

FINDINGS

Density Bonus / Affordable Housing Incentives Program Findings

The Applicant requests one (1) On-Menu Incentive and (2) Off-Menu Incentives, as listed below:

- a. An On-Menu Incentive to permit a 20 percent reduction in the required open space to provide 7,840 square feet in lieu of the 9,800 square feet otherwise required in the C4-1XL Zone;
- b. An Off-Menu Incentive to permit a 302 percent increase in FAR to allow a 4.52:1 FAR in lieu of the 1.5:1 FAR permitted in the C4-1XL Zone; and
- c. An Off-Menu Incentive to permit a maximum building height of 69 feet in lieu of the 30 feet maximum permitted in the C4-1XL Zone.

Based upon the required set-aside of at least 15 percent, of the 66 base density units for Very Low Income Households, or 10 units, the Applicant is entitled to three (3) Incentives under both Government Code and LAMC. The project is providing 10 units for Very Low Income Households, or 15-percent of the base units. Therefore, the one (1) On-Menu and (2) Off-Menu requests qualify as the proposed development's Incentives.

The following is a delineation of the findings related to the request for one (1) On-Menu Incentive and two (2) Off-Menu Incentives, pursuant to LAMC 12.22. A.25(g) and Government Code Section 65915. By law, the Commission shall approve a Density Bonus and requested Incentives unless the Commission makes a finding based on substantial evidence that:

1. **Pursuant to Government Code Section 65915 and LAMC Section 12.22 A.25(g)(2)(i)(c), the Commission shall approve a density bonus and requested Incentive(s) unless the Commission finds that:**
 - a. **The Incentives do not result in identifiable and actual cost reductions to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for the affordable units.**

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

The project substantially complies with the applicable regulations, standards, and provisions of the State Density Bonus Program. The project includes 15 percent of the project's total density as Very Low Income restricted affordable units, for a total of 10 residential units. The project represents an urban in-fill development on an existing commercially zoned lots in the C4-1XL Zone. No substantial evidence has been entered into the record indicating that the requested incentives do not result in identifiable and actual cost reductions to provide for the project's affordable housing

costs (as defined in California Health and Safety Code Sections 50052.5 or 50053) and/or accommodate the restricted very low income unit rents.

Additionally, the list of On-Menu Incentives in Section 12.22 A.25 of the LAMC were pre-evaluated at the time the Density Bonus Ordinance was adopted to include types of relief that minimize restrictions on the size of the project. As such, the Director will always arrive at the conclusion that the Density Bonus On-Menu Incentive does result in identifiable and actual cost reductions to provide for affordable housing costs because the incentives by their nature increase the scale of the project and thus facilitates the provision of affordable housing units.

The Off-Menu Incentives include types of relief that minimize restrictions on the size of the project. As such, the Density Bonus Off-Menu Incentives are required to provide for affordable housing costs because the incentives by their nature increase the scale of the project. The two (2) Off-Menu Incentives provide relief from the limitation on floor area and height.

On-Menu Incentive – Open Space

The proposed building's residential units will comprise of 68 one-bedroom units, 17 two-bedroom units, and five (5) three-bedroom units. Based on the number and typology of residential units proposed, the project would be required to provide of 9,800 square feet of open space. The project proposes to provide approximately 7,840 square feet of open space that can be counted towards zoning requirements. The requested decrease in open space allows for a decrease in construction costs and space for necessary building components to house the affordable housing units on the project site.

Off-Menu Incentive – Floor Area Ratio (FAR)

The project site is zoned C4-1XL, which limits the FAR to 1.5:1. Pursuant to Chapter 1 of the LAMC Section 12.22 A.25, the Applicant is requesting an Off-Menu incentive to allow a FAR increase from 1.5:1 to 4.52:1 for approximately 110,300 square feet of floor area. The requested increase in FAR will allow for the construction of affordable units in addition to larger-sized dwelling units and retail space at the ground level. Granting of the incentive would result in a building design and construction efficiencies that provide for affordable housing costs; it enables the developer to expand the building envelope so that additional affordable units can be constructed, and the overall space dedicated to residential uses is increased. The increased building envelope also ensures that all dwelling units are of a habitable size while providing a variety of unit types. This incentive supports the Applicant's decision to set aside a minimum 10 dwelling units for Very Low Income Households for 55 years.

