

PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL CASE:	COUNCIL DISTRICT:
CPC-2024-5534-DB-VHCA-1A	ENV-2024-5535-SE	1 – Hernandez
RELATED CASE NOS.:	COUNCIL FILE NO:	PROCEDURAL REGULATIONS:
☒ N/A	☒ N/A	☐ Ch. 1 as of 1/21/24 (Not subject to Processes & Procedures Ord.) ☒ Ch. 1A (Subject to Processes & Procedures Ord.)
PROJECT ADDRESS / LOCATION:		
2413 – 2499 North Silver Lake Boulevard		
APPLICANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Fang Qian Morgan Fang Qian Morgan EGST Trust & Seth James Morgan EGST Trust	(310) 751-0683	sgaexpansion@gmail.com
APPLICANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Gary Benjamin, Alchemy Planning + Land Use	(213) 479-7521	gary@alchemyplanning.com
APPELLANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Pat Hadnagy	(323) 893-4000	pathadnagy@yahoo.com
APPELLANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
☒ N/A		
PLANNER CONTACT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Marie Pichay	(213) 978-1470	marie.pichay@lacity.org
ITEMS FOR CITY COUNCIL CONSIDERATION (IE. ENTITLEMENTS, LEGISLATIVE ACTIONS):		
Project Review (PR): A Project Review for a project which results in an increase of 50 or more residential dwelling units, pursuant to LAMC Section 13B.2.4 of Chapter 1A		
FINAL ENTITLMENTS NOT ADVANCING FOR CITY COUNCIL CONSIDERATION: (UNAPPEALED OR NON-APPEALABLE ITEMS)		
Density Bonus (DB)		
ITEMS APPEALED:		
Project Review (PR)		

ATTACHMENTS:	REVISED:	ENVIRONMENTAL DOCUMENT:	REVISED:
☒ Letter of Determination	☐	☐ Categorical Exemption (CE) (Notice of Exemption)	☐
☒ Findings of Fact	☐	☐ Statutory Exemption (SE) (Notice of Exemption)	☐
☒ Staff Recommendation Report	☐	☐ Negative Declaration (ND)	☐
☒ Conditions of Approval	☐	☐ Mitigated Negative Declaration (MND)	☐
☐ T Conditions	☐	☐ Environmental Impact Report (EIR)	☐
☐ Proposed Ordinance	☐	☐ Mitigation Monitoring Program (MMP)	☐
☐ Zone Change Map and Ordinance	☐	☐ Sustainable Communities Project Exemption (SCPE)	☐
☐ GPA Resolution	☐	☐ Sustainable Communities Environmental Assessment (SCEA)	☐
☐ Land Use Map	☐	☐ Sustainable Communities Environmental Impact Report (SCEIR)	☐
☐ Exhibit A – Plans	☐	☐ Appendices	☐
☒ Mailing List (both Word and PDF)	☐	☐ Other:	☐
☒ Interested Parties List	☐		
☒ Appeal	☐		
☐ Development Agreement	☐		
☐ Site Photographs	☐		
☐ Other:	☐		

NOTES / INSTRUCTIONS:

Please create Council File.

CITY COUNCIL NOTICE TIMING:	NOTICE LIST (SELECT ALL):	NOTICE PUBLICATION:
☐ 10 days ☐ 15 days ☒ 24 days ☐ N/A / None ☐ Other: [enter here if applicable]	☒ Owner ☒ Applicant ☐ Adjacent/Abutting ☐ 100' radius ☒ 300' radius ☐ 500' radius ☐ Neighborhood Council ☒ Interested Parties ☒ Other: CD1	☐ 10 days ☐ 15 days ☒ 24 days ☐ N/A / None ☒ Other: 10 day site posting

FISCAL IMPACT STATEMENT:

☐ Yes
 ☒ No
 *If determination states administrative costs are recovered through fees, indicate "Yes."

PLANNING COMMISSION:

☒ City Planning Commission (CPC) ☐ Cultural Heritage Commission (CHC) ☐ Central Area Planning Commission ☐ East LA Area Planning Commission ☐ Harbor Area Planning Commission	☐ North Valley Area Planning Commission ☐ South LA Area Planning Commission ☐ South Valley Area Planning Commission ☐ West LA Area Planning Commission
---	---

PLANNING COMMISSION HEARING DATE:	COMMISSION VOTE:
June 11, 2026	5 – 0
LAST DAY TO APPEAL:	DATE APPEALED:
August 12, 2026	August 6, 2026
COUNCIL TIME TO ACT:	TIME TO ACT START:
☐ 30 days ☐ 45 days ☐ 60 days ☐ 75 days, ☐ 90 days ☐ 120 days ☐ N/A / None ☐ Other: [enter here if applicable]	☐ Appeal Filing Date ☐ Received by Clerk ☐ Last Day to Appeal ☐ N/A / None ☐ Other: [enter here if applicable]
TRANSMITTED BY:	TRANSMITTAL DATE:
Cecilia Lamas Commission Executive Assistant II	August 25, 2026



