

PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL CASE:	COUNCIL DISTRICT:
CPC-2021-9522-DB-VCU-CU-SPR-HCA-1A	ENV-2021-9523-HES-PEIR	15 - McOsker
RELATED CASE NOS.:	COUNCIL FILE NO:	PROCEDURAL REGULATIONS:
AA-2019-5528-MPC	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Ch. 1 as of 1/21/24 (Not subject to Processes & Procedures Ord.) <input checked="" type="checkbox"/> Ch. 1A (Subject to Processes & Procedures Ord.)
PROJECT ADDRESS / LOCATION:		
1268 West Pacific Coast Highway, 1270 West Pacific Coast Highway, 1290 West Pacific Coast Highway, 25900 South Frampton Avenue, Los Angeles, CA 90710		
APPLICANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Alex Wong ROI 1280 LLC 4199 Campus Drive, Suite 200 Irvine, CA 92612	213-324-1736	luciralia@sitiolanduse.com
APPLICANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Luciralia Ibarra, SITIO 9107 S. Denker Avenue Los Angeles, CA 90047	213-324-1736	luciralia@sitiolanduse.com
APPELLANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Supporters Alliance for Environmental Responsibility (SAFER) 1123 Park View Drive, Suite 300 Covina, CA 91724	510-836-4200	richard@lozeaudrury.com
APPELLANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Victoria Yundt Lozeau Drury LLP 1939 Harrison Street, Suite 150 Oakland, CA 94612	510-836-4200	victoria@lozeaudrury.com
PLANNER CONTACT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Norali Martinez	(213) 978-1346	norali.martinez@lacity.org

ITEMS FOR CITY COUNCIL CONSIDERATION (IE. ENTITLEMENTS, LEGISLATIVE ACTIONS):

Appeal of:

- Density Bonus (DB) On-Menu Incentives
- Conditional Use Permit (CU)
- Site Plan Review (SPR)

**FINAL ENTITLMENTS NOT ADVANCING FOR CITY COUNCIL CONSIDERATION:
(UNAPPEALED OR NON-APPEALABLE ITEMS)**

- Density Bonus (DB) Off-Menu Incentives and Waivers
- CEQA- Housing Element Streamlining Checklist (ENV-2020-6762-EIR, ENV-2021-9523-HES-PEIR)

ITEMS APPEALED:

- Density Bonus (DB) On-Menu Incentives
- Conditional Use Permit (CU)
- Site Plan Review (SPR)

ATTACHMENTS:

REVISED:

ENVIRONMENTAL DOCUMENT:

REVISED:

<input checked="" type="checkbox"/> Letter of Determination	<input type="checkbox"/>	<input type="checkbox"/> Categorical Exemption (CE) (Notice of Exemption)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Findings of Fact	<input type="checkbox"/>	<input type="checkbox"/> Statutory Exemption (SE) (Notice of Exemption)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Staff Recommendation Report	<input type="checkbox"/>	<input type="checkbox"/> Negative Declaration (ND)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Conditions of Approval	<input type="checkbox"/>	<input type="checkbox"/> Mitigated Negative Declaration (MND)	<input type="checkbox"/>
<input type="checkbox"/> T Conditions	<input type="checkbox"/>	<input type="checkbox"/> Environmental Impact Report (EIR)	<input type="checkbox"/>
<input type="checkbox"/> Proposed Ordinance	<input type="checkbox"/>	<input type="checkbox"/> Mitigation Monitoring Program (MMP)	<input type="checkbox"/>
<input type="checkbox"/> Zone Change Map and Ordinance	<input type="checkbox"/>	<input type="checkbox"/> Sustainable Communities Project Exemption (SCPE)	<input type="checkbox"/>
<input type="checkbox"/> GPA Resolution	<input type="checkbox"/>	<input type="checkbox"/> Sustainable Communities Environmental Assessment (SCEA)	<input type="checkbox"/>
<input type="checkbox"/> Land Use Map	<input type="checkbox"/>	<input type="checkbox"/> Sustainable Communities Environmental Impact Report (SCEIR)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Exhibit A – Plans	<input type="checkbox"/>	<input type="checkbox"/> Appendices	<input type="checkbox"/>
<input checked="" type="checkbox"/> Mailing List (both Word and PDF)	<input type="checkbox"/>	<input checked="" type="checkbox"/> Other: Housing Element Checklist	<input type="checkbox"/>
<input checked="" type="checkbox"/> Interested Parties List	<input type="checkbox"/>		
<input checked="" type="checkbox"/> Appeal	<input type="checkbox"/>		
<input type="checkbox"/> Development Agreement	<input type="checkbox"/>		
<input type="checkbox"/> Site Photographs	<input type="checkbox"/>		

NOTES / INSTRUCTIONS:

Please create Council File

*Noticing of Appeal Hearing pursuant to LAMC 13.B.2.3: 24 days Publication, 24 days Mailing (Applicant/Owner, 300' radius, NC, Interested Parties), Posting 10 Days

CITY COUNCIL NOTICE TIMING:		NOTICE LIST (SELECT ALL):		NOTICE PUBLICATION:	
<input type="checkbox"/> 10 days <input type="checkbox"/> 15 days <input checked="" type="checkbox"/> 24 days <input type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable]		<input checked="" type="checkbox"/> Owner <input checked="" type="checkbox"/> Applicant <input type="checkbox"/> Adjacent/Abutting <input type="checkbox"/> 100' radius <input checked="" type="checkbox"/> 300' radius <input type="checkbox"/> 500' radius <input checked="" type="checkbox"/> Neighborhood Council <input checked="" type="checkbox"/> Interested Parties <input type="checkbox"/> Other: [enter here if applicable]		<input type="checkbox"/> 10 days <input type="checkbox"/> 15 days <input checked="" type="checkbox"/> 24 days <input type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable]	
FISCAL IMPACT STATEMENT:					
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <small>*If determination states administrative costs are recovered through fees, indicate "Yes."</small>					
PLANNING COMMISSION:					
<input checked="" type="checkbox"/> City Planning Commission (CPC) <input type="checkbox"/> Cultural Heritage Commission (CHC) <input type="checkbox"/> Central Area Planning Commission <input type="checkbox"/> East LA Area Planning Commission <input type="checkbox"/> Harbor Area Planning Commission			<input type="checkbox"/> North Valley Area Planning Commission <input type="checkbox"/> South LA Area Planning Commission <input type="checkbox"/> South Valley Area Planning Commission <input type="checkbox"/> West LA Area Planning Commission		
PLANNING COMMISSION HEARING DATE:			COMMISSION VOTE:		
October 9, 2025			5 - 0		
LAST DAY TO APPEAL:			DATE APPEALED:		
December 1, 2025			November 26, 2025		
COUNCIL TIME TO ACT:			TIME TO ACT START:		
<input type="checkbox"/> 30 days <input type="checkbox"/> 45 days <input type="checkbox"/> 60 days <input checked="" type="checkbox"/> 75 days <input type="checkbox"/> 90 days <input type="checkbox"/> 120 days <input type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable]			<input type="checkbox"/> Appeal Filing Date <input type="checkbox"/> Received by Clerk <input checked="" type="checkbox"/> Last Day to Appeal <input type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable]		
TRANSMITTED BY:			TRANSMITTAL DATE:		
Cecilia Lamas Commission Executive Assistant II			December 16, 2025		



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: NOVEMBER 13, 2025

Case No.: CPC-2021-9522-DB-VCU-CU-SPR-HCA

Council District: 15 – McOsker

CEQA: ENV-2021-9523-HES-PEIR

Plan Area: Wilmington – Harbor City

Project Site: 1268 – 1290 West Pacific Coast Highway;
25900 South Frampton Avenue

Applicant: ROI 1280 LLC
Representative: Luciralia Ibarra, SITIO

At its meeting **October 9, 2025**, the Los Angeles City Planning Commission took the actions below in conjunction with the following Project:

The Proposed Project includes the construction of a new six-story, 80-foot-tall mixed-use residential building comprised of 354 dwelling units (including 42 Very Low-Income Units). The Project will be approximately 406,855 square feet in floor area, including 1,500 square feet of commercial, with a Floor Area Ratio (FAR) of 2.6:1. The Project will provide 560 residential and 15 commercial parking spaces, for a total of 575 parking spaces, in a six-story above-grade parking garage. The Project will include the grading of 53,000 cubic yards and export of 7,000 cubic yards of soil, and removal of 24 non-protected trees.


1. **Determined**, in the independent judgment of the decision maker, pursuant to CEQA Guidelines Section 15168(c), based on the whole of administrative record, including the Housing Element Checklist, and all its appendices, prepared for this proposed housing project, the proposed housing project is within the scope of the program approved with the 2021-2029 Housing Element for which the 2021-2029 Housing Element Environmental Impact Report No. ENV-2020-6762-EIR; SCH No. 2021010130 (EIR), certified on November 24, 2021, the Addendum No. ENV-2020-6762-EIR-ADD1 adopted on June 12, 2022 and the Addendum No. ENV-2020-6762-EIR-ADD2 adopted on December 10, 2024, the Proposed Housing Development was adequately described in the EIR and Addenda, and the impacts of the proposed project are within the scope of the EIR and the Addenda, and adopt the Mitigation Monitoring (MMP) for the proposed project;
2. **Approved**, pursuant to Sections 12.22 A.25(g)(2) and (3) of the Los Angeles Municipal Code (LAMC), a Density Bonus/Affordable Housing Incentive Program Compliance Review to permit the construction of a Housing Development Project totaling 354 units, reserving 42 units for Very Low Income Household occupancy for a period of 55 years, with the following On- and Off-Menu Incentives:
 - a. An On-Menu Incentive for an averaging of Floor Area Ratio, Density, Parking, Open Space, and permitting Vehicular Access from a less restrictive zone to a more restrictive zone;
 - b. An Off-Menu Incentive for a Floor Area Ratio (FAR) of 2.6:1 in lieu of 1.5:1 as otherwise permitted in the [Q]C2-1VL & [Q]CM-1VL zones and Footnote Nos. 8 and 10 of the Community Plan;
 - c. An Off-Menu Incentive for a 35-foot and three-story increase in the maximum building height to allow 80 feet and six stories in lieu of 45 feet and three stories as otherwise

