

FINDINGS

DENSITY BONUS / AFFORDABLE HOUSING INCENTIVES PROGRAM FINDINGS

1. **Government Code Section 65915 and LAMC Section 12.22 A.25(c) 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 incentives do not result in identifiable and actual cost reduction to provide for affordable housing costs per State Law. The California Health & Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs for very-low, low, and moderate-income households. Section 50052.5 addresses owner-occupied housing and Section 50053 addresses rental households. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed 25 percent gross income based on area median income thresholds dependent on affordability levels.

The applicant proposes to construct a total of 77 dwelling units, of which 12 dwelling units will be set aside for Very Low Income Household Occupancy for a period of 55 years. Density Bonus projects are eligible for four (4) incentives if they reserve at least 16 percent of base dwelling units for Very Low Income Households. Based on the set-aside of 16 percent of base units for Very Low Income households, the applicant is entitled to four (4) Incentives under the Government Code. Therefore, the three (3) On and Off-Menu Incentive requests qualify as the proposed development's Incentives.

Averaging: As the site contains two (2) different zones of C2-1VL and R4P-1 with different zoning requirements, the project shall be allowed up to average development rights related to FAR, density, open space, and vehicular access over the project site. This incentive does not increase or decrease the development rights or requirements, but allows them to be averaged across the site instead of segregated into the underlying C2-1VL and R4P-1 Zones. Limiting the project to a 1.5:1 FAR in the C2-1VL Zone and a 3:1 FAR in the R4P-1 Zone would cause an uneven distribution of dwelling units and massing, restricting the building envelope and increasing construction costs. The requested incentive will allow the developer to create a uniform development and accommodate the intended level of density, including the construction of the Restricted Affordable unit, and the necessary circulation and common amenity space. The averaging incentive will permit floor area, density, and open space to be distributed across the entire Project site which would result in building design and construction efficiencies that provide for affordable housing costs. In addition, due to the zoning of the lots, the project requires the ability to have vehicular access from a less restrictive zone to a more restrictive zone.

FAR: The portion of the property that is zoned C2-1VL allows for a maximum FAR of 1.5:1, and the portion of the property that is zoned R4P-1 allows for a maximum FAR of 3:1. The applicant has requested an incentive to allow an averaging of the FAR across the two zones, and a second incentive to increase the allowable FAR by 35 percent up to 2.99:1. The project is for the construction of 74,282 square feet of floor area with a

2.99:1 FAR across six stories and an average of 12,380 square feet of floor area for each floor. The limitation of the maximum allowed FAR would limit the ability to provide space for the construction of the residential dwelling units permitted by-right and the Restricted Affordable Units which are of a sufficient size. 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. As proposed, the additional FAR will allow for the construction of the affordable residential units. The requested incentives will allow the developer to expand the building envelope which ensures that all units are of habitable size and the overall space dedicated to residential units is increased.

	FAR by-right	Buildable Lot Area (sf)	Base Floor Area (sf)
C2-1VL Zone	1.5:1	13,007	13,007 x 1.5 = 19,510
R4P-1 Zone	3:1	11,845	11,845 x 3 = 35,535
Total	2.24:1	24,852	55,045

	FAR Requested	Requested Floor Area (sf)	Additional Floor Area (sf)
Averaged	2.99:1	74,282	74,282 – 55,045 = 19,237

Height: The subject site is zoned C2-1VL which allows a maximum height of 45 feet and three-stories, and R4P-1 which allows for unlimited height. The applicant has requested an incentive to allow an increase in building height to 71 feet and six-stories. As proposed, the increased building height will allow the developer to expand the building envelope to allow for the construction of the affordable residential units and floor area, whose rents will provide for the operational costs of the affordable units..

- b. The incentive(s) will have a 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 are no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety (Government Code Section 65915(d)(1)(B) and 65589.5(d)).**

There is no substantial evidence in the record that the proposed 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)). As required by Section 12.22 A.25 (e)(2), the project meets the eligibility criterion that is required for density bonus projects. The project also 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. Therefore, there is no substantial evidence that the proposed incentive(s) will have a specific adverse impact on public health and safety, or on property listed in the California Register of Historic Resources. Based on the above, there is no basis to deny the requested incentives.

c. The incentive(s) are contrary to state or federal law.

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 two (2) 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 concession or incentive would be contrary to state or federal law.

There is no substantial evidence in the record indicating that the requested Incentives are contrary to any State or federal laws.

