99 feet from an abutting lot in Subarea A.
 - B. **Transitional Height.** A 20 percent decrease in the Transitional Height horizontal distance from an abutting lot in Subarea A, allowing 0 feet to 39 feet in lieu of 0 feet to 49 feet and 40 feet to 79 feet in lieu of 50 feet to 99 feet.
 - C. **Loading Space.** A modified commercial serving loading space that has a minimum area of 360 square feet, a minimum height of 11 feet and a minimum width of 19 feet measured from the alley line in lieu of a minimum area of 600 square feet, a minimum height of 14 feet and a minimum width of 20 feet measured from the alley line required by LAMC Section 12.21 C.6.

5. **Approved a Specific Plan Project Permit Compliance Review**, pursuant to Section 11.5.7 C. of the Municipal Code, with the Vermont/Western Transit Oriented District Specific Plan / Station Neighborhood Area Plan (SNAP), Ordinance 173,749.
6. **Approved Project Permit Adjustments** from the Vermont/Western Transit Oriented District Specific Plan / Station Neighborhood Area Plan (SNAP), Ordinance 173,749, pursuant to Section 11.5.7 E of the Municipal Code, as follows:
 - A. From Section V. Development Standard No. 6 (Stepbacks) of the SNAP Design Guidelines to allow a redistribution of building massing and volume equivalent to the total required stepbacks at the front facade along Vermont Avenue in lieu of the requirement that no portion of any structure exceed more than 30 feet in height within 15 feet of the front property line and a ten-foot setback of the second floor from the first floor frontage.
 - B. From Section V. Development Standard No. 6 (Transparent Elements) of the SNAP Design Guidelines to allow 37 percent transparent building elements on the east elevation (front), 18 percent transparent building elements on the north elevation (side) and nine percent transparent building elements on the south elevation (side) in lieu of 50 percent on the front and side elevations and nine percent transparent building elements on the west elevation (rear) in lieu of 20 percent on the rear elevation.
7. **Approved a Site Plan Review**, pursuant to Section 16.05 of the Municipal Code, for a project that creates a maximum 98,981 square feet of development that includes 100 residential units and 4,134 square feet of commercial/retail space.
8. **Adopted** the attached modified **Conditions of Approval**.
9. **Adopted** the attached **Findings**.
10. **Adopted** the Mitigated Negative Declaration (**ENV-2014-1948-MND**) as adequate environmental clearance, pursuant to Section 21082.1(c)(3) of the California Public Resources Code.
11. **Advised** the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game fee and / or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

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

This action was taken by the following vote:

Moved: Choe
Seconded: Ahn
Ayes: Ambroz, Katz, Mack, Segura, Dake-Wilson
Absent: Cabildo, Perlman

Vote: 7 - 0



James K. Williams, Commission Executive Assistant II
City Planning Commission

Effective Date/Appeals: The City Planning Commission's determination is appealable. Any aggrieved party may file an appeal within 15-days after the mailing date of this determination letter. Any appeal not filed within the 15-day period shall not be considered by the City Council. All appeals shall be filed on forms provided at the Planning Department's Public Counters at 201 N. Figueroa Street, Fourth Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys.

FINAL APPEAL DATE: MAR 26 2015

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Modified Conditions of Approval, Findings
City Planner: Monique Acosta

CONDITIONS OF APPROVAL

Conditional Use Conditions

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, Plan Implementation Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Los Angeles Municipal Code or the project conditions.
2. **Affordable Units.** A minimum of 99 units, that is 99 percent of the total dwelling units, shall be reserved as affordable units, as defined by the State Density Bonus Law 65915 (C)(2).
3. **Residential Density.** The project shall be limited to a maximum density of 100 residential units including Density Bonus Units.
4. **Floor Area.** Development of the project site shall not exceed a 2.31:1 Floor Area Ratio (FAR) and a total floor area of 98,981 square feet.
5. **Dedications and Improvements.** The following requirements shall be completed as recommended by the City Planning Commission:

Dedications

- a. Vermont Avenue (Major Highway Class II) – A two-foot wide strip of land along the property frontage to complete a 52-foot half right-of-way in accordance with Major Highway – Class II standards.
- b. Alley (West of Vermont Avenue) – None.

Improvements

- c. Vermont Avenue – Remove the existing sidewalk and construct a 17-foot full-width concrete sidewalk. Repair all broken, off-grade or bad order concrete curb and gutter. Close any unused driveways with standard curb height, two-foot gutter and concrete sidewalk and upgrade all driveways to comply with American with Disabilities Act (ADA) requirements.
- d. Alley – Repair all broken, off-grade alley pavement along the property frontage.
- e. Install tree wells with root barriers and plant street trees satisfactory to the City Engineer and the Urban Forestry Division of the Bureau of Street Services. Some tree removal in conjunction with the street improvement project may require Board of Public Works approval. The applicant should contact the Urban Forestry Division for further information (213) 847-3077.
- f. Trees: That Board of Public Works approval shall be obtained, prior to the issuance of the Certificate of Occupancy of the development project, for the removal of any tree in the existing or proposed public right-of-way. The Bureau of Street Services,

Urban Forestry Division is the lead agency for obtaining Board of Public Works approval for the removal of such trees.

- g. Removal of street trees is required in conjunction with the street widening for this project. Include the tree removal issue in your public hearing notice.
 - h. Street lighting and street light relocation may be required satisfactory to the Bureau of Street Lighting (213) 847-1551.
 - i. Department of Transportation may have additional requirements for dedication and improvements.
 - j. Refer to the Department of Transportation regarding traffic signals, signs, equipment and parking meters (213) 482-7024.
 - k. Refer to the Department of Water and Power regarding power pole (213) 367-2715.
 - l. Refer to the Fire Department regarding fire hydrants (213) 482-6543.
 - m. Roof drainage and surface run-off from the project shall be collected and treated at the site and directed to the streets via drain system constructed under the sidewalk and through the curb drains connected to the catch basins.
 - n. Sewer lines exist in Vermont Avenue. Extension of the six-inch house connection laterals to the new property line may be required. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
 - o. An Investigation by the Bureau of Engineering Central District Office Sewer Counter may be necessary to determine the capacity of the existing public sewers to accommodate the proposed development. Submit a request to the Central District Office of the Bureau of Engineering at (213) 482-7050.
 - p. Submit shoring and lateral support plans to the Bureau of Engineering Excavation Counter for review and approval prior to excavating adjacent to the public right-of-way (213) 482-7048.
 - q. Submit parking area and driveway plan to the Central District Office of the Bureau of Engineering and the Department of Transportation for review and approval.
6. If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Director of Planning will have the right to require the petitioner(s) to file for a plan approval application together with the associated fees, to hold a public hearing to review the petitioner's compliance with and the effectiveness of the conditions of the grant. The petitioner(s) shall submit a summary and supporting documentation of how compliance with each condition of the grant has been attained.

Project Permit Compliance and Site Plan Review Conditions

7. **Parks First.** Prior to the issuance of any building permit, the applicant shall complete the following:

- a. Make a payment of \$430,000 for the net increase of 100 residential dwelling units to the Office of the City Administrative Officer (CAO), Parks First Trust Fund.
 - b. Contact Maria Ramos of the CAO directly at (213) 978-7683 or maria.ramos@lacity.org, to arrange for payment.
 - c. The calculation of a Parks First Trust Fund fee to be paid or actual park space to be provided pursuant to this Ordinance shall be off-set by the amount of any Quimby Fee (LAMC § 17.12) or dwelling unit construction tax (LAMC § 21.10.1, et seq.) paid as a result of the project.
 - d. All residential units in a project, containing units set aside as affordable for very low or low income residents, that are subsidized with public funds and/or Federal or State Tax Credits with affordability covenants of at least 30 years are exempt from the Parks First Trust Fund.
8. **Use.** Commercial uses shall be limited to those permitted in the C1.5 Zone.
9. **Open Space.** The project shall provide a minimum of 13,075 square feet of open space of which a minimum of 50 percent or 6,538 square feet shall be located on the ground floor or first habitable room level.
10. **Bicycle Parking.** The project shall provide a minimum of 50 bicycle parking spaces for residential uses and a minimum of five bicycle parking spaces for commercial uses. The mechanical room shall be modified to accommodate 20 additional bicycle parking spaces.
11. **Setbacks.** No front, side or rear yard setbacks are required in Subarea B of the SNAP Specific Plan.
12. **Pedestrian Throughway.** Revised elevations shall be submitted showing that pedestrian oriented signage is provided for the pedestrian walkway along the north property line from Vermont Avenue to the bicycle parking area in the rear and the alley.
13. **Revised Landscape Plan.** Prior to the issuance of a building permit, a revised landscape plan shall be submitted that shows:
- a. An irrigation plan shall be provided showing all landscaped areas are irrigated with an automated watering system including the public right-of-way. Landscaping shall be maintained in good health for the life of the project.
 - b. Enhanced paving such as stamped concrete, permeable paved surfaces, tile and/or brick is used within the walkways along the north and south property lines, entryways along Vermont Avenue and open space courtyards.
 - c. Planter boxes for native species shall be at least two feet six inches deep.
14. **Street Trees.** Prior to the issuance of any building permit, the Applicant shall obtain a Class "A" or "B" Permit guaranteeing installation of:
- a. Ten (10), 36-inch box trees shall be provided in the public right-of-way along the Vermont Avenue project frontage subject to the Department of Street Services, Urban Forestry Division requirements.

- b. A tree well cover or decomposed granite shall be provided for every new and existing street tree immediately adjacent to the project frontage subject to review by the Department of Public Works.
- c. An automatic irrigation system shall be provided.
- d. Tree removal and replacement shall be conducted consistent with the Department of Street Services, Urban Forestry Division requirements.
- e. The Applicant shall be responsible for new street tree planting and pay fees for clerical, inspection, and maintenance per the Los Angeles Municipal Code Section 62.176 for each tree.

Note: Contact the Urban Forestry Division, Subdivision staff, at (213) 847-3088 for site inspection prior to any street tree work.

15. **Facade Relief.** A revised east elevation shall be submitted that shows at least one vertical feature is incorporated into the building design that extends from the top of the first floor to the sidewalk level for that portion of the building where the commercial space is located to break up the length of the ground floor level.
16. **Streetscape Elements.** Prior to the issuance of a building permit, the applicant shall obtain a Class "A" or "B" Permit guaranteeing installation of:
 - a. Six (6) bike racks shall be provided in the public right-of-way along the Vermont Avenue project frontage subject to the Department of Public Works.
 - b. Three (3) trash receptacles shall be provided in the public right-of-way along the Vermont Avenue project frontage subject to the Department of Public Works.
 - c. One (1) public bench shall be provided in the public right-of-way along the Vermont Avenue project frontage subject to the Department of Public Works.
17. **Utilities.** All new utility lines which directly service the lot or lots shall be installed underground. If underground service is not currently available, then provisions shall be made by the Applicant for future underground service.
18. **Surface Mechanical Equipment.** All surface or ground mounted mechanical equipment shall be screened from public view and treated to match the materials and colors of the building which they serve including transformers.
19. **Rooftop Appurtenances.** All rooftop equipment and appurtenances shall be screened from public view or architecturally integrated into the design of the building.
20. **Trash and Recycling areas.** A site plan or floor plan shall be submitted that shows the location of the trash and recycling area for Building A. If the trash and recycling area is not located within Building A, an elevation shall be submitted that shows a trash and recycling area that is a gated, covered enclosure constructed of identical building materials, is a minimum of six feet high, and has a separate area for recyclables.
21. **Freestanding Fences and Walls.** Fence and wall elevations shall be submitted that show an architectural element at intervals of no more than 20 feet. Fences and/or walls shall be set back from the property line adjacent to a public street with a three-foot landscape buffer.

22. **On-Site Lighting.** A lighting plan shall be submitted that shows:
- a. On-site lighting along all vehicular access ways and pedestrian walkways.
 - b. Parking areas shall have a minimum of $\frac{3}{4}$ foot-candle of flood lighting measured at the pavement.
 - c. All on-site lighting shall be directed away from adjacent properties.
 - d. This condition shall not preclude the installation of low-level security lighting.
 - e. Sources of illumination shall be shielded from casting light higher than 15 degrees below the horizontal plane as measured from the light source and not cast light directly into adjacent residential windows.
 - f. A maximum mounting height of light sources for ground level illumination shall be 14 feet measured from the finished grade of the area to be lit.
 - g. Color corrected ("white") high pressure sodium (HPS), color corrected fluorescent (2,700-3,000 degrees K), metal halide, or incandescent lamps shall be used for ground level illumination. Standard "peach" high pressure sodium, low pressure sodium, standard mercury vapor, and cool white fluorescent shall not be used for ground floor illumination.
23. **Security Devices.** If at any time during the life of the project the property owner wishes to install security devices such as window grilles and/or gates, such security devices shall be designed so as to be fully concealed from public view. The project owner shall be required to acquire approval from the Director of Planning, via a Building Permit clearance sign off, for the installation of any security devices on the exterior or the structure.
24. **Hours of Operation.** All parking lot cleaning activities, deliveries and other similar maintenance activities shall take place between the hours of 7:00 a.m. to 8:00 p.m., Monday through Friday and 10:00 a.m. to 4:00 p.m. on Saturday and Sunday.
25. **Signs.** All new future signs shall be installed in compliance with the Vermont/Western Station Neighborhood Area Plan signage guidelines and regulations. Any pole, roof or off-site sign, any sign containing flashing, mechanical or strobe lights are prohibited. Canned signs should not be used.

Project Permit Adjustment Conditions

26. **Building Massing.** The project's massing shall be in substantial conformance with Exhibit A.
27. **Windows and Doors.** At least 37 percent of the ground floor façade of the east elevation shall contain glass windows or doors, at least 18 percent of the ground floor façade of the north elevation shall contain glass windows or doors, at least nine percent of the ground floor façade of the south elevation shall contain glass windows or doors and at least nine percent of the ground floor façade of the west elevation shall contain glass windows or doors.

Density Bonus Conditions

28. **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 50 units available to Very-Low Income Households and 49 units available to Low-Income Households, for sale or rental as determined to be affordable to such households by HCIDLA for a period of 55 years. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by the HCIDLA. Refer to the Density Bonus Legislation Background section of this determination.
29. **Automobile Parking.** Based upon the number of dwelling units proposed 102 parking spaces shall be provided for the project. Vehicle parking shall be provided consistent with LAMC Section 12.22 A.25, Parking Option 2, which permits one parking space for each Restricted Affordable Unit, except that Restricted Affordable Units that are set aside for Low or Very Low Senior Citizens and/or Disabled Persons may provide one-half parking space per unit and Restricted Affordable Units within a Residential Hotel may provide one-quarter parking space per unit. Non-Restricted Affordable Units (including any manager's units) shall provide parking consistent with the SNAP Specific Plan.
- a. Electric Vehicle parking. Twenty percent of the total parking spaces shall be pre-wired for electric vehicles. Of this twenty percent, (4) parking spaces shall be equipped with Electric Vehicle Charging Stations.
30. **Adjustment of Parking.** In the event that the number of Restricted Affordable Units should increase, or the composition of such units should change (i.e. the number of bedrooms, or the number of units made available to Senior Citizens and/or Disabled Persons), or the applicant selects another Parking Option (including Bicycle Parking Ordinance) and no other Condition of Approval or incentive is affected, then no modification of this determination shall be necessary, and the number of parking spaces shall be re-calculated by the Department of Building and Safety based upon the ratios set forth above.
31. **Height.** The maximum building height shall be limited to 55 feet.