Off-Menu Incentive – Height and Story Increase

The project site is zoned C4-1XL, which impose height limitation of up to 30 feet and two (2) stories. Pursuant to Chapter 1 of the LAMC Section 12.22 A.25, the Applicant is requesting an Off-Menu Incentive to allow a maximum height of 69 feet and six (6) stories, in lieu of the otherwise required 30 feet and two (2) stories. The requested incentive to allow the increase of height and story requirements will allow for the construction of affordable units and retail space within a zone that allows for such uses. Granting of the incentive would result in a building design and construction efficiencies that provide for affordable housing costs; it enables the developer to be

able to utilize the sites full potential so that additional affordable units can be constructed, and the overall space dedicated to residential uses is increased through the increased height from 30 maximum feet and two (2) stories to 69 feet and six (6) stories in height. The increased building envelope also ensures that all dwelling units are of a habitable size while providing a variety of unit types. This Incentive supports the Applicant's decision to set aside a minimum 10 dwelling units for Very Low Income Households for 55 years.

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

There is no evidence in the record that the proposed Density Bonus Incentive(s) will have a specific adverse impact on public health and safety or the physical environment, or any real property that is listed in the California Register of Historical Resources. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22.A.25(b)).

The project does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. Accordingly, the project will not have a significant impact on any on-site resource or any resource in the surrounding area. The project is not located within any special hazard area; accordingly, the project will not have a specific adverse impact upon public health and safety or the physical environment. The property is not located on a substandard street in a Hillside area or in a Very High Fire Hazard Severity Zone, or any other special hazard area. The project is required to comply with all other pertinent regulations including those governing construction, use, and maintenance, and will not create any significant direct impacts on public health and safety. Therefore, there is no substantial evidence that the proposed project, and thus the requested incentives, will have a specific adverse impact on the physical environment, on public health and safety or the physical environment, or on any Historical Resource.

- c. The incentives or waivers are contrary to state or federal law.**

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

Project Review Findings

The Applicant is requesting a Project Review pursuant to Chapter 1 of the LAMC Section 16.05, to permit the construction of a development project that results in a net increase of 50 or more dwelling units. Required Findings 2 through 4 below are analyzed to determine whether the request should be granted.

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

The elements of the General Plan establish policies that provide for the regulatory environment in managing the City and for addressing concerns and issues. The majority of the policies derived from these Elements are in the form of Code Requirements of the Los Angeles Municipal Code (LAMC). Except for the entitlement described herein, the project does not propose to deviate from any of the requirements of the LAMC.

The proposed project is consistent with the relevant goals, objectives, policies, and programs of the General Plan.

The Framework Element of the General Plan and the Hollywood Community Plan encourage a diversity of uses that support the needs of existing and future residents, businesses, and visitors.

Framework Element

The Framework Element states:

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

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

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.

Objective 3.7: Provide for the stability and enhancement of multi-family residential neighborhoods and allow for growth in areas where there is sufficient public infrastructure and services and the residents' quality of life can be maintained or improved.

Objective 3.10: Reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that serve, provide job opportunities, and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles.

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

Objective 7.2: Establish a balance of land uses that provides for commercial and industrial development which meets the needs of local residents, sustains economic growth, and assures maximum feasible environmental quality.

Land Use Element – Hollywood Community Plan

The project site is located within the Hollywood Community Plan area. An update of the Hollywood Community Plan was adopted by City Council on May 9, 2023 and became operative on February 11, 2025. The project was filed on May 21, 2024 as a Vesting Housing Crisis Act project and is vested to the local planning and zoning rules that were in place at the time the complete application was submitted. Therefore, the project is not subject to the new Hollywood Community Plan and its Community Plan Implementation Overlay.