A project that meets the requirements of Government Code Section 65915 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 request for the following is recommended as Waivers of Development Standards. Without the below Waivers, the existing development standards would physically preclude development of the base units, build out of the incentives, and project amenities:

Yards: The subject site is zoned C2-1VL and R4P-1 which requires rear yard setbacks of 18 feet. The applicant has requested waivers for a reduction of the required rear yard setback to allow for minimum setback of 5 feet. The request for an additional 26 feet and three (3) stories is needed to construct the number of units that the requested density bonus allows. Strict application of the rear yard requirements would remove thirteen (13) feet from the proposed building, resulting in a loss of square footage for 12 dwelling units across Levels two through six, in addition to the rents from those units and that floor area on those five (5) stories. An increased rear yard setback will also limit the ability to construct at a sufficient marketable size, the proposed residential units. As proposed, the reduced rear yard setbacks will allow the developer to expand the building footprint, to allow for the construction of the affordable residential units and floor area, whose rent will provide for the operational costs of the affordable units. The requested waiver will allow the project to expand the building envelope so that additional units can be constructed, provide for design efficiencies and allow the overall space dedicated to residential uses to be increased.

Transitional Height: The subject site is zoned C2-1VL and R4P-1. Los Angeles Municipal Code (LAMC) Section 12.21.1 requires any project within the C or M zone to transition within a varied proximity of the RW or more restrictive zone. Since the subject site has a split zone, if subject to the transitional height requirements, the proposed project would have to transition from itself. The limitation on the height would remove

the half of the uppermost three (3) stories from the proposed building, resulting in a loss of 24 total dwelling units across Levels four through six, in addition to the rents from those units and that floor area on those three (3) stories. A limitation on the height will also limit the ability to construct at a sufficient marketable size, the proposed residential units. The strict restriction of zoned height and imposition of transitional height would physically preclude the development of the project and the requested density of 77 dwelling units by reducing the habitable square footage of 24 dwelling units. The Waiver further supports the applicant's decision to reserve 12 units for Very Low Income households and facilitates the creation of affordable housing units.

- b. **The waiver will have specific adverse impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there 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 that the proposed density bonus incentives will have a specific adverse impact upon public health and safety, or any real property that is listed in the California Register of Historical Resources. A "specific adverse impact" is defined as "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete."

The project does not involve a historic structure, is not located on a substandard street in a hillside area, a Very High Fire Hazard Severity Zone, or Alquist-Priolo Zone. There is no evidence in the record which identifies a written objective health and safety standard that has been exceeded or violated. There is no substantial evidence in the record that the proposed incentives will have a specific adverse impact on the physical environment, on public health and safety, and on property listed in the California Register of Historic Resources. Therefore, there is no substantial evidence that the proposed incentives will have a specific adverse impact on public health and safety or on any real property listed in the California Register of Historical Resources.

PROJECT REVIEW

5. **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 subject site is located at 2930 – 2936 South Sepulveda Boulevard. The project site is located in the West Los Angeles Community Plan Area. The project site consists of three contiguous lots totaling approximately 25,756 square feet with approximately 130 feet of frontage along the east side of Sepulveda Boulevard and a varied depth of approximately 194 feet. The project site is located in the C2-1VL and R4P-1 zones which limits building height to a maximum of 45 feet on the C2-1VL half of the site and has an unlimited height on the R4P-1 half of the site. The project is the construction, use, and maintenance of a 71-foot high, six story, 77-unit residential development including 12 units set aside for Very Low-Income Households, and two subterranean parking levels including 84 parking spaces. The project includes a total Floor Area of 74,282 square feet with a 2.99:1 FAR. There are 60 long term residential bicycle parking spaces and 6 short term residential bicycle parking spaces for a total of 66 bicycle parking spaces.

The Citywide General Plan Framework is a guide for communities to implement growth and development policies by providing a comprehensive long-range view of the City as a whole. The General Plan Framework establishes categories of land use including Multi-Family Residential that are broadly described by ranges of intensity/density, heights, and lists of typical uses. The definitions reflect a range of land use possibilities found in the City's already diverse urban, suburban, and rural land use patterns. The project is consistent with and advances the following objectives and policies of the General Plan Framework:

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

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

General Plan Framework Element Chapter 4 - Housing:

Goal 4A. An equitable distribution of housing opportunities by type and cost accessible to all residents of the City.

Objective 4.1. Plan the capacity for and develop incentives to encourage production of an adequate supply of housing units of various types within each City sub region to meet the projected housing needs by income level of the future population to the year 2010.

