



APPLICATIONS:

APPEAL APPLICATION

Instructions and Checklist

Related Code Section: Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

Purpose: This application is for the appeal of Department of City Planning determinations authorized by the Los Angeles Municipal Code (LAMC).

A. APPELLATE BODY/CASE INFORMATION

1. APPELLATE BODY

- Area Planning Commission City Planning Commission City Council Director of Planning
- Zoning Administrator

Regarding Case Number: CPC-2022-8155-CU-DB-SPR-PHP-VHCA

Project Address: 308-320 North Oxford Avenue; 311-321 North Serrano Avenue

Final Date to Appeal: 07/05/2023

2. APPELLANT

Appellant Identity:
(check all that apply)

- Representative Property Owner
- Applicant Operator of the Use/Site

Person, other than the Applicant, Owner or Operator claiming to be aggrieved
Teresa Burkett Bourgoise

Person affected by the determination made by the **Department of Building and Safety**

- Representative Owner Aggrieved Party
- Applicant Operator

3. APPELLANT INFORMATION

Appellant's Name: Teresa Burkett Bourgoise

Company/Organization: _____

Mailing Address: 2041 E. Live Oak Drive

City: Los Angeles State: CA Zip: 90068

Telephone: (210) 330-2111 E-mail: tbourgoise@gmail.com

a. Is the appeal being filed on your behalf or on behalf of another party, organization or company?

- Self Other: _____

b. Is the appeal being filed to support the original applicant's position? Yes No

4. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): Jamie T. Hall

Company: Channel Law Group, LLP

Mailing Address: 8383 Wilshire Blvd., Suite 750

City: Beverly Hills State: CA Zip: 90046

Telephone: (310) 982-1760 E-mail: jamie.hall@channellawgroup.com

5. JUSTIFICATION/REASON FOR APPEAL

a. Is the entire decision, or only parts of it being appealed? Entire Part

b. Are specific conditions of approval being appealed? Yes No

If Yes, list the condition number(s) here: _____

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- The reason for the appeal
- How you are aggrieved by the decision
- Specifically the points at issue
- Why you believe the decision-maker erred or abused their discretion

6. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature: *Jamie T. Hall* Date: 07 / 05 / 2023

GENERAL APPEAL FILING REQUIREMENTS

B. ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES

1. Appeal Documents

a. **Three (3) sets** - The following documents are required for each appeal filed (1 original and 2 duplicates) Each case being appealed is required to provide three (3) sets of the listed documents.

- Appeal Application (form CP-7769)
- Justification/Reason for Appeal
- Copies of Original Determination Letter

b. Electronic Copy

Provide an electronic copy of your appeal documents on a flash drive (planning staff will upload materials during filing and return the flash drive to you) or a CD (which will remain in the file). The following items must be saved as individual PDFs and labeled accordingly (e.g. "Appeal Form.pdf", "Justification/Reason Statement.pdf", or "Original Determination Letter.pdf" etc.). No file should exceed 9.8 MB in size.

c. Appeal Fee

- Original Applicant - A fee equal to 85% of the original application fee, provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.
- Aggrieved Party - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

d. Notice Requirement

- Mailing List - All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC
- Mailing Fee - The appeal notice mailing fee is paid by the project applicant, payment is made to the City Planning's mailing contractor (BTC), a copy of the receipt must be submitted as proof of payment.

SPECIFIC CASE TYPES - APPEAL FILING INFORMATION

C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITES (TOC)

1. Density Bonus/TOC

Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

NOTE:

- Density Bonus/TOC cases, only the *on menu or additional incentives* items can be appealed.
- Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the Citywide Planning Commission.

- Provide documentation to confirm adjacent owner or tenant status, i.e., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, drivers license, bill statement etc.

D. WAIVER OF DEDICATION AND OR IMPROVEMENT

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

NOTE:

- Waivers for By-Right Projects, can only be appealed by the owner.
- When a Waiver is on appeal and is part of a master land use application request or subdivider's statement for a project, the applicant may appeal pursuant to the procedures that governs the entitlement.

E. TENTATIVE TRACT/VESTING

1. Tentative Tract/Vesting - Appeal procedure for Tentative Tract / Vesting application per LAMC Section 17.54 A.

NOTE: Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.

- Provide a copy of the written determination letter from Commission.

F. BUILDING AND SAFETY DETERMINATION

- 1.** Appeal of the Department of Building and Safety determination, per LAMC 12.26 K 1, an appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.

a. Appeal Fee

- Original Applicant - The fee charged shall be in accordance with LAMC Section 19.01B 2, as stated in the Building and Safety determination letter, plus all surcharges. (the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code)

b. Notice Requirement

- Mailing Fee - The applicant must pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt as proof of payment.

- 2.** Appeal of the Director of City Planning determination per LAMC Section 12.26 K 6, an applicant or any other aggrieved person may file an appeal, and is appealable to the Area Planning Commission or Citywide Planning Commission as noted in the determination.

a. Appeal Fee

- Original Applicant - The fee charged shall be in accordance with the LAMC Section 19.01 B 1 a.

b. Notice Requirement

- Mailing List - The appeal notification requirements per LAMC Section 12.26 K 7 apply.
- Mailing Fees - The appeal notice mailing fee is made to City Planning's mailing contractor (BTC), a copy of receipt must be submitted as proof of payment.

G. NUISANCE ABATEMENT

1. Nuisance Abatement - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

NOTE:

- Nuisance Abatement is only appealable to the City Council.

a. Appeal Fee

Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1.

2. Plan Approval/Compliance Review

Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4.

a. Appeal Fee

Compliance Review - The fee charged shall be in accordance with the LAMC Section 19.01 B.

Modification - The fee shall be in accordance with the LAMC Section 19.01 B.

NOTES

A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

Please note that the appellate body must act on your appeal within a time period specified in the Section(s) of the Los Angeles Municipal Code (LAMC) pertaining to the type of appeal being filed. The Department of City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.

This Section for City Planning Staff Use Only		
Base Fee:	Reviewed & Accepted by (DSC Planner):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

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*ALSO Admitted in Texas

July 5, 2023

VIA ELECTRONIC UPLOAD

City of Los Angeles
Dept. of City Planning
221 N. Figueroa St., Suite 1350
Los Angeles, CA 90012

Re: Justifications of Appeal for Zoning Entitlements for Project Located at 308-320 North Oxford Avenue; 311-321 North Serrano Avenue (Case No. CPC-2022-8155-CU-DB-SPR-PHP-VHCA; ENV-2022-8156-CE)

To Whom It May Concern:

This firm represents Teresa Burkett Bourgoise (“Appellant”). This letter outlines the justifications for the appeal¹ of the Conditional Use Permit and Site Plan Review for the development project located at 308-320 North Oxford Avenue; 311-321 North Serrano Avenue (“Project”).

Appellant brings this appeal because she has a direct and substantial beneficial interest in ensuring that City complies with laws relating to environmental protection. Further, Appellant is adversely affected by City’s failure to comply with CEQA, State Planning and Zoning Law and local law in approving the Project. Appellant’s aesthetic and environmental interests are directly and adversely affected by the City’s approval of the Project.

¹ Association also appeals the categorical exemption for the Project pursuant to Public Resources Code Section 21151(c).¹ PRA section 21151(c) states as follows: “If a nonelected decisionmaking body of a local lead agency certifies an environmental impact report, approves a negative declaration or mitigated negative declaration, or determines that a project is not subject to this division, that certification, approval, or determination may be appealed to the agency’s elected decisionmaking body, if any.”

1. Grounds for Appeal

a. The Compatibility Findings Are Not Supported by Substantial Evidence

The City Planning Commission (“CPC”) was required to make specific findings in order to approve the Conditional Use Permit and Site Plan Review for the Project. The findings are not supported by substantial evidence, especially the findings related to compatibility. The required compatibility findings are as follows:

CUP Findings Related to Compatibility

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

Site Plan Review Findings Related to Compatibility

- 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 CPC’s compatibility findings are not supported by substantial evidence. The Project is wildly out of scale with the souring community and streetscape. The majority of the structures to the north of the area are between 2-3 stories (with quite a few single-story single-family homes as well). The project, on the other hand, is 7 stories tall. No reasonable person would conclude that the Project is “compatible” with existing and future development. The three structures cited by the City in the letter of determination at 4722 West Elmwood, 4670 West Beverly Blvd, and 203 North Oxford are clearly *outliers* from a statistical perspective.

b. The Project is Not Exempt from CEQA

The Project is not exempt from CEQA as a Class 32 project. CEQA Guidelines Section 15300.2 - labeled “Exceptions” - outlines six situations where an exemption may not be used. The Project qualifies for the following two exceptions.

(c) *Significant Effect*. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

(f) *Historical Resources*. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

i. Historical Resource Impacts Prevent the City from Deeming the Project Exempt from CEQA

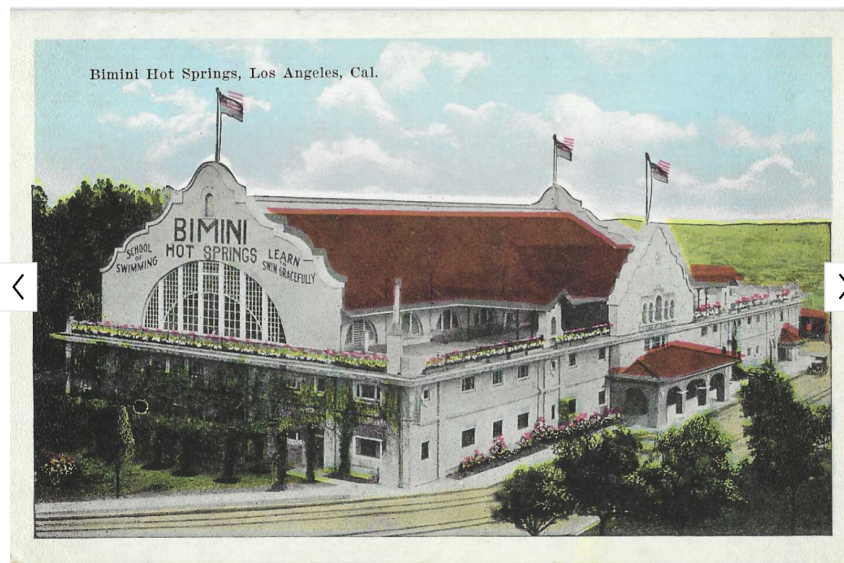
The applicant prepared technical studies in an attempt to demonstrate that the Project is eligible for the Class 32 urban infill exemption. However, the historical analysis does not adequately address the historic and cultural significance of the hot springs that exist on the project site. This property – home of the Beverly Hot Springs – is truly unique and unusual. The hot springs have been in use since 1910 according to an article from the LA Times (Exhibit A), which states as follows:

One place remains as L.A.'s spa legacy. An artesian well, the Oxford springs, discovered in a wheat field near Beverly and Western in 1910, still supplies water to the Beverly Hot Springs spa. Until the city put in water mains in 1915, the quarter-million gallons that surged out of the well every day supplied the locals' hot water needs, and for a time, the water was bottled under the Angelus Club label as "Wonder Water," with the slogan, "Nature's own formula."