- permitted in the [Q]C2-1VL & [Q]CM-1VL zones, Footnote Nos. 8 and 10 of the Community Plan, and LAMC Section 12.22 A.23;
3. **Approved**, pursuant to LAMC Section 12.22 A.25(g)(3), the following Waivers of Development Standards:
 - a. A Waiver of Development Standards for an eight-foot easterly side yard setback in lieu of the 10 feet otherwise required by the [Q]C2-1VL & [Q]CM-1VL Zones;
 - b. A Waiver of Development Standards for an eight-foot westerly side yard setback in lieu of the 10 feet otherwise required by the [Q]C2-1VL & [Q]CM-1VL Zones;
 - c. A Waiver of Development Standards for 25 percent of the required open space to be landscaped in lieu of the 50 percent otherwise required by Q Condition contained in Ordinance No. 172,853 (Subareas 22A and 22B);
 - d. A Waiver of Development Standards for a recreation room to be counted towards 25 percent of the required open space, in lieu of the 10 percent otherwise allowed by Q Condition contained in Ordinance No. 172,853 (Subareas 22A and 22B); and
 - e. A Waiver of Development Standards for a waiver from architectural treatment requirements of Q Condition contained in Ordinance No. 172,853 (Subareas 22A and 22B);
 4. **Approved**, pursuant to LAMC 12.24 V, a Vesting Conditional Use to allow a Mixed Commercial/ Residential Use Development on the subject site;
 5. **Approved**, pursuant to LAMC Section 12.24, a Conditional Use to allow a development combining residential and commercial uses on the subject site as required by Footnote No. 9 of the Wilmington - Harbor City Community Plan;
 6. **Approved**, pursuant to LAMC Section 16.05, a Site Plan Review for a development project resulting in an increase in 50 or more dwelling units;
 7. **Adopted** the attached Modified Conditions of Approval; and
 8. **Adopted** the attached Amended Findings.

The vote proceeded as follows:

Moved: Rosenstein
 Second: Lawshe
 Ayes: Choe, Johnson, Saitman
 Absent: Chavez, Diaz, Klein, Zamora

Vote: 5 – 0



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

APPEAL PERIOD - EFFECTIVE DATE

The decision of the Los Angeles City Planning Commission as it relates to the Density Bonus Off-Menu Incentives and Waiver of Development Standards are not further appealable. The On-Menu Density Bonus/Affordable Housing Incentive Program Review is appealable to City Council by adjacent and abutting owners and tenants only. 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.

FINAL APPEAL DATE: DECEMBER 1, 2025

This grant is not a permit or license and any permits and/or licenses required by law must be obtained from the proper public agency. If any Condition of this grant is violated or not complied with, then the applicant or their successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Los Angeles Municipal Code (LAMC).

This determination will become effective after the end of appeal period date listed above, unless an appeal is filed with the Department of City Planning. An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination. Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure the Development Services Center (DSC) staff has adequate time to review and accept the documents, and to allow appellants time to submit payment.

An appeal may be filed utilizing the following options:

Online Application System (OAS): The OAS (<https://planning.lacity.gov/oas>) allows entitlement appeals to be submitted entirely electronically by allowing an appellant to fill out and submit an appeal application online directly to City Planning's DSC, and submit fee payment by credit card or e-check.

Drop off at DSC. Appeals of this determination can be submitted in-person at the Metro or Van Nuys DSC locations, as well as the South Los Angeles DSC on Tuesdays and Thursdays, and payment can be made by credit card or check. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications; alternatively, appeal applications can be filed with staff at DSC public counters. Appeal applications must be on the prescribed forms and accompanied by the required fee and a copy of the determination letter. Appeal applications shall be received by the DSC public counter and paid for on or before the above date or the appeal will not be accepted.

Forms are available online at <http://planning.lacity.gov/development-services/forms>. Public offices are located at:

Metro DSC	Van Nuys DSC	South LA DSC
201 N. Figueroa Street Los Angeles, CA 90012 planning.figcounter@lacity.org (213) 482-7077	6262 Van Nuys Boulevard Van Nuys, CA 91401 planning.mbc2@lacity.org (818) 374-5050	(In person appointments available on Tuesdays and Thursdays 8am-4pm only) 8475 S. Vermont Avenue 1st Floor Los Angeles, CA 90044 planning.southla@lacity.org

City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable LAMC provisions.

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.

Verification of condition compliance with building plans and/or building permit applications are done at the City Planning Metro or Valley DSC locations. An in-person or virtual appointment for Condition Clearance can be made through the City's [BuildLA](https://build.lacity.gov) portal (appointments.lacity.gov). The applicant is further advised to notify any consultant representing you of this requirement as well.



QR Code to
Online Appeal Filing



QR Code to Forms for In-
Person Appeal Filing



QR Code to BuildLA
Appointment Portal for
Condition Clearance

Attachments: Modified Conditions of Approval, Amended Findings

cc: Theodore Irving, Principal City Planner
Connie Chauv, Senior City Planner
Noralí Martínez, City Planner

CONDITIONS OF APPROVAL

(As Modified by the City Planning Commission at its meeting on October 9, 2025)

Density Bonus Conditions

1. **Site Development.** The project shall be in substantial conformance with the plans and materials submitted by the Applicant, including the proposed building design elements and materials, stamped "Exhibit A," with a date of February 28, 2023, attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, West/South/Coastal Project Planning Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Los Angeles Municipal Code or the project conditions.
2. **Residential Density.** The project shall be limited to a maximum density of 354 multi-family residential units including On-Site Restricted Affordable Units.
3. **On-Site Restricted Affordable Units.** 42 units shall be reserved for Very Low Income households, as defined by California Government Code Section 65915 and by the Los Angeles Housing Department (LAHD). In the event the SB 8 Replacement Unit condition requires additional affordable units or more restrictive affordability levels, the most restrictive requirements shall prevail.
4. **Changes in On-Site 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.
5. **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 42 units available to Very Low Income Households or equal to 15 percent of the project's total base residential density allowed, for sale or rental, as determined to be affordable to such households by LAHD for a period of 55 years. In the event the applicant reduces the proposed density of the project, the number of required reserved on-site Restricted Units may be adjusted, consistent with LAMC Section 12.22 A.25, to the satisfaction of LAHD, and in consideration of the project's Replacement Unit Determination. Enforcement of the terms of said covenant shall be the responsibility of LAHD. The Applicant shall 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 any monitoring requirements established by the LAHD.
6. **Rent Stabilization Ordinance.**
 - a. The project shall comply with any tenant relocation requirements established by HCIDLA. Enforcement shall be the responsibility of HCIDLA.
 - b. The applicant shall execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to provide tenant relocation assistance and establish a relocation program in a manner consistent with the Rent Stabilization Ordinance. The covenant and agreement shall be executed and recorded within 10 days after the expiration of the appeal period (and final action thereon) and a copy provided to each eligible tenant within five days of recordation of the covenant and agreement.

- c. Within 10 days after the time to appeal has expired, the applicant shall execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to the affirmative duty to abide by all provisions of the Rental Stabilization Ordinance.
 - d. Prior to the issuance of a demolition permit, the Applicant or successor shall provide certified mailing receipts of proof of service, to the Department of City Planning demonstrating that existing qualified tenants were provided an offer to enter into a private agreement with the applicant (or successor) that includes the following terms: 1) the ability for the tenant to return to a comparable unit within the project; and, 2) during construction of the project, funding of the difference in rent of a comparably-sized unit between the tenant's rental rate immediately prior to the demolition of the building and the tenant's new rental rate, until the ability to return, if accepted, is exercised. The Applicant (or successor) shall provide a copy of the signed agreement(s) with, or written rejection from, the tenant(s). Where the Applicant (or successor) is not able to enter into an agreement with the tenant(s), the Applicant (or successor) shall submit a written declaration, under penalty of perjury, that best faith efforts have been made to enter into a private agreement with the tenant(s). The applicant (or their successor) shall also submit to the Department of City Planning, concurrent with certified mailing receipts of proof of service signed under penalty of perjury, the rent roll of occupied units at the time the offer is commenced.
7. **Averaging of Floor Area Ratio, Density, Parking and Open Space, and Permitting Vehicular Access (Incentive).** The project shall be permitted to averaging of Floor Area Ratio, density, parking, and open space over the project site, and permitting vehicular access across all contiguous parcels of the [Q]C2-1VL and [Q]CM-1VL zones of the property.
 8. **Floor Area Ratio (FAR) (Incentive).** The project shall be limited to a maximum floor area ratio of 2.6:1 per Exhibit "A".
 9. **Height (Waiver).** The project shall be limited to 80 feet in building height, including six (6) stories for the residential uses, and six (6) stories for the parking garage, per Exhibit "A".
 10. **Parking per AB 2097.** The project shall be permitted to provide a minimum of zero parking space pursuant to California Government Code Section 65863.2 (AB 2097), 575 spaces are provided, as shown in Exhibit "A".
 11. **Side Setbacks (Waiver).** The westerly and easterly side yard setbacks shall be no less than 8 feet, as shown in Exhibit "A".
 12. **Open Space Landscaping (Waiver).** The project shall landscape a minimum of 25 percent of the required open space, or 7,375 square feet, as shown in Exhibit "A".
 13. **Recreation Rooms (Waiver).** Recreation rooms shall be permitted to count towards a maximum of 25 percent of the required open space, or 10,140 square feet, as shown in Exhibit "A".
 14. **Architectural Treatments (Waiver).** The project is permitted to provide flat roofs in lieu of pitched roofs, except that varied rooflines shall be required, as shown in Exhibit "A". The project shall comply with other architectural treatment requirements of Ordinance No. 172,853 for Subareas 22A and 22B including using two or more exterior wall finishes, and changes in building plane.

15. **Bicycle Parking.** Bicycle parking shall be provided consistent with LAMC 12.21 A.16.