Environmental Conditions

32. **Aesthetics (Landscape Plan).** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan and an automatic irrigation plan, prepared by a Landscape Practitioner (Sec. 12.40-D) and to the satisfaction of the decision maker.
33. **Aesthetics (Vandalism).**
- a. Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.
- b. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a street or alley, pursuant to Municipal Code Section 91.8104.15.

34. **Aesthetics (Signage on Construction Barriers).**
- a. The applicant shall affix or paint a plainly visible sign, on publically accessible portions of the construction barriers, with the following language: "POST NO BILLS".
 - b. Such language shall appear at intervals of no less than 25 feet along the length of the publically accessible portions of the barrier.
 - c. The applicant shall be responsible for maintaining the visibility of the required signage and for maintaining the construction barrier free and clear of any unauthorized signs within 48 hours of occurrence.
35. **Aesthetics (Light).** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way, nor from above.
36. **Aesthetics (Glare).** The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.
37. **Air Pollution (Demolition, Grading, and Construction Activities).**
- a. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403.
 - b. The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
 - c. All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
 - d. All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
 - e. All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
 - f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
 - g. Trucks having no current hauling activity shall not idle but be turned off.
38. **Tree Removal (Non-Protected Trees).**
- a. Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.
 - b. All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.

- c. Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division the Department of Public Works, Bureau of Street Services.
39. **Tree Removal (Public Right-of-Way).**
- a. Removal of trees in the public right-of-way requires approval by the Board of Public Works.
 - b. The required Tree Report shall include the location, size, type, and condition of all existing trees in the adjacent public right-of-way and shall be submitted for review and approval by the Urban Forestry Division of the Bureau of Street Services, Department of Pubic Works (213-847-3077).
 - c. The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) trees in the public right-of-way.
 - d. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.
40. **Cultural Resources (Archaeological).** If any archaeological materials are encountered during the course of project development, all further development activity shall halt and:
- a. The services of an archaeologist shall then be secured by contacting the South Central Coastal Information Center (657-278-5395) located at California State University Fullerton, or a member of the Society of Professional Archaeologist (SOPA) or a SOPA-qualified archaeologist, who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.
 - b. The archaeologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
 - c. The applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study or report.
 - d. Project development activities may resume once copies of the archaeological survey, study or report are submitted to:

SCCIC Department of Anthropology
McCarthy Hall 477
CSU Fullerton
800 North State College Boulevard
Fullerton, CA 92834
 - e. Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, archaeological reports have been submitted, or a statement indicating that no material was discovered.

- f. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.
41. **Cultural Resources (Paleontological).** If any paleontological materials are encountered during the course of project development, all further development activities shall halt and:
 - a. The services of a paleontologist shall then be secured by contacting the Center for Public Paleontology - USC, UCLA, California State University Los Angeles, California State University Long Beach, or the Los Angeles County Natural History Museum - who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.
 - b. The paleontologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
 - c. The applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study or report.
 - d. Project development activities may resume once copies of the paleontological survey, study or report are submitted to the Los Angeles County Natural History Museum.
 - e. Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, paleontological reports have been submitted, or a statement indicating that no material was discovered.
 - f. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.
42. **Cultural Resources (Human Remains).** In the event that human remains are discovered during excavation activities, the following procedure shall be observed:
 - a. Stop immediately and contact the County Coroner:

1104 N. Mission Road
Los Angeles, CA 90033
323-343-0512 (8 a.m. to 5 p.m. Monday through Friday) or
323-343-0714 (After Hours, Saturday, Sunday, and Holidays)
 - b. The coroner has two working days to examine human remains after being notified by the responsible person. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission.
 - c. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
 - d. The most likely descendent has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods.
 - e. If the descendent does not make recommendations within 48 hours the owner shall reinter the remains in an area of the property secure from further disturbance, or;

- f. If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission.
 - g. Discuss and confer means the meaningful and timely discussion careful consideration of the views of each party.
43. **Seismic.** The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.
44. **Erosion/Grading/Short-Term Construction Impacts.**
- a. The applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.
 - b. All grading activities require grading permits from the Department of Building and Safety. Additional provisions are required for grading activities within Hillside areas.
 - c. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.
 - d. Stockpiles, excavated, and exposed soil shall be covered with secured tarps, plastic sheeting, erosion control fabrics, or treated with a bio-degradable soil stabilizer.
45. **Geotechnical Report.** The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.
46. **Green House Gas Emissions.** Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.
47. **Explosion/Release (Existing Toxic/Hazardous Construction Materials).**
- a. (Asbestos) Prior to the issuance of any permit for the demolition or alteration of the existing structure(s), the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant indicating that no Asbestos-Containing Materials (ACM) are present in the building. If ACMs are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other applicable State and Federal rules and regulations.
 - b. (Lead Paint) Prior to issuance of any permit for the demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.
 - c. (Polychlorinated Biphenyl – Commercial and Industrial Buildings) Prior to issuance of a demolition permit, a polychlorinated biphenyl (PCB) abatement contractor shall conduct a survey of the project site to identify and assist with compliance with applicable state and federal rules and regulation governing PCB removal and disposal.

48. Explosion/Release (Methane Gas).

- a. All commercial, industrial, and institutional buildings shall be provided with an approved Methane Control System, which shall include these minimum requirements; a vent system and gas-detection system which shall be installed in the basements or the lowest floor level on grade, and within underfloor space of buildings with raised foundations. The gas-detection system shall be designed to automatically activate the vent system when an action level equal to 25% of the Lower Explosive Limit (LEL) methane concentration is detected within those areas. Alternatively, subject to site testing and compliance with the Los Angeles Building Code Chapter 71 an alternate site design level could be installed to the satisfaction of the Department of Building and Safety.
- b. All multiple residential buildings shall have adequate ventilation as defined in Section 91.7102 of the Municipal Code of a gas-detection system installed in the basement or on the lowest floor level on grade, and within the underfloor space in buildings with raised foundations. Alternatively, subject to site testing and compliance with the Los Angeles Building Code Chapter 71 an alternate site design level could be installed to the satisfaction of the Department of Building and Safety.

49. Stormwater Pollution (Demolition, Grading, and Construction Activities).

- a. Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- b. All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.
- c. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- d. Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.

50. Land Use/Planning.

- a. An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 11, to the satisfaction of the Department of Building and Safety.
- b. Wall and roof-ceiling assemblies making up the building envelope shall have an STC of at least 50, and exterior windows shall have a minimum STC of 30, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto.
- c. All exterior windows having a line of sight of a Major Highway shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Coefficient (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto.
- d. The applicant, as an alternative, may retain an acoustical engineer to submit evidence, along with the application for a building permit, any alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.

51. **Increased Noise Levels (Demolition, Grading, and Construction Activities).**
 - a. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
 - b. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
 - c. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
 - d. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
52. **Increased Noise Levels (Parking Structure Ramps).**
 - a. Concrete, not metal, shall be used for construction of parking ramps.
 - b. The interior ramps shall be textured to prevent tire squeal at turning areas.
 - c. Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to the residential.
53. **Public Services (Fire).** The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
54. **Public Services (Police – Demolition/Construction Sites).** Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.
55. **Public Services (Police).** The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.
56. **Public Services (Construction Activity Near Schools).**
 - a. The developer and contractors shall maintain ongoing contact with administrator of Frank Del Omo Elementary School, Virgil Middle School and Hubbard College of Administration. The administrative offices shall be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur. The developer shall obtain school walk and bus routes to the schools from either the administrators or from the

LAUSD's Transportation Branch (323)342-1400 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.

- b. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
 - c. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to the school.
 - d. Due to noise impacts on the schools, no construction vehicles or haul trucks shall be staged or idled on these streets during school hours.
57. **Public Services (Schools).** The applicant shall pay school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.
58. **Recreation (Increased Demand For Parks Or Recreational Facilities).**
- a. (Apartments) Pursuant to Section 21.10 of the Los Angeles Municipal Code, the applicant shall pay the Dwelling Unit Construction Tax for construction of apartment buildings.
 - b. Prior to the issuance of a Certificate of Occupancy, the applicant for any residential project shall pay a fee to the Parks First Trust Fund of \$4,300 per dwelling unit. The calculation of a Parks First Trust Fund fee to be paid or actual park space to be provided pursuant to this Ordinance shall be off-set by the amount of any Quimby Fee (LAMC § 17.12) or dwelling unit construction tax (LAMC § 21.10.1, et seq.) paid as a result of the project. All residential units in a project, containing units set aside as affordable for very low or low income residents, that are subsidized with public funds and/or Federal or State Tax Credits with affordability covenants of at least 30 years are exempt from the Parks First Trust Fund.
59. **Increased Vehicle Trips/Congestion.**
- a. Implementing measures detailed in the Department of Transportation's communication to the Planning Department dated October 3, 2014 and attached shall be complied with. Such report and mitigation measure(s) are incorporated herein by reference.
 - b. A Construction work site traffic control plan shall be submitted to LADOT for review and approval prior to the start of any construction work. The plans shall show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. All construction related traffic shall be restricted to off-peak hours.
 - c. The applicant shall verify with the Department of Building and Safety the number of Code-required parking spaces needed for the project.
 - d. The conceptual site plan for the project, which is illustrated in Attachment 2, is acceptable to DOT; however, review and approval of the driveway dimensions, access and circulation scheme shall be coordinated with DOT's Citywide Planning Coordination Section (201 N. Figueroa Street, 4th Floor, Station 3, 213- 482-7024).
 - e. The applicant shall contact DOT for driveway width and internal circulation requirements so that such traffic flow considerations are designed and incorporated early into the building and parking layout plans.

- f. All pick-up and drop-off activities shall take place on-site. Any security gates shall be a minimum of 20 feet from the property line.
 - g. Per Section 19.15 of the Los Angeles Municipal Code and Ordinance No. 180542, specific fees for traffic study review, condition clearance, and permit issuance shall be paid to the Department of Transportation for permit issuance activities.
60. **Safety Hazards.**
- a. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
 - b. The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.
61. **Utilities (Local Water Supplies - Landscaping).**
- a. The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g, use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season).

In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:

- b. Weather-based irrigation controller with rain shutoff
 - c. Matched precipitation (flow) rates for sprinkler heads
 - d. Drip/microspray/subsurface irrigation where appropriate
 - e. Minimum irrigation system distribution uniformity of 75 percent
 - f. Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials
 - g. Use of landscape contouring to minimize precipitation runoff
 - h. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for existing and expanded irrigated landscape areas totaling 5,000 sf. and greater.
62. **Utilities (Local Water Supplies - All New Construction).**
- a. If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
 - b. Install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.
 - c. Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.

- d. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.
 - e. Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)
63. **Utilities (Local Water Supplies - New Commercial).** All restroom faucets shall be of a self-closing design.
64. **Utilities (Local Water Supplies - New Residential).**
- a. Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.
 - b. Install and utilize only high-efficiency clothes washers (water factor of 6.0 or less) in the project, if proposed to be provided in either individual units and/or in a common laundry room(s). If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
 - c. Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
65. **Utilities (Solid Waste Recycling).**
- a. (Operational) Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.
 - b. (Construction/Demolition) Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction-related wastes.
 - c. (Construction/Demolition) To facilitate on-site separation and recycling of demolition- and construction-related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and the contents recycled accordingly as a part of the project's regular solid waste disposal program.
66. **Utilities (Solid Waste Disposal).** All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle demolition and construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, bricks, metals, wood, and vegetation. Non-recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.

Other Conditions**67. Los Angeles Unified School District (LAUSD).**

- a. LAUSD Transportation Branch at (213) 580-2950 shall be contacted regarding the potential impact upon existing school bus routes.
- b. School buses must have unrestricted access to schools.
- c. During the construction phase, truck traffic and construction vehicles shall not cause traffic delays for LAUSD transported students.
- d. During and after construction changed traffic patterns, land adjustment, traffic light patterns, and altered bus stops may not affect school buses' on-time performance and passenger safety.
- e. Trucks and construction vehicles that encounter school buses using red-flashing-lights must-stop-indicators shall stop.
- f. The Project Manager or designee shall notify the LAUSD Transportation Branch of the expected start and ending dates for various portions of the project that may affect traffic within nearby schools.
- g. Contractors shall maintain safe and convenient pedestrian routes to all nearby school. The applicable Pedestrian Route to School map can be found at <http://www.lausd-oehs.org/saferoutestoschool.asp>
- h. Contractors shall maintain ongoing communication with LAUSD school administrators, providing sufficient notice to forewarn children and parents when existing pedestrian and vehicle routes to school may be required.
- i. Installation and maintenance of appropriate traffic controls (sign and signals) to ensure pedestrian and vehicular safety.
- j. Haul Routes shall not pass by any school, except when school is not in session.
- k. No staging or parking of construction related vehicles, including worker-transport vehicles, shall occur on or adjacent to a school property.
- l. Funding for crossing guards (at contractor's expense) is required when safety of children may be compromised by construction-related activities at impacted school crossings.
- m. Barriers and/or fencing shall be installed to secure construction equipment and to minimize trespassing, vandalism, short-cut attractions, and attractive nuisances.
- n. Contractor's shall provide security patrols (at their expense) to minimize trespassing, vandalism, and short-cut attractions.
- o. Information related to school developer fees can be obtained by contacting the LAUSD Developer Fee Office at (213) 743-3670.

Administrative Conditions

68. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
69. **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.
70. **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.
71. **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.
72. **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.
73. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
74. **Covenant.** Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement for CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the subject case file.
75. **Expiration.** In the event that this grant is not utilized within three years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
76. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly

notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

FINDINGS

Entitlement Findings

1. Conditional Use Findings

- a) **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.**

The Applicant, AMCAL, is requesting a Conditional Use to permit the increase of density greater than the maximum 35% increase allowed by the Density Bonus Ordinance. The applicant seeks a density bonus increase of 89 percent in order to permit 100 residential units (99 restricted affordable and one manager's market rate unit) in lieu of 53 units otherwise allowed.

According to the Housing Element of the City of Los Angeles General Plan, page 1-14, 29 percent of total households in Los Angeles City are in the Very Low Income Category and 16.1 percent are in the Low Income Category. Almost half of the City's residents are in the Very Low or Low Income Categories. Additionally, the Housing Element of the General Plan shows that of the 29 percent Very Low Income households, 82 percent are renters and 18 percent are owners and of the 16.1 percent Low Income households, 73 are renters and 27 percent are owners. A significant number of Los Angeles' Very Low and Low Income households are renters. The Applicant, AMCAL Multi-Housing, Inc. is proposing to build a mixed use Transit Oriented Development with 100 apartment units and 4,134 square feet of ground floor commercial. Of the 100 dwelling units, 99 are restricted affordable units and one is a non-restricted managers unit. The proposed project will provide affordable housing for residents in the low and very low income brackets as defined by HCD and HCID requirements. It is indisputable that the need for affordable housing for all citizens reaches all corners of the City. Providing affordable housing at this location will serve the public convenience by contributing to the widespread need for housing close to a major transit stop. The overall stability of the community benefits from housing dedicated to affordability thereby contributing to the welfare of the community.

The Housing Element of the City of Los Angeles General Plan considers large households to fall into a category that has unique special needs and circumstances. The Housing Element of the General Plan states, "Large family households need large housing units of three-or-more bedrooms in order to avoid being overcrowded (1.01 or more persons per room, under the Federal standard)." The project's unit mix is comprised of two studio apartments, 41 one-bedroom apartments, 24 two-bedroom apartments and 33 three-bedroom apartments. The Applicant proposes to designate one-third of the units to large households as restricted affordable units. Given the large number of Very Low and Low Income households in the City of Los Angeles and the special needs of large family households, the construction of new affordable housing with the density increase of 89 percent will serve a critical need and essential service to the City and Region.