The intent of the 1988 Hollywood Community Plan is to promote an arrangement of land use, circulation, and services which will encourage and contribute to the economic, social and physical health, safety, welfare, and convenience of the Community, within the larger framework of the City; guide the development, betterment, and change of the Community to meet existing and anticipated needs and conditions; balance growth and stability; reflect economic potentials and limits, land development and other trends; and protect investment to the extent reasonable and feasible. Additionally, the 1988 Hollywood Community Plan states:

Objective 3: To make provision for the housing required to satisfy the varying needs and desires of all economic segments of the Community, maximizing the opportunity for individual choice.

Objective 4a: To promote economic well-being and public convenience through: Allocating and distributing commercial lands for retail, service, and office facilities in quantities and patterns based on accepted planning principles and standards.

The approval of the Project Review will facilitate the redevelopment of this site with the proposed project, which will provide a function that is both essential and beneficial to the community. The redevelopment of the site will add needed housing (including restricted affordable units) and commercial retail uses, will provide a public convenience to residents, and will promote economic activity in the area with ground floor commercial retail floor area. Therefore, the project is in substantial conformance with the objectives of the Hollywood Community Plan.

Housing Element

The City's Housing Element for 2021-2029 was adopted by City Council on November 24, 2021. The Housing Element identifies the City's housing conditions and needs, establishes the goals, objectives, and policies that are the foundation of the City's housing and growth strategy, and provides an array of programs the City intends to implement to create sustainable, mixed-income neighborhoods across the City. The Housing Element aims to provide affordable housing and amenity-rich, sustainable neighborhoods for its residents, answering the variety of housing needs of its growing population. Specifically, the Housing Element encourages units to accommodate all income groups.

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.*

The proposed project will replace two (2) existing commercial buildings with a six (6)-story mixed-use building with 90 residential units, which reserves 15 percent of total units, that is 10 units, for Very Low Income Households. The project will provide 95,029 square feet of residential floor area and 15,271 square feet of commercial floor area, with a maximum FAR of 4.52:1. The project is proposing to utilize density bonus incentives to the

development of additional affordable housing units. The project will provide needed housing in close proximity to job opportunities and an area well-served by public transportation including the Metro Bus Route 10/48 and Metro Bus Route 105. The project conserves the scale and character of the surrounding commercial and residential neighborhoods. The project is compatible with existing development patterns adjacent to the project site, which are characterized by a variety of commercial and multifamily residential uses. As such, the proposed project substantially conforms to the purpose of the Housing Element of the General Plan.

Noise Element

The City's Noise Element lays out noise mitigation regulations, strategies, and programs and sets forth noise management goals, objectives, policies, and programs of the City of Los Angeles. The Noise Element prioritizes noise management across the City and highlights the role of land use in ensuring that noise-sensitive uses are protected from the effects of development and changes in land use.

In addition to the Noise Element, Los Angeles Municipal Code Section 112.05 regulates noise as follows:

Between the hours of 7:00 a.m. and 10:00 p.m., in any residential zone of the City or within 500 feet thereof, no person shall operate or cause to be operated any powered equipment or powered hand tool that produces a maximum noise level exceeding the following noise limits at a distance of 50 feet therefrom:

(a) 75dB(A) for construction, industrial, and agricultural machinery including crawler-tractors, dozers, rotary drills and augers, loaders, power shovels, cranes, derricks, motor graders, paving machines, off-highway trucks, ditchers, trenchers, compactors, scrapers, wagons, pavement breakers, compressors and pneumatic or other powered equipment;

(b) 75dB(A) for powered equipment of 20 HP or less intended for infrequent use in residential areas, including chain saws, log chippers and powered hand tools;

(c) 65dB(A) for powered equipment intended for repetitive use in residential areas, including lawn mowers, backpack blowers, small lawn and garden tools and riding tractors;

The noise limits for particular equipment listed above in (a), (b) and (c) shall be deemed to be superseded and replaced by noise limits for such equipment from and after their establishment by final regulations adopted by the Federal Environmental Protection Agency and published in the Federal Register.