Objective 4.2. Encourage the location of new multi-family housing development to occur in proximity to transit stations, along some transit corridors, and within some high activity areas with adequate transitions and buffers between higher-density developments and surrounding lower-density residential neighborhoods.

Objective 4.3. Conserve scale and character of residential neighborhoods.

The project will provide 77 apartment units, including 12 units set aside for Very Low Income households. Thus, supplementing the existing housing stock in the West Los Angeles Community Plan area with diversity and contributing to the affordable housing supply. The project is in close proximity and has access to bus options that provide robust public transportation options around the site and greater Los Angeles metropolitan area. This provides regional connectivity from the Beach cities, through West Los Angeles, and to Downtown Los Angeles and the larger Los Angeles Region, including the Los Angeles International Airport.

The Proposed Project has a height of 71 feet, which is appropriate with existing and future developments. Additionally, the Site is located just under 150 feet away from the relatively busy intersections of Sepulveda Boulevard and National Boulevard and is next door to a school that is four stories, similar to the proposed project. Therefore, the Project is consistent with the General Plan as it supports the addition of residential units near commercial districts with transit options.

Consistent with the Goal and Policies noted above, the project proposes to develop a residential development with 77 residential apartment units including 16% of the base

density units set aside for Very Low Income households, having a variety of unit sizes and types, to meet the diverse economic and physical needs and overall demand for the projected increased population in the community plan area. The project contains a range of units from studio- to two-bedroom units, which are intended to accommodate families of all types, as well as 12 units of which will be set aside for Very Low Income households, in order to generate a mixed-income project where families can support each other's stability and growth. As discussed above, the Project will help to alleviate the ongoing housing crisis in Los Angeles and will address the critical demand for affordable housing in the City without displacing existing residential tenants.

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 77 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 height, and reduced setbacks, thereby allowing the creation of affordable units. Pursuant to Density Bonus requirements, 16 percent (12 units) of the base 74 density 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 retail, commercial,

recreational, 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. Maintaining the existing street trees will help achieve the City's goals for environmentally sustainable urban design standards and pedestrian-oriented improvements.

Mobility Plan 2035

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

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

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 for the construction of a residential mixed-income development that provides housing opportunities in proximity to public transit along the Santa Monica Boulevard and utilizes AB 2345 to reduce parking consistent with state law, encouraging multi-modal transportation and decreasing vehicle miles traveled in the neighborhood. The site is located along a portion of Sepulveda Boulevard that is designated by the Mobility Plan as a Boulevard II. The project will also provide 60 long-term and 6 short-term bicycle parking spaces, which is consistent with LAMC Section 12.21 A.16 bicycle parking requirements. Maintaining the two existing street trees will help achieve the City's goals for environmentally sustainable urban design standards and pedestrian-oriented improvements.

Land Use Element – West Los Angeles Community Plan

The project site is in the West Los Angeles Community Plan, and is designated for Community Commercial land uses, with corresponding zones of CR, C2, C4, RAS3, RAS4, P, and PB. The site is split zoned with the C2-1VL zone along the westerly half of the site and the R4P-1 zone along the easterly half of the site and is consistent with the land use designation.

Consistent with the Community Plan, the proposed 77-unit residential development, which includes 12 Very Low-Income units, adds new multi-family housing and much needed affordable housing to Los Angeles's housing supply, in a neighborhood that is conveniently located to a variety of destinations, community services and amenities, and multi-modal transportation options.

The proposed project aligns with the intent of the West Los Angeles Community Plan including the following:

Policy 1-1.3: Provide for adequate multi-family residential development.

Objective 1-2: To reduce vehicular trips and congestion by developing new housing in proximity to adequate services and facilities.

- Policy 1-2.1: Locate higher residential densities near commercial centers and major bus routes where public service facilities and infrastructure will support this development.
- Policy 1-4.1: Promote greater individual choice in type, quality, price and location of housing
- Policy 1.4-3: Encourage multiple residential development in specified commercial zones.
- Objective 2-1: To conserve and strengthen viable commercial development and to provide additional opportunities for new commercial development and services within existing commercial areas.
- Policy 2-1.1: New commercial uses shall be located in existing established commercial areas or shopping centers.
- Policy 2-2.1: Encourage Pedestrian-oriented design in designated areas and in new development.