Pursuant to LAMC 12.24 F: "In approving a project, the decision maker may impose conditions related to the interests addressed in the findings set forth in Subsection E. The decision may state that the height and area regulations required by other provisions of this Chapter shall not apply to the conditional use approved." In order to provide the additional affordable residential units, the project requires the relief from the required

floor area. The project requires a 2.31:1 FAR in lieu of the maximum of 2:1 permitted by the SNAP Specific Plan. Relief from the area requirement will ensure that the project will be able to provide affordable housing to very low and low income households at the residential density that is needed, and fulfill a special housing need by providing 33, three-bedroom units for large households.

The proposed project's FAR, height, bulk and massing will also enhance the built environment in the surrounding area. Currently, the site contains an existing one- and two-story commercial building and surface parking lots. As designed, the proposed project will enhance Vermont Avenue and provide an affordable housing development project in close proximity to the Metro Vermont/Beverly Red Line Station and Metro Rapid Bus Lines. As conditioned, the Applicant will make enhancements to the adjacent public right-of-way including new street trees, bicycle racks, public benches and trash receptacles. This redevelopment will enhance the built environment in the surrounding area.

- b) **The project's location, size, height, operation 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 project site consists of 0.98 acres (42,930 square feet) and is located on Vermont Avenue in a commercially zoned corridor. The subject site and those properties to the north, south and east are zoned C2-1 and are developed with commercial, bank, retail, car dealership and surface parking lots. Properties further south, across Council Street, consist of institutional uses that include the Frank Del Omo Elementary School and Virgil Middle School. Properties to the west, across the 20-foot alley, consist of multi-family residential uses that range in height from two- to five-stories. In addition to the mix of land uses and zoning, the area includes a mix of Specific Plan Subareas. The properties to the north and east are designated Subarea C (Community Center). The properties to the west are designated Subarea A (Neighborhood Conservation). The subject site and properties to the south are designated Subarea B (Mixed Use Boulevards) with the properties further south, across Council Street, designated Subarea E (Community Facilities). The project site is approximately 255 feet from the Vermont/Beverly Metro Station and near numerous MTA bus route stops along Vermont Avenue and Beverly Boulevard. The location of the project site provides many transit options for the future tenants of the project.

The immediate area does not contain a consistent development pattern, architectural style, or land use pattern. Buildings in the area are built to a variety of heights, FAR, setbacks, and massing. Currently, the site contains a surface parking lot and one- and two-story commercial building. As designed, the proposed project will revitalize underutilized lots with a mixed use development that is pedestrian oriented by removing curb cuts along Vermont Avenue, locating vehicular access to the site in the rear via the alley, providing ground floor retail and residential amenities at the ground floor. As conditioned, the Applicant will make enhancements to adjacent public right-of-way including new street trees, bicycle racks, public benches and trash receptacles. In order to provide the additional affordable residential units, the project requires 2.31:1 FAR in lieu of the maximum of 2:1 FAR permitted by the SNAP Specific Plan. Relief from the area requirements will ensure that the project will be able to provide affordable housing at the residential density that is needed to Very Low and Low Income households and also provide for special housing needs by devoting one-third of the units to large households which need large housing units of three-or-more bedrooms in order to avoid being overcrowded. The development of the project site will be no less compatible with

the mix of building types, densities, and uses in the area than as the site is currently developed.

The SNAP Specific Plan for Subarea B envisions mixed use developments composed of ground floor neighborhood serving commercial uses with three levels of residential units above, along commercial and transit corridors similar to the proposed project. The proposed project will be compatible with typology of development for Subarea B, with the surrounding neighborhood which currently has a mix of uses, scales and densities and with a recently approved affordable housing development that is approximately three blocks northeast of the site, the PATH project, which provides permanent supportive housing and ancillary support services. Therefore, as designed and as conditioned, the project will not adversely affect adjacent properties.

c) **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 project site is located entirely within the boundaries of the Wilshire Community Plan. The project site has a land use designation of Neighborhood Office Commercial. The proposed construction of a mixed-use development with 100 residential units (of which 99 units are restricted affordable and one market rate manager's unit) and 4,134 square feet of commercial/retail space on the ground floor is not consistent with the property's SNAP Subarea B designation. However, the Applicant is seeking a number of entitlements for relief, as follows: a Conditional Use to increase the density, Density Bonus On-Menu Incentives to increase the overall building height and SNAP stepback requirement and to increase the floor area ratio, Density Bonus Off-Menu Incentives for relief from the SNAP transitional height requirements, SNAP stepback requirement and the Code's commercial loading space requirement, Project Permit Adjustments for relief from the SNAP stepback requirement and transparency requirement, a Project Permit Compliance Review with SNAP and a Site Plan Review for a project that results in 50 or more residential units. With the approval of these entitlements from the City Planning Commission, the proposed project will be in substantial conformance with the purposes, intent, and provisions of the General Plan and all of its elements and the Vermont/Western SNAP Specific Plan.

The Framework Element

The Framework Element for the General Plan (Framework Element) was adopted by the Los Angeles City Council on December 11, 1996 and re-adopted on August 8, 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the Project site. The Framework Element of the General Plan establishes general policies for the City of Los Angeles based on projected population growth. Land use, housing, urban form and neighborhood design, open space, economic development, transportation, infrastructure, and public services are all addressed in the context of accommodating future City-wide population increases. The City's various land use "categories" are defined based on appropriate corresponding development standards including density, height, and use.

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.

Goal 3I: A network of boulevards that balance community needs and economic objectives with transportation functions and complement adjacent residential neighborhoods.

Objective 3.13: Provide opportunities for the development of mixed-use boulevards where existing or planned major transit facilities are located and which are characterized by low-intensity or marginally viable commercial uses with commercial development and structures that integrate commercial, housing, and/or public services.

Goal 3K: Transit stations to function as a primary focal point of the City's development.

Objective 3.15: Focus mixed commercial/residential uses, neighborhood-oriented retail, employment opportunities, and civic and quasi-public uses around urban transit stations, while protecting and preserving surrounding low-density neighborhoods from the encroachment of incompatible land uses.

Policy 3.15.3: Increase the density generally within one quarter mile of transit stations, determining appropriate locations based on consideration of the surrounding land use characteristics to improve their viability as new transit routes and stations are funded in accordance with Policy 3.1.6.

The City's General Plan includes goals, objectives and policies to encourage housing, jobs, and services in closer proximity to one another; to create balanced communities and neighborhoods; and to reduce the number and length of work-related trips. The proposed project provides affordable housing conveniently located half a block south of the Metro Red Line Transit Station at Vermont Avenue and Beverly Boulevard. The General Plan encourages the development of multi-family residential housing in regional centers and along primary transit corridors and boulevards. The project site is designated Subarea B (Mixed Use Boulevards) in the SNAP and is surrounded by a mix of uses that include multi-family residential, commercial/retail, institutional (Elementary and Junior High Schools), a bank, a car dealership and surface parking lots. Additionally, the project site is located across the street, Vermont Avenue, from Subarea C (Community Center), which allows R4 Zone residential uses and C4 Zone commercial uses. The Framework Element also designates this portion of Vermont Avenue as a Mixed Use Boulevard.

The project site is within a highly urbanized location in close proximity to several transit options. The project site is approximately 250 feet from the Metro Red Line Vermont/Beverly Station, which is located on the northwest corner of Vermont Avenue and Beverly Boulevard. The Metro Red Line Vermont/Beverly Station provides access to Hollywood and the San Fernando Valley, with connecting service to the Metro Orange Line (serving the west Valley and Chatsworth). The Metro Red Line and Purple Line serve Downtown including Los Angeles Union Station, with connecting service to the Metro Gold Line (serving Pasadena and East Los Angeles), Amtrak passenger rail, Metrolink commuter rail, and bus service for regional and local lines. The Metro Purple Line also serves Koreatown. The Metro Blue Line originates at the 7th Street/Metro Center station and provides access from downtown Los Angeles to downtown Long Beach, as well as connecting service to the Metro Green Line (serving Norwalk,

Redondo Beach, and LAX via shuttle). The project site is also served by Metro Local 14 on Beverly Boulevard and Metro Local 204 and Metro Rapid 754 on Beverly Boulevard.

Land Use Element – Wilshire Community Plan

The Wilshire Community Plan was updated and adopted by the Los Angeles City Council on September 19, 2001. The proposed project, a 100 percent affordable housing development excluding the manager's unit with ground floor neighborhood serving commercial/retail, advances a number of objectives and policies contained in the Wilshire Community Plan. These include:

Goal 1: Provide a safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the Wilshire Community.

Objective 1-1: Provide for the preservation of existing quality housing, and for the development of new housing to meet the diverse economic and physical needs of the existing residents and expected new residents in the Wilshire Community Plan Area to the year 2010.

Policy 1-1.3: Provide for adequate Multiple Family residential development.

Policy 1-1.4: Provide for housing along mixed-use boulevards where appropriate.

Objective 1-2: Reduce vehicular trips and congestion by developing new housing in close proximity to regional and community commercial centers, subway stations and existing bus route stops.

Policy 1-2.1: Encourage higher density residential uses near major public transportation centers.

Objective 1-4: Provide affordable housing and increased accessibility to more population segments, especially students, the handicapped and senior citizens.

The Applicant proposes the revitalization of an underutilized site by demolishing a one- and two-story building and surface parking lot and the construction, use and maintenance of a four-story mixed use development with 100 residential units (99 restricted affordable units and one market rate manager's unit) and 4,134 square feet of ground floor commercial space. The Applicant proposes to restrict 50 percent (50 units) for Very Low Income households and 49 percent (49 units) for Low Income households. The project provides ample open space for residents that include a 1,777-square-foot community space and a 8,379-square-foot courtyard which has an entertainment terrace, a community terrace with tot lot area for children and a dining terrace and private open space that includes 59 balconies that amount to 2,950 square feet.

The Applicant is seeking a Conditional Use for a density increase greater than the maximum permitted under the Density Bonus Ordinance for an 89 percent density increase or 47 additional units. Thus, if approved, the project will provide a total of 100 units with 50 units restricted to Very Low Income Households, 49 units restricted to Low Income Households and one market rate manager's unit. The proposed project is consistent with above objectives and policies of the Wilshire Community Plan by providing higher residential density near major public transportation centers and affordable housing that is accessible to more population segments as the project includes 100 residential units (99 restricted affordable units and one market rate manager's unit) that are within 250 feet of the Metro Red Line Vermont/Beverly Station,

which provides access to Downtown Los Angeles, Hollywood and the San Fernando Valley with connecting service to the San Gabriel and Inland Empire to the east, to West Los Angeles and the coastal areas to the west, to South Los Angeles and the South Bay to the south.

Vermont/Western Specific Plan

The project is also located within the Vermont/Western Specific Plan and designated as Subarea B (Mixed Use Boulevards) with a C2-1 Zone and Neighborhood Office Commercial land use designation. Subarea B allows residential uses permitted in the R3 Zone and commercial uses permitted in the C1.5 Limited Commercial Zone, in addition to Live/Work Quarters and Small Assembly workshops with the purpose of creating a denser, livelier pedestrian environment along major commercial and transit corridors like Vermont Avenue. The project site is permitted to be developed with residential only projects, commercial only projects and mixed use projects in Subarea B. The Vermont/Western Specific Plan was adopted by City Council on January 23, 2001 (Ordinance 173,749) and effective on March 1, 2001. The proposed project is consistent with the following Purposes in Section 2 of this Specific Plan:

C. Establish a clean, safe, comfortable and pedestrian oriented community environment for residents to shop in and use the public community services in the neighborhood;

D. Improve the quality of housing stock in the neighborhood through the construction of affordable housing units available for home ownership, in Mixed Use buildings along transit corridors;

E. Guide all development, including use, location, height and density, to assure compatibility of uses and to provide for the consideration of transportation and public facilities, aesthetics, landscaping, open space and the economic and social well-being of area residents;

G. Create a transit friendly area by requiring conformance to pedestrian oriented design guidelines that establish building facade treatments, landscape standards, criteria for shade-producing building overhangs and awnings, street lighting and security lighting for streets, alleys, sidewalks and other pedestrian areas that adjoin new development;

R. Facilitate the provision of studio and one bedroom apartments for adult students and senior citizens located near colleges, subway stations and along commercial corridors;

The Applicant is seeking a Conditional Use to permit a density increase of 89 percent in order to permit 100 residential units of which 99 units are restricted affordable units to Very Low and Low Income households. In order to provide the additional affordable residential units, the project requires a 2.31:1 FAR in lieu of the maximum 2:1 FAR permitted by the SNAP Specific Plan. Relief from the area requirements will ensure that the project will be able to provide affordable housing at the residential density that is needed and also provide special housing needs by devoting one-third of the units (33 units) to large households, which need large housing units of three-or-more bedrooms in order to avoid being overcrowded. Otherwise, as conditioned, the project will comply with the provisions of the Specific Plan.

Transportation Element

The City's Transportation Element was adopted by City Council on September 8, 1999. The Transportation Element of the General Plan guides development of a

citywide transportation system with the goal of ensuring the efficient movement of people and goods. The Transportation Element recognizes that primary emphasis must be placed on maximizing the efficiency of existing and proposed transportation infrastructure through advanced transportation technology, reduction of vehicle trips, and focused growth in proximity to public transit. The project is consistent with the following objectives, policies and programs:

Policy 2.11: Continue and expand requirements for new development to include bicycle storage and parking facilities, where appropriate.

Objective 3: Support development in regional centers, community centers, major economic activity areas and along mixed-use boulevards as designated in the Community Plans.

Policy 3.13: Enhance pedestrian circulation in neighborhood districts, community centers, and appropriate locations in regional centers and along mixed-use boulevards; promote direct pedestrian linkages between transit portals/platforms and adjacent commercial development through facilities orientation and design.

The Transportation Element includes goals and objectives to encourage housing, jobs, and services in closer proximity to one another; to create balanced communities and neighborhoods; and to reduce the number and length of work-related trips. The proposed project provides affordable housing and commercial/retail space conveniently located 250 feet south of the MTA Metro Red Line Transit station at Beverly Boulevard and Vermont Avenue. The Transportation Element encourages the development of multi-family residential housing in regional centers and along primary transit corridors and mixed-use boulevards. The project site is in a highly urbanized location in close proximity to several transit options, including the MTA subway system and the MTA Rapid Bus lines. The future tenants will have easy pedestrian access to the commercial shopping areas and institutional uses (i.e. Elementary and Junior High Schools) along Vermont Boulevard and Beverly Boulevard. Additionally, the proposed project will provide bicycle storage and parking facilities as required per the SNAP and in conformance with the Transportation Element.

Housing Element

The City's Housing Element for 2013-2021 was adopted by City Council on December 3, 2013. The project is consistent with the following objectives, policies and programs:

Goal 1: Housing Production and Preservation

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

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

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

Policy 1.4.1: Streamline the land use entitlement, environmental review, and building permit processes, while maintaining incentives to create and preserve affordable housing.

Goal 2: Safe, Livable, and Sustainable Neighborhoods

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

Policy 2.2.2: Provide incentives and flexibility to generate new multi-family housing near transit and centers, in accordance with the General Plan Framework element, as reflected in Map ES.1.