Said noise limitations shall not apply where compliance therewith is technically infeasible. The burden of proving that compliance is technically infeasible shall be upon the person or persons charged with a violation of this section. Technical infeasibility shall mean that said noise limitations cannot be complied with despite the use of mufflers, shields, sound barriers and/or other noise reduction device or techniques during the operation of the equipment.

Chapter 3 of the Noise Element outlines the Goals, Objectives, and Policies related to noise management within the City, including the following goal, objective, and policy, related to the proposed project:

GOAL *A city where noise does not reduce the quality of urban life*

Objective 2 (Nonairport) *Reduce or eliminate nonairport related intrusive noise, especially relative to noise sensitive uses.*

Policy 2.2 *Enforce and/or implement applicable city, state and federal regulations intended to mitigate proposed noise producing activities, reduce intrusive noise and alleviate noise that is deemed a public nuisance.*

Objective 3 (Land Use Development) *Reduce or eliminate noise impacts associated with proposed development of land and changes in land use.*

Policy 3.1 *Develop land use policies and programs that will reduce or eliminate potential and existing noise impacts.*

The proposed project involves the demolition of four (4) existing buildings and the construction of a new mixed-use residential and commercial building consisting of 90 dwelling units and 15,271 square feet of commercial floor area. Conditions of approval related to noise shielding and muffling, driven pile systems, enclosure of outdoor mechanical equipment, location of construction staging areas, and temporary walls have been recommended as means of ensuring conformance with the Noise Element; furthermore, the proposed project is also required to comply with the City's Noise Ordinance. As such, the project conforms to the purpose of the Noise Element of the General Plan.

Mobility Element

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

In the Mobility Plan 2035, Chapter 3 entitled "Access for All Angelinos" includes the discussion topic "A transportation system is only useful insofar as it accessible and convenient."

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

Policy 3.4 Transit Services: *Provide all residents, workers and visitors with affordable, efficient, convenient, and attractive transit services.*

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

In the Mobility Plan 2035, Chapter 5 entitled “Clean Environments & Healthy Communities” includes the discussion topic “Transportation is deeply implicated in the health of both human beings and natural systems. Mobility directly impacts human health and wellness, both physical and mental. Active transportation modes such as bicycling and walking can significantly improve personal fitness and create new opportunities for social interaction, while lessening impacts on the environment.”

Policy 5.1 Sustainable Transportation: Encourage the development of a sustainable transportation system that promotes environmental and public health.

Policy 5.2 Vehicle Miles Traveled (VMT): Support ways to reduce vehicle miles traveled (VMT) per capita.

The proposed mixed-use building is a pedestrian-oriented development that provides 10 affordable units within one-half mile of the Metro Bus Route 10/48 and Metro Bus Route 105 transit stops. The transit services located adjacent to the project site will provide access to employment centers and jobs, local and regional destinations, and other neighborhood services for project residents. Additionally, neighborhood-serving retail is present in the area surrounding the project site and can be accessed by biking and walking.

The proposed project will also allow for the reduction of vehicle trips by providing a high-density mixed-use development within proximity to public transit. The availability of the transit options within walking distance creates a lesser need for the use of personal vehicles. The project will provide 96 vehicular parking spaces. Additionally, the project will provide a total of 78 long-term and 16 short-term bicycle parking spaces on site. As such, the project conforms to the purpose of the Mobility Element of the General Plan.

Plan for a Healthy Los Angeles and Conservation Elements

The Plan for Healthy LA was adopted in 2015 and includes goals, objectives, policies, and programs that relate to the health of the city. The Conservation Element primarily addresses the conservation of the open spaces.

The Vision contained in this plan calls for “ample green and open space, including a robust tree canopy in all neighborhoods and opportunities for urban agriculture.” The Action Plan calls for, among other directives, “energy efficiencies, weatherization, proper positioning of trees to shade buildings, alternative energy and solar generation systems, explore the feasibility of building designs that incorporate facile systems to charge electric vehicles, and use of rainwater, storm water, gray water and recycled water.”