LA Times Article dated December 28, 2015 by Columnist Pat Morrison.²

LA was once home to many hot springs, such as the Bimini Hot Springs in Koreatown, but now there is only ONE such location that remains – which the City Planning Commission has greenlighted for demolition. Appellant submits that this was a mistake. If this does not represent an "unusual circumstance" under CEQA, then what does?³

Picture of Former Bimini Hot Springs in Koreatown



7/10 An exterior view of the Bimini Hot Springs in what is now Koreatown is seen on a vintage postcard from Patt Morrison's collection. The reverse side of the card advertises the springs as "the velvet bath."

² This article can be accessed at <https://www.latimes.com/california/story/2021-12-28/a-brief-history-of-southern-californias-hot-springs>

³ A 1987 LA Times article about the Beverly Hot Springs is attached as **Exhibit B**. This article can be accessed at <https://www.latimes.com/archives/la-xpm-1987-08-31-me-3255-story.html>

The City has failed to meaningfully analyze the cultural significance of the hot springs – especially for the Asian American community. Public baths are an integral part of Korean cultural and the last remaining hot springs is being eliminated. This is by its very nature a significant impact. The Project is not exempt from CEQA because the project “may cause a substantial adverse change in the significance of a historical resource.” CEQA Guidelines Section 15300.2(f).

ii. Unusual Circumstance Prevent the City from Deeming the Project Exempt from CEQA

CEQA Guidelines Section 15300.2(c) states that a “categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.” As pointed out by the California Supreme Court in *Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086, 1105:

“[A] party may establish an unusual circumstance with evidence that the project will have a significant environmental effect. That evidence, if convincing, necessarily also establishes “a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.”

Appellant has met that burden. As noted above, the elimination of the last remaining natural hot springs used as a public bath will have a significant effect on the environment.

2. Objection to Limitations on Right of Appeal of On-Menu Incentives

The City maintains that, pursuant to local law, on-menu incentives are only appealable by adjacent owners and/or tenants. However, local laws must yield when they are in conflict with constitutional principles and state law.

Local procedural rules and statutory provisions limiting the right to appeal to adjacent owners and applicants simply do not pass legal muster. It has been held that restricting the right to appeal only to a dissatisfied applicant was improper and that the State Land Use Law clearly expresses the legislative intent that planning agencies ensure participation by the public in the planning process and that, through that involvement, adjacent property owners gain a right of appeal that may not be restricted by local ordinance. *Concerned Citizens of Murphy’s v. Jackson* (1977) 72 Cal. App. 3d 1021-1026. This constitutional right of appeal cannot be limited to just adjacent property owners or applicants. Under *Concerned Citizen of Murphy’s and Horn v. County of Ventura* (1979) 24 Cal. 3d 605, 156, if an applicant has a right to appeal, any interested person adversely affected has a similar right inasmuch as constitutional due process requires that notice and opportunity for hearing be given to such interested persons.

There is no question that Appellant is an interested person with regard to the above-referenced project that will be adversely affected. Ms. Bourgoise is a frequent user of the spa and its demolition will necessarily adversely affect her.

3. Conclusion

For the aforementioned reasons, the appeal should be granted. Please note that Appellant reserves the right to supplement the bases of this appeal. I may be contacted at 310-982-1760 or at jamie.hall@channellawgroup.com if you have any questions, comments or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Jamie T. Hall". The signature is fluid and cursive, with the first name "Jamie" being more prominent than the last name "Hall".

Jamie T. Hall

Exhibit A



CALIFORNIA

From sacred to profane: A brief history of Southern California's hot springs



"It sparkles and foams like Champagne," reads this undated postcard showing Radium Sulphur Springs at Melrose Avenue and Gower Street in Los Angeles. (Collection of Patt Morrison)

BY PATT MORRISON | COLUMNIST

DEC. 28, 2021 5 AM PT

Perhaps you will be among those who go to bed on Dec. 31, or who wake up on Jan. 1, with a head buzzing remorsefully from bubbles, or a gut overloaded with intemperate calories.

Even before breakfast, you will sign up for a year-long gym membership. You will search online for “cleanse diets.” You will make a vow of abstemiousness in food and drink. You might even decide that a weekend at a spa or a hot springs will set you on the path to a new, spartan you.

Just like so many Angelenos before you.

If the ground under our feet insists on jerking and rattling us to splinters and rubble once in a while, then it’s only fair that we should also get a bit of pleasure from our fickle geology. So I give you... the therapeutic hot spring, geothermal energy at its most sybaritic.

For centuries inland Southern California has been immersed in luxuriant spa waters. The San Juan Hot Springs at the edge of the Cleveland National Forest was appearing in tourist guidebooks as early as 1888. Other therapeutic destinations, some of them operating today, included Gilman Hot Springs near San Jacinto; Desert Hot Springs in the Coachella Valley; Glen Ivy Hot Springs in Corona; the virtually forgotten Penyugal Hot Spring in the San Bernardino Mountains; Coso Hot Springs in Inyo County, its “volcanic iron water” and fumaroles now entirely within the restricted boundaries of the China Lake naval air weapons facility; the hot springs of Elsinore, “city of springs;” and — smack between Death Valley and the Mojave National Preserve — the stunning Tecopa Hot Springs.



Explaining L.A. With Patt Morrison

Los Angeles is a complex place. In this weekly feature, Patt Morrison is explaining how it works, its history and its culture.

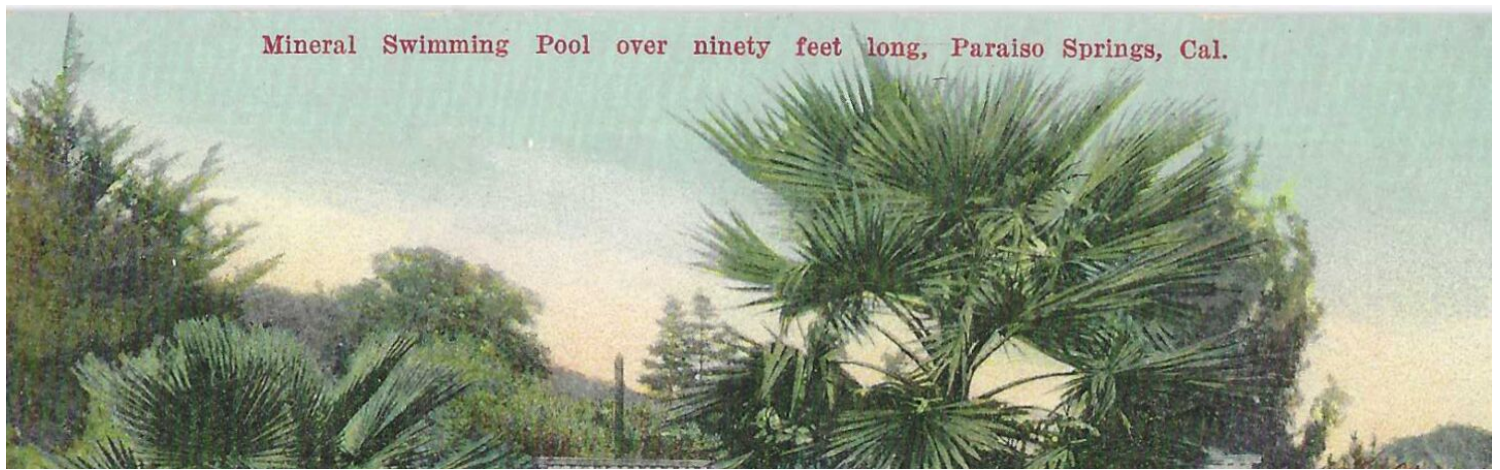
Read more from Patt Morrison

All of them — and all the hot springs across the nation — were known for millennia to Native Americans, who found in them sacred, spiritual and healing qualities. Native Americans wintered in Desert Hot Springs in the Coachella Valley. And then came the white settlers and the commercializing of the hot springs, effectively dispossessing them from their own lands, even though some tribes tried to assert their legal claims. In 1846, a farsighted Army lieutenant and topographical engineer, William Emory, became acquainted with the delights at Warner hot springs in San Diego County. He predicted then that “a day will come no doubt, when the invalid and pleasure-seeking portion of the white race will assemble here to drink and bathe in these waters.... “

In L.A., modern arrivals “took the water” in spanking-new spas. They bobbed and lolled in it, drank it — hot, sometimes sulfurous-smelling water that, as one ad promised, “sparkles and foams like champagne!”

On New Year’s Day in 1903, hundreds of Angelenos hopped, or crawled, aboard streetcars for the ride to the new Bimini Baths, an immense “natatorium” — a collection of swimming pools and restorative, relaxing hot springs — on Vermont Avenue between First and Third Streets, a part of town where geothermal water gushed up again and again.





It couldn't have been a surprise when men digging for oil in a lively landscape of tar pits and earthquake faults and oil seeps and methane pockets instead struck a gusher of hot water.

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Remember that for centuries, Los Angeles was in many places a marshy, spongy landscape. In the high summer of 1769, the Spanish marched through what is now Beverly Hills and named it “the meeting place of waters.”

Streams and freshets ran all over the Los Angeles landscape, and Arroyo de la Sacatela coursed virtually alongside the dozen or so acres of the Bimini Baths site. In the 1920s Los Angeles began a ruthless, multimillion-dollar campaign to bury its many streams and arroyos in underground culverts and storm drains, then fill in the streambeds so the

new real estate could go on the market. Only the city's small Bimini Slough ecology park and its manmade watercourse stand as a showpiece reminder of the landscape that was.

As for Bimini, it's the name of a Bahamian island chain and the supposed site of the mythic Fountain of Youth quested after by Ponce de Leon, the early 16th century Spanish explorer. (That's probably a fable dreamed up by a rival trying to make de Leon look gullible.) The Bimini Baths founder, David W. Edwards, chose "Bimini" from a poem by the splendidly named 19th century writer Hezekiah Butterworth, author of inspiring patriotic works for young readers, who wrote of a Bimini where a "fountain gives life to the dying / And youth to the aged restores."