Conditional Use Conditions

16. Street Improvements.

- a. **Dedication Required on Pacific Coast Highway** (Boulevard II) – A 2-foot wide, variable width and 5-foot wide strip of land along the property frontage to complete a 55-foot wide half right-of-way in accordance with Boulevard II of LA Mobility Plan 2035 and a 15-foot by 15-foot cut corner or 20-foot radius property line return at the intersection with Frampton Avenue.
- b. **Dedication Required on Frampton Avenue** (Local Street) – A 5-foot wide strip of land along the property frontage to complete a 30-foot half right-of-way in accordance with Local Street standards of LA Mobility Plan 2035 and a 10-foot by 10-foot cut corner or 15-foot radius property line return at the intersection with West 259th Street.
- c. **Dedication Required on 259th Street** (Local Street) – A 10-foot wide strip of land along the property frontage to complete a 30-foot wide half right-of-way in accordance with Local Street standards of LA Mobility Plan 2035.
- d. **Improvements Required on Pacific Coast Highway** – Caltrans to determine the improvements on Pacific Coast Highway.
- e. **Improvements Required on Frampton Avenue** – Construct a new 12-foot concrete sidewalk with tree wells or a 5-foot concrete sidewalk with landscaping of the parkway. Repair all broken, off-grade or bad order concrete curb, gutter and roadway pavement along the property frontage. Install ADA curb ramps at the intersection of Pacific Coast Highway and 259 Street per BOE standards and Special Order 01-1020 for connecting and receiving curb ramps. Close all unused driveways with standard curb height and 12-foot concrete sidewalk.

Note: There are street trees along Frampton Avenue. In the event the Urban Forestry Division of Bureau of Services deny the trees removal, then construct a 10-foot parkway and provide additional sidewalk easement to construct an elevated 4-foot sidewalk and 16-foot parkway along the existing 5 large trees located approximately at 195 feet to 316 feet from north west corner property line (Pacific Coast Highway & Frampton Avenue) satisfactory to the Harbor District Office of the Bureau Engineering.

- f. **Improvements Required on 259th Street** – Construct suitable surfacing to join the existing improvements to provide an 18-foot wide half roadway with asphalt pavement, integral concrete curb and gutter and a 12-foot wide concrete sidewalk with tree wells or a 5-foot wide concrete sidewalk within a 12-foot landscaped border. Install ADA curb ramps at the intersection of Frampton Avenue per BOE standards and Special Order 01-1020 for connecting and receiving curb ramps. Complete cul-de-sac to match existing cul-de-sac at south side of 259th Street and improve street east of the cul-de-sac per Standard Plan S-470-1 with roadway, curb and gutter and sidewalk north and south of 259th St centerline. Street improvements such as full roadway, curb & gutter and sidewalk (north and south) east of the cul-de-sac will not be required if that area is vacated. If the existing right-of-way east of the cul-de-sac is vacated, provide a sewer easement east of the cul-de-sac. These improvements should suitably transition to join the existing improvements satisfactory to the Bureau of Engineering Harbor District B-Permit Group.

17. **Fire.** Submit plot plans for Fire Department approval and review prior to issuance of building permits.
18. **Mechanical Equipment.** All exterior mechanical equipment, including heating, ventilation and air conditioning (HVAC) equipment, satellite dishes, and cellular antennas, shall be screened from public view through the use of architectural elements such as parapets.
19. **Lighting.** All outdoor and parking lighting shall be shielded and down-cast within the site in a manner that prevents the illumination of adjacent public rights-of-way, adjacent properties, and the night sky (unless otherwise required by the Federal Aviation Administration (FAA) or for other public safety purposes).
20. **Lighting Design.** Areas where nighttime uses are located shall be maintained to provide sufficient illumination of the immediate environment so as to render objects or persons clearly visible for the safety of the public and emergency response personnel. All pedestrian walkways, storefront entrances, and vehicular access ways shall be illuminated with lighting fixtures. Lighting fixtures shall be harmonious with the building design. Wall mounted lighting fixtures to accent and complement architectural details at night shall be installed on the building to provide illumination to pedestrians and motorists.
21. **Heat Island Effect.** To reduce the heat island effect, a minimum of 50 percent of the area of pathways, patios, driveways or other paved areas shall use materials with a minimum initial Solar Reflectance value of 0.35 in accordance with ASTM (American Society of Testing Materials) standards.
22. **Landscape Plan.** Revised landscape plans shall be submitted to show the size and location of all plants. The landscape plan shall indicate landscape points for the Project equivalent to 10% more than otherwise required by LAMC 12.40 and Landscape Ordinance Guidelines "O". All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be landscaped, including an automatic irrigation system, and maintained in accordance with a final landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning. The final landscape plan shall be in substantial conformance with the submitted Landscape Plan, Exhibit "A," and shall incorporate any modifications required as a result of this grant.
23. **Soil Depths.** Shrubs, perennials, and groundcover shall require a minimum soil depth as follows:
 - a. A minimum depth with a height ranging from 15 to 40 feet shall be 42 inches.
 - b. A minimum depth with a height ranging from 1 to 15 feet shall be 24 to 36 inches.
 - c. A minimum depth with a height of less than 1 foot shall be 18 inches.
 - d. A minimum depth of an extensive green roof shall be 3 inches.Trees shall require a 42-inch minimum soil depth.

Further, the minimum amount of soil volume for tree wells on the rooftop or any above grade open spaces shall be based on the size of the tree at maturity:

 - e. 220 cubic feet for trees with a canopy diameter ranging from 15 to 19 feet.
 - f. 400 cubic feet for trees with a canopy diameter ranging from 20 to 24 feet.
 - g. 620 cubic feet for trees with a canopy diameter ranging from 25 to 29 feet.
 - h. 900 cubic feet for trees with a canopy diameter ranging from 30 to 34 feet.

24. **Street Trees.**

- a. **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). Per Exhibit A and 12.21.G.3, 24 Street trees shall be provided.
 - b. **Required Trees per 12.21 G.2.** As conditioned herein, a final submitted landscape plan shall be reviewed to be in substantial conformance with Exhibit "A." There shall be a minimum of 89 trees 24-inch box, or larger, trees on site pursuant to LAMC Section 12.21 G.2. Any required trees pursuant to LAMC Section 12.21 G.2 shown in the public right of way in Exhibit "A" shall be preliminarily reviewed and approved by the Urban Forestry Division prior to building permit issuance. In-lieu fees pursuant to LAMC Section 62.177 shall be paid if placement of required trees in the public right of way is proven to be infeasible due to City determined physical constraints.
 - c. Project shall preserve all healthy mature street trees whenever possible. All feasible alternatives in project design should be considered and implemented to retain healthy mature street trees. A permit is required for the removal of any street tree and shall be replaced 2:1 as approved by the Board of Public Works and Urban Forestry Division.
 - d. Plant street trees at all feasible planting locations within dedicated streets as directed and required by the Bureau of Street Services, Urban Forestry Division. All tree plantings shall be installed to current tree planting standards when the City has previously been paid for tree plantings. The subdivider or contractor shall notify the Urban Forestry Division at: (213) 847-3077 upon completion of construction for tree planting direction and instructions.
25. **Stormwater/irrigation.** The project shall implement on-site stormwater infiltration as feasible based on the site soils conditions, the geotechnical recommendations, and the City of Los Angeles Department of Building and Safety Guidelines for Storm Water Infiltration. If on-site infiltration is deemed infeasible, the project shall analyze the potential for stormwater capture and reuse for irrigation purposes based on the City Low Impact Development (LID) guidelines.
26. **Solar and Electric Generator.** Generators used during the construction process shall be electric or solar powered. Solar generator and electric generator equipment shall be located as far away from sensitive uses as feasible.
27. **Solar-ready Buildings.** 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.
28. **Signage.** There shall be no off-site commercial signage on construction fencing during construction.
29. **Commercial Corner Development.** The Project shall comply with the Mini-shopping center/Commercial Corner Development Standards, Los Angeles Municipal Code (LAMC) Section 12.22.A.23, unless specific deviation has been granted.
30. **Qualified "Q" Condition.** The Project shall comply with the Qualified "Q" Conditions established under Ordinance No. 172,853 (Subareas 22A and 22B), unless specific deviation has been granted.
31. This approval is tied to Case No. AA-2019-5528-MPC. The applicant shall comply with the conditions of approval listed in Case No. AA-2019-5528-MPC. In the event that Case No. AA-2019-5528-MPC is not approved, this determination shall become null and void.

Environmental Conditions

32. The Mitigation Monitoring and Reporting Program (MMRP) included in the Housing Element Streamlining Checklist (Case No. ENV-2024-4112-HES) have been incorporated into this project and shall be enforced through all phases of the project. The applicant shall be responsible for implementing each Mitigation Measure (MM), Substitute Mitigation Measure, and Implementing Mitigation Measure identified in the MMRP and shall be obligated to provide certification to the appropriate monitoring and enforcement agencies that each MM has been implemented.

Administrative Conditions

33. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Plans Approved". A copy of the Plans Approved, supplied by the applicant, shall be retained in the subject case file.
34. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet and shall include any modifications or notations required herein.
35. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
36. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
37. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
38. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
39. **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.

40. Indemnification and Reimbursement of Litigation Costs.

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

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

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

FINDINGS

(As Amended by the City Planning Commission at its meeting on October 9, 2025)

DENSITY BONUS/AFFORDABLE HOUSING INCENTIVES COMPLIANCE FINDINGS

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

The record does not contain substantial evidence that would allow the City Planning Commission to make a finding that the requested on- and off-menu 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.

Based on the set-aside of over 15 percent of base units for Very Low Income households, the applicant is entitled to three (3) Incentives under both the Government Code and LAMC. Therefore, the three (3) On- and Off-Menu requests qualify as the proposed development's Incentives. The remaining requests must be processed as Waivers of Development Standards.

Averaging of Floor Area Ratio, Density, Parking or Open Space, and Permitting Vehicular Access. The requested use of averaging of floor area ratio, density, parking or open space, and permitting vehicular access is expressed in the Menu of Incentives in the Density Bonus Ordinance in LAMC Section 12.22 A.25. The site is comprised of two (2) lots that are dual-zoned [Q]C2-1VL and [Q]CM-1VL. Based on the lot area within each respective zone, the project would only be permitted 139 dwelling units and 1.5:1 FAR in the [Q]C2-1VL zone, and 133 dwelling units and 1.5:1 FAR in the [Q]CM-1VL zone. Strict compliance with the zoning regulations would require the floor area ratio, density, parking, open space, and vehicular access to be provided only within those respective zones of the site. Given that the site includes two zoning designations, it is appropriate to consider averaging of the floor area ratio, density, parking, open space, and vehicular access across the entire site. The project is designed as singular building with residential uses, open space, and parking spread across the site. Furthermore, vehicular access across contiguous parcels is required in order to provide a comprehensive parking plan for the project. Therefore, the averaging incentive will allow the project to achieve a more efficient design and thereby resulting in identifiable and actual cost reductions to provide for affordable housing costs.