The proposed project meets the above goal, policies, and objective by providing multi-family dwelling units in a new, safe, and secure building. The proposed project is located within a neighborhood designated for Community Commercial Land Uses, which includes multiple-family residential uses, and is well served by facilities and necessary infrastructure. The site is near several bus stops, which encourages alternative modes of transportation. Planting new street trees will help achieve the City's goals for high-quality pedestrian access for a safe and comfortable walking environment. The 12 affordable units will ensure that the proposed project is accessible to lower-income segments of the population.

Therefore, the proposed project is consistent with the purposes, intent and provisions of the General Plan, West Los Angeles Community Plan, Housing Element, and Mobility Plan by meeting several of its goals, objectives, and policies. Specifically, the project would provide housing and commercial uses on underutilized land to 1) accommodate necessary residential growth and provide a mix of apartment sizes and affordability levels, including rent restricted units for Very Low Income households, and 2) reinforce an existing mixed-use corridor by providing an array of housing options, improved streetscape, and landscaping, that would be inviting to nearby residents and pedestrians along Sepulveda Boulevard.

6. 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 pertinent improvements, that is or will be compatible with existing and future development on adjacent properties and neighboring properties.

As shown in Exhibit A, the proposed project will be compatible with existing and future development on the neighboring properties. The project site is an infill site surrounded by commercial and residential land uses. The property is fully developed with streets, sidewalk, gutter, sewer and street trees. The surrounding neighborhood is characterized by commercial, institutional, and mixed-use development with single-family residential across the alley to the rear. The property adjacent to the north is in the C2-1VL and R4P-1 Zone and developed with a 4-story school with a 5-story residential development just north of that in the (T)(Q)C2-1 zone. The properties to the east across the alley are zoned R1-1 and developed with single-story single-family homes. The property to the south across the alley is zoned C2-1VL and is developed with a three-story medical facility. Properties to the west across Sepulveda Boulevard are zoned C2-1VL and are developed with single-story commercial uses. The proposed building form and bulk is consistent with height limits allowed through Density Bonus incentives and waivers.

Height

The subject site is zoned C2-1VL which permits a height of 45 feet and R4P-1 which permits an unlimited building height. The property adjacent to the north is in the C2-1VL and R4P-1 Zone and developed with a 4-story school with a 5-story residential development just north of that in the (T)(Q)C2-1 zone. The property to the south across the alley is zoned C2-1VL and is developed with a three-story medical facility. Therefore, the addition of a new 6-story residential development is comparable to other existing developments in proximity to the project. The applicant has requested an increase for 26 additional feet in height to allow for 71 feet and 6 stories through a Waiver of Development Standards. The proposed height is consistent with height limits allowed through Density Bonus incentives and waivers.

Bulk and Setbacks

In the C2-1VL and R4P-1 zones, the setbacks and open space areas for projects involving new construction shall be developed in accordance with the underlying zone. Developments in the C2-1VL Zone are subject to R4 rear yard setbacks and developments in the R4P-1 zone are required to provide a minimum 18-foot rear yard setback. As designed the project is proposed with a minimum five-foot rear yard setback at the lowest residential floor which is the first story of the building. The u-shaped building will allow relief from the school to the north, and roof deck will allow relief from residential to the east.

Entrances

The primary pedestrian entrance is located along Sepulveda Boulevard that will provide direct access to the lobby, parcel/mail room, leasing office, and elevators. The pedestrian entrance is recessed and enhanced with a metal planter wall to be differentiated from the remainder of the street frontage.

Materials

The project is proposed with a variety of building materials including both metal and fiber cement panels, aluminum storefront glazing, and a mix of both glass and plaster balconies. The provided variations of materials and building depths create visual interest and promote best practices for 360 degree design.

Off-Street Parking Facilities

The above grade parking is completely screened along Sepulveda Boulevard by habitable floor area and building systems. Vehicular access to the parking structure is accessible from the alley to the south of the property. Additionally, the project will provide a total of 84 residential vehicular parking spaces. The project will also provide 60 long term residential bicycle parking spaces and 6 short term residential bicycle parking spaces, for a total of 66 bicycle parking spaces.

Lighting

All pedestrian walkways and vehicle access points will be well-lit. Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above. As required by Condition Number 18, all outdoor lighting will be shielded to prevent excessive illumination and mitigate light impacts on adjacent residential properties and the public right-of-way.