The project is consistent with the above goals, objective and policies of the Housing Element as the project proposes a mixed use development with affordable housing and ground floor commercial/retail space that is near a major transit center, the Vermont/Beverly Red Line Station. The new mixed use development will create 100 residential units, of which 99 units are restricted affordable for Very Low and Low Income Households and one market rate manager's unit, and 4,134 square feet of commercial/retail space. The project provides ample open space for residents that include a 1,777-square-foot community space and a 8,379-square-foot courtyard which has an entertainment terrace, a community terrace with tot lot area for children, a dining terrace and private open space that includes 59 balconies that amount to 2,950 square feet.

d) 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 project is consistent with the following objectives, policies and programs:

Goal 1: Housing Production and Preservation

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

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

Objective 1.2: Preserve quality rental and ownership housing for households of all income levels and special needs.

Policy 1.2.7: Strengthen the capacity of the development community to preserve and manage affordable housing.

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

Policy 1.4.1: Streamline the land use entitlement, environmental review, and building permit processes, while maintaining incentives to create and preserve affordable housing.

Goal 2: Safe, Livable, and Sustainable Neighborhoods

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

Policy 2.2.2: Provide incentives and flexibility to generate new multi-family housing near transit and centers, in accordance with the General Plan Framework element, as reflected in Map ES.1.

The project is consistent with the above goals, objective and policies of the Housing Element as the project proposes a mixed use development with affordable housing and ground floor commercial/retail space that is near a major transit center, the Vermont/Beverly Red Line Station. The new mixed use development will create 100 residential units, of which 99 units are restricted affordable for Very Low and Low Income Households and one market rate manager's unit, and 4,134 square feet of commercial/retail space. The project provides ample open space for residents that include a 1,777-square-foot community space and a 8,379-square-foot courtyard which has an entertainment terrace, a community terrace with tot lot area for children, a dining terrace and private open space that includes 59 balconies that amount to 2,950 square feet.

- e) **The project contains the requisite number of affordable and/or senior citizen units as set forth in California Government Code Section 65915(b).**

California Government Code Section 65915(b) is the State of California's Density Bonus Law. Under Government Code Section § 65915(a), § 65915(d)(2)(C) and § 65915(d)(3) the City of Los Angeles complies with the State Density Bonus law by adhering to adopted 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 Applicant proposes a project totaling 100 dwelling units, which reserves 50 units for Very Low Income household occupancy and reserves 49 units for Low Income household occupancy for a period of 55 years. As a result of setting aside these restricted affordable units, the Applicant qualifies for three on-menu incentives pursuant to LAMC Section 12.22 A.25. As found in this report, the project complies with Section 12.22 A.25. Therefore, the project contains the requisite number of affordable and/or senior citizen units as set forth in California Government Code Section 65915(b).

- f) **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 on February 20, 2008, (CF 05-1345) 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 181142). However, at that time the Affordable Housing Incentives Guidelines were not updated to reflect changes to the City's Density Bonus Ordinance. Where there is a conflict between the Guidelines and the current Density Bonus Ordinance, the Density Bonus Ordinance prevails.

While many of the Guidelines are embedded within the City's Density Bonus Ordinance, there are some unique Guidelines, including design and location of affordable units to be comparable to the market rate units, the equal distribution of amenities, HCIDLA monitoring requirements, affordability levels, and procedures for obtaining HCIDLA sign-offs for building permits. As conditioned, the Applicant will execute a covenant to the satisfaction of HCIDLA who will ensure compliance with the Guidelines. Therefore, the project will address the policies and standards contained in the Guidelines.

2. Density Bonus/Affordable Housing Incentives Program Findings

Pursuant to Section 12.22 A.25(c) of the LAMC, the Director shall approve a Density Bonus and requested Incentive(s) unless the Director finds that:

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

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

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

The requested on-menu incentives, an increase in the overall building height and upper-floor stepback heights, are expressed in the Menu of Incentives per LAMC 12.22 A.25(f) and, as such, permit exceptions to zoning requirements that result in building design or construction efficiencies that provide for affordable housing costs. The requested off-menu incentives, an increase in the transitional height, a decrease in the horizontal distance of the transitional height and a modified loading zone, are not expressed in the Menu of Incentives per LAMC 12.22 A.25(f) and, as such, are subject to LAMC 12.22.A.25(g)(3), which requires a pro forma or other documentation to show that the waiver or modification of any development standards are needed in order to make the Restricted Affordable Units economically feasible.

The Applicant submitted a pro forma along with an independent third-party financial analysis of the pro forma in order to evaluate the financial feasibility of the project, attached as Exhibit D. Two scenarios were evaluated – Scenario 1 evaluated the building as proposed, and Scenario 2 evaluated a building with no off-menu incentives. Scenario 2 results in a building that is three-stories instead of four, and 78 units instead of 100. It is concluded that the requested off-menu incentives are necessary to make the project financially feasible. The rationale behind this conclusion is that the project as designed has all its necessary funding in place. The funding sources required for the project's construction would be negatively impacted by both a delay in the project and by a reduction in unit count. Reducing the project to 78 units

would reduce obtainable funding, and the need to redesign the project would require the project be re-submitted for future funding cycles. Some funding sources are uncertain and may not be continued while others have already been eliminated, putting the financial feasibility of the project in jeopardy. Therefore, the requested incentives ensure that the project as proposed is financially feasible.

The requested on- and off-menu incentives allow the developer to expand the building envelope so an additional 19 restricted affordable units can be constructed and the overall space dedicated to residential uses is increased. However, the Applicant is seeking a Conditional Use for a density increase greater than the maximum permitted under the Density Bonus Ordinance for an 89 percent density increase or 47 additional units in lieu of a 35 percent density increase or 19 additional units. With the granting of a Conditional Use from the City Planning Commission for the density increase, these incentives support the Applicant's decision to set aside 50 Very Low Income dwelling units and 49 Low Income dwelling units for 55 years.

Requested On-Menu Incentives

Height Increase – Overall Building: Section 8.B.1. of the SNAP Specific Plan limits the maximum height of mixed use projects to 50 feet. The housing development project proposes a maximum height of 55 feet. The requested increase in height allows a building height that accommodates the configuration, size, efficiency and density of affordable housing units and accommodates an acceptable unit mix of one, two and three bedroom units.

Height Increase – Within 15-foot Stepback: Development Standard No. 6 of the SNAP Design Guidelines requires a maximum building height of 30 feet within 15 feet of the front property line as depicted on Sheet A300 of Exhibit A. The housing development project proposes a height increase of 11 feet to allow a maximum building height of 41 feet within 15 feet of the front property line in lieu of a maximum building height of 30 feet within 15 feet of the front property line. The Applicant has provided a volume/massing study which demonstrates that with the proposed building design the volume/massing would be redistributed throughout the front façade and would not be reduced as a result of altering the stepback requirement. The requested increase in height allows a building height that accommodates the configuration, size, efficiency and density of affordable housing units and accommodates an acceptable unit mix of one, two and three bedroom units.

Height Increase – Within 10-foot Stepback: Development Standard No. 6 of the SNAP Design Guidelines requires the second floor to be setback from the first floor frontage by at least ten feet as depicted on Sheet A300 of Exhibit A. The housing development project proposes a height increase of ten feet to allow the third floor to be setback from the second floor in lieu of the second floor to be setback from the first floor. The Applicant has provided a volume/massing study which demonstrates that with the proposed building design the volume/massing would be redistributed throughout the front façade and would not be reduced as a result of altering the stepback requirement. The requested increase in height allows a building height that accommodates the configuration, size, efficiency and density of affordable housing units and accommodates an acceptable unit mix of one, two and three bedroom units.

Requested Off-Menu Incentives

Transitional Height – Increase Transitional Height: Section 8.C. of the SNAP Specific Plan requires a Transitional Height of 25 feet for portions of buildings located within a

horizontal distance of 0 to 49 feet from an abutting lot in Subarea A and 33 feet for portions of buildings located within a horizontal distance of 50 to 99 feet from an abutting lot in Subarea A as depicted on Sheet A300 of Exhibit A.. The housing development project proposes an increase in height of 14 feet six inches allowing 39 feet six inches in Transitional Height and an increase in height of 15 feet five inches allowing 48 feet five inches in Transitional Height. The requested increase in height allows a building height that accommodates the configuration, size, efficiency and density of affordable housing units and accommodates an acceptable unit mix of one, two and three bedroom units.

Transitional Height – Reduce Horizontal Distance: Section 8.C. of the SNAP Specific Plan requires a Transitional Height of 25 feet for buildings located within a horizontal distance of 0 to 49 feet from an abutting lot in Subarea A and 33 feet for buildings located within a horizontal distance of 50 to 99 feet from an abutting lot in Subarea A as depicted on Sheet A300 of Exhibit A.. The housing development project proposes to permit a 20 percent decrease in the Transitional Height horizontal distance from an abutting lot in Subarea A to allow 0 feet to 39 feet in lieu of 0 feet to 49 feet and 40 feet to 79 feet in lieu of 50 feet to 99 feet. The requested increase in height allows a building height that accommodates the configuration, size, efficiency and density of affordable housing units and accommodates an acceptable unit mix of one, two and three bedroom units.

Commercial Loading Zone: LAMC Section 12.21 C.6.requires a minimum area of 600 square feet, a minimum height of 14 feet and a minimum width of 20 feet measured from the alley line. The housing development project proposes a minimum area of 360 square feet, a minimum height of 11 feet and a minimum width of 19 feet measured from the alley line. The requested modified commercial loading area allows for residential amenities like all the residential parking in the subterranean level to be provided without any relief requests.

The requested incentives will allow the developer to build the allowed by-right 53 residential units and expand the project's building envelope so that the units being constructed are of sufficient size, configuration, and quality. The increased floor area resulting from the additional height also enables features including private balconies and the required amount of open space provided in three courtyards and a ground floor community room along Vermont Avenue. Without the incentives, the buildable envelope could not fully accommodate the unit sizes and featured amenities available to all of the residents within the affordable housing development.

- b) The Incentive 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.**

There is no evidence that the proposed incentives 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)). The proposed project and potential impacts were analyzed in accordance with the City's Environmental Quality Act (CEQA) Guidelines and the City's L.A. CEQA Thresholds Guide. These two documents establish guidelines and thresholds of significant impact, and provide the data for determining

whether or not the impacts of a proposed Project reach or exceed those thresholds. Analysis of the proposed Project involved the preparation of a Mitigated Negative Declaration (MND) (ENV-2014-1948-MND), and it was determined that the proposed Project may have an impact on the following environmental factors: aesthetics; air quality; biological resources; cultural resources; geology and soils; greenhouse gas emissions; hazards and hazardous materials; hydrology and water quality; land use and planning; noise; public services; recreation; transportation/traffic; and utilities and service systems. However, mitigation measures will reduce impacts to less than significant, and are imposed as Conditions of Approval herein (Conditions 32 through 66). Therefore, there is no substantial evidence that the proposed Project will have a specific adverse impact on the physical environment, on public health and safety, and on property listed in the California Register of Historic Resources.

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.

NOTE: California State Assembly Bill 2222 recently went into effect January 1, 2015. It introduces rental dwelling unit replacement requirements, which pertain to cases filed (not issued) as of January 1, 2015. This determination letter does not reflect replacement requirements because the case application was submitted to the Department of City Planning on June 3, 2014, prior to the effective date of the amended Law. The new state law also increases covenant restrictions from 30 to 55 years for cases issued (not just filed) as of January 1, 2015. This determination letter does reflect 55 year covenant restrictions, given that the case decision, or approval, as noted on the front page, is being issued after January 1, 2015.

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.

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

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

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

FINANCIAL ANALYSIS/PRO-FORMA

Pursuant to the Affordable Housing Incentive Density Bonus provisions of the LAMC (Section 12.22 A.25) proposed projects that involve on-menu incentives are required to complete the Department's Master Land Use Permit Application form, and no supplemental financial data is required. However, the City has determined that the level of detail provided in a pro forma is not necessary to make the findings for on-menu incentives. The City's Density Bonus Ordinance requires "a pro forma or other documentation" with requests for off-menu incentives, and the Applicant submitted a pro-forma attached as Exhibit D. However, off-menu density bonus cases do not have different findings from on-menu cases and do not require explicit financial analysis in the form of cap rates, construction costs, operating income and expenses.

3. Project Permit Compliance Review Findings

- a) **The project substantially complies with the applicable regulations, findings, standards and provisions of the Specific Plan.**

Vermont/Western Transit Oriented District Specific Plan/Station Neighborhood Area Plan (SNAP)

1. **Parks First.** Section 6.F. of the Vermont/Western Specific Plan requires an Applicant to pay \$4,300 for each new residential unit. The project proposes the construction, use and maintenance of a four-story mixed use building with 100 residential units (99 restricted affordable units and one market rate manager's unit) and 4,134 square feet of ground floor commercial space. The project includes a net increase of 100 dwelling units and is therefore required to pay \$4,300 per dwelling unit for a total of \$430,000 into the Parks First Trust Fund. However, all residential units in a project, set aside as affordable for Very Low or Low income residents, that are subsidized with public funds and/or Federal or State Tax Credits with affordability covenants of at least 30 years are exempt from the Parks First Trust Fund. The calculation of a Parks First Trust Fund fee to be paid or actual park space to be provided pursuant to this Ordinance shall be off-set by the amount of any Quimby Fee (LAMC § 17.12) or dwelling unit construction tax (LAMC § 21.10.1, et seq.) paid as a result of the project. This requirement is reflected in the Conditions of Approval thus complying with Section 6.F. of the Specific Plan.
2. **Use.** Section 8.A. of the Vermont/Western Specific Plan states that C1.5 commercial uses and R3 residential uses are allowed by-right on all parcels in Subarea B of the Specific Plan area. The R3 Zone allows one dwelling unit for every 800 square feet

of lot area. The project site consists of 42,930 square feet of lot area thereby allowing a total of 53 units based on the R3 Zone. The proposed project qualifies for a maximum 35 percent increase in residential density or an additional 19 dwelling units for a total of 72 dwelling units. The Applicant is requesting a Conditional Use to permit an increase in density greater than the maximum allowed by the Density Bonus Ordinance. The Applicant seeks a Conditional Use for a density bonus increase of 89 percent in order to permit 100 residential units (99 restricted affordable and one market rate manager's unit) in lieu of 53 residential units. The Department of City Planning recommends approval of the Conditional Use as requested. Additionally, the project proposes 4,134 square feet of commercial space. The Conditions of Approval require commercial uses to be limited to those permitted in the C1.5 Zone. With the approval of the Conditional Use from the City Planning Commission and as conditioned, the project complies with Section 8.A. of the Specific Plan.

3. **Height and Floor Area.** Section 8.B. of the Vermont/Western Specific Plan states that residential and mixed-use development shall not exceed a building height of 50 feet and that roof structures may be erected up to ten feet above the height limit if those structures are setback a minimum of ten feet. The proposed building height is 55 feet as measured from the lowest point of grade to the tallest point of the building. The Applicant is seeking an on-menu density bonus incentive to increase the building height an additional five feet thereby allowing 55 feet in lieu of 50 feet. The roof plan does not indicate roof structures on the roof.

Section 8.B. of the Vermont/Western Specific Plan states that residential and mixed-use development shall not exceed a maximum floor area ratio (FAR) of 2.0 and commercial uses in a mixed use project shall be limited to an FAR of 1.5:1. The project proposes a building that includes 98,981 square feet of floor area on a 42,930-square-foot site, which results in a 2.31:1 FAR. The Applicant is seeking that a condition be imposed as part of the Conditional Use to increase the FAR to 2.31:1 in lieu of an FAR of 2:1 permitted by the SNAP Specific Plan. Additionally, the 4,134 square feet of commercial uses amounts to an FAR of 0.1:1, which is far less than 1.5:1 FAR that is allowed. The Department of City Planning recommends approval of the on-menu density bonus incentive for a building height increase and a condition imposed as part of the Conditional Use for an increase in the floor area ratio. With the approval of these requests from the City Planning Commission, the project complies with Section 8.B. of the Specific Plan.