FAR: The site is zoned [Q]C2-1VL and [Q]CM-1VL, with Height District No. 1VL limiting the Floor Area Ratio ("FAR") to 1.5:1. The site is subject to Footnote No. 8 which restricts the Community Commercial portion of the site to 3:1 FAR, as well as Footnote No. 10 which restricts the Limited Industrial portion of the site to 1.5:1 FAR. Strict compliance with the FAR restrictions would limit the site to FAR to 1.5:1 or 236,473 square feet. The applicant has requested an Off-Menu Incentive for increased FAR to 2.6:1 for a

maximum floor area of 406,855 square feet. The additional floor area is requested to accommodate larger sized units, including two-bedroom and three-bedroom units with lofts. The project includes 90 studio units, 23 studio units with lofts, 93 one-bedroom units, 22 one-bedroom units with lofts, 90 two-bedroom units, 21 two-bedroom units with lofts, 12 three-bedroom units, and 3 three-bedroom units with lofts. The requested increase in FAR will allow approximately 170,381.5 square feet of additional floor area and will enable the construction of affordable units. As set forth on Sheets A-0 and A-02 of the project plans, the project's upper residential levels at Level 3 has a floor plate of 79,600 square feet for 76 units, Level 4 has a floor plate of 79,600 square feet for 76 units, and Level 5 has a floor plate of 74,150 square feet for 69 units. These floor plates would not be achievable under the 1.5:1 base FAR and enable the project to construct the unit mix above. Without the incentive to permit additional floor area, the project would need to remove the uppermost floors containing 221 units, or the average unit size and bedroom count would have to be significantly smaller to construct the number of units that the requested density bonus allows. The ability to develop larger units will increase the revenues from the market-rate units, which will lower the marginal cost of developing the affordable units. The additional floor area will allow certain fixed costs involved in the construction of new residential units to be spread over more floor area thereby reducing the per square foot build cost of the development. The requested incentive will allow the developer to expand the building envelope so the additional units can be constructed, and the overall space dedicated to residential uses is increased. Therefore, the FAR incentive will result in identifiable and actual cost reductions to provide for affordable housing costs.

FAR by-right	Buildable Lot Area (sf)	Base Floor Area (sf)
1.5:1	157,649	157,649 x 1.5 = 236,473.5

FAR Requested	Requested Floor Area (sf)	Additional Floor Area (sf)
2.6:1	157,649 x 2.6=406,855	406,855 - 236,473.5= 170,381.5

Height: The site is zoned [Q]C2-1VL and [Q]CM-1VL, with Height District No. 1VL limiting building height to 45 feet and three (3) stories. The site is subject to Footnote No. 8 which restricts the Community Commercial portion of the site to 3 stories and 45 feet, as well as Footnote No. 10 which restricts the Limited Industrial portion of the site to 3 stories and 45 feet. The applicant has requested an Off-Menu Incentive for increased building height of 35 feet and three (3) stories to allow 80 feet and six (6) stories. Strict compliance with the height restrictions would remove the upper residential levels from the proposed building which will limit the ability to construct the residential dwelling units permitted by-right and the Restricted Affordable Units which are of a sufficient size. As set forth on Sheets A-0 and A-02 of the project plans, the project's upper residential levels at Level 4 contains 76 units, and Level 5 contains 69 units. Without the incentive to permit increased building height, the project would need to remove the uppermost floors containing 145 units, or the average unit size and bedroom count would have to be significantly smaller to construct the number of units that the requested density bonus allows. The ability to develop larger units will increase the revenues from the market-rate units, which will lower the marginal cost of developing the affordable units. The increased building height will allow certain fixed costs involved in the construction of new residential units to be spread over more floor area thereby reducing the per square foot build cost of the development. The requested incentive will allow the developer to expand the building envelope so the additional units can be constructed, and the overall space dedicated to residential uses is increased. Therefore, the height incentive will result in identifiable and actual cost reductions to provide for affordable housing costs.

- b. The Incentive will have specific adverse impact upon public health and safety or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse Impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety (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. 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 facades of the proposed building which faces Pacific Coast Highway, Frampton Avenue, and 259th Street are articulated in multiple ways, creating visually interesting elevations that invite interaction with the street. The structure will also be oriented toward the street intersection with the public plaza, primary pedestrian entrance, balconies, windows, and architectural features on street-facing elevations as required. 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. The project is not located on a substandard street in a Hillside area or a Very High Fire Hazard Severity Zone. There is no evidence in the record which identifies a written objective health and safety standard that has been exceeded or violated. Based on the above, there is no basis to deny the requested incentives. Therefore, there is no substantial evidence that the project’s proposed incentives will have a specific adverse impact on public health and safety, or on property listed in the California Register of Historic Resources.

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

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

Following is a delineation of the findings related to the request for five (5) Waivers of Development Standards, pursuant to Government Code Section 65915.

- 2. Government Code Section 65915 and LAMC Section 12.22 A.25 state that the Commission shall approve a density bonus and requested Waiver of Development Standard(s) unless the Commission finds that:**

- a. *The waivers or reductions are contrary to state or federal laws.***

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

A project that provides over 15 percent of base units for Very Low Income Households qualifies for three (3) Incentives, and may request other “waiver[s] or reduction[s] of development standards that will have the effect of physically precluding the construction of a development meeting the [affordable set-aside percentage] criteria of subdivision (b) at the densities or with the concessions or incentives permitted under [State Density Bonus Law]” (Government Code Section 65915(e)(1)).

Therefore, the requests for the following are recommended as Waivers of Development Standards. Without the below Waivers, the existing development standards would preclude development of the proposed density bonus units and project amenities:

Side Yard Setbacks: LAMC Sections 12.14 C.2 and 12.17.1 C.1 require side yards to conform to the requirements of the R4 Zone for portions of buildings erected and used for residential purposes. The R4 Zone requires side yards of a minimum of 5 feet, and requires one additional foot in the width of the rear yard for each additional story above the second story. The Project is a six-story mixed-use residential building. Given all levels of the project would be utilized in whole or in part by residential uses, the Project would therefore be required to provide 10-foot side yard setbacks. The applicant has requested two (2) Waivers of Development Standards for reduced side yard setbacks, and proposes 8-foot easterly and westerly side yard setbacks in lieu of the 10 feet otherwise required. Provision of the reduced 8-foot side yard setbacks along the approximately 557-foot lot width accounts for an additional building area of approximately 2,228 square feet per floor, totaling approximately 11,140 square feet across all five residential floors. Strict compliance with the side yard requirements would reduce the buildable lot area by 4 linear feet total, thereby reducing the floor area by approximately 11,140 square feet, thereby limiting the buildable area for new development and reducing the number and range of units that could be developed. As proposed, the reduced side yard setbacks will allow for the construction of the affordable residential units which are of a sufficient size. Given the average unit size is 848 square feet (as shown on Sheet A-0), the waiver would physically preclude the construction of approximately 13 dwelling units across all five residential floors. The requested waiver will allow the developer to provide more buildable area so the additional units can be constructed and the overall space dedicated to residential uses is increased.

Open Space Landscaping: Qualified "Q" Condition No. 1B under Ordinance No. 172,853 for Subareas 22A and 22B requires a minimum of 50 percent of the usable open space to be appropriately landscaped. Q Condition No. 1A also requires 100 square feet of usable open space per dwelling unit. This requirement is superseded by LAMC Section 12.21 G which requires 100 square feet of usable open space per dwelling unit with less than 3 habitable rooms, and 125 square feet of usable open space per dwelling unit with 3 habitable rooms. The project includes 90 studio units, 23 studio units with lofts, 93 one-bedroom units, 22 one-bedroom units with lofts, 90 two-bedroom units, 21 two-bedroom units with lofts, 12 three-bedroom units, and 3 three-bedroom units with lofts a total of 40,900 square feet of open space is required. Strict compliance with the Q Condition would require 50 percent (or 20,450 square feet) of the required open space to be landscaped. The applicant has requested a Waiver of Development Standard to landscape 25 percent of the open space area (or 7,323 square feet), which is consistent with the 25 percent landscaping requirement of LAMC Section 12.21 G, in lieu of the 50 percent landscaping requirement of the Q Condition. The Q Condition would require an additional 25 percent (or 10,225 square feet) of the required open space to be landscaped, which would reduce the area of usable open space and physically preclude the number of affordable residential units to be provided. As proposed, the reduced landscaping of open space will allow for the construction of the affordable residential units which are of a sufficient size. Given the average unit size is 848 square feet (as shown on Sheet A-0), the waiver would physically preclude the construction of approximately 12 dwelling units. The requested waiver will allow the developer to provide more usable open space so the additional units can be constructed and the overall space dedicated to residential uses is increased.

Recreation Rooms: Qualified "Q" Condition No. 1D under Ordinance No. 172,853 for Subareas 22A and 22B allows that recreation rooms may be included as open space,

but may not count for more than ten percent of the total required open space area. As provided above, a total of 40,900 square feet of open space is required for the project. Strict compliance with the Q Condition would allow up to ten percent (or 4,090 square feet) of the required open space to be provided in recreation rooms. The applicant has requested a Waiver of Development Standard to provide up to 25 percent of the required open space to be provided in recreation rooms, which is consistent with the 25 percent allowance of LAMC Section 12.21 G, in lieu of the 10 percent maximum of the Q Condition. The project provides a total of 10,140 square feet of open space within recreation rooms. The Q Condition would require an additional 15 percent (or 6,135 square feet) of the required open space to be provided outside of recreation rooms, which would increase the area of outdoor open space that would otherwise need to be unenclosed and open to the sky, which would physically preclude the number of affordable residential units to be provided. As proposed, the increased recreation room space will allow for the construction of the affordable residential units which are of a sufficient size. Given the average unit size is 848 square feet (as shown on Sheet A-0), the waiver would physically preclude the construction of approximately 36 dwelling units. The requested waiver will allow the developer to provide more indoor usable open space so the additional units can be constructed and the overall space dedicated to residential uses is increased.