Landscaping

The project includes approximately 8,608 square feet of open space areas, including 2,381 square feet of courtyard space, and 964 square feet for a roof deck, both of which are proposed as usable open space for residents and are designed with landscaping and seating. Approximately 1,198 square feet of the total open space will be landscaped. There are 19 trees required for the development. The project is proposed with 22 trees including one new street tree in addition to the two existing street trees proposed to remain. The proposed project's landscaping creates a pedestrian friendly environment along the

sidewalk providing an attractive and inviting entrance to the development and there will be several trees located along the northern side of the building courtyard to create a buffer between the adjacent school and the project.

Trash Collection

A trash and recycling room will be located on the ground level directly accessible from the parking garage. The parking garage is accessible from the alley. Each floor, except the roof level will have a trash room convenient to residents.

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

The project includes recreational facilities and amenities that will improve the habitability for the residents and will minimize impacts on neighboring properties. The building is proposed with a second story 2,381 courtyard that is adjacent to an indoor 1,285 square foot fitness room, 964 square foot roof deck, all of which is proposed as usable open space for residents and is designed with landscaping and seating. The project will provide a total of 8,608 square feet of open space and 3,250 square feet of private balconies. The proposed project's landscaping creates a pedestrian friendly environment along the sidewalk providing an attractive and inviting entrance to the development and there will be several planters located along the sidewalk and on the building façade to create visual interest to the project.

CEQA FINDINGS

The Planning Department determined that the City of Los Angeles Guidelines for the implementation of the California Environmental Quality Act of 1970 and the State CEQA Guidelines designate the subject project as Statutorily Exempt under California Public Resource Code Section 21080.66.

A project qualifies for a Statutory Exemption if it is developed as a Housing Development Project as defined as 65905.5(b) of the California Government Resource Code and meets the following eligibility criteria and procedural requirements:

Eligibility Criteria

- a. Site is 20 acres or less.
- b. Site is previously developed or 75 percent of the perimeter of the site adjoins parcels developed with urban uses.
- c. Project is consistent with General Plan and Zoning; if the plan or zone is inconsistent, then consistent with the plan or the zoning.
- d. Density is 15 dwelling units per acre (for City of Los Angeles) or more.
- e. Site is not located within a coastal zone, farmland, wetlands (as defined by the U.S. Fish and Wildlife Service), very high fire hazard severity zone unless mitigation exists, hazardous waste site listed pursuant to PRC 65962.5, earthquake fault zone, special flood plain, floodway, habitat conservation plan, habitat for protected special status species, conservation easement.
- f. Not demolishing designated historic resource.
- g. No portion of the project is for hotel, motel, other transient lodging (not including residential hotel or resident use as short-term lodging).

Procedural Requirements

- a. Tribal Notification/Consultation
- b. Condition for Phase I Environmental Site Assessment (ESA) and if necessary, mitigation is necessary.

- c. Conditions added to housing within 500 feet of freeway.

Project Description

The project is the construction, use, and maintenance of a 71-foot high, six story, 77-unit residential development including 12 units set aside for Very Low-Income Households, and two subterranean parking levels including 84 parking spaces. The project includes a total Floor Area of 74,282 square feet with a 2.99:1 FAR. There are no existing trees on site, however there are two (2) existing trees within the public right-of-way adjacent to the subject property proposed to remain. There is an existing one-story commercial office building and surface parking lot proposed to be demolished, and a haul route for the export of approximately 9,771 cubic yards of soil proposed as a part of the project.

As a qualifying Housing Development Project as defined in Section 65905.5(b) of the California Government Resource Code, the project qualifies for the Statutory CEQA Exemption pursuant to California Public Resource Code Section 21080.66 as described below:

SITE AND ENVIRONMENTAL CRITERIA

- a. *Site is 20 acres or less.*

The project site is approximately 0.593 acres pre-dedications per the Zone Information & Map Access System (ZIMAS).

- b. *Site is previously developed with or 75 percent of the perimeter of the site adjoins parcels developed with urban uses.*

The site was previously developed with a commercial bank since 1961.

The surrounding neighborhood is characterized by commercial, institutional, and multi-family residential, with single-family to the rear of the subject site. The property adjacent to the north is in the C2-1VL and R4P-1 Zone and developed with a 4-story school, with a 5-story residential development just north of the school in the (T)(Q)RAS4-1 Zone. The properties to the east across the alley are zoned R1-1 and developed with single-story single-family homes. The property to the south across the alley is zoned C2-1VL and is developed with a three-story medical facility. Properties to the west across Sepulveda Boulevard are zoned C2-1VL and are developed with single-story commercial uses.