4. **Transitional Height.** Section 8.C. of the Vermont/Western Specific Plan states that portions of buildings on a lot located within Subarea B shall not exceed specified transitional height limits when located within specified distances of a lot within Subarea A. The Specific Plan specifies transitional height limits for buildings on a lot located within Subarea B to be 25 feet in height that are within a distance of 0 to 49 feet of a lot within Subarea A and 33 feet in height for buildings within a distance of 50 to 99 feet of a lot within Subarea A as depicted on Sheet A300 of Exhibit A. The project site is adjacent to lots in Subarea A along the west property line. Although the project site and the lots in Subarea A are separated by a 20-foot alley, projects are only exempt if separated by a public street. Thus the project is required to provide a transitional height along the west elevation that is 25 feet for a depth of zero to 49 feet and 33 feet for a depth of 50 to 99 feet.

The Applicant proposes a project totaling 100 dwelling units, which reserves 50 for Very Low Income household occupancy and reserves 49 for Low Income household occupancy for a period of 55 years. As a result of setting aside these restricted

affordable units, the Applicant qualifies for three on-menu incentives and requests three off-menu incentives for a Waiver or Modification of Development Standards. Two of the three off-menu incentives request an increase in the transitional height limit and a reduction of the horizontal distance of the transitional height limit.

The project site allows for 107 units based on the area regulations of the underlying C2 Zone and 42,930 square feet of lot area. The C2 Zone permits the lot area requirements of the R4 Zone; however, the project site is designated as Subarea B in the SNAP, which limits residential uses to the R3 Zone. Based on the area regulations of R3 Zone and 42,930 square feet of lot area, the project site allows for 53 units. The Density Bonus Ordinance grants an increase in the permitted density for projects that provide a minimum number of set-aside affordable units. Pursuant to LAMC 12.22 A.25, a graduated, sliding scale of density increases corresponds with the percentage and type of affordable units that is provided.

The Applicant is requesting a Waiver of Development Standards to this section of the SNAP to permit an increase in height of 14 feet six inches allowing 39 feet six inches in transitional height in lieu of 25 feet required for buildings located within a distance of 0 to 49 feet from an abutting lot in Subarea A and to permit an increase in height of 15 feet five inches allowing 48 feet five inches in transitional height in lieu of 33 feet required for buildings located within a distance of 50 to 99 feet from an abutting lot in Subarea A. The Applicant is also requesting a Waiver of Development Standards to this section of the SNAP to permit a 20 percent decrease in the transitional height horizontal distance from an abutting lot in Subarea A permitting 0 feet to 39 feet in lieu of 0 feet to 49 feet and 40 feet to 79 feet in lieu of 50 feet to 99 feet. The findings for the off-menu requests are above in Section 2.

	Required Transitional Height		Proposed Transitional Height	
	Distance	0 to 49 feet	25 feet	0 to 39 feet
Height	50 to 99 feet	33 feet	40 to 79 feet	48 feet 5 inches

The Department of City Planning recommends approval of the requested off-menu requests. With the approval of the off-menu requests for transitional height from the City Planning Commission, the project complies with Section 8.C. of the Specific Plan.

- 5. Usable Open Space.** Section 8.D. of the Vermont/Western Specific Plan states that mixed-use and residential projects containing two or more residential units must provide specified amounts of common and private open space in accordance with the standards of Section 12.21 G.2. of the Code. The Specific Plan further stipulates that up to 50 percent of the total open space may be located above the grade level or first habitable room level of the project. The project is required to provide 13,075 square feet of open space of which 5,775 square feet is to be located on the ground floor level as shown in the table below.

Required Open Space			
	Number of Units	Open Space Required per Unit (Square Feet)	Total Open Space Required (Square Feet)
Less than 3 habitable rooms	43	100	4,300
Equal to 3 habitable rooms	24	125	3,000
More than 3 habitable rooms	33	175	5,775
Total Required	100		13,075
50% open space required on ground floor/first habitable room level			6,538

The project provides 13,106 square feet of total usable open space, which is more than what is required and provides 10,156 square feet of common open space on the ground floor level which is also more than the 50 percent required at grade. As shown in the table below, the project complies with Section 8.D. of the Specific Plan.

Provided Open Space		
Common Open Space		
Level	Open Space Areas	Area (Square Feet)
1 st	Community Room	1,777
1 st	Courtyard	8,379
Subtotal		10,156
Private Open Space		
1 st – 4 th	Balconies	2,950
Total Provided		13,106

6. Project Parking Requirements. Section 8.E.1. of the Vermont/Western Specific Plan states that residential projects must provide a minimum of one parking space and a maximum of one parking space per dwelling unit having fewer than three habitable rooms. For dwelling units with three habitable rooms, the project must provide a maximum of 1.5 spaces per unit. The Specific Plan also requires an additional one-quarter minimum and one-half maximum guest parking space per dwelling unit which shall be provided through shared use of required commercial parking spaces.

The SNAP requires a minimum of 141 parking spaces and a maximum of 195 parking spaces is allowed for the project. However, the project qualifies for Parking Option 2 under the Density Bonus Ordinance and may provide a minimum of one parking space per restricted affordable unit. The project includes a total of 100 residential units, 99 restricted affordable units and one market rate manager's unit. The restricted affordable units are allowed to provide a minimum of 99 parking spaces per Parking Option 2 and the market rate manager's unit is required to provide a minimum of 1.5 spaces and a 0.25 guest space for a total of two spaces per the SNAP. Additionally, the commercial uses are required to provide a minimum of nine spaces. The proposed project is therefore required to provide a minimum of 102 residential spaces and nine non-residential spaces for a total of 111 on-site

parking spaces. The Applicant proposes to provide a minimum of 111 on-site parking spaces, which is allowed by the Density Bonus Ordinance and within the range that is allowed by Section 8.E. of the Specific Plan.

Bicycles. Section 8.E.2. of the Vermont/Western Specific Plan states that bicycle parking spaces must be provided at a ratio of one-half space per dwelling unit. The project proposes 100 residential units, therefore requiring a minimum of 50 bicycle parking spaces. The Specific Plan also stipulates that one bicycle parking space must be provided for every 1,000 square feet of commercial floor area for the first 10,000 square feet. The proposed development will consist of 4,134 square feet of commercial floor area, thus requiring a minimum of five bicycle parking spaces for the new commercial floor area. A bicycle parking area located on the ground floor adjacent to residential units and accessed via the pedestrian pathway along the north property line will include 16 bike spaces, a bicycle parking area located in the subterranean parking level adjacent to the elevator room and stairwell will provide 34 bike spaces and a bicycle parking area located in the subterranean parking level adjacent to the stairwell along the south property line will provide five bike spaces. The applicant proposes to provide 55 bicycle parking spaces, which meets the minimum requirement of 55 bicycle parking spaces for residential and commercial uses. The project therefore complies with Section 8.E.2 of the Specific Plan.

7. **Conversion Requirements.** Section 8.F. of the Vermont/Western Specific Plan sets forth requirements pertaining to conversion of existing structures from commercial uses to residential condominium uses. The project is a new development that proposes 100 residential units and 4,134 square feet of commercial/retail space. The project site consists of six lots that are improved with a one- and two-story building and surface parking. The project does not include the conversion of existing commercial structures to residential condos. Section 8.F. of the Specific Plan therefore does not apply.
8. **Yards.** Section 8.G. of the Vermont/Western Specific Plan specifies that no front, side or rear yard setbacks shall be required for the development of any project within Subarea B. The project does not include a building setback in the front along Vermont Avenue (east elevation) and in the rear adjacent to the alley (west elevation). The project does include a ten-foot wide side setback along the north property line and a seven-foot wide side setback along the south property line. As proposed, the structure complies with the standards set forth in Section 8.G. of the Specific Plan.
9. **Pedestrian Throughways.** Section 8.H. of the Vermont/Western Specific Plan requires a pedestrian walkway, throughway or path for every 250 feet of street frontage for a project. Furthermore, pedestrian walkways are required to be located from the front lot line to the rear lot line and include a minimum 12-foot vertical clearance and a ten-foot horizontal clearance. The project site occupies approximately 318 feet of street frontage along Vermont Avenue and is therefore required to provide a pedestrian walkway. The project incorporates a pedestrian walkway from the front lot line along Vermont Avenue to the rear lot line providing access to the residential units facing the walkway, the bicycle parking area and the alley. The pedestrian walkway also complies with the dimensional requirements. The project complies with Section 8.H. of the Specific Plan.

Development Standards. Section 8.I. of the Vermont/Western Specific Plan requires that all projects be in substantial conformance with the following Development Standards and Design Guidelines:

10. Landscape Plan. The Development Standards require that all open areas not used for buildings, driveways, parking, recreational facilities, or pedestrian amenities shall be landscaped by lawns and other ground coverings. The project proposes a new 98,981-square-foot development that includes 100 residential units (99 restricted affordable units and one market rate manager's unit) and 4,134 square feet of ground floor commercial/retail space. This new structure will be built mostly to the front property line along Vermont Avenue with a ground floor that includes commercial/retail space, a community room and residential lobby entrance. The rear portion of the new development includes a 8,379-square-foot landscaped courtyard that is located in the center of the development and extends from the rear property line and down each of the three residential corridors to the back of the ground floor uses along Vermont Avenue. This courtyard includes an entertainment area with barbeque counter, shade trellis and communal table, a community terrace with tot lot play area with synthetic turf and lounge seating and a dining terrace with barbeque counter, shade trellis, dining tables and synthetic turf area. The courtyard is open to the sky and will allow fresh air and light into the new mixed use development. The side setbacks along the north and south property line include landscaped planters for the purpose of stormwater runoff. The landscape plan notes include an irrigation concept plan; however, doesn't specify the exact location of an automated watering system. The Conditions of Approval require an automated irrigation system for all landscaped areas including the parkway. As conditioned, the project complies with this Development Standard.

11. Usable Open Space. The Development Standards for common usable open space stipulate that no portion of the required common usable open space can have a dimension less than 20 feet and an overall minimum area less than 600 square feet for more than ten dwelling units. The applicant has proposed two common open space areas, which both provide a minimum dimension of 20 feet and more than the minimum area of 600 square feet. Each space is detailed in the table below, and as proposed, the project complies with this Development Standard.

Open Space Type	Area (Square Feet)	Minimum Dimension (Feet)
Courtyard – 1 st Floor	8,379	22
Community Room – 1 st Floor	1,777	20

12. Streetscape – Street Trees. The Development Standards require that one 36-inch box shade tree be planted and maintained in the sidewalk for every 30 feet of street frontage. The project site has one street frontage, Vermont Avenue, which occupies approximately 318 feet of street frontage. According to the provisions of the Development Standards ten street trees are required along Vermont Avenue. The landscape plan shows seven street trees proposed on Vermont Avenue. The Conditions of Approval require the installation ten street trees along the project street frontage of Vermont Avenue. As conditioned, the project complies with this Development Standard.

13. Streetscape – Tree Well Covers. The Development Standards require that a tree well cover or decomposed granite be provided for each new and existing street tree in the project area. This requirement is reflected in the Conditions of Approval, thus conforming to this Development Standard.

- 14. Streetscape Elements – Bike Racks.** The Development Standards require one bike rack for every 50 feet of street frontage. The project site has one street frontage, Vermont Avenue, which occupies approximately 318 feet of street frontage. According to the provisions of the Development Standards, six bike racks would be required along Vermont Avenue. The applicant has proposed to provide seven bike racks on Vermont Avenue, thus complying with this Development Standard.
- 15. Streetscape Elements – Trash Receptacles.** The Development Standards require one trash receptacle be provided in the public right of way for every 100 feet of lot frontage along a Major and Secondary Highway. The Wilshire Community Plan classifies Vermont Avenue as a Major Highway Class II, thus requiring three trash receptacles along Vermont Avenue given the project's street frontage of approximately 318 feet. As shown on the landscape plan, the applicant has proposed to provide three trash receptacles on Vermont Avenue, thus complying with this Development Standard.
- 16. Streetscape Elements – Public Benches.** The Development Standards require that one public bench be provided in the public right of way for every 250 feet of lot frontage on a Major or Secondary Highway. The Wilshire Community Plan classifies Vermont Avenue as a Major Highway Class II, thus requiring one public bench along Vermont Avenue given the project's street frontage of approximately 318 feet. As shown on the landscape plan, the applicant has proposed to provide two public benches on Vermont Avenue, thus complying with this Development Standard.
- 17. Pedestrian/Vehicular Circulation – Parking Lot Location.** The Development Standards require that surface parking lots be placed at the rear of structures. The project provides one level of subterranean parking. The project does not include a surface parking lot and therefore this Development Standard does not apply.
- 18. Pedestrian/Vehicular Circulation – Waiver.** The Director of Planning may authorize a waiver from the requirement to provide parking in the rear of the lot. The Parking Lot Location Development Standard does not apply to this project and therefore a waiver is not necessary.
- 19. Pedestrian/Vehicular Circulation– Curb Cuts.** The Development Standards allow one curb cut that is 20 feet in width for every 150 feet of street frontage when a project takes its access from a Major or Secondary Highway, unless otherwise required by the Departments of Public Works, Transportation or Building and Safety. The project proposes to utilize a single driveway located off the alley in the rear, which is accessible from existing curb cuts off of either Beverly Boulevard to the north or Council Street to the south. The project does not propose new curb cuts and therefore this Development Standard does not apply.
- 20. Pedestrian/Vehicular Circulation – Pedestrian Entrance.** The Development Standards require that all buildings that front on a public street shall provide a pedestrian entrance at the front of the building, even when rear public entrances are provided. The project includes several pedestrian entrances along the east elevation facing Vermont Avenue. The project includes three entrances to the commercial/retail space and a pedestrian entrance to the residential lobby area. The project complies with this Development Standard.
- 21. Pedestrian/Vehicular Circulation – Design of Entrances.** The Development Standards require that entrances be located in the center of the façade or

symmetrically spaced if there are more than one and be accented by architectural elements such as columns, overhanging roofs or awnings. The pedestrian entrances are located along Vermont Avenue on the east elevation. The pedestrian entrances are designed with recessed entryways and a traditional glass storefront system. The pedestrian entrance to the residential lobby is located in the center of the new mixed use development and is accented by a standing seam metal roof above. The project complies with this Development Standard.