Architectural Treatment: Qualified “Q” Condition No. 1E under Ordinance No. 172,853 for Subareas 22A and 22B requires projects to incorporate multi-level pitched roof with a minimum pitch of 3 to 12; use 2 or more exterior wall finishes such as stucco, wood siding or paneling, or brick; and require a change in plane of at least 4 inches in exterior wall surfaces which extends more than 15 feet horizontally and vertically so as to provide facade articulation using porches, balconies, window treatments, recessed windows, different exterior materials, material (not planted), curves, and openings. The applicant has requested a Waiver of Development Standard to eliminate these architectural treatment requirements in order to provide a flat roof. The applicant contends that a level, open, flat roof is necessary to accommodate code requirements for solar alternatives, HVAC units, and hot water boilers, in addition to the ancillary circulation and work areas on the roof to access and service these building systems. The project reserves approximately 25 percent (or 19,900 square feet) of the roof area for the solar, mechanical, and plumbing systems. Strict compliance with the Q Condition would require these facilities be located to the ground floor, which would reduce the buildable area of the lot by 19,900 square feet, which would physically preclude the number of affordable units to be provided. As proposed, the flat roof will allow for the construction of the affordable residential units which are of a sufficient size. Given the average unit size is 848 square feet (as shown on Sheet A-0), the waiver would physically preclude the construction of approximately 117 dwelling units across all five residential floors. The requested waiver will allow the developer to provide more buildable area so the additional units can be constructed and the overall space dedicated to residential uses is increased.

These waivers support the applicant’s decision to set aside the specified number of dwelling units for Very Low Households for 55 years.

- b. The Waiver will have specific adverse impact upon public health and safety or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse Impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.***

There is no evidence in the record that the proposed density bonus 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)). 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. The project is not located on a substandard street in a Hillside area or a Very High Fire Hazard Severity Zone. There is no evidence in the record which identifies a written objective health and safety standard that has been exceeded or violated. Based on the above, there is no basis to deny the requested incentives. Therefore, there is no substantial evidence that the project’s proposed incentives will have a specific adverse impact on public health and safety, or on property listed in the California Register of Historic Resources.

CONDITIONAL USE FINDINGS

A particular type of development is subject to the conditional use process because it has been determined that such use of property should not be permitted by right. All uses requiring a conditional use permit are located within Section 12.24 of the Los Angeles Municipal Code. The project has requested a conditional use approval for the proposed mixed-use development as required by the Footnote No. 9 of the Wilmington – Harbor City Community Plan.

3. 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 project site is located at the corner of Pacific Coast Highway and Frampton Avenue in the Wilmington – Harbor City Community Plan. The project site is a relatively flat, irregular-shaped, dual-zoned site comprised of two (2) lots that total approximately 161,450 square feet (3.7 acres). The site has a street frontage of approximately 270 feet on the south side of Pacific Coast Highway, 557 feet on the east side of Frampton Avenue, and 300 feet on the north side of 259th Street.

The subject site is in an urbanized area surrounded by multi-family residential, institutional, commercial, and industrial uses. The site is immediately adjacent to automotive uses, fast food and restaurants, and the Kaiser Permanente South Bay Medical Center on [Q]C2-1VL and [Q]C1-1L properties to the east. Properties across 259th Street to the south are improved with three-story multi-family residential buildings in the [Q]RD1.5-1XL zone. Properties across Frampton Avenue to the west are improved with an LA Water and Power substation and automotive uses in the [Q]MR1-1VL zones, and single-story commercial buildings and automotive uses in the [Q]C2-1VL zone. The subject site is within a half-mile of the intersection of Pacific Coast Highway and Normandie Avenue, which constitutes as a Major Transit Stop. The subject site is within proximity to bus stops served by the Los Angeles County Metropolitan Transportation Authority (“Metro”) 205, 232, and 246 bus lines, City of Gardena GTrans 2 bus line, and Angeles Department of Transportation (“LADOT”) 448 bus line.

The proposed project involves the construction of a new six-story, 80-foot tall mixed-use residential building comprised of 354 dwelling units (including 42 Very Low Income units) across five residential levels. The project will be approximately 406,855 square feet in floor area, including 1,500 square feet of commercial, with a Floor Area Ratio (“FAR”) of 2.6:1. The project will provide 560 residential and 15 commercial parking spaces, for a total of 575 parking spaces. The project will enhance the built environment by redeveloping an

underutilized site for the construction of a new mixed-use residential apartment building, and will provide affordable units and commercial uses that will better meet the needs and projected growth of the Wilmington-Harbor City area, and be beneficial to the community, city and greater region.

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

The proposed project involves the construction of a new six-story, 80-foot tall mixed-use residential building comprised of 354 dwelling units (including 42 Very Low Income units) across five residential levels. The project will be approximately 406,855 square feet in floor area, including 1,500 square feet of commercial, with a Floor Area Ratio ("FAR") of 2.6:1. The project includes 90 studio units, 23 studio units with lofts, 93 one-bedroom units, 22 one-bedroom units with lofts, 90 two-bedroom units, 21 two-bedroom units with lofts, 12 three-bedroom units, and 3 three-bedroom units with lofts.

The project provides the primary pedestrian entrance at the corner of Pacific Coast Highway and Frampton Avenue with a public plaza that provides direct access to the lobby, leasing area, and commercial offices that are flanked with recreation rooms. Secondary pedestrian entrances are provided along Frampton Avenue and 259th Street. Residential amenities are provided in a series of open-air courtyards as well as private balconies.

The proposed project provides recreational and service amenities that will improve habitability for the residents and minimize any impacts on neighboring properties. The project will provide a total of 40,990 square feet of open space in compliance with LAMC Section 12.21 G. Common open space is provided in a series of open-air courtyards at the ground floor totaling 18,740 square feet, recreation rooms totaling 10,140 square feet, and a 400 square foot roof deck. The courtyards provide a variety of recreational amenities for residents including a pool, spa, lounge seating, and fire table at the Main Pool / Spa Courtyard; dining tables with chairs and umbrellas, outdoor kitchen with breakfast bar, water feature, and fire pit at the South Courtyard; water feature and bench seating at the Southwest Courtyard; and a dog parklet with decomposed granite, synthetic turf, and decomposed granite at an additional courtyard. The roof terrace also includes a sky deck, dining tables and chairs, and lounge seating.

The project includes a six-story above-grade parking garage at the center of the building that will be mostly wrapped with residential uses and walkways. The project will provide 560 residential and 15 commercial parking spaces, for a total of 575 parking spaces. Vehicular access is provided from a single driveway and curb cut from Frampton Avenue. All existing structures will be demolished and mobilehomes will be removed for the proposed project, including the removal of 24 non-protected trees. The project will include the grading of 53,000 cubic yards and export of 7,000 cubic yards of soil. Trash enclosure is located within the parking garage to ensure it will not be visible from the street or affect circulation for surrounding properties.

The subject site is in an urbanized area surrounded by multi-family residential, institutional, commercial, and industrial uses. The site is immediately adjacent to automotive uses, fast food and restaurants, and the Kaiser Permanente South Bay Medical Center on [Q]C2-1VL and [Q]C1-1L properties to the east. Properties across 259th Street to the south are improved with three-story multi-family residential buildings in the [Q]RD1.5-1XL zone. Properties across Frampton Avenue to the west are improved with an LA Water and Power substation and automotive uses in the [Q]MR1-1VL zones, and single-story commercial buildings and automotive uses in the [Q]C2-1VL zone. The subject site is within a half-mile of the

intersection of Pacific Coast Highway and Normandie Avenue, which constitutes as a Major Transit Stop. The subject site is within proximity to bus stops served by the Los Angeles County Metropolitan Transportation Authority (“Metro”) 205, 232, and 246 bus lines, City of Gardena GTrans 2 bus line, and Angeles Department of Transportation (“LADOT”) 448 bus line. Therefore, the project mixed-use residential development is compatible with the surrounding neighborhood.

The mixed-use residential development is permitted at this location on the subject site as an allowable use by [Q]C2-1VL and [Q]CM-1VL zones. As provided under Findings Nos. 1 and 2, the project’s density, FAR, Height, and setbacks are allowed by the underlying zone in combination with Density Bonus law.

Given the projects site’s proximity to public transit, the commercial corridor along Pacific Coast Highway, and the surrounding uses, 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.

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

The Los Angeles General Plan sets forth goals, objectives and programs that guide both Citywide and community specific land use policies. The General Plan is comprised of a range of State-mandated elements, including, Land Use, Transportation, Noise, Safety, Housing and Conservation. The City’s Land Use Element is divided into 35 community plans that establish parameters for land use decisions within those sub-areas of the City.

The General Plan is a long-range document determining how a community will grow, reflecting community priorities and values while shaping the future. The project substantially conforms with the following purposes and objectives of the General Plan Elements: Framework Element, Land Use Element (Wilmington - Harbor City Community Plan), Housing Element, and Mobility Element.

Framework Element

The Framework Element is a strategy for long-term growth which sets a citywide context to guide the update of the Community Plan and Citywide Elements. The primary objectives of the policies in the Framework Element’s Land Use Chapter are to support the viability of the City’s residential neighborhoods and commercial districts, and when growth occurs, to encourage sustainable growth in a number of higher-intensity commercial and mixed-use districts, centers and boulevards and industrial districts particularly in proximity to transportation corridors and transit stations.

The Community Plan Map designates the site for Community Commercial and Limited Industrial land uses. The Community Commercial land use designation corresponds to the CR, C2, C4, RAS3, P, and PB zones; the Limited Industrial land use designation corresponds to the CM, MR1, M1, and P Zones. The site is zoned [Q]C2-1VL and [Q]CM-1VL and is therefore consistent with the land use designations. The [Q]C2-1VL and [Q]CM-1VL zones allow for R4 (High Medium Residential) land uses and estimates 56 to 109 dwelling units per acre.

Land Use Element – Wilmington - Harbor City Community Plan

The proposed project aligns with the intent of the Wilmington - Harbor City Community Plan, including the following:

Goal 1 – A safe, secure and high quality residential environment for all economic, age, and ethnic segments of the community.

Objective 1-1 – To provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area to the year 2010.

Policy 1-1.4 – Protect the quality of the residential environment through attention to the appearance of communities, including attention to building and site design.

Objective 1-2 – To locate new housing in a manner which reduces vehicular trips and makes it accessible to services and facilities.