Los Angeles County has had several notable hot springs besides Bimini. These included:

- Seminole Hot Springs, off Mulholland Drive in the Santa Monica Mountains. Its waters were discovered in 1911, when men drilling for oil struck hot waters that were soon reputed to have curative powers for "those affected by rheumatism, stomach, liver and kidney troubles." It closed in 1959.
- Warm Springs, above Castaic, in Elizabeth Lake Canyon. The springs produce a mere trickle of five gallons a minute, compared to the 100 gallons every 60 seconds from the gusher at Bimini.
- White Point Hot Springs, at the foot of bluffs in San Pedro, which was opened in 1917 by a pair of Japanese brothers. Their landlord, one of the [Sepulvedas](#), later built a salt-water pool heated by sulfur springs. The FBI carried off the brothers after December 7, 1941, and the military took over the site. The golf course closed in 1933 and the clubhouse burned in 1951, but the hot and sulfurous waters remain in rocky pools along the shoreline.
- And my favorite, Radium Sulphur Springs, opened in 1908 on Melrose Avenue, in the village of Colegrove, annexed the next year by L.A. Its founder, G. P. Gehring, aggressively marketed the "germicidal and radioactive" waters as relief and cure for a dozen maladies, including alcoholism, female troubles and paralysis. As a bonus, Radium Sulphur Springs claimed that it "clears the complexion, makes the skin

velvety, eyes bright, hair glossy.” It had its own sales doggerel: “Oh! How it sparkles! Oh! How it foams! It chases a microbe wherever it roams.”

How much if any radium was actually in radium springs waters? Hard to say; if you were lucky, none. The start of the last century was the age of medical discoveries, along with the quack remedies that exploited them. Radium, the element discovered by Marie and Pierre Curie, and other radioactive elements promised extraordinary things for medicine — imagine, seeing into the human body! (Madame Curie died from cancer, overexposed to her own discoveries.) The world went radium-crazy, falling for products like radioactive face cream, a “radiendocrinator” to wear at night “under the scrotum,” radioactive-treated long johns for adults and kids, and luminous numbers painted in radium on watch and clock faces. In one of the 1930s’ signature screwball comedies, “Nothing Sacred,” Carole Lombard is a “radium girl” mistakenly diagnosed as dying of radium poisoning. It really is a comedy — honest.

In 1904, The Times wrote about one W.L. Garner, a tubercular local railroad worker “snatched from the grave by radium” at the British-American Medical Institute at 859 South Figueroa, where, restored to health, he went to work operating the institute’s “electro-ozo-viro-radium treatment machine.”



CALIFORNIA

Who killed L.A.'s streetcars? We all did

Nov. 2, 2021

In banning deceptive packaging in 1938, federal laws pretty much put an end to radioactive therapies. Many decades later, I saw glass beakers purportedly from the Curies’ lab being sold in a Paris flea market, but I passed, remembering that Marie Curie’s lab notebooks are so contaminated that they’re stored in lead-lined boxes.

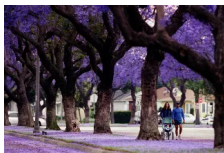
These hot springs and baths offered people of Victorian sensibilities a chance to frolic in the water in the name of good health. Primly, men and women were served by separate

plunges. No liquor was served. But sin crept in anyway.

In 1908, a 15-year-old boy named Victor Lamar was found dead in a Bimini pool. It turns out he had been invited there by a man, and more than once. As he told his sister, “I went out to the baths with a man and had a good time. Wouldn’t you go out and have a good time for \$3 or \$4?” An autopsy ruled the boy was a victim of what was delicately called a “statutory crime.” His family sued Bimini Baths over poor supervision. And a Catholic priest from Oklahoma was identified in court proceedings as the man committing the acts. “It is also asserted,” The Times reported, “that he has on other occasions been guilty of similar offenses.”

Bimini Baths burned a couple of years after it opened, but was enthusiastically rebuilt and added on, with a hotel, bigger pools and a Mission-style façade. It staged diving exhibitions and sponsored a water polo team. Local athletes trained here for the 1932 summer Olympics in L.A.

By 1927, Radium Sulphur Springs had changed its name to Hollywood Mineral Springs, capitalizing on the local product, and now claiming treatments — not cures — for rheumatism, high blood pressure, neuritis and sciatica, and excess weight. It rebuilt its premises with sunken Roman baths lined in mosaic tiles and an on-site bottling plant. The waters effervesced like the 1920s themselves, but the solemn weight of the Depression evidently closed its doors.



CALIFORNIA

L.A. has no seasons, you say? Wrong. Here’s how to mark them

June 29, 2021

One place remains as L.A.’s spa legacy. An artesian well, the Oxford springs, discovered in a wheat field near Beverly and Western in 1910, still supplies water to the Beverly Hot Springs spa. Until the city put in water mains in 1915, the quarter-million gallons that surged out of the well every day supplied the locals’ hot water needs, and for a time, the

water was bottled under the Angelus Club label as “Wonder Water,” with the slogan, “Nature’s own formula.”

The Bimini baths closed in 1951, and the next year, the property was sold to a Chicago man who announced that he’d be turning it into a training center for wrestlers, boxers, and the general public — a gym, in other words. But by 1956, it was an insurance company office, and the vast swimming pools were drained and used for storage. By then, Angelenos of means were [building their own swimming pools and Jacuzzis](#), and they no longer needed a civic natatorium.

Watch L.A. Times Today at 7 p.m. on Spectrum News 1 on Channel 1 or live stream on the Spectrum News App. Palos Verdes Peninsula and Orange County viewers can watch on Cox Systems on channel 99.



Patt Morrison

Patt Morrison is a writer and columnist for the Los Angeles Times, where as a member of two reporting teams, she has a share of two Pulitzer Prizes. Her public

broadcast programs have earned her six Emmys, her two non-fiction books were bestsellers and Pink's, the Hollywood hot dog stand, named its veggie dog after her.

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Exhibit B



CALIFORNIA

Relaxation Flows From Koreatown Hot Spring

BY MATHIS CHAZANOV

AUG. 31, 1987 12 AM PT

TIMES STAFF WRITER

Descendants of an early settler in the Western Avenue area wondered for decades what to do with an artesian well that pumped out 250,000 gallons of hot mineral water daily in the middle of Los Angeles.

It was not until three years ago that Yang Cha Kim, who holds the Korean degree of doctor of Oriental medicine, and her husband, Chang Bum Huh, a weightlifter for Korea in the 1964 Olympics, came up with the answer--a thermal spa, the only one in Los Angeles.

Hearing of the unused well from an acquaintance who lived in the area, Huh and Kim got a loan, bought the land and built the Beverly Hot Springs, an oasis of steam baths and saunas only steps from Beverly Boulevard and Western Avenue.

There, as traffic roars by outside, bathers shed their towels and sink languorously into steaming pools much like those of the famous hot spring resorts of Europe and Japan.

Once a Wheat Field

But this is Koreatown. Tucked behind a row of nondescript shops, the spa is fed by a strong flow of 96- to 105-degree water from the artesian well that Richard S. Grant found when he bought the land--then a wheat field--to subdivide for a housing development in 1910.

Once covered by a shabby warehouse used for water-bottling, the well has a new building outfitted with a two-story fake waterfall, grand piano, beauty shop and snack bar serving seaweed soup.

There is also a life-size, gold-painted, three-dimensional acupuncture chart in the form of a nude man. Koreans generally drape such mannequins with a loincloth for modesty, said Dhang Huh, a relative of the owners and vice president of the spa. An American-born visitor argued against drapery, Dhang Huh said, noting that nudes are routinely on display at museums and sculpture gardens. So a compromise was reached: A green paper sign reading “Do Not Touch” covers the sensitive areas.

Clothes are not needed in the spa, where men and women are segregated in upstairs and downstairs facilities.

Both chambers feature hot pools fed by tile-lined fountains hooked to the old well pipe that now shares a basement storage room with boxes of soap and stacks of towels.

Room for a Nap

After a hot soak, bathers can take a cold plunge and move on to a sauna, steam bath and cool room, where wooden couches are available for naps. The spa, developed at a cost of \$2 million, is furnished with an herbal pharmacy, including a big box of deer antlers. The antlers are ground up and taken with herbal tea as an energy booster.

“The Oriental theory is, we try the natural way,” Dhang Huh said.

“We believe every plant has medicine in it, except poisons, of course. How you eat them, how you cook them is different depending on the prescription. This has been done for many hundreds of years. We just follow that way.”

Soaking in hot mineral water is part of that philosophy, he said. Dug near the turn of the century by drillers looking for oil, the 2,200-foot well supplied early residents of the area near Western Avenue and Beverly Boulevard until city water mains were installed in 1915.

The water was especially popular among red-eyed men who found the sodium bicarbonate and other minerals it contains soothing on Monday mornings. It was once bottled as “Wonder Water” under the Angelus Club label and with the slogan “Nature’s Own Formula.”

Business flagged after World War II, however, and the stream of bacteria-free water was turned down to a feeble flow just strong enough to keep clear the one pipe coming from the well.

According to a chemical analysis made in 1931, the alkaline water contains silica, iron and aluminum oxides, magnesium carbonate, sodium bicarbonate, sodium carbonate, sodium sulfate and sodium chloride.

‘Beneficial to Many’

The major mineral, at 82.6 grains per gallon, is sodium bicarbonate, according to the report by Smith-Emery Co., a testing firm.

“The presence of these mineral salts are considered beneficial in cases of acidity in stomach and, as this is the cause of rheumatism and similar ailments, the water should be found beneficial to many persons,” the report said.

Although modern medicine may not agree--in fact, most doctors find the term rheumatism too broad and instead speak of arthritis, tendinitis or myalgia in describing symptoms of stiffness or pain in the joints, tendons or muscles--the advertising language of 57 years ago was firm.

“The water is beneficial for the following Ailments: Acidity, Rheumatism, Ulcers in Stomach, Kidney, Bladder, Gallstones and Similar Troubles,” an old flyer declares. “The water is Soft, Soothing and Neutralizes the Acid.”

Dhang Huh makes no such claims, although he said many such hot springs in Korea and Japan are considered to have healing properties.

Oriental Medicine

“Here in this country, we just say you enjoy it,” said Huh, who says that he, like Kim, is trained in Oriental medicine, a specialty that includes acupuncture and herbal knowledge. Neither is licensed to practice medicine in the United States.

He said Kim, a sixth-generation practitioner, had the idea of building a spa ever since she and her husband arrived in Southern California and opened a restaurant on Olympic Boulevard, in the heart of Koreatown, in the late 1970s.

“She heard that in California there are a lot of hot springs, so she was looking all over,” he said. “Then a Korean psychiatrist found out about (this one) accidentally. Even now people don’t believe it and they call up to ask if it’s true that we have a real mineral spring.”

The owners declined to be interviewed. “They are a little shy,” Dhang Huh said.