The Conservation Element was adopted in 2001 and primarily addresses the conservation aspects of the open spaces:

It is important to conserve natural open space lands and enhance urban open spaces. “Open space” is a broad term that can include virtually anything from a sidewalk or lawn to the mountains and ocean. It is defined by the California general plan law (Government Code Section 65560) as “any parcel or area of land or water that essentially is unimproved and devoted to an open-space use,” whether for preservation and protection of natural resources or for human activity.

The proposed mixed use multi-family residential and commercial building is a pedestrian-oriented development that preserves three (3) existing Street Trees adjacent to the project site. The trees located in the public right-of-way will prevent the heat island effect and provide passive cooling opportunities for the enjoyment of the public. As such, the project conforms to the purpose of the Plan for a Healthy Los Angeles and Conservation Elements of the General Plan.

In regard to the Citywide Design Guidelines, the project is required to comply with the guidelines, as they apply to all new developments that seek a discretionary action for which the Department of City Planning has design authority. The project is consistent with the following Design Guidelines:

Guideline 1: Promote a safe, comfortable and accessible pedestrian experience for all.

Guideline 2: Carefully incorporate vehicular access such that it does not degrade the pedestrian experience.

Guideline 3: Design projects to actively engage with streets and public space and maintain human scale.

Guideline 4: Organize and shape projects to recognize and respect surrounding context.

The project complies with all four of these goals. The site features a prominent pedestrian entry adjacent to a Modified Avenue II (Melrose Avenue) and a Local Street (Harper Avenue) and includes only one (1) two-way vehicle driveway along Harper Avenue for the parking garage. The commercial spaces are located along Melrose Avenue and the entry to this space is located at a prominent corner, at the intersection of Melrose Avenue and Harper Avenue, along with two (2) additional entrances along Melrose Avenue. Long-term and short-term bicycle parking is provided for both the residential and commercial uses. The three (3) existing Street Trees adjacent to the site are also proposed for preservation.

The architectural design of the building includes references to a contemporary prominent style associated with Hollywood, including courtyard apartment buildings. The project is located at a prominent intersection and includes a curved corner along Melrose Avenue and Harper Avenue, soft colors and finishes (white stucco, off-white textured stucco, and oak-colored wood slate and wood cladding), bronze fiber cement, and bronze railings; thereby creating a consistent architectural design along all facades. Additionally, a series of projecting and recessed balconies span all facades of the proposed project.

In conclusion, the proposed project is in substantial conformance with the objectives of the General Plan, Hollywood Community Plan, and Citywide Design Guidelines, demonstrating alignment with the purposes, intent, and provisions of applicable community and specific plans.

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

The project site consists of five (5) rectangular lots with a frontage of approximately 220 feet along Melrose Avenue to the south and 105 feet along Harper Avenue to the east; and a total lot area of approximately 24,416.45 square feet. The site is currently improved with a 7,436-square-foot commercial building built in 1957, a 9,782-square-foot commercial building built in 1925, and an associated surface parking lot. The project site is located within the Hollywood Community Plan area. The current Community Plan designates the five (5) lots zoned C4-1XL for Neighborhood Office Commercial land uses. The site is limited to a height of 30 feet and two (2) stories.

The project site is located within the Hollywood Community Plan area. An update of the Hollywood Community Plan was adopted by City Council on May 9, 2023 and became operative on February 11, 2025. The project was filed on May 21, 2024 as a Vesting Housing Crisis Act project and is vested to the local planning and zoning rules that were in place at the time the complete application was submitted. Therefore, the project is not subject to the new Hollywood Community Plan and its Community Plan Implementation Overlay. The applicable zoning and land use designation for the site is C4-1XL for Neighborhood Office Commercial land uses. The site is limited to a height of 30 feet and two (2) stories and a maximum FAR of 1.5:1.