Policy 1-2.1 – Locate higher residential densities near commercial centers and major transit routes, where public service facilities, utilities, and topography will accommodate this development.

Objective 1-5 – To promote and insure the provision of adequate housing for all persons regardless of income, age, or ethnic background.

Policy 1-5.2 – Promote housing in mixed use projects in transit corridors and pedestrian oriented areas.

Policy 1-5.5 – Provide for livable family housing at higher densities.

Objective 1-7 – To minimize housing displacement whenever possible, and, in those cases where displacement is unavoidable, to provide housing relocation assistance and services for persons displaced as a result of public or private actions.

Policy 1-7.1 – Ensure that new housing opportunities minimize displacement of the residents.

Goal 2 – A strong and competitive commercial sector which best serves the needs of the community through maximum efficiency and accessibility while preserving the unique commercial and cultural character of the community.

Objective 2-2 – To enhance the aesthetic quality and pedestrian orientation of commercial developments.

Policy 2-2.3 – Require that mixed use projects and development in pedestrian oriented districts be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses.

Policy 2-2.4 – Promote mixed use projects in proximity to designated transit corridors and in community commercial centers.

Objective 2-3 – To improve the design and land use compatibility of commercial uses.

Policy 2-3.1 – Require urban design techniques, such as appropriate building orientation and scale, transition building heights, landscaping, buffering and increased setbacks in the development of commercial properties to improve land use compatibility with adjacent

uses and to enhance the physical environment.

The project is for the construction of a new mixed-income, mixed-use residential apartment development on an underutilized site. The existing mobilehome park will be closed in accordance with Government Code Section 65863.7 and 65863.8, as well as, and Los Angeles Municipal Code (“LAMC”) Sections 47.08, 47.09, and 17.04. The project will result in the net increase of 312 dwelling units, including 42 Very Low Income units. It will also provide approximately 1,500 square feet of commercial that will enhance the pedestrian experience on Pacific Coast Highway. The site is located within walking distance of public transit and local amenities. As shown in Exhibit “A” and Finding No. 4, the Project will provide design features to enhance the visual quality of the area. Planting new street trees will help achieve the City’s goals for environmentally sustainable urban design standards and pedestrian-oriented improvements.

Housing Element 2021 - 2029

The proposed project also conforms with the applicable policies of the Housing Element, including:

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 1.2 – 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 1.3.1 – Prioritize housing capacity, resources, policies and incentives to include Affordable Housing in residential development, particularly near transit, jobs, and in Higher Opportunity Areas.

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

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 3.1.5 – Develop and implement environmentally sustainable urban design standards and pedestrian centered improvements in development of a project and within the public and private realm such as shade trees, parkways and comfortable sidewalks.

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 will result in a net increase of 312 new residential units to the City’s housing stock and conforms with the applicable provisions of the Housing Element. The applicant has requested deviations from code requirements under the Density Bonus program for increased FAR, increased height, reduced landscaping of open space, increased recreation room space, waiver from architectural treatments, and reduced side yard setbacks,

thereby allowing the creation of affordable units. Pursuant to Density Bonus requirements, over 15 percent (42 units) of the base dwelling units (272 units), will be set aside for Very Low Income units. Additionally, this mixed-income development is in close proximity to public transit options, and a variety of commercial, institutional, and employment opportunities. Locating new housing in this portion of the City will allow residents to have better access to employment centers and places of interest in area.

Mobility Plan 2035

The proposed project also conforms with the following additional policies of the Mobility Plan, including:

Policy 3.1 – Access for All: 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 – 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.

The project utilizes Density Bonus incentives and waivers for the construction of a residential mixed-income development that provides housing opportunities in proximity to public transit along Pacific Coast Highway, encouraging multi-modal transportation and decreasing vehicle miles traveled in the neighborhood. The site is located along a portion of Pacific Coast Highway that is designated by the Mobility Plan as a Boulevard II. The project will also provide 165 long-term and 18 short-term bicycle parking spaces, which is consistent with LAMC Section 12.21 A.16 bicycle parking requirements. Furthermore, the subject site is within a Transit Priority Area as it is within a half-mile of the intersection of Pacific Coast Highway and Normandie Avenue, which constitutes as a Major Transit Stop. The subject site is within proximity to bus stops served by the Los Angeles County Metropolitan Transportation Authority (“Metro”) 205, 232, and 246 bus lines, City of Gardena GTrans 2 bus line, and Angeles Department of Transportation (“LADOT”) 448 bus line.

ADDITIONAL FINDINGS REQUIRED BY LAMC SECTION 12.24 V

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

The City’s Housing Element for 2021-2029 was adopted by the City Council on November 24, 2021. The Housing Element is the City’s blueprint for meeting housing and growth challenges. It identifies the City’s housing conditions and needs, reiterates goals, objectives, and policies that are the foundation of the City’s housing and growth strategy, and provides the array of programs the City has committed to implement to create sustainable, mixed-income neighborhoods across the City.

As provided under Finding No. 5, the proposed Project would be in conformance with the following goals of the Housing Element as described below:

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 1.2 – 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 1.3.1 – Prioritize housing capacity, resources, policies and incentives to include Affordable Housing in residential development, particularly near transit, jobs, and in Higher Opportunity Areas.

Pursuant to Density Bonus requirements, the project is required to set aside over 15 percent, that is 42 units, of the 272 base density units for Very Low Income Households in exchange for the 30 percent density increase requested. The project proposes to set aside 42 units for Very Low Income Households, thereby complying with the requisite percentage of affordable housing units for the 30 percent density increase.

Although the project involves the closure of an existing mobilehome park and demolition and removal of 42 dwelling units, the project will not result in a loss of housing as it will provide a net increase of 312 dwelling units, including 42 Very Low Income units, on the subject site. The project will offer a range of apartment types and sizes as it provides 90 studio units, 23 studio units with lofts, 93 one-bedroom units, 22 one-bedroom units with lofts, 90 two-bedroom units, 21 two-bedroom units with lofts, 12 three-bedroom units, and 3 three-bedroom units with lofts. Additionally, the project proposes a total of 40,990 square feet of open space in compliance with LAMC Section 12.21 G, including a series of open-air courtyards, recreation rooms, and a roof deck, with amenities including a pool, spa, lounge seating, dining tables, outdoor kitchen, breakfast bar, water feature, dog parklet, and sky deck. The project will provide affordable housing in close proximity to transit. The subject site is within a half-mile of the intersection of Pacific Coast Highway and Normandie Avenue, which constitutes as a Major Transit Stop. The subject site is within proximity to bus stops served by the Los Angeles County Metropolitan Transportation Authority (“Metro”) 205, 232, and 246 bus lines, City of Gardena GTrans 2 bus line, and Angeles Department of Transportation (“LADOT”) 448 bus line. Therefore, the project is in conformance with the affordable housing provisions of the Housing Element.

7. The project will further the City's goal of achieving an improved jobs-housing relationship, which is needed to improve air quality in the City.

The proposed project will be redeveloping an underutilized site for the construction of a new mixed-use residential apartment building, and will provide affordable units and commercial uses that will help achieve an improved jobs-housing relationship for the community.

The project utilizes Density Bonus incentives and waivers for the construction of a residential mixed-income development that provides housing opportunities in proximity to public transit along Pacific Coast Highway. The subject site is within a half-mile of the intersection of Pacific Coast Highway and Normandie Avenue, which constitutes as a Major Transit Stop. Although the project is meeting parking requirements of LAMC Section 12.21 A.4, per California Government Code Section 65863.2 (AB 2097) the project site is permitted to provide a minimum of zero parking spaces, encouraging multi-modal transportation and decreasing vehicle miles traveled in the neighborhood.

The subject site is in an urbanized area surrounded by multi-family residential, institutional, commercial, and industrial uses. The site is immediately adjacent to automotive uses, fast food and restaurants, and the Kaiser Permanente South Bay Medical Center on [Q]C2-1VL and [Q]C1-1L properties to the east. Properties across 259th Street to the south are improved with three-story multi-family residential buildings in the [Q]RD1.5-1XL zone. Properties across Frampton Avenue to the west are improved with a LA Water and Power substation and

automotive uses in the [Q]MR1-1VL zones, and single-story commercial buildings and automotive uses in the [Q]C2-1VL zone.

The Project's potential air quality effects were evaluated by estimating the potential construction and operations emissions of criteria pollutants, and comparing those levels to significance thresholds provided by the Southern California Air Quality Management District (SCAQMD). The Project's emissions were estimated using the CalEEMod 2022.1 model (output February 23, 2023 and December 3, 2024) for the purposes of evaluating air quality impacts of proposed projects and summarized in the Air Quality and Greenhouse Gas Technical Memorandum prepared by Dudek dated May 24, 2024 and updated January 2025. The analysis took into account construction activity emissions during demolition, grading, building construction, architectural coating, and paving, as well as operational emissions and effects to sensitive receptors. The analysis confirms that the project would not have a significant impact related to air quality or greenhouse gases. There are several Regulatory Compliance Measures which regulate air quality-related impacts for projects citywide as noted above. Furthermore, as part of the Housing Element Program EIR, the project is subject to Mitigation Measure 4.2-3 which requires construction equipment that meets CARB Tier 4 Final or USEPA Tier 4 off-road emissions.

The new development should provide for adequate multi-family residential development that is in close proximity to commercial centers and public transit. The proposed project is a mixed-use building with 354 new residential units (42 units which are set aside for Very Low Income Households) and 1,500 square feet of ground floor commercial use. The project will not only provide much-needed housing of varying levels of affordability, but it will also provide opportunities for new commercial uses. As a result, the development will strengthen the existing commercial development in the community by adding to the consumer base through the introduction of new residents. The project's proximity to transit connections will reduce vehicular trips to and from the project, vehicle miles traveled, and reduce air pollution; and its location within an existing, under-utilized commercial district and will enable the city to conserve nearby existing stable residential neighborhoods, lower-intensity commercial districts, and enhance the jobs-housing relationship.

- 8. Pursuant to an agreement entered into under Government Code Sections 65915 - 65918, the project will include the number of Restricted Affordable Units as set forth in Section 12.24 U.26.(a)(1) through (5) of the Los Angeles Municipal Code, with any percentage increase in floor area treated the same as a percentage increase in density for purposes of calculating the number of Restricted Affordable Units.**

The applicant has requested a 30 percent increase in density through the Density Bonus Ordinance pursuant to LAMC Section 12.22 A.25. The project provides the requisite number of affordable units (42 Very Low Income units) to qualify for the Density Bonus and requested incentives and waivers. Therefore, the project does not trigger a Conditional Use under LAMC Section 12.24 U.26 for increased density, therefore the affordability calculations under LAMC Section 12.24 U.26 do not apply.