The Beverly Hot Springs is the only mineral spa listed in Los Angeles phone books. A similar operation at Vermont Avenue and 3rd Street called the Bimini Baths closed in the early 1940s.

Mineral water spas have been operating for years in Glen Ivy near Corona, in San Juan Capistrano and Brea in Orange County, and, of course, in Desert Hot Springs in Riverside County.

150 Clients a Day

The Koreatown spa attracts up to 150 clients a day. They pay \$15 for an hour in the baths, \$30 for a *shiatsu* massage and \$20 for a “body scrub,” 45 minutes of massage with herbs, milk, honey or cucumber.

About 85% of the clients are Koreans, Huh said, although some Japanese and non-Asians also come in.

“I’ve been there and it’s very good,” said Harry Noguchi, an employee of Tawa Shiatsu, a spa in Little Tokyo. “The bath is kind of sticky because they use that different kind of water, but it’s good for the skin because it holds the moisture.”



LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: JUN 20 2023

Case No. **CPC-2022-8155-CU-DB-SPR-PHP-VHCA**
CEQA: ENV-2022-8156-CE
Plan Area: Wilshire

Council District: 13 – Soto-Martinez

Project Site: 308 – 320 North Oxford Avenue; 311 – 321 North Serrano Avenue

Applicant: 308 North Oxford LLC
Representative: Jonathan Yang, Irvine & Associates, Inc.

At its meeting of **May 11, 2023**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following Project:

Demolition of existing structures and surface parking lot and development of a new seven-story, 134,788 square-foot residential building, with 101 dwelling units, including 15 units (25 percent of the base density) set aside for Very Low-Income households with a maximum building height of 89 feet over one subterranean level of parking. The Project includes 159 vehicle parking spaces and a total of 88 bicycle parking spaces (80 long-term spaces and eight short-term spaces). The Project provides 18,006 square feet of open space, including a podium deck area, roof deck area, and private balconies:

1. **Determined**, based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to CEQA Guidelines, Article 19, Section 15332, Class 32, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. **Approved**, pursuant to Section 12.24 U.26 of the Los Angeles Municipal Code (LAMC), a Conditional Use Permit to allow an increase in density, greater than the 35 percent otherwise permitted by LAMC Section 12.22 A.25 for a total of 70 percent;
3. **Approved**, pursuant to LAMC Sections 12.22 A.25(g)(2) and 12.22 A.25(g)(3), a Density Bonus for a housing development with a total of 101 units (with 15 units, or 25 percent of the base density, set aside for Very Low Income Households) in lieu of the base density of 59 units, with the following On-Off Menu Incentives and Waivers or Modifications of Development Standards:
 - a. An On-Menu Incentive to permit averaging of floor area ratio, density, parking, open space, and permitting vehicular access throughout the Project site;
 - b. An Off-Menu Incentive to permit a 4.25:1 Floor Area Ratio (FAR) in lieu of the otherwise permitted FAR in the C2-1 and R3-1 Zones;
 - c. An Off-Menu Incentive to permit an increase in height to allow 89 feet in lieu of the otherwise permitted 45 feet height in the R3-1 Zone;
 - d. A Waiver or Modification of a Development Standard to permit a reduction in the northerly side yard to allow a five-foot side yard in lieu of the otherwise required 10 feet;
 - e. A Waiver or Modification of a Development Standard to permit a reduction in the southerly side yard to allow a five-foot side yard in lieu of the otherwise required 10 feet;

- f. A Waiver or Modification of a Development Standard to permit a reduction in the front yard to allow zero feet in lieu of the required 10 feet per the Building Line along the Oxford Avenue; and
- g. A Waiver or Modification of a Development Standard to permit a reduction in the front yard to allow zero feet in lieu of the required 20 feet per the Building Line along the Serrano Avenue;
4. **Approved**, pursuant to LAMC Section 16.05, a Site Plan Review for a development project that creates or results in an increase of 50 or more dwelling units or guest rooms;
5. **Adopted** the attached Conditions of Approval; and
6. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Lawshe
 Second: Mack
 Ayes: Cabildo, Choe, Millman, Noonan, Zamora
 Absent: Leung

Vote: 7 – 0



Cecilia Lamas, Commission Executive Assistant II
 Los Angeles City Planning Commission

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

Effective Date/Appeals: The decision of the Los Angeles City Planning Commission related to the Off-Menu Density Bonus Incentives and Waiver of Development Standards are not appealable. The On-Menu Density Bonus Incentive and the remaining entitlements are appealable to City Council 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 Council. All appeals shall be filed on forms provided at the Planning Department's Development Service Centers located at: 201 North Figueroa Street, Fourth Floor, Los Angeles; 6262 Van Nuys Boulevard, Suite 251, Van Nuys; or 1828 Sawtelle Boulevard, West Los Angeles.

FINAL APPEAL DATE: JUL 05 2023

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

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

Attachments: Conditions of Approval, Findings, Interim Appeal Filing Procedure

c: Heather Bleemers, Senior City Planner
 Michelle Carter, City Planner

CONDITIONS OF APPROVAL

Pursuant to Sections 12.22-A.25, 12.24-U,26, and 16.05 of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the subject property:

Development Conditions:

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the architectural plans, renderings, and materials submitted by the Applicant, dated November 18, 2022, stamped "Exhibit A," and attached to the subject case file. Minor deviations may be allowed in order to comply with the provisions of the LAMC or the project conditions. Changes beyond minor deviations required by other City Departments or the LAMC may not be made without prior review by the Department of City Planning, Expedited Processing Section, and written approval by the Director of City Planning. Each change shall be identified and justified in writing.
2. **Residential Density.** The project shall be limited to a maximum density of 101 dwelling units.
3. **Affordable Units.**
 - a. A minimum of 15 dwelling units, or 25% of the base dwelling units, shall be reserved for Very Low Income Households, as defined by Government Code Section 65915(C)(2).
 - b. **Changes in Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units or change parking numbers shall be consistent with LAMC Section 12.22-A,25.
4. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing Department (LAHD) to make 25% of the site's base density units available to Very Low Income Households. Enforcement of the terms of said covenant shall be the responsibility of LAHD. 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 LAHD. Refer to the Density Bonus Legislation Background section of this determination.
5. **Incentives.**
 - a. **Floor Area Ratio, and Density Averaging and Vehicular Access.** The project shall be permitted the averaging of FAR, density, open space, and permit vehicular access across the entirety of the site. The total floor area shall not exceed 134,788 square feet.
 - b. **FAR.** The project shall be permitted a maximum FAR of 4.25:1.
 - c. **Height.** The project shall be permitted a maximum height of 89 feet.
6. **Waivers.**
 - a. **Side Yard.** The project shall be permitted a 5-foot northerly side yard.

- b. **Side Yard.** The project shall be permitted a 5-foot southerly side yard.
 - c. **Front Yard Building Line.** The project shall be permitted a 0-foot setback in lieu of the required 10 feet per the Building Line along the Oxford Avenue.
 - d. **Front Yard Building Line.** The project shall be permitted a 0-foot setback in lieu of the required 20 feet per the Building Line along the Serrano Avenue.
7. **Open Space.**
- a. The project shall be required to provide open space pursuant to LAMC section 12.21-G.
8. **Parking.**
- a. Residential parking shall be provided in compliance with California Government Code Section 65915, the project would be required to provide 0.5 automobile parking spaces per dwelling unit. Commercial parking shall be in conformance with the Municipal Code and to the satisfaction of the Department of Building and Safety. No variance from the parking requirements has been requested or granted herein.
 - b. **Unbundling.** Required parking may be sold or rented separately from the units, with the exception of all Restricted Affordable Units which shall include any required parking in the base rent or sales price, as verified by LAHD.
 - c. **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), 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 pursuant to LAMC Section 12.22-A,25.
 - d. **Bicycle Parking.** Bicycle parking shall be provided in compliance with the Los Angeles Municipal Code, Section 12.21-A,16 and to the satisfaction of the Department of Building and Safety.
9. **Parking Structure Design.**
- a. Facades of parking structures shall be screened to minimize their visual impact on the public realm, consistent with the Commission's Above Grade Parking Advisory.
 - b. Any above ground parking structure shall be designed to be utilized and easily repurposed to other uses. The conversion of floor area from parking into new uses may be subject to additional discretionary actions.
 - c. Above ground parking structures shall have flat parking levels, not including the driveway ramps.
 - d. The height of the above ground parking levels shall have sufficient clearance to be adaptable to non-parking uses.

Site Plan Review

10. **Landscaping.**
 - a. All open areas not used for buildings, driveways, parking areas, or recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape development plan and an automatic irrigation plan, prepared by a licensed Landscape Architect and to the satisfaction of the decision maker.
 - b. All planters containing trees shall have a minimum depth of 48 inches (48")
11. **Solar Panels.** The project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.
12. **Electric Vehicle Parking.** All electric vehicle charging spaces (EV Spaces) and electric vehicle charging stations (EVCS) shall comply with the regulations outlined in Sections 99.04.106 and 99.05.106 of Article 9, Chapter IX of the LAMC.
13. **Lighting.** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.
14. **Graffiti.** All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
15. **Mechanical Equipment.** All mechanical equipment on the roof shall be screened from view. The transformer, if located in the front yard, shall be screened with landscaping and/or materials consistent with the building façade on all exposed sides to the satisfaction of LADWP.
16. **Maintenance.** The subject property (including all trash storage areas, associated parking facilities, sidewalks, yard areas, parkways, and exterior walls along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.
17. **Street Trees.** Street trees shall be provided to the satisfaction of the Urban Forestry Division. Street trees may be used to satisfy on-site tree requirements pursuant to LAMC Article Section 12.21.G.3 (Chapter 1, Open Space Requirement for Six or More Residential Units).

Administrative Conditions

18. **Approvals, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approval, plans, etc, as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
19. **Code Compliance.** All area, height and use regulations of the zone classification of the subject property shall be complied with, except wherein these conditions explicitly allow otherwise.
20. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any

subsequent property owners, heirs or assign. The agreement must be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.

21. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
22. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
23. **Building Plans.** A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
24. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
25. **Expedited Processing Section.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
26. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

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

- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

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

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

FINDINGS

Conditional Use Findings

- 1. That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.**

The subject property is comprised of six (6) lots resulting in approximately 35,771 square feet of lot area with a 150-foot frontage along Oxford Avenue and a 123-foot frontage along Serrano Avenue. The subject property is zoned C2-1 and R3-1 within the Wilshire Community Plan Area. The subject site is located within a Transit Priority Area in the City of Los Angeles (ZI-2452), and a State Enterprise Zone: Los Angeles (ZI-2374). The site is located 2.037 kilometers from the Puente Hills Blind Thrust Fault. The project is located within an Urban Agriculture Incentive Zone. The property is currently improved with a commercial building, a triplex and associated surface parking lot.