- 22. Pedestrian/Vehicular Circulation – Inner Block Pedestrian Walkway.** The Development Standards require a pedestrian walkway, throughway or path for every 250 feet of street frontage for a project. The building façade facing the walkway shall provide windows, doors and signs at the ground level oriented to pedestrian traffic. The project site occupies approximately 318 feet of street frontage along Vermont Avenue and is therefore required to provide a pedestrian walkway. The project incorporates a pedestrian walkway along the north property line from the front lot line along Vermont Avenue to the rear lot line providing access to the residential units facing the walkway, the bicycle parking area and the alley. The north elevation of the proposed structure includes windows and doors; however, pedestrian signage is not indicated on the plans. The Conditions of Approval require revised elevations that demonstrate pedestrian oriented signage for the pedestrian walkway and bicycle parking area. As conditioned, the project complies with this Development Standard.
- 23. Pedestrian/Vehicular Circulation – Speed Bumps.** The Development Standards require that speed bumps shall be provided at a distance of no more than 20 feet apart when a pedestrian walkway and driveway share the same path for more than 50 lineal feet. A pedestrian walkway and driveway do not share the same path of travel on the project site and therefore this Development Standard does not apply.
- 24. Utilities.** The Development Standards require that when new utility service is installed in conjunction with new development or extensive remodeling, all proposed utilities on the project site shall be placed underground. The Conditions of Approval will require all proposed utilities on the project site to be placed underground. If underground service is not currently available, then provisions shall be made for future underground service. As conditioned, the project complies with this Development Standard.
- 25. Building Design – Stepbacks.** The Development Standards require that no portion of any structure exceed more than 30 feet in height within 15 feet of the front property line. The Development Standards also require the second floor of a building to be setback from the first floor frontage by at least ten feet when the project fronts onto a Major Highway. The Wilshire Community Plan classifies Vermont Avenue as a Major Highway Class II. The project is required to provide a 15-foot setback along Vermont Avenue where the height of the facade exceeds 30 feet and is also required to provide a ten-foot setback at the second floor along Vermont Avenue as depicted on Sheet A300 of Exhibit A.

The Applicant proposes a building design that encroaches in both the 15-foot and ten-foot upper floor stepbacks at the front façade. The Applicant is seeking on-menu density bonus incentives to increase the height limits of the stepbacks to provide the 15-foot setback at a building height of 41 feet in lieu of 30 feet and to provide the ten-foot setback at a building height of 36 feet at the third floor in lieu of the second floor. The Applicant is also seeking a Project Permit Adjustment to redistribute the building massing and volume. In order to provide a design that facilitates the inclusion 100 residential units of which 99 units are restricted affordable in close

proximity to a major transit stop which continues to meet the spirit and intent of the design stepbacks, the Applicant has provided a vertical redistribution of the building massing/volume in lieu of a required linear tier design. A volume analysis has been prepared, as shown in Exhibit A, which demonstrates the proposed design of the front facade provides more volume than what otherwise would be required. The findings for the on-menu density bonus incentives are above in Section 2 and the findings for the Project Permit Adjustment are below in Section 4. The Department of City Planning recommends approval of the requested on-menu density bonus incentives and Project Permit Adjustment. With the approval of the on-menu density bonus incentives for increase in building heights within stepbacks and an Adjustment for the redistribution of building massing/volume from the City Planning Commission, the project complies with this Development Standard

26. Building Design – Transparent Building Elements. The Development Standards require that transparent building elements such as windows and doors occupy at least 50 percent of the ground floor facades on the front and side elevations and 20 percent on the rear elevation. The applicant has provided a transparency analysis showing the percentage of glass on the ground floor elevations. The front elevation includes 37 percent transparent elements, the side elevations include 18 percent on the north elevation and nine percent on the south elevation and the rear elevation includes nine percent. The Applicant is seeking a Project Permit Adjustment to reduce the required transparent elements on the front, side and rear elevations as the proposed project meets the intent of the Development Standard to avoid large blank walls through the use of various materials, colors and elevation design elements. Project windows and doors cannot be accommodated on the front elevation as sheer walls are needed to provide structural support. Increased windows and doors also cannot be provided on the side and rear elevations as this would present a security and privacy issue for tenants of the building on the north elevation where the pedestrian thoroughway is located, for the utility room on the south elevation where electric meters are located and for those units on the west elevation facing the alley. Additionally, project windows and doors would face large blank walls from adjacent buildings on the side elevations providing a view to the abutting commercial buildings and on the rear elevation providing a view of the alley which is the primary way to access the project and garages of adjacent multi-family structures. The findings for this Project Permit Adjustment are below in Section 4. The Department of City Planning recommends approval of the requested Project Permit Adjustment and with the approval of the Adjustment from the City Planning Commission, the project complies with this Development Standard.

27. Building Design – Façade Relief. The Development Standards require that exterior walls provide a break in plane for every 20 feet horizontally and every 30 feet vertically. The project provides frequent articulation through multiple breaks in the plane with variations in windows, building projections, building materials and varying building heights. The project's ground floor is defined by traditional storefronts with storefront windows, and recessed entryways. However, the ground floor level "brow" above the glass windows and doors consists of ceramic tile for the length of the building with the exception of the standing seam metal roof above the residential entrance. The building's ground floor level for that portion of the building where the commercial space is located could benefit from the inclusion of additional façade relief for the "brow" to break up the linear base with at least one vertical feature that extends down to the street level given the long length of the building. The upper floors relate to those portions of the ground floor by providing unique elevations and compatible fenestration patterns that incorporate vertical and horizontal variation by articulating the façade with projections and recesses on all sides of the building. The

project also utilizes a variety of building materials that include fiber cement siding, cement plaster, ceramic tile and metal canopies. The center of the mixed use structure is clearly defined and contributes to the articulation of the building with varying heights for the second, third and fourth levels. The roof plane incorporates architectural features with varying heights from 49 feet to 55 feet. As conditioned, the project complies with this Development Standard.

- 28. Building Design – Building Materials.** The Development Standards require that building facades be comprised of at least two types of complimentary building materials. The new development is comprised of cement plaster, fiber cement siding, a storefront glazing system and a standing seam metal roof above the pedestrian entrance on Vermont Avenue. The project complies with this Development Standard.
- 29. Building Design – Surface Mechanical Equipment.** The Development Standards require that all surface or ground mounted mechanical equipment be screened from public view and treated to match the materials and colors of the building which they serve. The plans do not indicate the location of surface mechanical equipment. However, in the event surface mechanical equipment is constructed, the Conditions of Approval require surface mechanical equipment to match the colors and materials of the building which they serve, thus complying with this Development Standard.
- 30. Building Design – Roof Lines.** The Development Standards require that all rooflines in excess of 40 feet are broken up. The roof plan shows that the north, south and east elevations are broken up at least every 40 feet with varying building height, through the use of balconies and building articulation that recesses and projects the building. The roof plan also shows that the building is broken up in the rear (west elevation) by three landscaped courtyards that are open to the sky. The design of the roofline complies with this Development Standard.
- 31. Rooftop Appurtenances.** The Development Standards require that rooftop equipment and appurtenances shall be screened from public view or architecturally integrated into the design of the building. The Conditions of Approval require that building equipment and ducts be screened from view from any street, public right-of-way or adjacent property and the screening shall be solid and match the exterior materials, design and color of the building. As conditioned, the project complies with this Development Standard.
- 32. Trash and Recycling Areas.** The Development Standards require that trash storage bins be located within a gated, covered enclosure constructed of identical building materials, be a minimum of six feet high, and have a separate area within the building. The first floor plan shows a trash and recycling room is provided within the proposed structure and therefore complies with this Development Standard.
- 33. Pavement.** The Development Standards require that paved areas not used as parking and driveway areas consist of enhanced paving materials such as stamped concrete, permeable paved surfaces, tile, and/or brick pavers. The landscape plan indicates that enhanced paving will be utilized in the courtyard for hardscape areas; however, the landscape plan does not indicate the type of enhanced paving proposed. The landscape plan also does not identify the type of paving used for walkways along the north and south property lines and for paved entryways along Vermont Avenue. The Conditions of Approval require a revised landscape plan specifying that enhanced paving is in fact being utilized and showing the type of enhanced paving used within the interior open space courtyard, walkways along the

north and south property lines and within entryways along Vermont Avenue. As conditioned, the project complies with this Development Standard.

- 34. Freestanding Walls.** The Development Standards require that all freestanding walls contain an architectural element at intervals of no more than 20 feet and be set back from the property line adjacent to a public street. During the public hearing held on January 16, 2015, the Applicant and Representative stated that fencing and/or walls were proposed along the perimeter of the site when asked about new fencing or walls by the Hearing Officer. The project plans do not currently show new fencing or walls around the perimeter of the site. The Applicant is required in the Conditions of Approval to provide a revised site plan and elevations for any new freestanding fences and/or walls proposed for the project, which shows an architectural element at intervals of no more than 20 feet and is set back from the property line adjacent to a public street with a landscaped buffer. As conditioned, the project complies with this Development Standard.
- 35. Parking Structures – Required Commercial Frontage.** The Development Standards require building frontage for parking structures to consist of commercial, community facilities or other non-residential uses to a minimum depth of 25 feet. The project incorporates a commercial frontage at a depth greater than 25 feet. The project provides one level of subterranean parking that is contained within the building footprint and therefore this Development Standard does not apply.
- 36. Parking Structures – Façade Treatment.** The Development Standards require parking structures to be designed to match the style, materials and color of the main building they serve. The project provides one level of subterranean parking that is contained within the building footprint and therefore this Development Standard does not apply.
- 37. Parking Structures Across from Residential Uses.** The Development Standards require certain standards when a parking structure abuts or is directly across an alley or public street. The project provides one level of subterranean parking that is contained within the building footprint and therefore this Development Standard does not apply.
- 38. Parking Structures Façade Treatments.** The Development Standards require parking structures to be designed to match the style, materials and color of the main building they serve. The project provides one level of subterranean parking that is contained within the building footprint and not visible from the street level and therefore this Development Standard does not apply.
- 39. Structures Across from Residential Uses.** The Development Standards require certain standards when a parking structure abuts or is directly across an alley or public street. The project provides one level of subterranean parking that is contained within the building footprint and not visible from the street level and therefore this Development Standard does not apply.
- 40. Surface Parking Lots.** The Development Standards require that at least ten percent of a surface parking lot shall be landscaped with the following: one 24-inch box shade tree for every four parking spaces, a landscaped buffer around the property line, and a three and half foot solid decorative masonry wall behind the three-foot landscaped buffer. The project does not include a surface parking lot and therefore this Development Standard does not apply.

- 41. Surface Parking Abutting Residential.** The Development Standards require that whenever a surface parking lot abuts or is directly across an alley from a residential use or zone, a decorative wall at least six feet in height shall be erected along the perimeter of the parking area facing such residential lot or use. The project does not include a surface parking lot and therefore this Development Standard does not apply.
- 42. On-Site Lighting.** The Development Standards require that the project include on-site lighting along all vehicular and pedestrian access ways. The Development Standards specify that the acceptable level of lighting intensity is $\frac{3}{4}$ foot-candle of flood lighting measured from the ground, a maximum mounting height of light sources shall be 14 feet, and "white" color corrected lamp color shall be used for ground level illumination. The Applicant is required in the Conditions of Approval to comply with these provisions, thus complying with this Development Standard.
- 43. Security Devices.** The Development Standards require that all security devices, such as security grills and window bars, be concealed from public view. The plans submitted by the applicant do not indicate that such security devices are included in the design. However, this Development Standard has been incorporated into the Conditions of Approval should security devices be integrated into the building at a later time.
- 44. Privacy.** The Development Standards require that buildings be arranged to avoid windows facing windows across property lines, or the private open space of other residential units. The adjacent properties across the alley include one-story garages that face the alley with the main buildings setback approximately 50 feet from their rear property line. Including the 20-foot alley, the adjacent structures would be setback approximately 70 feet from the subject property line. Given that windows along the rear elevation of the subject building and rear windows of the adjacent two-story multi-family structures are separated by at least 70 feet, windows would not directly face windows across property lines. The adjacent structures to the north and south do not have windows along their building elevations that face the subject property. The proposed project complies with this Development Standard.
- 45. Hours of Operation.** The Development Standards limit parking lot cleaning and sweeping, and any deliveries or on-site garbage collection to be no earlier than 7:00 a.m. and no later than 8:00 p.m. Monday through Friday and no earlier than 10:00 a.m. and no later than 4:00 p.m. on Saturdays and Sundays. The Applicant is required in the Conditions of Approval to comply with this Development Standard.
- 46. Noise Control.** The Development Standards require that any dwelling unit exterior wall including windows and doors having a line of sight to a public street or alley be constructed to provide a Sound Transmission Class of 50 or greater, as defined in the Uniform Building Code Standard No. 35-1, 1979 edition, or latest edition. The Applicant is required in the Conditions of Approval to comply with this Development Standard.
- 47. Required Ground Floor Uses.** The Development Standards allow any residential, community facility or commercial use permitted by the Specific Plan Ordinance to be allowed on the ground floor in Subarea B. The project's ground floor includes 4,134 square feet of commercial/retail space, the residential lobby and 1,777 square feet of community space along Vermont Avenue. The Conditions of Approval will limit the commercial uses to those permitted in the C1.5 Zone. As conditioned, the proposed

uses on the ground floor are allowed in Subarea B and the Specific Plan Ordinance, thus complying with this Development Standard.

Design Guidelines

48. Urban Form. The Design Guidelines endeavor to transform commercial streets away from a highway oriented, suburban format into a distinctly urban, pedestrian oriented and enlivened atmosphere. The Guidelines encourage outdoor seating areas, informal gathering of chairs, and mid-block pedestrian walkways. The Guidelines also indicate that streets should begin to function for the surrounding community like an outdoor public living room and that transparency should exist between what is happening on the street and on the ground floor level of the buildings.

The proposed project is a mixed-use structure developed on numerous parcels along Vermont Avenue. As designed, the structure will be comprised of adequate transparency along Vermont Avenue for the ground floor retail, the residential lobby area and the 1,777-square-foot community space. This will contribute to an enlivened atmosphere as the residents and community will have clear visibility between the street and the ground floor uses. The project also incorporates a pedestrian throughway along the north property line, which connects from Vermont Avenue to the alley and the bicycle parking located in the rear. The design of the proposed project therefore satisfies the urban form provisions of the Design Guidelines.

49. Building Form. The Design Guidelines encourage every building to have a clearly defined ground plane, roof expression and middle or shaft that relates the two. The ground plane of the project is defined by traditional storefronts with storefront windows, and recessed entryways. The upper floors relate to those portions of the ground plane by providing unique elevations and compatible fenestration patterns that incorporate vertical and horizontal variation by articulating the façade with projections and recesses. The middle shaft is clearly defined with varying heights for the second, third and fourth levels in the center of the building. The roof plane is established with varying heights from 49 feet to 55 feet. The project therefore satisfies the Building Form Design Guideline.

50. Architectural Features. The Design Guidelines encourage courtyards, balconies, arbors, roof gardens, water features, and trellises. The Guidelines also encourage appropriate visual references to historic building forms in new construction. The project incorporates balconies on the front façade along Vermont Avenue, on the side elevations and interior elevations facing the open space courtyards. The project also includes an 8,379-square-foot courtyard, which provides ample open space for residents. As designed, the project satisfies the intent of the Architectural Features Design Guideline.

51. Building Color. The Design Guidelines encourage buildings be painted three colors: a dominate color, a subordinate color and a "grace note" color. Plans submitted by the applicant indicate that the building will be painted harmoniously in four shades that include a light and medium grey color is used for the cement plaster on all sides on the building, red is used as an accent color on the front and rear elevations and a dark grey color is used for the ceramic tile above the ground floor space on the front facade. As shown on Exhibit A, the color scheme of the project complies with the Building Color Design Guideline.

52. Signs. The Design Guidelines provide extensive guidance related to the placement, type and style of signage to be used for projects. The Guidelines indicate that signs should coordinate with the building and not dominate or obscure architectural elements; that window signs should allow for clear views into and out of tenant spaces; that awning signs should be confined to awning valences; that pedestrian oriented "hanging signs", which are visible from the sidewalk are encouraged, as are neon signs, portable signs and hand painted lettering. The Specific Plan prohibits the use of any pole, roof or off-site sign, any sign containing flashing, mechanical or strobe lights. The plans submitted as part of this application do not identify specific sign details. The applicant has been required to provide a comprehensive signage program that demonstrates the proposed location and type of each sign that will be used along the commercial storefronts for the project. Additionally, the Conditions of Approval stipulate that signs for the project shall be limited pursuant to the requirements listed above and shall be gracefully integrated into the overall building.