The site is located within the Local Emergency Temporary Regulations – Time Limits and Parking Relief area (ZI-2498), a Transit Priority Area in the City of Los Angeles (ZI-2452), a Prior Housing Element Site – Ministerial Approval (ZI-2535), a Housing Element Site (ZI-2512), and a Lower Income Rezoning Housing Element Site – Ministerial Approval and Minimum Density (ZI-2534).

The project site is located in an urbanized area surrounded by various uses. The lots directly to the south of the site across Melrose Avenue are zoned C4-1XL and are improved with a hair salon, tattoo shop, and other two (2)-story commercial buildings. The lot to the east of the site across Harper Avenue is zoned C4-1XL and is improved with a surface parking lot and a two (2)-story commercial building. The lots abutting the site to the west are zoned C4-1XL and are improved with a six (6)-story commercial building. The lots to the north of the site across the alley along Harper Avenue are zoned R2-1XL and are zoned with one (1) to two (2)-story single-family dwellings. The lots to the north of the site across the alley along Sweetzer Avenue are zoned [Q]R3-1 and are improved with two (2) to five (5)-story multi-family residences.

The project proposes the demolition of an existing 15,374-square-foot commercial building, an existing 3,270-square-foot commercial building, an existing 2,580-square-foot commercial building, an existing 3,188-square-foot commercial building, and an associated surface parking lot, and the construction of a new six (6)-story mixed-use residential and commercial building consisting of 90 dwelling units and 15,271 square-feet of commercial retail uses, resulting in a total floor area of 110,300 square-feet. The project will have a height of 69 feet and a floor area ratio (FAR) of 4.52:1. The project proposes 96 automobile parking spaces on-site within two (2) subterranean levels; and 94 bicycle parking spaces (78 long-term and 16 short-term) on-site at ground level and one (1) subterranean level. The project will provide reduced vehicular parking in accordance with the provisions of Assembly Bill 2097 (AB 2097) and proposes 96 parking spaces. 231 spaces would have otherwise been required by the Municipal Code.

The project will include 90 dwelling units, including 10 dwelling units set aside for Very Low Income Households and one (1) Manager's Unit. The proposed unit mix consists of 68 one-bedroom units, 17 two-bedroom units, and five (5) two-bedroom with study units. The project also includes 15,271 square feet of commercial retail uses on the ground floor.

The second subterranean level will include 55 parking spaces and a mechanical room, and the first subterranean level will include 41 parking spaces, along with a mechanical room, residential trash and recycling rooms, and 78 bicycle parking spaces. The ground level will consist of the lobby, the leasing office, commercial trash and recycling rooms, three (3) retail spaces, and 16 bicycle parking spaces. The 90 dwelling units will be located within the second through sixth floors of the proposed building.

There are three (3) existing Street Trees in the public right-of-way adjacent to the project site. The project will retain all three (3) existing Street Trees and plant an additional three (3) new Street Trees and 20 trees on-site. There are no existing Protected Trees on-site. Development of the Project would require the cut and export of approximately 20,194 cubic yards (cy) of soil. No import or fill is proposed.

The project is required to provide 9,800 square-feet of open space and is providing a total of 7,840 square feet of open space. The project proposes 4,045 square feet of outdoor common open space consisting of landscaping and seating areas, located across the second floor and sixth floor. Within this outdoor common open space, 1,147 square feet of landscaped open space will be provided. The project also proposes 1,960 square feet of indoor common open space, consisting of three (3) recreation rooms located on the second, third, and fourth floors. The project will provide 1,850 square feet of private open space across 37 residential balconies.

Height

The project site is zoned C4-1XL, with a Height District 1XL limiting the maximum building height to 30 feet, 2 stories. Pursuant to Chapter 1 of the LAMC Section 12.22 A.25(g)(2), the Applicant is requesting an Off-Menu Incentive to permit a maximum building height of 69 feet and six (6) stories, in lieu of the otherwise permitted 30 feet.