The proposed project involves the demolition of existing structures and the construction, use and maintenance of a new seven-story, 134,788 square-foot residential building with 101 dwelling units including 15 units set aside for Very Low Income Households with a proposed building height of 89 feet. The dwelling units consists of 10 studio units, 71 one-bedroom units, and 20 two-bedroom units. The residential units will be located within the third through seventh floors of the proposed building. The project would provide a total of 159 automobile parking spaces within one (1) subterranean and two (2) above ground levels of parking and a total of 88 bicycle parking spaces.

The project will perform a function by replacing the existing uses with a new 101-unit residential development thereby adding to the city's housing stock. The additional 35 percent density bonus (beyond the 35 percent permitted through a by-right density bonus) approved herein results in an additional 42 units, for a total of 101 units. In exchange, the project will set aside at least 25 percent (15 units) of the base density for Very Low Income Households for a minimum of 55 years.

Therefore, the proposed 101-unit residential development, including the 15 units set aside for Very Low Income Households, the project will provide new market rate and affordable housing, thus performing a function that is essential and beneficial to the city and the region.

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

The subject property is comprised of six (6) lots measuring 35,771 square feet of lot area located along Oxford Avenue and Serrano Avenue in the Wilshire Center-Koreatown neighborhood. The subject property is zoned C2-1 and R3-1 located within the Wilshire Community Plan area, a densely populated portion of the City of Los Angeles. The project site is located in an urbanized area surrounded by a mix of residential, commercial retail/restaurant, commercial office, and religious uses. The properties to the west of the project site across Oxford Avenue are zoned R3-1 and C2-1 and are developed with multi-family residential uses, commercial uses, and a church. The abutting property to the north is zoned R3-1 and is improved with multi-family housing residential uses. The properties to the east of the project site, across Serrano Avenue, are zoned R3-1 and are improved with residential uses. To the south abutting the project site, is zoned C2-1 and is improved with commercial office, retail, and restaurant uses. Construction of the housing development will

serve to benefit the neighborhood rather than degrade it. The façades are well-articulated and feature a prominent ground design that distinguishes it from the upper levels. The residential lobby and offices at the ground level engage pedestrians along Serrano Avenue and Oxford Avenue. Well-designed landscaping will create a pleasing transition from the pedestrian realm of the sidewalk to the façade of the building. Therefore, the project is compatible with the surrounding neighborhood and will not adversely affect nor degrade adjacent properties, surrounding neighborhood, or the public health, safety, or welfare.

The proposed project consists of the construction of a new seven-story 101 dwelling unit residential development with a total of 159 vehicular parking spaces, open space, and common amenities for the residents. The property is currently improved with a commercial building, a triplex and associated surface parking lot. Except for the requests herein, the proposed project is otherwise entirely consistent with the requirements of the underlying zone. The project's significant features, including the proposed building's use, density, height, and FAR, are permitted by the underlying zone and the provisions of Density Bonus law.

Given the proposed project's location within the Wilshire Community Plan area, along with the existing development in the immediate vicinity of the subject property and its proximity to commercial thoroughfares, the project's location, size, height, operations, and other significant features will be compatible with and will not adversely affect adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

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

The Los Angeles General Plan sets forth goals, objectives, and policies that guide both Citywide and community specific land use policies. The General Plan is comprised of a range of State-mandated elements, including, but not limited to, Land Use, Housing, Transportation/Mobility, Noise, and Safety. Each of these Elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of Code Requirements of the Los Angeles Municipal Code. 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. While the General Plan sets out a long-range vision and guide to future development, the 35 Community Plans provide the specific, neighborhood-level detail, relevant policies, and implementation strategies necessary to achieve the General Plan objectives. The project site is located in the Wilshire Community Plan area and is not subjected to any applicable specific plans.

The proposed project conforms to the following goals, objectives and policies of the Wilshire Community Plan:

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.

Policy 1-1.1: Protect existing stable single family and low-density residential neighborhoods from encroachment by higher density residential uses and other uses that are incompatible as to scale and character or would otherwise diminish quality of life.

Policy 1-1.2: Promote neighborhood preservation in all stable residential neighborhoods.

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

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 1-3: Preserve and enhance the varied and distinct residential character and integrity of existing residential neighborhoods.

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

Policy 1-4.1: Promote greater individual choice in type, quality, price and location of housing.

Policy 1-4.3: Encourage multiple family residential and mixed use development in commercial zones.

The project is a residential development with 15 units restricted for families or persons of Very Low Income and maximizes the property's development potential. The project's Very Low Income and market rate units satisfy both the needs of affordable housing as well as the City's need for more housing overall. The project will result in the net addition of 15 covenanted affordable dwelling units in a community in-need of more affordable housing.

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

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

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

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

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

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

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

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

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

The proposed project will result in the development of a residential building that will provide 101 new dwelling units, including 15 units reserved for Very Low Income Households, thereby contributing toward and facilitating the City's long-term economic viability and vision for a more liveable city.

The property is currently developed with a commercial building, a triplex and associated surface parking lot. The development of the site will enable the City to conserve nearby existing stable residential neighborhoods and lower-intensity commercial districts by allowing controlled growth away from such neighborhoods and districts. Therefore, the proposed 101-unit residential building is consistent with the Distribution of Land Use goals, objectives and policies of the General Plan Framework Element.

The **Housing Element** is the City's blueprint for meeting housing and growth challenges. It identifies the City's housing conditions and needs, establishes goals, objectives, and policies to guide future housing decisions, and provides an array of programs to meet Citywide Housing Priorities, including addressing the housing shortage, advancing racial equity and access to opportunity, preventing displacement and promoting sustainability and resilience. The Housing Element includes the following objectives and policies relevant to the instant request:

Goal 1: A City where housing production results in an ample supply of housing to create more equitable and affordable options that meet existing and projected needs.

Objective 1.1: Forecast and plan for existing and projected housing needs over time with the intention of furthering Citywide Housing Priorities.

Policy 1.1.2: Plan for appropriate land use designations and density to accommodate an ample supply of housing units by type, cost, and size within the City to meet housing needs, according to Citywide Housing Priorities and the City's General Plan.

Objective 1.2: Facilitate the production of housing, especially projects that include Affordable Housing and/or meet Citywide Housing Priorities.

Policy 1.2.1: Expand rental and for-sale housing for people of all income levels. Prioritize housing developments that result in a net gain of Affordable Housing and serve those with the greatest needs.

Policy 1.2.2: Facilitate the construction of a range of different housing types that addresses the particular needs of the city's diverse households.

Objective 1.3: Promote a more equitable distribution of affordable housing opportunities throughout the city, with a focus on increasing Affordable Housing in Higher Opportunity Areas and in ways that further Citywide Housing Priorities.

Policy 1.3.1: Prioritize housing capacity, resources, policies, and incentives to include Affordable Housing in residential development, particularly near transit, jobs, and in Higher Opportunity Areas.

Policy 1.3.2: Prioritize the development of new Affordable Housing in all communities, particularly those that currently have fewer Affordable units.

Goal 3: A City in which housing creates healthy, livable, sustainable, and resilient communities that improve the lives of all Angelenos.

Policy 3.1.7: Promote complete neighborhoods by planning for housing that includes open space, and other amenities.

Objective 3.2: Promote environmentally sustainable buildings and land use patterns that support a mix of uses, housing for various income levels and provide access to jobs, amenities, services and transportation options.

Policy 3.2.2: Promote new multi-family housing, particularly Affordable and mixed-income housing, in areas near transit, jobs and Higher Opportunity Areas, in order to facilitate a better jobs-housing balance, help shorten commutes, and reduce greenhouse gas emissions.

The proposed project implements the Housing Element by increasing the housing supply consistent with the General Commercial and Medium Residential land use designations. The property is currently improved with a commercial building, a triplex and associated surface parking lot.

The approval of the request would permit 101 new dwelling units with 15 units set aside for Very Low Income Households. The project would achieve the production of new housing opportunities, meeting the needs of the city, while facilitating the construction of a range of different housing types (studios, one- and two-bedroom units) that address the needs of the city's diverse households. Therefore, the project is consistent with the Housing Element goals, objectives and policies of the General Plan.

The **Mobility Element** of the General Plan (Mobility Plan 2035) is not likely to be affected by the recommended action herein. Oxford Avenue, adjoining the property to the west, is a designated Collector dedicated to a right-of-way width of 66 feet and is improved with asphalt roadway, curb, gutter, concrete sidewalks, and street trees. Serrano Avenue, adjoining the property to east, is a Local Street dedicated to a right-of-way width of 60 feet and is improved with asphalt roadway, curb, gutter, concrete sidewalks, and street trees. The project as designed will support the development of these Networks and meets the following goals and objectives of Mobility Plan 2035:

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

Vehicular access to the project site will be provided via two (2) driveways off Oxford Avenue and Serrano Avenue. A total of 159 off-street automobile parking spaces will be provided within the parking garage. Pedestrian access will be via Oxford Avenue and Serrano Avenue.

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

Policy 3.3: Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.

Policy 3.7: Improve transit access and service to major regional destinations, job centers, and inter-modal facilities.

Policy 3.8: Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.

The project will provide a total of 80 long-term bicycle parking spaces which will be provided in a bicycle storage room at the ground floor level in storage rooms located within the parking garages to provide bicyclists with convenient, secure, and well-maintained bicycle parking facilities. Short-term bicycle racks will be provided along Oxford Avenue and Serrano Avenue.

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

As conditioned, all electric vehicle charging spaces (EV Spaces) and electric vehicle charging stations (EVCS) shall comply with the regulations outlined in Sections 99.04.106 and 99.05.106 of Article 9, Chapter IX of the LAMC.

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

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

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

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

As conditioned, the project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211. Therefore, the project is in conformance with the goals and policies of the Air Quality Element.

In addition, the project has also been conditioned to provide solar infrastructure. Together, these conditions further support applicable policies in the Health and Wellness Element, Air Quality Element, and Mobility Element of the General Plan by reducing the level of pollution/greenhouse gas emissions, ensuring new development is compatible with alternative fuel vehicles, and encouraging the adoption of low emission fuel sources and supporting infrastructure. These conditions also support good planning practice by promoting overall sustainability and providing additional benefits and conveniences for residents, workers, and visitors.

The project contributes to and furthers several applicable goals, objectives, and policies of the plans that govern land use and development in the City. Therefore, the project substantially conforms with the purpose, intent, and provisions of the General Plan and the Wilshire Community Plan.