53. Plant Material on Facades. The Design Guidelines encourage façade plant materials in addition to permanent landscaping. Landscaping is provided in planters on the ground floor in front of units, the residential lobby and community room. The applicant has incorporated landscaping on the second level within the courtyard and pool deck areas, as well as within planted areas surrounding the historic structure at 5540 W. Hollywood Boulevard. The landscape plan shows that a variety of plant species will be located throughout the project on the first level providing shade and façade relief. Furthermore, the landscaping provided within planters on the ground floor and the new street trees will enhance the overall design aesthetic of the mixed-use development and Vermont Avenue. As designed, the project complies with the Plant Material on Facades Design Guideline.

- b) The project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible.**

A Mitigated Negative Declaration, ENV-2014-1948-MND, was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND (and incorporated into the Conditions of Approval herein), there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street.

4. Project Permit Adjustment Findings

- a) There are special circumstances applicable to the project or project site, which make the strict application of the Specific Plan regulation impractical.**

There are special circumstances applicable to the project and project site, which make the strict application of the specific plan regulations impractical. There are several characteristics of the site that result in special circumstances applicable to the subject site. The property is a rectangular lot with 318 feet of frontage on Vermont Avenue and 318 feet of rear property line adjacent to an alley. There is a seven-foot grade difference between the southwest corner at the alley and the northeast corner on Vermont Avenue.

In addition, strict adherence to the Stepback requirement for building elevations facing a major boulevard and strict adherence to the Transparency requirement reduces the flexibility needed to create an attractive and functional building design. The proposed building design proves that the intent of both the Stepback and Transparency provisions can be achieved, while not strictly conforming to said regulations.

Building Stepback – Redistribution of Massing/Volume

The Applicant is requesting a Project Permit Adjustment from the Vermont/Western Development Standards and Design Guidelines, Section V., Development Standard No. 6 (Building Design – Stepbacks), which requires that no portion of any structure exceed more than 30 feet in height within 15 feet of the front property line and a ten-foot setback of the second floor from the first floor frontage as depicted on Sheet A300 of Exhibit A. Essentially, a building's second floor should be stepped-back ten feet from the first floor and the third floor should be stepped-back an additional five feet from the second floor resulting in a less massive building for pedestrians on major highways. The Applicant proposes a redistribution of the building's massing/volume with a building design that exceeds the total required stepbacks at the front façade in lieu providing a building design that incorporates the required linear, graduated stepbacks along Vermont Avenue.

The Vermont/Western Development Standards and Design Guidelines, Development Standard No. 6 – Building Design – specifies design requirements for building stepbacks, transparent building elements, façade relief, building materials, surface mechanical equipment and roof lines. The Building Design Development Standard states the following:

The purpose of the following provisions is to ensure that a project avoids large blank expanses of building walls, is designed in harmony with the surrounding neighborhood and contributes to a lively pedestrian friendly atmosphere.

In order to achieve the desired articulation in the building elevation along Vermont Avenue a redistribution of the building massing and volume is necessary. The intent of the Development Standard is to minimize the appearance of height from the street level perspective and allow more sunlight onto pedestrian walkways and the streetscape. The proposed Adjustment will allow a redistribution of the building massing in lieu of the linear step back resulting from the strict application of the code. The strict application of the Specific Plan stepback requirements would create a linear monolithic "wedding cake" design that provides little flexibility given the site's seven-foot grade difference, long linear configuration and adjacency to Subarea A requiring transitional height limitations in the rear resulting in an awkward and limited building design. The project is required to provide a similar stepback along the rear (west) elevation, as well as along the front façade causing the project to be pushed from the front and the rear limiting creative building design, functional open space and habitable building area for affordable units.

Additionally, the Applicant has provided a volume study, as shown on Sheet A202 in Exhibit A, which calculates the negative space of the volume with the required stepbacks and the volume proposed with the redistribution. The volume study shows that with the required stepbacks the volume of the project would amount to 72,092 cubic feet and with the proposed redistribution of the building's massing and volume, the volume of the project would amount to 122,919 cubic feet. Since the project is calculating the negative space, or the air space where there is no structure, the proposed project provides a building facade that is less massive than what otherwise would be required. The intent of the Specific Plan is maintained while providing a pleasing elevation that is still sensitive

to pedestrians who walk along Vermont Avenue. As proposed, both the intent of the Specific Plan and the Guidelines will be achieved.

Transparent Building Elements

The Applicant is requesting a Project Permit Adjustment from the Vermont/Western Development Standards and Design Guidelines, Section V., Development Standard No. 6 (Building Design – Transparent Building Elements), which requires transparent building elements such as windows and doors to occupy at least 50 percent of the exterior wall surface of the ground floor facades for the front and side elevations and at least 20 percent of the surface area of the rear elevation of the ground floor. The Applicant proposes to provide the following amounts of transparent building elements on the ground floor, as shown on Sheet A203 of Exhibit A:

- 37 percent transparent building elements on the side (east) elevation in lieu of 50 percent;
- 18 percent transparent building elements on the side (north) elevation in lieu of 50 percent;
- 9 percent transparent building elements on the side (south) elevation in lieu of 50 percent; and
- 9 percent transparent building elements on the rear (west) elevation in lieu of 20 percent.

The strict interpretation of the transparency requirement cannot be accommodated on the front elevation as sheer walls are needed to provide structural support and on the side and rear elevations as this would create an unpleasant habitable space for future tenants on the ground floor level. In addition, increased windows and doors on the side and rear elevations would present a security and privacy issue for those tenants with ground floor units and the utility room with electric meters. The intent of the Development Standard as illustrated in Figure 2 (Transparent Building Elements/Façade Treatment) is a mixed-use structure with a ground floor commercial use and residential dwelling units above. In this instance the ground floor could be designed with large, glass storefront windows and doors that consume the first floor from floor to ceiling along the ground level. However, the proposed project incorporates residential units at the ground floor level. The ground floor level also includes the electrical room, transformer pad and driveway ramp on the side (south) elevation. The proposed project is not designed with strictly ground floor commercial, which can accommodate a glass storefront system along the front, side and rear elevations. Additionally, increased windows and doors also cannot be provided on the side and rear elevations as this would present a security and privacy issue for tenants of the building on the north elevation where the pedestrian throughway is located, for the utility room on the south elevation where electric meters are located and for those units on the west elevation facing the alley. Lastly, project windows and doors would face large blank walls from adjacent buildings on the side elevations providing a view to the abutting commercial buildings and on the rear elevation providing a view of the alley which is the primary way to access the project and garages of adjacent multi-family structures.

The Applicant has proposed a ground floor level with residential units that include windows and doors that can provide for the passage of light, air and sound that are agreeable to residential tenants yet complimentary to the structure. Furthermore, the

proposed window and door fenestration would be compatible to surrounding multi-family residential and commercial structures. As such, the amount of windows and doors proposed are consistent with the intent of the transparent building elements.

- b) In granting the Project Permit Adjustment, the Director has imposed project requirements and/or decided that the proposed project will substantially comply with all applicable Specific Plan regulations.**

Building Stepback – Redistribution of Massing/Volume

As conditioned, the project substantially complies with all provisions of the Specific Plan Ordinance and the Development Standards and Design Guidelines. The strict application of the stepback requirement would result in a total allowable stepback volume in a linear horizontal design along Vermont Avenue. The proposed Adjustment allows the building design to articulate the front elevation contributing to a more pleasing perspective from the street, with a stepback volume consistent with the Specific Plan limitations. The volume study prepared by the Applicant and included in Exhibit A demonstrates that with the Adjustment allowing the redistribution of volume and building massing, the proposed project results in more negative space volume by 50,827 cubic feet than if the project was designed with the required stepbacks. The volume calculated counts the negative space or the air space where there is no structure, which means there is less building area along the front façade than if the project incorporated the required stepbacks. The requested Adjustment will not substantially alter the execution or intent of the building stepback requirement or the Specific Plan's permitted land uses, density, height or bulk, setbacks or yards, open space or parking standards regulated by the specific plan. The proposed design substantially complies with the stepback provisions of the Design Standards and simply re-orientes the building volumes to attain creative articulation that cannot otherwise be achieved. The granting of the Adjustment will allow for a well-designed building that is consistent and compatible with adjacent structures and future development.

Transparent Building Elements

As conditioned, the project substantially complies with all provisions of the Specific Plan Ordinance and the Development Standards and Design Guidelines. The strict application of the transparent building elements regulation would result in a ground floor level that cannot be structurally supported and residential units with a window and door fenestration that is inconsistent with surrounding residential uses. The proposed project would have to provide significantly more windows and doors on the ground floor level of the side and rear elevations than other structures with residential uses on the ground floor. The increase in transparent elements would create an unpleasant living environment and also create issues of privacy for residential units along the side (north) elevation given this is the location of the pedestrian thoroughway which provides access to the bicycle storage area and the alley. Increased transparent elements on the side (south) elevation would not serve a purpose to provide visibility into the electrical room, which also has issues of safety and security. Increased transparent elements on the front elevation would compromise the structural stability of the proposed mixed use structure as sheer walls need to be incorporated on the front elevation.

As stated above the intent of this Development Standard *is to ensure that a project avoids large blank expanses of building walls, is designed in harmony with the surrounding neighborhood and contributes to a lively pedestrian friendly atmosphere.* The project's proposed use of various materials, colors, elevation design elements and extensive articulation will ensure that the project will avoid large blank walls and is

designed in harmony with the surrounding neighborhood and contributes to a lively pedestrian friendly atmosphere. The proposed development utilizes a combination of transparent building materials, articulation in the building façade and utilization of multiple building material types to achieve the objective building design. The project satisfies the intent of this Development Standard and the granting of the Adjustment permits the project to be compatible with surrounding ground floor residential uses and prevents issues of privacy, security and habitability for residents.

- c) In granting the Project Permit Adjustment, the Director has considered and found no detrimental effects of the adjustment on surrounding properties and public rights-of-way.**

Building Stepback – Redistribution of Massing/Volume

There will be no detrimental effects to the community associated with the Adjustment of the of the Stepback provision to allow a redistribution of the massing/volume of the upper-floor building setbacks along the project frontage on Vermont Avenue. The Adjustment will facilitate a building design that is compatible with existing multi-story buildings that are adjacent to the proposed structure. Immediately adjacent to the north is a one-story commercial building and a two-story commercial building built to the property line along Vermont Avenue with no setback above the first floor. Immediately adjacent to the south is a two-story commercial building built to the property line along Vermont Avenue with no setback above the first floor. Along Vermont Avenue just north of Beverly Boulevard, is a three-story mixed use building built to the property line with no setbacks above the first floor and a four-story institutional building (Hubbard School of Administration) built to the property line with no setbacks above the first floor. These existing buildings that are built to the front property line along Vermont Avenue create a street wall that contributes to the urban environment, encourages pedestrian activity at the street level and walkability to the Metro Red Line Vermont/Beverly Station.

As noted above, the volume study (Exhibit A) demonstrates that with the Adjustment allowing the redistribution of volume and building massing, the proposed project results in more volume by 50,827 cubic feet than if the project was designed with the required setbacks. The volume calculated counts the negative space or the air space where there is no structure, which means there is less building area along the front façade than if the project incorporated the required setbacks. Although the project design does not comply with the strict application of the setbacks, it does provide a design that meets the intent of the requirement with a well-balanced variety of building massing and textures of shadow, light and materials that in total adds to the richness of the built environment.

Transparent Building Elements

There will be no detrimental effects to the community associated with the Adjustment of the Transparent Building Elements provision to allow a reduced amount of transparent elements on the ground floor of the front, side and rear elevations. The Adjustment will facilitate a building design that is in harmony in with the surrounding neighborhood and a project that will revitalize several underutilized lots with a mixed use development with 100 residential units of which 99 are restricted to Very Low and Low Income households and 4,134 square feet of neighborhood serving commercial space on the ground floor, thus transforming this portion of Vermont Avenue.

- d) **The project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible.**

A Mitigated Negative Declaration, ENV-2014-1948-MND, was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND (and incorporated into the Conditions of Approval herein), there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street.

5. Site Plan Review Findings

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

The 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 project site is located entirely within the boundaries of the Wilshire Community Plan. The project site has a land use designation of Neighborhood Office Commercial. The proposed construction of a mixed-use development with 100 residential units (of which 99 units are restricted affordable and one market rate manager's unit) and 4,134 square feet of commercial/retail space on the ground floor is not consistent with the property's SNAP Subarea B designation. However, the Applicant is seeking the following requests, a Conditional Use to increase the density, Density Bonus On-Menu Incentives to increase the overall building height and SNAP stepback requirement and to increase the floor area ratio, Density Bonus Off-Menu Incentives for relief from the SNAP transitional height requirements, SNAP stepback requirement and the Code's commercial loading space requirement, Project Permit Adjustments for relief from the SNAP stepback requirement and transparency requirement, a Project Permit Compliance Review with SNAP and a Site Plan Review for a project that results in 50 or more residential units. With the approval of these entitlements from the City Planning Commission, the proposed project will be in substantial conformance with the purposes, intent, and provisions of the General Plan and all of its elements and the Vermont/Western SNAP Specific Plan.

The Framework Element

The Framework Element for the General Plan (Framework Element) was adopted by the Los Angeles City Council on December 11, 1996 and re-adopted on August 8, 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the Project site. The Framework Element of the General Plan establishes general policies for the City of Los Angeles based on projected population growth. Land use, housing, urban form and neighborhood design, open space, economic

development, transportation, infrastructure, and public services are all addressed in the context of accommodating future City-wide population increases. The City's various land use "categories" are defined based on appropriate corresponding development standards including density, height, and use.

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.

Goal 3I: A network of boulevards that balance community needs and economic objectives with transportation functions and complement adjacent residential neighborhoods.

Objective 3.13: Provide opportunities for the development of mixed-use boulevards where existing or planned major transit facilities are located and which are characterized by low-intensity or marginally viable commercial uses with commercial development and structures that integrate commercial, housing, and/or public services.

Goal 3K: Transit stations to function as a primary focal point of the City's development.

Objective 3.15: Focus mixed commercial/residential uses, neighborhood-oriented retail, employment opportunities, and civic and quasi-public uses around urban transit stations, while protecting and preserving surrounding low-density neighborhoods from the encroachment of incompatible land uses.

Policy 3.15.3: Increase the density generally within one quarter mile of transit stations, determining appropriate locations based on consideration of the surrounding land use characteristics to improve their viability as new transit routes and stations are funded in accordance with Policy 3.1.6.

The City's General Plan includes goals, objectives and policies to encourage housing, jobs, and services in closer proximity to one another; to create balanced communities and neighborhoods; and to reduce the number and length of work-related trips. The proposed project provides affordable housing conveniently located half a block south of the Metro Red Line Transit Station at Vermont Avenue and Beverly Boulevard. The General Plan encourages the development of multi-family residential housing in regional centers and along primary transit corridors and boulevards. The project site is designated Subarea B (Mixed Use Boulevards) in the SNAP and is surrounded by a mix of uses that include multi-family residential, commercial/retail, institutional (Elementary and Junior High Schools), a bank, a car dealership and surface parking lots. Additionally, the project site is located across the street, Vermont Avenue, from Subarea C (Community Center), which allows R4 Zone residential uses and C4 Zone commercial uses. The Framework Element also designates this portion of Vermont Avenue as a Mixed Use Boulevard.