Bulk/Massing

The project site is zoned C4-1XL. The C4 Zone limits the FAR of the property to 1.5 to 1. Pursuant to Chapter 1 of the LAMC Section 12.22 A.25, the Applicant is requesting an Off-Menu incentive to allow a FAR increase from 1.5:1 to 4.52:1 to allow approximately 110,300 square feet of floor area.

The project has been designed as an integrated single structure with articulation and variation consistent with applicable City design guidance. The project seeks to reflect the commercial and residential context in the area by placing its commercial spaces toward Melrose Avenue, with community spaces located on roof decks and in the interior of the building. Parking within the building (two subterranean levels), commercial spaces, and residential units located within the building have been integrated into the overall architectural theme of the project. Vehicular access is located at the east of the site to limit vehicle activity along Melrose Avenue, enhancing the pedestrian experience along the commercial spaces of the building. The vast majority of parking is located in the subterranean levels, which enables the building to increase the visual interest of the project by placing residences and commercial spaces on much of the ground floor.

The building creates variation through its use of various materials, placement of roof decks and balconies that are located throughout the building. Residential units are located on the second through sixth floors, with the commercial spaces on the ground floor, providing a buffer from the commercial and pedestrian activity on the ground level. Ground floor commercial uses will enhance the pedestrian experience along Melrose Avenue, further

activating the street with pedestrian activity. The project as articulated in stamped "Exhibit A" is consistent with the Citywide Design Guidelines.

Setbacks

The C4 Zone does not require yards for commercial portions of buildings on the first floor. The proposed project contains first floor retail uses, and a residential lobby area, but no dwelling units, and is therefore not providing any setbacks at the ground level. However, the C4 Zone does require side yard and rear yard setbacks at the lowest residential story, in alignment with the requirements for the R4 Zone. LAMC 12.22 A.18(c)(3) permits zero yards on mixed-use buildings when abutting a street. As the project is mixed-use and abuts Melrose Avenue to the south and an alley to the north, it is not required to have side yards at the 2nd floor (the first residential story) in the C4 Zone. The project is providing the required 18-foot westerly rear yard setback in the C4 Zone.

Parking/Loading

Vehicular access to the project site will be provided via one (1) driveway along Harper Avenue. This driveway will provide access to both subterranean level parking garages. The project proposes to provide 96 vehicle parking spaces located in the two (2) subterranean level garages.

Pursuant to Assembly Bill 2097 (AB 2097) (California Government Code Section 65863.2), no minimum parking requirement shall be enforced for the proposed residential and commercial uses on the project site if it is located within one-half mile of a Major Transit Stop. As the project site is located within one-half mile of a Major Transit Stop, the project proposes to provide parking that is less than the 231 parking spaces otherwise required under the Los Angeles Municipal Code. The Applicant has provided a written request for parking reductions and a date stamped ZIMAS AB 2097 Eligibility map pursuant to the requirements of the City's AB 2097 Implementation Memo. As such, the City is not able to require any parking minimums for commercial or residential use for the project.

In accordance with LAMC Section 12.21 A, the project is required to provide a minimum of seven (7) short-term and 68 long-term bicycle parking spaces for residential uses. Additionally, the project is required to provide a minimum of eight (8) short-term and eight (8) long-term commercial bicycle spaces. The project proposes 94 bicycle parking spaces (16 short-term and 78 long-term). 78 bicycle parking spaces will be located at the first subterranean parking level, and 16 bicycle parking spaces will be located at the ground level, adjacent to the commercial and residential lobby entrances. The project will provide the minimum required bicycle parking spaces.

Lighting

The project is conditioned so that all pedestrian walkways and vehicle access points will be well-lit with lighting fixtures that are harmonious with the building design. As conditioned, all outdoor lighting provided on-site will be shielded to prevent excessive illumination and spillage onto adjacent public rights-of-way, adjacent properties, and the night sky.