In addition to the above findings set forth in Section 12.24-E of the LAMC, the City Planning Commission shall find that:

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

In November 2021, the Los Angeles City Council adopted the 2021-2029 Housing Element. City Planning subsequently released proposed targeted amendments to the Housing Element for public comment. In June 2022, the full City Council adopted the targeted amendments. The Housing Element will guide the creation and implementation of the City's housing policy from 2021 to 2029. Further, the California Department of Housing and Community Development (HCD) informed the City of Los Angeles that its 2021-2029 Housing Element was in full compliance with State law. The Housing Element identifies the City's housing conditions and needs, evaluates the City's ability to meet its Regional Housing Needs Assessment (RHNA), establishes the goals, objectives, and policies that are the foundation of the City's housing and growth strategy, and provides an array of programs the City intends to implement to create sustainable, mixed-income neighborhoods across the City. The Housing Element aims to provide affordable housing and amenity-rich, sustainable

neighborhoods for its residents, answering the variety of housing needs of its growing population. Specifically, the Housing Element encourages affordable units to accommodate all income groups that need assistance.

There are no objective zoning or design review standards relevant to this finding other than those objective standards, as defined by Government Code Section 65913.4(a), that the project has already been determined to be consistent with. The project is consistent with and implements the affordable housing provisions of the Housing Element with the addition of 15 units set aside for Very Low Income Households with the approval of the proposed project. The proposed project will replace existing commercial buildings, surface parking lot and a triplex with a multi-family residential development consisting of 101 residential dwelling units, which reserves 25-percent of the 59-base density, resulting in 15 units, for Very Low Income Households. As such, the proposed project substantially conforms to the purpose of the Housing Element of the General Plan.

- 5. The project contains the requisite number of Restricted Affordable Units, based on the number of units permitted by the maximum allowable density on the date of application, as follows:**
- a. 11% Very-Low Income Units for a 35% density increase; or**
 - b. 20% Low Income Units for a 35% density increase; or**
 - c. 40% Moderate Income Units for a 35% density increase in for-sale projects.**

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

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

The subject property is zoned C2-1 and R3-1. The C2-1 zone establishes a density ratio of one (1) dwelling unit per 400 square feet of lot area. The R3-1 zone establishes a density ratio of one (1) dwelling unit per 800 square feet of lot area. At 10,588.52 square feet in size of the C2 portion of the property, the portion has a base density of 27. Additionally, with 25,182.03 square feet in size of the R3 portion of the property, the portion has a base density of 32 units. The subject property has a total permitted base density of 59 units.¹ In exchange for reserving a portion of the units for affordable housing, the applicant is entitled to a maximum 35 percent density bonus by-right. The applicant is seeking an additional 35 percent density bonus (or a total of a 70 percent density bonus) through a Conditional Use to allow for the proposed 101 dwelling units to be built on the site.

¹ Assembly Bill 2501 clarifies that density calculations that result in a fractional number are to be rounded up to the next whole number. This applies to base density, number of bonus units, and number of affordable units required to be eligible for the density bonus.

Pursuant to the LAMC and California Government Code Section 65915, a Housing Development Project that sets aside a certain percentage of units as affordable, either in rental or for-sale units, shall be granted a corresponding density bonus, up to a maximum of 35 percent. While these provisions are limited to 35 percent, Government Code Section 65915(f) states that “the amount of density bonus to which an applicant is entitled shall vary according to the amount by which the percentage of affordable housing units exceeds percentage established.” As such, in instances where a project is seeking a density bonus increase that is more than 35 percent, the number of required units that are set aside as affordable shall vary depending on the requested amount of density bonus. Therefore, it is appropriate that any project that requests a density bonus increase beyond 35 percent would extend the existing set-aside charts located in Section 12.22-A,25 of the LAMC. LAMC Section 12.24-U,26, which implements this provision of State law, states, as a Conditional Use, a project may be granted additional density increases beyond the 35 percent maximum by providing additional affordable housing units. Consistent with this Section, the table below illustrates how the maximum allowable Density Bonus increases for every unit set aside for Very Low Income Households (2.5 percent density increase for every additional one (1) percent of Very Low Income units provided), based on the base density and the chart prescribed in Section 12.22-A,25 of the LAMC.

<i>Very Low Income Units (Percentage of Base Density)</i>	<i>Maximum Density Bonus Permitted (Based on Base Density)</i>
5 %*	20 %*
6 %*	22.5 %*
7 %*	25 %*
8 %*	27.5 %*
9 %*	30 %*
10 %*	32.5 %*
11 %*	35 %*
12 %	37.5 %
13 %	40 %
14 %	42.5 %
15 %	45 %
16 %	47.5 %
17 %	50 %
18 %	52.5 %
19 %	55 %
20 %	57.5 %
21%	60%
22%	62.5%
23%	65%
24%	67.5%
25%	70%

** Existing set-aside chart as listed in Section 12.22-A,25 of the LAMC*

For the subject property, a 35 percent by-right density bonus would allow for 80 units (equal to an increase of 21 units beyond the 59-unit base density) to be constructed on the project site. As illustrated in Table above, in order to qualify for the 35 percent by-right density bonus, the project would be required to set aside 11 percent of the base density, or seven (7) units for Very Low Income Households. The applicant is seeking an additional 35 percent density bonus (for a total of 70% density bonus from the base density) through a Conditional Use to allow for a total of 101 dwelling units, representing an increase of 21 units beyond what would otherwise be permitted through the by-right 35 percent density bonus. In order to obtain the additional requested 35 percent density bonus, as shown in the table above, the project must set aside at least 25 percent of the base density, equal to 15 units, for Very Low Income Households. The project proposes to set aside 15 units for Very Low Income Households in exchange for the requested Density Bonus.

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

The property is currently improved with a commercial building, a triplex and associated surface parking lot. The Los Angeles Housing Department (LAHD) has determined, per the Housing Crisis Act of 2019 (SB 8) Replacement Unit Determination, dated September 1, 2022, that two (2) units are subject to replacement pursuant to the requirements of SB 8. The Determination made by LAHD requires two (2) units be replaced with equivalent type; one (1) unit restricted to Low Income Households, and one (1) unit restricted to Very Low Income Households. The proposed project will set aside 15 units for Very Low Income Households. For the one (1) remaining unit presumed to have been occupied by an above-lower income person or household, as permitted by California Government Code §65915(c)(3)(C)(ii), the City has opted to require that those unit(s) be replaced in compliance with the City's Rent Stabilization Ordinance (RSO). Therefore, the project will meet the applicable dwelling unit replacement requirements of the California Government Code Section 65915(c)(3).

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

The proposed project has been conditioned to record a covenant for affordability restriction of a period of 55 years from the issuance of the Certificate of Occupancy to the satisfaction of the Los Angeles Housing Department, and subject to fees as set forth in Section 19.14 of the LAMC.

8. 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 (under Case No. CPC-2005-1101-CA) on June 9, 2005. The Guidelines were subsequently approved by the City Council on February 20, 2008, as a component of the City of Los Angeles Density Bonus Ordinance. The Guidelines describe the density bonus provisions and qualifying criteria, incentives available, design standards, and the procedures through which projects may apply for a density bonus and incentives. The Los Angeles Housing Department (LAHD) utilizes the Guidelines in the preparation of Housing Covenants for Affordable Housing Projects. The Guidelines prescribe that the design and location of affordable units be comparable to the market rate units, the equal distribution of amenities, LAHD monitoring requirements, affordability levels, and procedures for obtaining LAHD signoffs for building permits.

The project will result in a total of 101 new dwelling units, of which 15 units will be reserved for Very Low Income Household occupancy and the remainder will be offered as market rate units. In order to ensure that there is equal distribution of amenities, the project has been conditioned to provide the private balconies in accordance with the requirements of the LAMC. All residents of the proposed project will have access to all common open space amenities within the building and each unit will have adequate private open space. The restricted units will comply with affordability requirements in the Guidelines set forth by LAHD in conformance with US Department of Housing and Urban Development (HUD). Additionally, as part of the building permit process, the applicant will execute a covenant to the satisfaction of LAHD who will ensure compliance with the Guidelines. Therefore, the project will address the policies and standards contained in the Guidelines.

Density Bonus/Affordable Housing Incentives / Waivers Compliance Findings

9. Pursuant to Section 12.22-A,25 of the LAMC and Government Code 65915, the Director shall approve a density bonus and requested incentive(s) /waiver(s) unless the director finds that:

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

The record does not contain substantial evidence that would allow the City Planning Commission to make a finding that the requested incentives do not result in identifiable and actual cost reductions 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.

Averaging of Floor Area Ratio, Density, Parking or Open Space, and permitting Vehicular Access (On-Menu Incentive) – The subject property is zoned R3-1 and C2-1 and is comprised of six (6) contiguous parcels. Pursuant to LAMC Section 12.22.A,25(f)(8) the project request includes an On-Menu incentive to permit averaging of floor area ratio, density, parking, open space, and permitting vehicular access. In this case, the project has requested an On-Menu Incentive to allow averaging of floor area ratio, density, parking, or open space, and permitting vehicular access which allows for design efficiencies that translate into cost savings per unit, thereby reducing the cost of building the affordable units.

Floor Area Ratio (Off-Menu Incentive) – The subject property is zoned R3-1 and C2-1. Pursuant to LAMC Section 12.22-A.25(g)(3), the project is requesting an Off-Menu Incentive for an increase in the FAR of the project site. The C2 zone permits a 1.5 to 1 FAR and the R3 zone permits a 3 to 1 FAR. In this case, the project has requested an Off-Menu Incentive to allow an increase in the FAR for the entire project site for an FAR of 4.25 to 1 which would allow for a larger construction envelope to provide the affordable units. The ability to develop larger building or more units will increase the revenues from the market-rate floor area, which will lower the marginal cost of developing and operating the affordable units. The additional floor area will allow certain fixed costs involved in the construction to be spread over more floor area thereby reducing the per square foot build cost of the development.

Height (Off-Menu Incentive) – The subject property is zoned R3-1 and C2-1. Pursuant to LAMC Section 12.22-A.25(g)(3), the project is requesting an Off-Menu Incentive for an increase in the height of the proposed project. Height District 1 for the C2-1 portion of the site does not restrict the height and number of stories. However, for the R3-1 portion of the project site, the height district does not limit the number of stories but limits the height to 45 feet. In this case, the project has requested an Off-Menu Incentive to allow an increase in the height for the project to allow for a height of 89 feet which would allow for a larger construction envelope to provide the affordable units.

The project provides 25% of the base units for Very Low Income Households to qualify for the 35% Density Bonus and the requested Incentives. The requests will allow the developer to expand the building envelope so the additional and affordable units can be constructed, and the overall space dedicated to residential uses is increased. The increase in FAR, increase in height, and the averaging of FAR, density, open space, and permitting vehicular access across the entirety of the site will allow for the construction of additional and will allow the construction of additional market rate floor area whose rents will subsidize the construction and operational costs of the affordable units. These Incentives support the applicant's decision to set aside 15 dwelling units for Very Low Income Households for 55 years.