The project site is within a highly urbanized location in close proximity to several transit options. The project site is approximately 250 feet from the Metro Red Line Vermont/Beverly Station, which is located on the northwest corner of Vermont Avenue and Beverly Boulevard. The Metro Red Line Vermont/Beverly Station provides access to Hollywood and the San Fernando Valley, with connecting service to the Metro Orange Line (serving the west Valley and Chatsworth). The Metro Red Line and Purple Line serve Downtown including Los Angeles Union Station, with connecting service to the Metro Gold Line (serving Pasadena and East Los Angeles), Amtrak passenger rail,

Metrolink commuter rail, and bus service for regional and local lines. The Metro Purple Line also serves Koreatown. The Metro Blue Line originates at the 7th Street/Metro Center station and provides access from downtown Los Angeles to downtown Long Beach, as well as connecting service to the Metro Green Line (serving Norwalk, Redondo Beach, and LAX via shuttle). The project site is also served by Metro Local 14 on Beverly Boulevard and Metro Local 204 and Metro Rapid 754 on Beverly Boulevard.

Land Use Element – Wilshire Community Plan

The Wilshire Community Plan was updated and adopted by the Los Angeles City Council on September 19, 2001. The proposed project, a 100 percent affordable housing development excluding the manager's unit with ground floor neighborhood serving commercial/retail, advances a number of objectives and policies contained in the Wilshire Community Plan. These include:

Goal 1: Provide a safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the Wilshire Community.

Objective 1-1: Provide for the preservation of existing quality housing, and for the development of new housing to meet the diverse economic and physical needs of the existing residents and expected new residents in the Wilshire Community Plan Area to the year 2010.

Policy 1-1.3: Provide for adequate Multiple Family residential development.

Policy 1-1.4: Provide for housing along mixed-use boulevards where appropriate.

Objective 1-2: Reduce vehicular trips and congestion by developing new housing in close proximity to regional and community commercial centers, subway stations and existing bus route stops.

Policy 1-2.1: Encourage higher density residential uses near major public transportation centers.

Objective 1-4: Provide affordable housing and increased accessibility to more population segments, especially students, the handicapped and senior citizens.

The Applicant proposes the revitalization of an underutilized site by demolishing a one- and two-story building and surface parking lot and the construction, use and maintenance of a four-story mixed use development with 100 residential units (99 restricted affordable units and one market rate manager's unit) and 4,134 square feet of ground floor commercial space. The Applicant proposes to restrict 50 percent (50 units) for Very Low Income households and 49 percent (49 units) for Low Income households. The project provides ample open space for residents that include a 1,777-square-foot community space and a 8,379-square-foot courtyard which has an entertainment terrace, a community terrace with tot lot area for children and a dining terrace and private open space that includes 59 balconies that amount to 2,950 square feet.

The Applicant is seeking a Conditional Use for a density increase greater than the maximum permitted under the Density Bonus Ordinance for an 89 percent density increase or 47 additional units. Thus, if approved, the project will provide a total of 100 units with 50 units restricted to Very Low Income Households, 49 units restricted to Low Income Households and one market rate manager's unit. The proposed project is consistent with above objectives and policies of the Wilshire Community Plan by

providing higher residential density near major public transportation centers and affordable housing that is accessible to more population segments as the project includes 100 residential units (99 restricted affordable units and one market rate manager's unit) that are within 250 feet of the Metro Red Line Vermont/Beverly Station, which provides access to Downtown Los Angeles, Hollywood and the San Fernando Valley with connecting service to the San Gabriel and Inland Empire to the east, to West Los Angeles and the coastal areas to the west, to South Los Angeles and the South Bay to the south.

Vermont/Western Specific Plan

The Specific Plan was adopted by the City Council on January 23, 2001 (Ordinance 173,749) and effective on March 1, 2001. As part of the Specific Plan, Development Standards and Design Guidelines have also been adopted by the City Planning Commission on August 10, 2000.

The project site is located within the Vermont/Western Transit Oriented District Specific Plan/Station Neighborhood Area Plan (SNAP) and is designated as Subarea B – Mixed Use Boulevards, which limits all lots in Subarea B to residential uses permitted in the R3 zone and commercial uses permitted in the C1.5 Zone with the purpose of creating a denser, livelier pedestrian environment along major commercial and transit corridors like Vermont Avenue. The subject project, as conditioned in this action, conforms with all the requirements of the Vermont/Western Transit Oriented District Specific Plan.

Transportation Element

The City's Transportation Element was adopted by City Council on September 8, 1999. The Transportation Element of the General Plan guides development of a citywide transportation system with the goal of ensuring the efficient movement of people and goods. The Transportation Element recognizes that primary emphasis must be placed on maximizing the efficiency of existing and proposed transportation infrastructure through advanced transportation technology, reduction of vehicle trips, and focused growth in proximity to public transit. The project is consistent with the following objectives, policies and programs:

Policy 2.11: Continue and expand requirements for new development to include bicycle storage and parking facilities, where appropriate.

Objective 3: Support development in regional centers, community centers, major economic activity areas and along mixed-use boulevards as designated in the Community Plans.

Policy 3.13: Enhance pedestrian circulation in neighborhood districts, community centers, and appropriate locations in regional centers and along mixed-use boulevards; promote direct pedestrian linkages between transit portals/platforms and adjacent commercial development through facilities orientation and design.

The Transportation Element includes goals and objectives to encourage housing, jobs, and services in closer proximity to one another; to create balanced communities and neighborhoods; and to reduce the number and length of work-related trips. The proposed project provides affordable housing and commercial/retail space conveniently located 250 feet south of the MTA Metro Red Line Transit station at Beverly Boulevard and Vermont Avenue. The Transportation Element encourages the development of multi-family residential housing in regional centers and along primary transit corridors

and mixed-use boulevards. The project site is in a highly urbanized location in close proximity to several transit options, including the MTA subway system and the MTA Rapid Bus lines. The future tenants will have easy pedestrian access to the commercial shopping areas and institutional uses (i.e. Elementary and Junior High Schools) along Vermont Boulevard and Beverly Boulevard. Additionally, the proposed project will provide bicycle storage and parking facilities as required per the SNAP and in conformance with the Transportation Element.

Housing Element

The City's Housing Element for 2013-2021 was adopted by City Council on December 3, 2013. The project is consistent with the following objectives, policies and programs:

Goal 1: Housing Production and Preservation

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

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

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

Policy 1.4.1: *Streamline the land use entitlement, environmental review, and building permit processes, while maintaining incentives to create and preserve affordable housing.*

Goal 2: Safe, Livable, and Sustainable Neighborhoods

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

Policy 2.2.2: *Provide incentives and flexibility to generate new multi-family housing near transit and centers, in accordance with the General Plan Framework element, as reflected in Map ES.1.*

The project is consistent with the above goals, objective and policies of the Housing Element as the project proposes a mixed use development with affordable housing and ground floor commercial/retail space that is near a major transit center, the Vermont/Beverly Red Line Station. The new mixed use development will create 100 residential units, of which 99 units are restricted affordable for Very Low and Low Income Households and one market rate manager's unit, and 4,134 square feet of commercial/retail space. The project provides ample open space for residents that include a 1,777-square-foot community space and a 8,379-square-foot courtyard which has an entertainment terrace, a community terrace with tot lot area for children, a dining terrace and private open space that includes 59 balconies that amount to 2,950 square feet.

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

The proposed construction of a new four-story mixed use development that includes 100 residential units (99 restricted affordable and one market rate manager's unit) and 4,134 square feet of ground floor commercial/retail space would be consistent and compatible with neighboring properties as conditioned in this staff report. Existing structures in the vicinity of the project site range in height from one-story to five-stories and contain a mix of uses that include multi-family residential, commercial/retail, institutional (Elementary and Junior High Schools), a bank, a car dealership and surface parking lots.

Building Arrangement (height, bulk and setbacks)

The project site is designated as Subarea B, which limits mixed use projects to 50 feet in height and a floor area ratio (FAR) of 2:1. The project proposes a mixed use development that is a maximum of 55 feet in height with a 2.31:1 FAR and 98,981 square feet of floor area. The Applicant is seeking Density Bonus on-menu incentives to increase the building height and to increase the FAR. The project site is surrounded by a mix of building heights and uses that include multi-family residential, commercial/retail uses and institutional uses that range in height from one- to five-stories in height. Although the Applicant is requesting to develop a mixed use project that is taller and larger than what is otherwise allowed, the project is compatible with the neighboring developments in the vicinity and is contemplated by the General Plan Framework's designation of "Mixed Use Boulevard" for Vermont Avenue between Beverly Boulevard and Third Street. The height of buildings in a Mixed Use Boulevard ranges from one- to two-story commercial structures, up to three- to six-story mixed use buildings between centers and higher buildings within centers. The project site is adjacent to properties designated as Subarea C (Community Center) along the north property line and is across Vermont Avenue. The SNAP allows mixed use projects in Subarea C (Community Center) to be developed up to a height of 75 feet and up to an FAR of 3:1. The proposed project would be compatible with existing structures that range in height from one- to five-stories and potential development that could be built up to six stories. The findings for the Density Bonus on-menu incentives are above in Section 2. The Department of City Planning recommends approval of the requested Density Bonus on-menu incentives and with the granting of these incentives from the City Planning Commission and as conditioned in this staff report, the project will provide a building that is appropriately scaled for the neighborhood.

Section 8.G. of the Vermont/Western SNAP specifies that no front, side or back yards are required for the development of any mixed use, commercial or residential project located within Subarea B. The project does not incorporate front or rear yards, but does include a ten-foot side yard along the north property line which serves the pedestrian thoroughway requirement and a seven-foot side yard along the south property line. As designed, the project is adequately setback from the street and neighboring properties.

Off-Street Parking Facilities and Loading Areas

Pursuant to LAMC Section 12.22 A.25(d)(2), one parking space is required per restricted affordable unit. As a result of utilizing Parking Option 2, the Applicant is required to provide 99 parking spaces for the 99 restricted affordable units. The market rate manager's unit is limited to the parking requirements in the SNAP Specific Plan. Pursuant to Section 8.E.1. of the SNAP, the Applicant is required to provide a minimum of 1.5 spaces and 0.25 space for guest parking and a maximum of 2 spaces and 0.5 space for guest parking for the manager's market rate unit. The Applicant is required to provide 102 residential parking spaces and provides 102 spaces. Pursuant to Section 8.E.3. of the SNAP, the Applicant is required to provide 9 parking spaces for 4,134

square feet of commercial floor area and provides 9 parking spaces. Parking is provided within one subterranean level that is accessed from a single driveway off the alley in the rear.

Section 8.E.2. of the SNAP requires a 0.5 bicycle parking space per dwelling unit and one bicycle space for every 1,000 square feet of non-residential floor area for the first 10,000 square feet. The Applicant is required to provide 50 residential bicycle parking spaces and 4.75 non-residential bicycle parking spaces. The Applicant provides a total of 55 bicycle parking spaces, which is consistent with the requirements of the SNAP.

The Applicant is seeking a Density Bonus off-menu incentive for a modified commercial loading space that has a minimum area of 360 square feet, a minimum height of 11 feet and a minimum width of 19 feet measured from the alley line in lieu of the strict requirements of LAMC Section 12.21 C.6., which requires a minimum area of 600 square feet, a minimum height of 14 feet and a minimum width of 20 feet measured from the alley line. The Department of City Planning recommends approval of the requested Density Bonus off-menu incentive for a modified commercial loading space and with the granting of this incentive from the City Planning Commission and as conditioned in this staff report, the project will provide a commercial loading space that adequately serves the building and does not adversely impact neighboring properties.

Lighting

The project plans submitted do not indicate the type or location of proposed lighting. The Vermont/Western Specific Plan Development Standard No. 17 specifies requirements for on-site lighting that include lighting shielded, light mounting height and lamp color. As part of the Project Permit Compliance Review, the Applicant is required in the Conditions of Approval to provide a lighting plan that demonstrates compliance with the Lighting Development Standard of the SNAP. In addition, the environmental conditions include a mitigation measure to ensure outdoor lighting is designed and installed with shielding such that the light source cannot be seen from adjacent residential properties or the public right-of-way. As conditioned, the project will not result in a substantial amount of light that would adversely affect the day or night time views in the project vicinity.

Landscaping

The project is required to provide 13,075 square feet of open space and proposes to provide 13,106 square feet of open space. The project is further required to provide common open space at the ground floor or first habitable room level for at least 50 percent of the total required usable open space, which amounts to 6,538 square feet of common open space of which 25 percent or 1,635 square feet is required to be landscaped with ground cover, shrubs or trees. Per Section 12.21 G.2., the project is also required to provide one tree for every four dwelling units, which amounts to 25 required on-site trees. The landscape plan shows 2,493 square feet of landscaping at the ground level and 3,013 square feet of landscaping within the courtyard for a total of 5,506 square feet of landscaping which exceeds the required amount of 1,635 square feet. The landscape plan also shows that 26, 24-inch box on-site trees will be provided in the courtyard which exceeds the required number of 25 trees.

Trash Collection

The Vermont/Western Specific Plan Development Standard No. 9 specifies requirements for the location and design of trash storage and recycling areas. The first

floor plan shows the trash and recycling room is provided within the proposed structure with easy access to the alley for trash pick-up.

Fences and/or Walls

The Vermont/Western Specific Plan Development Standard No.10 specifies requirements for the location and design of all freestanding walls and fences. The project plans do not show that new fences and/or walls are proposed; however, during the public hearing held on January 16, 2015, the Applicant and Representative stated that fencing and/or walls were proposed along the perimeter of the site. As part of the Project Permit Compliance Review, the Applicant is required in the Conditions of Approval to provide a revised site plan and elevations for any new freestanding fences and/or walls proposed for the project, which shows an architectural element at intervals of no more than 20 feet and set back from the property line adjacent to a public street with a landscaped buffer. As conditioned, the project will provide freestanding walls and fencing that incorporate architectural elements.

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

The project includes specific dedicated areas for residential, social and recreation functions for adults and children. The project is required to provide 13,075 square feet of open space and proposes to provide 13,106 square feet of open space. The recreational amenities provided are as shown in the table:

Required Open Space		
Unit	No. of Units	Required Open Space
Studio	2 x 100	200 SF
1 Bedroom	41 x 100	4,100 SF
2 Bedroom	24 x 125	3,000 SF
3 Bedroom	33 x 175	5,775 SF
Total Required	100 units	13,075 SF

Proposed Open Space	
Common Provided	
Community Room	1,777 SF
Courtyard	8,379 SF
Subtotal Common	10,156 SF
Private Provided	
Balconies	2,950 SF
Total Proposed	13,106 SF

The project will include a 1,777-square-foot community room on the ground floor along Vermont Avenue. This space will provide residents high visibility of street activity as well as provide eyes on the street for the community. The project also includes an 8,379-square-foot courtyard that contains an entertainment terrace with barbeque counter, shade trellis and dining area; a community terrace with tot lot play area with synthetic turf play surfacing and lounge seating; and a dining terrace with barbeque counter, shade trellis, dining area and synthetic turf. The project provides ample landscaping that includes trees, shrubs and groundcover in the courtyard and at the ground level within the walkways along the front and side elevations. Therefore, the open space and recreation room on-site provide appropriate amenities and recreational facilities for the project's residents and are expected to minimize impacts to on neighboring properties.

DETERMINATION LETTER
CPC-2014-1947-CU-DB-SPP-
SPPA-SPR
MAILING DATE: 03/11/15

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