Landscaping

The project proposes 1,147 square feet of landscaped open space. The project also proposes 1,960 square feet of indoor common open space, consisting of three (3)

recreation rooms located on the second, third, and fourth floors. The project will provide 1,850 square feet of private open space across 37 residential balconies

The project proposes a mix of plants and trees that include Pineapple Guava, Queensland Bottle Tree, Eastern Redbud Multi-Trunk, Jacaranda Multi-Trunk, Sweet Bay, Tulip Poplar, Yew Podocarpus, African Sumac Multi-Trunk, River Cascade River Wattle, Deer Grass, and Mundi Coast Rosemary.

There are three (3) existing Street Trees in the public right-of-way adjacent to the project site. The project will retain all three (3) existing Street Trees and plant an additional three (3) new Street Trees and 20 trees on-site. 15 trees are proposed for the second level, and five (5) trees are proposed for the sixth level. There are no existing Protected Trees on-site.

The project is conditioned to include an automatic irrigation system, and for the landscaping to be maintained in accordance with a landscape plan prepared by a licensed landscape architect or architect and submitted for approval to the Department of City Planning, Development Services Center.

Trash Collection

Trash storage and collection are proposed to be enclosed in the parking garage on the interior of the building and are therefore not visible from the drive aisle or public view. Trash collection can only be accessed from the garage and shall not interfere with traffic on any public street, as conditioned. Therefore, service providers will be required to access the trash area from the driveway, to avoid effects to circulation along the drive aisle.

Building Materials

The project is located at a prominent intersection and includes a curved corner along Melrose Avenue and Harper Avenue, soft colors and finishes (white stucco, off-white textured stucco, and oak-colored wood slate and wood cladding), bronze fiber cement, and bronze railings; thereby creating a consistent architectural design along all facades. Additionally, a series of projecting and recessed balconies span all facades of the proposed project. The proposed design provides articulation to create visual interest along the façade. The building has a prominent pedestrian entrance for the commercial portion of the project at the corner of Melrose Avenue and Harper Avenue, and two (2) additional pedestrian entrances along Melrose Avenue. Additionally, the building activates Melrose Avenue with a glazed storefront that will provide visual interest to pedestrians. The pedestrian entrance for the residential portion of the building is located to the east, along Harper Avenue, beyond the vehicle driveway for the commercial and residential parking spaces.

Landscaping is provided across the second floor and sixth floor. The landscaping is proposed in the second-floor courtyard and sixth-floor deck, and provides a buffer for residents in this part of the building. The variety of building materials and articulation as shown on the stamped "Exhibit A" is consistent with the Citywide Design Guidelines, the Urban Design Studio's Design Review meeting on October 24, 2024, and the Professional Volunteer Program meeting on November 12, 2024.

Electric Vehicle Charging Stations

The project is conditioned to provide electric vehicle charging spaces (EV Spaces) and electric vehicle charging stations (EVCS) per the regulations outlined in Sections 99.04.106 and 99.05.106 of Article 9, Chapter IX of the LAMC, to the satisfaction of the Department of Building and Safety.

As such, the proposed project will be compatible with the existing and future developments on adjacent and neighboring properties with regards to height, bulk, and setbacks, off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements.

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

The project is required to provide 9,800 square-feet of open space and is providing a total of 7,840 square feet of open space. The project proposes 4,045 square feet of outdoor common open space consisting of landscaping and seating areas, located across the second floor and sixth floor. Within this outdoor common open space, 1,147 square feet of landscaped open space will be provided. The project also proposes 1,960 square feet of indoor common open space, consisting of three (3) recreation rooms located on the second, third, and fourth floors. The project will provide 1,850 square feet of private open space across 37 residential balconies. As such, the project will provide recreation and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.

ADDITIONAL MANDATORY FINDINGS

5. **Environmental Finding.** It has been determined based on the whole of the administrative record that the project is exempt from CEQA pursuant to State CEQA Guidelines, Section 15332 (Class 32), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2, applies.

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 and its five established qualifiers and if it is not subject to an Exception that would disqualify it. The Categorical Exception document found in Case No. ENV-2024-3203-CE and attached to the subject case file provides the full analysis and justification for project conformance with the definition of a Class 32 Categorical Exemption.

6. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located outside of a flood zone.