- b. The incentives or waivers 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.***

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

- c. The waiver[s] or reduction[s] of development standards will not have the effect of physically precluding the construction of a development meeting the [affordable set-aside percentage] criteria of subdivision (b) at the densities or with the concessions or incentives permitted under [State Density Bonus Law]” (Government Code Section 65915(e)(1)***

A Density Bonus project may request other “waiver[s] or reduction[s] of development standards that will have the effect of physically precluding the construction of a development meeting the [affordable set-aside percentage] criteria of subdivision (b) at the densities or with the concessions or incentives permitted under [State Density Bonus Law]” (Government Code Section 65915(e)(1)).

Pursuant to LAMC Sections 12.14.C.2 and 12.10.C.2, the underlying zones requires the project to provide a 10-foot northerly and southerly side yards. The project request

includes a waivers of development standard to allow for a reduction of the required side yards along the property's northerly and southerly interior lot line in lieu of the otherwise required 10-foot side yard.

Pursuant to Ordinance No. ORD-60770, the project is required to provide 10 feet per the Building Line along the Oxford Avenue. The project request includes a waiver of development standard to allow for the elimination of the required front yard setbacks in lieu of the otherwise required 10 feet as required by the building line. Additionally, pursuant to Ordinance No. ORD-44572, the project is required to provide 20 feet per the Building Line along the Serrano Avenue. The project request includes a waiver of development standard to allow for the elimination of the required front yard setbacks in lieu of the otherwise required 20 feet as required by the building line.

As proposed, the granting of these waivers will allow for the development of the proposed residential building with the inclusion of the affordable residential units given the quantity of units allowed under the density bonus and within the 4.25 to 1 floor area ratio and height increase granted under the Incentives. As presented by the applicant, without the requested yard waivers, floor area located within those yards would be physically precluded from the Project preventing the construction of the proposed floor area and units described in the plans.

d. *The incentives /waivers are contrary to state or federal law.*

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

Site Plan Review Findings

10. 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 policies that guide both Citywide and community specific land use policies. The General Plan is comprised of a range of State-mandated elements, including, but not limited to, Land Use, Housing, Transportation/Mobility, Noise, and Safety. Each of these Elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of Code Requirements of the Los Angeles Municipal Code. 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. While the General Plan sets out a long-range vision and guide to future development, the 35 Community Plans provide the specific, neighborhood-level detail, relevant policies, and implementation strategies necessary to achieve the General Plan objectives. The project site is located in the Wilshire Community Plan area and is not subjected to any applicable specific plans.

Wilshire Community Plan

The subject property is located within the Wilshire Community Plan which was updated by the City Council on September 19, 2001. The Wilshire Community Plan designates the subject property for General Commercial and Medium Residential land uses with corresponding zones of C1.5, C2, C4, P, RAS3, and RAS4 and corresponding zone of R3 respectively. The subject property is zoned R3-1 and C2-1. The proposed project advances the following objectives of the Community Plan:

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.

Policy 1-1.1: Protect existing stable single family and low-density residential neighborhoods from encroachment by higher density residential uses and other uses that are incompatible as to scale and character or would otherwise diminish quality of life.

Policy 1-1.2: Promote neighborhood preservation in all stable residential neighborhoods.

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

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 1-3: Preserve and enhance the varied and distinct residential character and integrity of existing residential neighborhoods.

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

Policy 1-4.1: Promote greater individual choice in type, quality, price, and location of housing.

Policy 1-4.3: Encourage multiple family residential and mixed-use development in commercial zones.

The proposed project furthers the development of the Wilshire community by providing a safe, secure, and high-quality residential environment for all economic, age, and ethnic segments of the Wilshire community and providing affordable housing by allowing for the development of a residential building with 101 dwelling units, including 15 units reserved for Very Low Income Households on lots zoned for commercial and residential uses. The project increases the housing stock and satisfies the needs and desires of all economic segments of the community by maximizing the opportunity for individual housing choice. Therefore, the project is consistent with the Wilshire Community Plan.

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

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

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

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

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

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

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

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

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

The proposed project will result in the development of a residential building that will provide 101 new dwelling units, including 15 units reserved for Very Low Income Households, thereby contributing toward and facilitating the City's long-term economic viability and vision for a more liveable city.

The property is currently improved with a commercial building, a triplex and associated surface parking lot. The development of the site will enable the City to conserve nearby existing stable residential neighborhoods and lower-intensity commercial districts by allowing controlled growth away from such neighborhoods and districts. Therefore, the proposed 101-unit residential building is consistent with the Distribution of Land Use goals, objectives, and policies of the General Plan Framework Element.

The **Housing Element** is the City's blueprint for meeting housing and growth challenges. It identifies the City's housing conditions and needs, establishes goals, objectives, and policies to guide future housing decisions, and provides an array of programs to meet Citywide Housing Priorities, including addressing the housing shortage, advancing racial equity and access to opportunity, preventing displacement, and promoting sustainability and resilience. The Housing Element includes the following objectives and policies relevant to the instant request:

Goal 1: A City where housing production results in an ample supply of housing to create more equitable and affordable options that meet existing and projected needs.

Objective 1.1: Forecast and plan for existing and projected housing needs over time with the intention of furthering Citywide Housing Priorities.

Policy 1.1.2: Plan for appropriate land use designations and density to accommodate an ample supply of housing units by type, cost, and size within the City to meet housing needs, according to Citywide Housing Priorities and the City's General Plan.

Objective 1.2: Facilitate the production of housing, especially projects that include Affordable Housing and/or meet Citywide Housing Priorities.

Policy 1.2.1: Expand rental and for-sale housing for people of all income levels. Prioritize housing developments that result in a net gain of Affordable Housing and serve those with the greatest needs.

Policy 1.2.2: Facilitate the construction of a range of different housing types that addresses the particular needs of the city's diverse households.

Objective 1.3: Promote a more equitable distribution of affordable housing opportunities throughout the city, with a focus on increasing Affordable Housing in Higher Opportunity Areas and in ways that further Citywide Housing Priorities.

Policy 1.3.1: Prioritize housing capacity, resources, policies and incentives to include Affordable Housing in residential development, particularly near transit, jobs, and in Higher Opportunity Areas.

Policy 1.3.2: Prioritize the development of new Affordable Housing in all communities, particularly those that currently have fewer Affordable units.

Goal 3: A City in which housing creates healthy, livable, sustainable, and resilient communities that improve the lives of all Angelenos.

Policy 3.1.7: Promote complete neighborhoods by planning for housing that includes open space, and other amenities.

Objective 3.2: Promote environmentally sustainable buildings and land use patterns that support a mix of uses, housing for various income levels and provide access to jobs, amenities, services and transportation options.

Policy 3.2.2: Promote new multi-family housing, particularly Affordable and mixed-income housing, in areas near transit, jobs and Higher Opportunity Areas, in order to facilitate a better jobs-housing balance, help shorten commutes, and reduce greenhouse gas emissions.

The proposed project implements the Housing Element by increasing the housing supply consistent with the General Commercial and Medium Residential land use designations. The property is currently improved with a commercial building, a triplex and associated surface parking lot.

The approval of the request would permit 101 new dwelling units with 15 units set aside for Very Low Income Households. The project would achieve the production of new housing opportunities, meeting the needs of the city, while facilitating the construction of a range of different housing types (studios, one- and two-bedroom units) that address the needs of the city's diverse households. Therefore, the project is consistent with the Housing Element goals, objectives and policies of the General Plan.

The **Mobility Element** of the General Plan (Mobility Plan 2035) is not likely to be affected by the recommended action herein. Oxford Avenue, adjoining the property to the west, is a designated Collector dedicated to a right-of-way width of 66 feet and is improved with asphalt roadway, curb, gutter, concrete sidewalks, and street trees. Serrano Avenue, adjoining the property to east, is a Local Street dedicated to a right-of-way width of 60 feet and is improved with asphalt roadway, curb, gutter, concrete sidewalks, and street trees.

The project as designed will support the development of these Networks and meets the following goals and objectives of Mobility Plan 2035:

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

Vehicular access to the project site will be provided via two (2) driveways off Oxford Avenue and Serrano Avenue. A total of 159 off-street automobile parking spaces will be provided within the parking garage. Pedestrian access will be via Oxford Avenue and Serrano Avenue.

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

Policy 3.3: Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.

Policy 3.7: Improve transit access and service to major regional destinations, job centers, and inter-modal facilities.

Policy 3.8: Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.

The project will provide a total of 80 long-term bicycle parking spaces which will be provided in a bicycle storage room at the ground floor level in storage rooms located within the parking garages to provide bicyclists with convenient, secure, and well-maintained bicycle parking facilities. Short-term bicycle racks will be provided along Oxford Avenue and Serrano Avenue.

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

As conditioned, all electric vehicle charging spaces (EV Spaces) and electric vehicle charging stations (EVCS) shall comply with the regulations outlined in Sections 99.04.106 and 99.05.106 of Article 9, Chapter IX of the LAMC.

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

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

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

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

As conditioned, the project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211. Therefore, the project is in conformance with the goals and policies of the Air Quality Element.

Therefore, the project is in substantial conformance with the purposes, intent and provisions of the General Plan and does not conflict with any applicable regulations or standards.

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

The subject property is comprised of six (6) lots resulting in approximately 35,771 square feet of lot area with a 150-foot frontage along Oxford Avenue and a 123-foot frontage along Serrano Avenue. The property is currently improved with a commercial building, a triplex and associated surface parking lot. The subject property is zoned C2-1 and R3-1 within the Wilshire Community Plan Area.

Surrounding properties are developed with a mix of residential, commercial retail/restaurant, commercial office, and religious uses. The properties to the west of the project site across Oxford Avenue are zoned R3-1 and C2-1 and are developed with multi-family residential uses, commercial uses, and a church. The abutting property to the north is zoned R3-1 and is improved with multi-family housing residential uses. The properties to the east of the project site, across Serrano Avenue, are zoned R3-1 and are improved with residential uses. To the south abutting the project site, is zoned C2-1 and is improved with commercial office, retail, and restaurant uses.

The proposed 134,788 square foot, seven-story residential building located on a 35,771 square foot property is compatible with the existing and future surrounding developments. The table below includes a list of existing or approved developments within close proximity to the subject site.