- 9. The affordability of all reserved lower income dwelling units will continue for a minimum of 55 years.**

The applicant proposes to set aside a total of 42 units for Restricted Affordable Units. Per the Conditions of Approval, the applicant is required to execute a covenant to the satisfaction of LAHD to make 42 Restricted Affordable Units available to Very Low Income Households for rental as determined to be affordable to such households by LAHD for a period of 55 years. The applicant is required to present a copy of the recorded covenant to the Department of

City Planning and the proposed project shall comply with any monitoring requirements established by LAHD. Therefore, as conditioned, the project satisfies this finding in regards to subjected restricted affordable units to recorded affordability per LAHD.

10. The construction and amenities provided for the reserved lower income dwelling units will be comparable to those provided for the market rate dwelling units in the development, including the average number of bedrooms and bathrooms per dwelling unit.

The City Planning Commission approved the Affordable Housing Incentives Guidelines (CPC-2005-1101-CA) on June 9, 2005. The Guidelines were subsequently approved by City Council (CF 05-1345) on February 20, 2008, as a component of the City of Los Angeles Density Bonus Ordinance. The Guidelines describe the density bonus provisions and qualifying criteria, incentives available, design standards, and the procedures through which projects may apply for a density bonus and incentives. LAHD utilizes these Guidelines in the preparation of Housing Covenants for Affordable Housing Projects. On April 9, 2010, the City Council adopted updates to the City's Density Bonus Ordinance (CF 05-1345-S1, Ordinance No. 181,142). However, at that time, the Affordable Housing Incentives Guidelines were not updated to reflect changes to the City's Density Bonus Ordinance or more recent changes in State Density Bonus Law located in the Government Code. Therefore, where there is a conflict between the Guidelines and current laws, the current law prevails. Additionally, many of the policies and standards contained in the Guidelines, including design and location of affordable units to be comparable to the market-rate units, equal distribution of amenities, monitoring requirements, and affordability levels, are covered by the State Density Bonus Laws. For example, restricted dwelling units shall be comparable in every manner to market rate dwelling units, including total square footage, bedrooms size, closet space amenities, number of bathrooms, etc., except in the quality of interior "finish" materials (e.g., floor and wall coverings). The design of restricted dwelling units should generally reflect the average number of bedrooms per dwelling units in the development. Restricted dwelling units shall not be confined to one type of dwelling unit within a development. Restricted dwelling units must be interspersed among market-rate dwelling units within the same building. They may not be grouped together on one level or in one or more "less desirable" corners or areas of the building. Residents of restricted dwelling units may not be charged for amenities that are provided at no cost to other residents including, but not limited to, access to recreational facilities, parking, cable TV, and interior amenities such as dishwashers and microwave ovens. Optional services provided must be optional for all residents, and available to all under the same terms and conditions.

11. The approval of a mixed use development on the site will provide for affordable housing costs in the housing development.

As provided under Finding No. 1, the approval of the project including requested Density Bonus Incentives for averaging, increased FAR, and increased height will result in identifiable and actual cost reductions to provide for affordable housing costs.

ADDITIONAL FINDINGS REQUIRED BY COMMUNITY PLAN FOOTNOTE 9

12. Land uses surrounding the proposed development site will not be inimical to the health, safety, and welfare of prospective residents of such quarters.

The subject site is in an urbanized area surrounded by multi-family residential, institutional, commercial, and industrial uses. The site is immediately adjacent to automotive uses, fast food and restaurants, and the Kaiser Permanente South Bay Medical Center on [Q]C2-1VL

and [Q]C1-1L properties to the east. Properties across 259th Street to the south are improved with three-story multi-family residential buildings in the [Q]RD1.5-1XL zone. Properties across Frampton Avenue to the west are improved with an LA Water and Power substation and automotive uses in the [Q]MR1-1VL zones, and single-story commercial buildings and automotive uses in the [Q]C2-1VL zone. Therefore, the land uses surrounding the proposed development are compatible with the mixed-use residential development containing commercial and residential uses, and will not be inimical to the health, safety, and welfare of prospective residents.

SITE PLAN REVIEW FINDINGS

13. 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 project site is in the Wilmington - Harbor City Community Plan, and is designated for Community Commercial and Limited Industrial land uses. The Community Commercial land use designation corresponds to the CR, C2, C4, RAS3, P, and PB zones; the Limited Industrial land use designation corresponds to the CM, MR1, M1, and P Zones. The site is zoned [Q]C2-1VL and [Q]CM-1VL and is therefore consistent with the land use designations. The [Q]C2-1VL and [Q]CM-1VL zones allow for R4 (High Medium Residential) land uses and estimates 56 to 109 dwelling units per acre. Height District No. 1VL limits the Floor Area Ratio ("FAR") to 1.5:1 and building height to 45 feet and three (3) stories. The site is subject to Footnote No. 8 which restricts the Community Commercial portion of the site to 3 stories, 45 feet, and 3:1 FAR, as well as Footnote No. 10 which restricts the Limited Industrial portion of the site to 3 stories, 45 feet, and 1.5:1 FAR. Footnote No. 9 of the Community Plan Map requires that properties designated for Community Commercial uses be reserved for commercial and parking uses, except that developments combining residential and commercial uses shall be approved through a procedure similar to a conditional use. The site is subject to Qualified "Q" Conditions established under Ordinance No. 172853 (Subareas 22A and 22B), which has certain usable open space, landscaping, recreation room, architectural treatment, and parking requirements.

As provided under Finding No. 1, the project's averaging, increased FAR, increased height, reduced yards, reduced landscaping, increased recreation room, and waiver of architectural treatment requirements are allowed by the underlying zone in combination with Density Bonus law. The project is designed as singular building with residential uses, open space, and parking spread across the site. The proposed project is a mixed-use residential development with 354 residential units (42 units which are set aside for Very Low Income Households), and 1,500 square feet of ground floor commercial use.

The project has been designed with ground floor commercial space with street entrances and storefront glazing along Pacific Coast Highway. The project provides the primary pedestrian entrance at the corner of Pacific Coast Highway and Frampton Avenue with a public plaza that provides direct access to the lobby, leasing area, and commercial offices that are flanked with recreation rooms. Secondary pedestrian entrances are provided along Frampton Avenue and 259th Street. Residential amenities are provided in a series of open-air courtyards as well as private balconies. The Common open space is provided in a series of open-air courtyards at the ground floor totaling 18,740 square feet, recreation rooms totaling 10,140 square feet, and a 400 square foot roof deck. The courtyards provide a variety of recreational amenities for residents including a pool, spa, lounge seating, and fire table at the Main Pool / Spa Courtyard; dining tables with chairs and umbrellas, outdoor kitchen with breakfast bar, water feature, and fire pit at the South Courtyard; water feature and bench seating at the Southwest Courtyard; and a dog parklet with decomposed granite, synthetic turf, and decomposed

granite at an additional courtyard. The roof terrace also includes a sky deck, dining tables and chairs, and lounge seating.

As provided under Finding No. 5, the proposed project is in substantial conformance with the purpose, intent, and provisions of the General Plan's Framework Element, Wilmington-Harbor City Community Plan, Housing Element, and Mobility Plan, particularly those concerning adding affordable housing near public transit and neighborhood-serving uses.

14. 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.

As provided under Finding No. 4, the project has been designed to be compatible with adjacent properties and surrounding neighborhood. The subject site is in an urbanized area surrounded by multi-family residential, institutional, commercial, and industrial uses. The site is immediately adjacent to automotive uses, fast food and restaurants, and the Kaiser Permanente South Bay Medical Center on [Q]C2-1VL and [Q]C1-1L properties to the east. Properties across 259th Street to the south are improved with three-story multi-family residential buildings in the [Q]RD1.5-1XL zone. Properties across Frampton Avenue to the west are improved with an LA Water and Power substation and automotive uses in the [Q]MR1-1VL zones, and single-story commercial buildings and automotive uses in the [Q]C2-1VL zone.

The proposed project involves the construction of a new six-story, 80-foot tall mixed-use residential building comprised of 354 dwelling units (including 42 Very Low Income units) across five residential levels. The project will be approximately 406,855 square feet in floor area, including 1,500 square feet of commercial, with a Floor Area Ratio ("FAR") of 2.6:1. The project provides the primary pedestrian entrance at the corner of Pacific Coast Highway and Frampton Avenue with a public plaza that provides direct access to the lobby, leasing area, and commercial offices that are flanked with recreation rooms. Secondary pedestrian entrances are provided along Frampton Avenue and 259th Street. Residential amenities are provided in a series of open-air courtyards as well as private balconies.

The project includes a six-story above-grade parking garage at the center of the building that will be mostly wrapped with residential uses and walkways. The project will provide 560 residential and 15 commercial parking spaces, for a total of 575 parking spaces. Vehicular access is provided from a single driveway and curb cut from Frampton Avenue.

Height

The subject site is zoned [Q]C2-1VL and [Q]CM-1VL. Height District No. 1VL limits the Floor Area Ratio ("FAR") to 1.5:1 and building height to 45 feet and three (3) stories per LAMC Section 12.22.A.23. The site is subject to Footnote No. 8 which restricts the Community Commercial portion of the site to 3 stories, 45 feet, and 3:1 FAR, as well as Footnote No. 10 which restricts the Limited Industrial portion of the site to 3 stories, 45 feet, and 1.5:1 FAR. The applicant has requested an Off-Menu Incentive for increased building height of 35 feet and three (3) stories to allow 80 feet and six (6) stories. Strict compliance with the height restrictions would remove the upper residential levels from the proposed building which will limit the ability to construct the residential dwelling units permitted by-right and the Restricted Affordable Units which are of a sufficient size. Although the massing of the project is larger than the existing commercial and residential buildings, the increase in height is granted through the Density Bonus Ordinance. Furthermore, the site is not subject to transitional height because it is not within proximity to RW1 or more restrictive zones.