- c. *Project is consistent with General Plan and Zoning; if the plan or zone is inconsistent, then consistent with the plan or the zoning.*

The project site is located in the West Los Angeles Community Plan Area and has a General Plan Land Use Designation of Community Commercial. As shown in the case file, the project is consistent with the applicable West Los Angeles Community Plan designation and policies and all applicable zoning designations and regulations.

The project seeks a density bonus request with two on-menu incentives, one off-menu incentive and two waivers of development standards that are established in the Los Angeles Municipal Code (LAMC). Additionally, the project requires a Project Review as a development that creates more than 50 new residential dwelling units. The project meets the requirements of the State and City density bonus law. Excluding the incentive and waiver requests to deviate from the LAMC standards,

- d. *Density is 15 dwelling units/acre (for City of Los Angeles) or more.*

The Project proposes 77 dwelling units and the site is approximately 0.591 acres, making the proposed density approximately 130 dwelling units per acre.

- e. *Not located within a Coastal Zone, farmland, wetlands (defined by USFW), VHFHSZ unless mitigation exists, hazardous waste site listed pursuant to PRC 65962.5 or DTSC pursuant to H&S Code 25356 – unless site has been cleared for residential use, earthquake fault zone, special flood hazard area, regulatory floodway, habitat conservation plan, habitat for protected special status species, conservation easement.*

The project site is not located within a coastal zone, farmland, wetlands (as defined by USFW), very high fire hazard severity zone unless mitigation exists, hazardous waste site listed pursuant to PRC 65962.5, earthquake fault zone, special flood plain, floodway, habitat conservation plan, habitat for protected special status species, or conservation easement.

- f. *Not demolishing designated historic resource (designated before preliminary application).*

The project site was not identified on SurveyLA, the citywide Historic Resources Database of Los Angeles, as a potential individual resource. Therefore, the project will not result in a substantial adverse change to the significance of a historic resource and this exception does not apply.

- g. *No portion of the project is for hotel, motel, other transient lodging (not including residential hotel or resident use as short-term lodging).*

No portion of the Project shall be used for hotel, motel, or other transient lodging.

PROCEDURAL CRITERIA

- a. *Tribal Notification/Consultation*

The City has met the tribal notification and consultation requirement as evidenced in the case file. This includes the City providing formal notification via certified mail to each California Native American Tribe that is traditionally and culturally affiliated with the project as an invitation to consult on the proposed project, its location, and the project's potential effects on tribal cultural resources. Additionally, this includes adhering to the requisite number of days for a tribe to request consultation and to accept the invitation to consult, and the City to initiate and close consultation.

- b. *As a condition of approval, the applicant will be required to submit a Phase 1 Environmental Site Assessment (ESA) to identify any potential exposures to hazardous conditions. If necessary, mitigated to current federal and state standards.*

A Phase 1 Environmental Site Assessment (ESA), prepared by Partner Engineering and Science Inc., dated April 30, 2012 was submitted into the public administrative record. The ESA did not reveal evidence of recognized environmental conditions in connection with the subject property. The subject property historically appeared to be utilized for agricultural purposes prior to the construction of the existing structure. There is a potential that agriculturally related chemicals: pesticides, herbicides, and fertilizers may have been used and stored on site. The subject property is currently developed with a commercial building with paved parking areas and landscaped areas. During development activities

at the subject property, near surface soils (where residual pesticide concentrations would have most likely been present, if at all) would have been mixed with fill material or disturbed during grading. Also, it is common that engineered fill material was placed over underlying soils as part of the development activities. Furthermore, it is likely that residual pesticides (if any) would have degraded since the subject property was last utilized for agricultural purposes. Therefore, the former agricultural use of the subject property is not expected to represent a significant environmental concern.

Based on the construction date of the subject building, it is possible that asbestos-containing materials (ACMs) are present on the subject property. Overall, suspect ACMs were observed in good condition and do not pose a health and safety concern to the occupants of the subject property at this time. Suspect ACMs should be sampled prior to repair, renovation, or demolition activities.

Based on the conclusions of this assessment, Partner recommends the following:

An Operations and Maintenance (O&M) Program should be implemented in order to safely manage the suspect ACMs located at the subject property.

As required by Conditions 31, 32, and 33 of this determination, the project is condition to satisfy this recommendation.

c. Freeway – Additional Conditions of Approval for Projects within 500 feet of a Freeway.

The subject site is within 500 feet of a freeway and therefore conditions of approval for the freeway proximity requirements will ensure that applicants provide HVAC, filtration, and other related design specifications to Los Angeles Department of Building and Safety (LADBS) to ensure compliance.