Address	Floor Area	FAR	Height
<i>Proposed Project</i>	<i>134,788 sq. ft.</i>	<i>4.25:1</i>	<i>7 stories</i>
4722 West Elmwood Avenue	39,330 sq. ft.	4.5:1	6 stories
4670 West Beverly Boulevard	20,674 sq. ft.	2.78:1	7 stories
203 North Oxford Avenue.	18,351.36 sq. ft.	4.05:1	5 stories

The proposed project involves the construction, use and maintenance of a new seven-story, 134,788 square-foot residential building with 101 dwelling units with a proposed building height of 89 feet. The project would provide a total of 159 automobile parking spaces within one (1) subterranean and two (2) above ground levels of parking and a total of 88 bicycle parking spaces.

The project includes 10 studio units, 71 one-bedroom units, 20 two-bedroom units and a total of 18,006 square feet of open space for residents. Therefore, pursuant to LAMC Section 12.21-G, the project, as proposed, is required to provide 10,600 square feet of open space. The project provides approximately 18,006 square feet total of open space, which includes a 7,446 square-foot roof top deck, and a 6,010 square-foot podium deck area on the third floor. Residential common amenity spaces/rec rooms are located throughout the project on the third through seventh floors. The project also includes 4,550 square feet of private balconies. As conditioned, the project will provide open space as required by LAMC Section 12.21-G.

The project would provide a total of 159 automobile parking spaces within one (1) subterranean and two (2) above ground level of parking and a total of 88 bicycle spaces.

Vehicular access to the project site will be provided via two (2) driveways off Oxford Avenue and Serrano Avenue. A total of 159 off-street automobile parking spaces will be provided within the parking garage. Pedestrian access will be via Oxford Avenue, and Serrano Avenue. In addition, 80 long-term bicycle parking spaces will be provided in a bicycle storage room at the ground floor level. Short-term bicycle racks will be provided along Oxford Avenue and Serrano Avenue.

Height, Bulk, and Setbacks

The project is zoned C2-1 and R3-1 and proposes a maximum height of 89 feet. Height District 1 for the C2-1 portion of the site does not restrict the height and number of stories. However, for the R3-1 portion of the project site, the height district does not limit the number of stories but limits the height to 45 feet. The project has requested an Off-Menu Incentive to allow an increase in the height for the project to allow for a height of 89 feet with a total of seven stories.

The project has a maximum FAR of 4.25:1. The subject property is zoned C2-1 and R3-1. The C2 zone permits a 1.5 to 1 FAR and the R3 zone permits a 3 to 1 FAR. In this case, the project has requested an Off-Menu Incentive to allow an increase in the FAR for the entire project site for an FAR of 4.25 to 1.

Pursuant to LAMC Sections 12.14.C.2 and 12.10.C.2, the project is required to provide 10-foot side yards. The project request includes waivers of development standard to allow five-foot northerly and southerly side yards along property's interior lot line in lieu of the otherwise required 10-foot side yards at both locations. Pursuant to Ordinance No. ORD-60770, the project is required to provide 10 feet per the Building Line along the Oxford Avenue. The project request includes a waiver of development standard to allow for the elimination of the required front yard setbacks in lieu of the otherwise required 10 feet as required by the building line. Additionally, pursuant to Ordinance No. ORD-44572, the project is required to provide 20 feet per the Building Line along the Serrano Avenue. The project request includes a waiver of development standard to allow for the elimination of the required front yard setbacks in lieu of the otherwise required 20 feet as required by the building line. In this case, the project would provide zero-foot front yard setbacks along Oxford Avenue and Serrano Avenue. As such, with the approval of the requested waiver, the project complies with the required setbacks.

The height, bulk, and setbacks of the subject project are consistent with the existing development in the immediate surrounding area and with the underlying C2-1 and R3-1 Zones. The surrounding properties are developed with a mix of residential, commercial retail/restaurant, commercial office, and religious uses. The properties to the west of the project site across Oxford Avenue are zoned R3-1 and C2-1 and are developed with multi-family residential uses, commercial uses, and a church. The abutting property to the north is zoned R3-1 and is improved with multi-family housing residential uses. The properties to the east of the project site, across Serrano Avenue, are zoned R3-1 and are improved with residential uses. To the south abutting the project site, is zoned C2-1 and is improved with commercial office, retail, and restaurant uses.

Therefore, in consideration of other development in the area, the project is consistent with the surrounding.

Parking

The project will provide a total of 159 parking spaces and 80 long-term bicycle parking spaces. Short-term bicycle racks will be provided along Oxford Avenue and Serrano Avenue.

The proposed parking is located within the building and therefore will not be visible from the public right-of-way. Pedestrian access will be located on Oxford Avenue, a Collector Street, and Serrano Avenue is a Local Street - Standard. All ingress and egress for the parking will be located on Oxford Avenue and Serrano Avenue.

Therefore, the parking facilities will be compatible with the existing and future developments in the neighborhoods.

Lighting

Lighting is required to be provided per LAMC requirements. The project proposes security lighting will be provided to illuminate building, entrances, walkways and parking areas. The project is required to provide outdoor lighting with shielding, so that the light source

cannot be seen from adjacent residential properties. Therefore, the lighting will be compatible with the existing and future developments in the neighborhood.

On-Site Landscaping

The project proposes approximately 18,006 square feet total of open space, which includes a 7,446 square-foot roof top deck, and a 6,010 square-foot podium deck area on the third floor. Residential common amenity spaces/rec rooms are located throughout the project on the third through seventh floors. The project also includes 4,550 square feet of private balconies. Additionally, the project includes landscaped area distributed throughout the project. The project has been conditioned to provide open space as required by LAMC section 12.21-G. Additionally, the project is conditioned so that all open areas not used for buildings, driveways, parking areas, recreational facilities or walks will be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect. The planting of any required trees and street trees will be selected and installed per the Bureau of Street Services, Urban Forestry Divisions' requirements. Therefore, the on-site landscaping will be compatible with the existing and future developments in the neighborhood.

Loading/Trash Area

The development is not required to provide a loading area pursuant to LAMC Section 12.21-C.6. Waiting areas and drop areas will be on the ground level. Tenants moving in or out of the building will be able to park moving trucks on the street level adjacent to the parking entrance and the lobby.

The project will include on-site trash collection for both refuse and recyclable materials, in conformance with the LAMC. Compliance with these regulations will allow the project to be compatible with existing and future development. The service area for trash and recycling collection will be conditioned to be located at grade level and accessible from the parking area. Additionally, service area for trash collection is to be located on all upper floors. Therefore, as proposed, and conditioned, the project is compatible with existing and future development on neighboring properties.

As described above and as depicted within the plans and elevations submitted with the instant application, the project consists of a seven-story, residential building, with parking on-site for residents, lighting, landscaping, trash collection, and other pertinent improvements, that is compatible with existing and future development in the surrounding area.

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

The project proposes provide a variety of unit types which includes 10 studio units, 71 one-bedroom units, and 20 two-bedroom units. Pursuant to LAMC Section 12.21-G, the project, as proposed, is required to provide 10,600 square feet of open space. The project provides approximately 18,006 square feet total of open space, which includes a 7,446 square-foot roof top deck, and a 6,010 square-foot podium deck area on the third floor. Residential common amenity spaces/rec rooms are located throughout the project on the third through seventh floors. The project also includes 4,550 square feet of private balconies.

Additional Findings

13. The proposed project qualifies for a Class 32 Categorical Exemption because it conforms to the definition of "In-fill Projects". The project can be characterized as in-fill development within

urban areas for the purpose of qualifying for Class 32 Categorical Exemption as a result of meeting five established conditions and if it is not subject to an Exception that would disqualify it. The Categorical Exception document attached to the subject case file provides the full analysis and justification for project conformance with the definition of a Class 32 Categorical Exemption.

COVID-19 UPDATE

Interim Appeal Filing Procedures

Fall 2020



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

OPTION 1: Online Appeal Portal

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

Entitlement and CEQA appeals can be submitted online and payment can be made by credit card or e-check. The online appeal portal allows appellants to fill out and submit the appeal application directly to the Development Services Center (DSC). Once the appeal is accepted, the portal allows for appellants to submit a credit card payment, enabling the appeal and payment to be submitted entirely electronically. A 2.7% credit card processing service fee will be charged - there is no charge for paying online by e-check.

Appeals should be filed early to ensure DSC staff has adequate time to review and accept the documents, and to allow Appellants time to submit payment. On the final day to file an appeal, the application must be submitted and paid for by 4:30PM (PT). Should the final day fall on a weekend or legal holiday, the time for filing an appeal shall be extended to 4:30PM (PT) on the next succeeding working day. Building and Safety appeals (LAMC Section 12.26K) can only be filed using Option 2 below.

OPTION 2: Drop off at DSC

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

Metro DSC

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

Van Nuys DSC

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

West Los Angeles DSC

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

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

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

Applicant Copy

Office: Downtown

Application Invoice No: 89303



6800189303

City of Los Angeles
Department of City Planning



City Planning Request

NOTICE: The staff of the Planning Department will analyze your request and accord the same full and impartial consideration to your application, regardless of whether or not you obtain the services of anyone to represent you.

This filing fee is required by Chapter 1, Article 9, L.A.M.C.

If you have questions about this invoice, please contact the planner assigned to this case. To identify the assigned planner, please the assigned planner, please visit <https://planning.lacity.org/pdiscaseinfo/> and enter the Case Number.

Payment Info: \$204.18 was paid on 07/05/2023 with receipt number 050723039-AFBD0E24-9C97-4CC0-A987-B3206BDA9229

Applicant: Teresa Burkett Bourgoise ()
Representative:
Project Address: 308 N OXFORD AVE, 90004

NOTES:

CPC-2022-8155-CU-DB-SPR-PHP-VHCA-1A			
Item	Fee	%	Charged Fee
Appeal by Person Other Than The Applicant	\$166.00	100 %	\$166.00
Case Total			\$166.00
* Fees Subject to Surcharges			\$166.00
Fees Not Subject to Surcharges			\$0.00
Plan & Land Use Fees Total			\$0.00
Expediting Fee			\$0.00
Development Services Center Surcharge (3%)			\$4.98
City Planning Systems Development Surcharge (6%)			\$9.96
Operating Surcharge (7%)			\$11.62
General Plan Maintenance Surcharge (7%)			\$11.62

* Fees Subject to Surcharges	\$166.00
Fees Not Subject to Surcharges	\$0.00
Plan & Land Use Fees Total	\$0.00
Expediting Fee	\$0.00
Development Services Center Surcharge (3%)	\$4.98
City Planning Systems Dev. Surcharge (6%)	\$9.96
Operating Surcharge (7%)	\$11.62
General Plan Maintenance Surcharge (7%)	\$11.62
Grand Total	\$204.18
Total Overpayment Amount	\$0.00
Total Paid (amount must equal sum of all checks)	\$204.18

Council District:

Plan Area:

Processed by CLAUDE GOODING on 7/5/2023

Signature: _____