Bulk/Massing

The proposed mixed-use development has a street frontage of approximately 270 feet on the south side of Pacific Coast Highway, 557 feet on the east side of Frampton Avenue, and 300 feet on the north side of 259th Street. The applicant has requested an FAR of 2.6:1 in lieu of the maximum 1.5:1 to be averaged across the site through Off-Menu Density Bonus Incentives, for a maximum floor area of 406,855 square feet. The proposed project massing exceeds the existing predevelopment pattern, the project proposing a building height of 80 feet and 6 stories. The applicant has also requested a waiver from the architectural treatment requirements of Qualified "Q" Condition No. 1E contained in Ordinance No. 172,853 (Subareas 22A and 22B) which requires projects to incorporate multi-level pitched roof with a minimum pitch of 3 to 12, however the project will still provide varied and modulated rooflines as shown in Exhibit "A". The project provides architectural detailing that enhances the multiple street-facing façades by applying recesses and balconies with varying building materials and colors to incorporate variation in design. In addition, the project is separated from the adjacent residential properties to the south by 259th Street, and the project provides an upper level stepback on Level 5 to minimize the building mass from those southerly neighboring residential properties. Therefore, the project massing will be compatible with existing and future development on adjacent properties and neighboring properties.

Building Materials

The building design incorporates a variety of recesses, balconies, and different materials to add architectural interest to the building and creates distinct breaks in the building plane. These breaks are further differentiated through the use of a variety of building materials that include standing seam metal wall panels, fiber cement lap siding, painted cement plaster, , and metal and glass guardrails. The project will also have an accent wall with ceramic tile or color mural. Together, these elements are applied to create sufficient breaks in plane and articulation.

Entrances

The project provides the primary pedestrian entrance at the corner of Pacific Coast Highway and Frampton Avenue with a public plaza that provides direct access to the lobby, leasing area, and commercial offices that are flanked with recreation rooms. Secondary pedestrian entrances are provided along Frampton Avenue and 259th Street.

Setbacks

The project has been designed to create a strong street wall along Pacific Coast Highway and 259th Street, with front yard setbacks of 3 feet and 2 feet along those street frontages, respectively, in compliance with the yard requirements of the underlying zone. Given all levels of the project would be utilized in whole or in part by residential uses, the Project would therefore be required to provide 10-foot side yard setbacks. The applicant has requested two (2) Waivers of Development Standards for reduced side yard setbacks, and proposes 8-foot easterly and westerly side yard setbacks in lieu of the 10 feet otherwise required.

Parking/Loading

The project site is within a half-mile of intersection of Pacific Coast and Normandie which constitutes as a Major Transit Stop. Although the project is meeting parking requirements of LAMC Section 12.21 A.4, per California Government Code Section 65863.2 (AB 2097) the project site is permitted to provide a minimum of zero parking spaces, encouraging multi-modal transportation and decreasing vehicle miles traveled in the neighborhood. The project will provide a 560 residential and 15 commercial parking spaces for a total of 575 parking spaces. The parking is provided within an enclosed six-story above grade parking garage at the center of the building that will be mostly wrapped with residential uses and walkways. Consistent with the Above-Grade Parking Advisory, the project minimizes impacts to the

public realm and surrounding community through intentional site planning and design by fully integrating the parking garage into the design and form of the project, buffering the parking garage from view by wrapping with active uses, and ensuring driveways are placed far away from primary pedestrian access points. The project will also provide a loading space that is accessed from 259th Street. All vehicular access is provided from a single driveway and curb cut from Frampton Avenue. Thirty percent, that is 168 provided parking spaces, will be EV charging spaces and 10 percent, that is 56 parking spaces, will be equipped with electric vehicle charging stations. The project will also provide 165 long-term and 18 short-term bicycle parking spaces, which is consistent with LAMC Section 12.21 A.16 bicycle parking requirements. Therefore, the project's parking and loading will be fully contained in the enclosed garage, and will not affect street circulation, and will be compatible with surrounding properties.

Lighting

The project is conditioned to ensure that all outdoor lighting provided on-site will be down-cast shielded to prevent excessive illumination and spillage onto adjacent public rights-of-way, adjacent properties, and the night sky. Furthermore, as conditioned, all pedestrian walkways, storefront entrances, and vehicular access ways shall be illuminated.

Landscaping/Open Space

As provided under Finding No. 13, the project will provide a total of 40,990 square feet of open space in compliance with LAMC Section 12.21 G, including a series of open-air courtyards, recreation rooms, and a roof deck, with amenities including a pool, spa, lounge seating, dining tables, outdoor kitchen, breakfast bar, water feature, dog parklet, and sky deck. The applicant has not requested a reduction in the amount of required open space under LAMC Section 12.21 G, however a Waiver of Development Standard was requested to reduce the amount of landscaping required, as well as increase the amount of recreation rooms to be provided, in order to provide more usable open space. The project proposes to remove 24 non-protected trees subject to the approval of Urban Forestry, and will plant 102 new trees (including Fern Pine, Holly Oak, Raywood Ash, Queen Palm, New Zealand Christmas, Carrotwoot, Medjool Date Palm, King Palm, Dragon Tree, Blue Yucca, Swan Hill Olive, Southern Live Oak, Bronze Loquat, Brisbane Box and Sweet Bay) as provided in Exhibit "A". The project is conditioned to submit landscape plans by a licensed landscape architect or licensed architect to show the size and location of all plants, and ensure sufficient depth and soil volume for trees and green roofs. In addition, the project provides a public plaza at the corner of Pacific Coast Highway and Frampton Avenue that is separate from the residential open space, and features a monument feature, enhanced paving, and bicycle parking.

Street Dedications, Improvements, and Trees

The Bureau of Engineering has required dedication and improvement requirements along Frampton Avenue and 259th Street which have the potential to affect existing street trees. Prior to any work on the adjacent public right-of-way, the applicant will be required to obtain approved plans from the Department of Public Works. As there currently is no approved right-of-way improvement plan and for purposes of conservative analysis under CEQA, Planning has analyzed the worst-case potential for removal of all street trees. Note that street trees and protected trees shall not be removed without prior approval of the Board of Public Works/Urban Forestry (BPW) under LAMC Sections 62.161 - 62.171. At the time of preparation of this environmental document, no approvals have been given for any tree removals on-site or in the right-of-way by BPW. The City has required a Tree Report to identify all protected trees/shrubs on the project site and all street trees in the adjacent public right-of-way. There are no protected or non-protected trees on the site, as verified in the Tree Evaluation Report prepared by Arbogate Consulting, Inc. dated February 3, 2022 and reviewed by the Urban Forestry Division on December 21, 2022. There are thirteen (13) non-

protected street trees along the public right-of-way along Frampton Avenue and 259th Street, all of which may be removed as part of the project due street dedication and improvement requirements from the Bureau of Engineering, which will be subject to Urban Forestry Division review and approval. The project assumes a worst-case scenario of removing all street trees, in the event of changes to the right-of-way improvement plans after approval of the environmental clearance. However, this environmental analysis does not authorize the removal of any street trees without prior approval of Urban Forestry, in compliance with LAMC Sections 62.169 and 62.170 and their applicable findings.

Trash Collection

Trash and recycling areas are conditioned to be located within the first level of the parking garage to ensure that they are fully enclosed to be not visible from public view from the street. Therefore, trash collection will not affect circulation for surrounding properties.

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

The proposed project provides recreational and service amenities that will improve habitability for the residents and minimize any impacts on neighboring properties. The project will provide a total of 40,990 square feet of open space in compliance with LAMC Section 12.21 G. Common open space is provided in a series of open-air courtyards at the ground floor totaling 18,740 square feet, recreation rooms totaling 10,140 square feet, and a 400 square foot roof deck. The courtyards provide a variety of recreational amenities for residents including a pool, spa, lounge seating, and fire table at the Main Pool / Spa Courtyard; dining tables with chairs and umbrellas, outdoor kitchen with breakfast bar, water feature, and fire pit at the South Courtyard; water feature and bench seating at the Southwest Courtyard; and a dog parklet with decomposed granite, synthetic turf, and decomposed granite at an additional courtyard. The roof terrace also includes a sky deck, dining tables and chairs, and lounge seating. The project also provides 234 private balconies totaling 11,700 square feet of for use as private open space for individual units. The applicant has not requested a reduction in the amount of required open space, however a Waiver of Development Standard was requested to reduce the amount of landscaping required, as well as increase the amount of recreation rooms to be provided, in order to provide more usable open space. Therefore, the proposed project provides sufficient recreational and service amenities for its residents, minimizing any impacts on neighboring properties.

ENVIRONMENTAL FINDINGS

16. Housing Element Streamlining Checklist. The proposed project was found to be within the scope of the 2021-2029 Housing Element Environmental Impact Report (EIR), SCH No. 2021010130, ENV-2020-672-EIR, certified on November 24, 2021 (Housing Element EIR), and the Addendum No. ENV-2020-6762-EIR-ADD1 adopted on June 12, 2022 and the Addendum No. ENV-2020-6762-EIR-ADD2 adopted on December 10, 2024. The proposed project, which includes the development of 420,327 housing units (cumulatively, 456,643), is within the scope of the 2021-2029 Housing Element as it will build out the City's regional housing needs assessment (RHNA). A CEQA Streamlining Checklist for a Project Within the Scope of the Housing Element Program EIR, ENV Case No. ENV-2024-4112-HES (HE Streamlining Checklist), was prepared for the proposed project, pursuant to CEQA Guidelines Section 15168(c). Section 15168(c) provides for limited environmental review of subsequent projects under a Program EIR, where the project is found to be an activity within the scope of the program for which the EIR was prepared, and the impacts of the project are within the scope of the impacts analyzed in the EIR. Council found that the Housing Element EIR analyzed the impacts of the build-out of the RHNA, which involves the development of housing

citywide. The HE Streamlining Checklist was prepared by staff to determine whether the impacts of the proposed project are within the scope of the Housing Element EIR. The prepared HE Streamlining Checklist supports that the impacts of the proposed project are within the scope of the Housing Element EIR and that no significant environmental effects not examined in the Program EIR will occur from the proposed project. All required mitigation measures from the Housing Element EIR Mitigation Monitoring Program (MMP) will be imposed on the proposed project. An MMP for the proposed project has been prepared for adoption by the decisionmaker.

17. Flood Insurance.

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 in Flood Zone X, areas of minimal flood hazard.