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: JULY 28, 2026

Case No.: CPC-2024-5534-DB-PR-VHCA

Council District: 13 – Soto-Martinez

CEQA: ENV-2024-5535-SE

Plan Area: Silver Lake – Echo Park – Elysian Valley

Project Site: 2413 – 2499 North Silver Lake Boulevard

Applicant: Fang Qian Morgan, EGST Trust
Representative: Gary Benjamin, Alchemy Planning + Land Use

At its meeting on **June 11, 2026**, the Los Angeles City Planning Commission took the actions below in conjunction with the following Project:

Demolition of five existing carports and accessory structures in an existing residential development with seven residential buildings including 48 existing units on a site spanning 11 lots with 88,773 square feet of lot area. The construction, use, and maintenance of three new residential buildings, including one four story building and two five story buildings, adding a total of 76 new dwelling units, of which six are reserved for Very Low Income households. The Project will add 71,269 square feet of new floor area for a total Floor Area Ratio (FAR) of 1.44:1 and 124 dwelling units. The Project will provide 119 parking spaces across three, two level subterranean parking lots in addition to 59 long-term bicycle parking spaces and six short-term bicycle parking spaces. The Project is removing four non-protected on-site trees and will provide 144 trees, and proposes the export of approximately 35,600 cubic yards of soil.

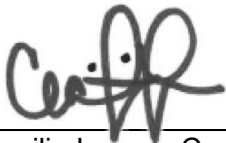
1. **Determined**, based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to California Public Resource Code Section 21080.66;
2. **Approved**, pursuant to Chapter 1 Section 12.22 A.25(g)(3) and Chapter 1A Section 13.B.2.3 of the Los Angeles Municipal Code (LAMC), a Density Bonus/Affordable Housing Incentives Program Review to permit a Housing Development Project adding 76 dwelling units, reserving six units for Very Low Income Household occupancy for a period of 55 years, with the following Off-Menu Incentive and Waivers of Development Standards for:
 - a. An Off-Menu Incentive to allow one trash and recycling enclosure in the front half of the lot rather than the rear half of the lot, as otherwise required by LAMC Section 12.21 A.19(c)(12)(ii).
 - b. A Waiver of Development Standard to allow a maximum building height of 56 feet in lieu of the 45 feet allowed in the R3-1VL Zone;
 - c. A Waiver of Development Standard to allow a one foot westerly side yard setback for the trash and recycling accessory structures in lieu of the five feet otherwise required by LAMC Section 12.21.C.5(j);
 - d. A Waiver of Development Standard to reduce the number of required parking spaces to 119, in lieu of the 123 spaces required by Parking Option 1;
 - e. A Waiver of Development Standard to reduce the required spaces between main buildings on the lot to ten feet, in lieu of the 16 feet and 14 feet otherwise required by LAMC Section 12.21.C.2(a);

- f. A Waiver of Development Standard to reduce the passageway width to 10 feet in lieu of 16 feet, as otherwise required by LAMC Section 12.21.C.2(b);
- g. A Waiver of Development Standard to allow a 10-foot rear yard setback, in lieu of 15 feet as otherwise required in the R3-1VL Zone;
3. **Approved**, pursuant to LAMC Chapter 1 Section 16.05 and Chapter 1A Section 13B.2.4, a Project Review for a project which results in an increase of 50 or more residential dwelling units;
4. **Adopted** the attached Modified Conditions of Approval; and
5. **Adopted** the attached Findings.

The vote proceeded as follows:

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

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 pertains to Project Review is 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. The Decision Maker's decision on the Density Bonus Off-Menu Incentive and Waivers of Development is effective upon the mailing of this letter and is not appealable.

FINAL APPEAL DATE: AUGUST 12, 2026

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination on the CEQA clearance is an appealable clearance under Section 13F.11.1.F.2. (EIR, ND, MND, SCEA, Exemption/No Project) made by a decisionmaker other than the City Council; all available appeals on the entitlement approval(s) have been taken; and the Determination on the entitlement(s) is final and not further appealable.

WHO CAN FILE AN APPEAL

An applicant or any other person aggrieved by the Decision Maker's decision for the Project Review may file an appeal. The Decision Maker's decision on the Density Bonus Off-Menu Incentive and Waivers of Development is effective upon the mailing of this letter and is not appealable.

HOW TO FILE AN APPEAL

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. Appeals may be filed either online or in person as referenced below:

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

ONLINE APPEAL FILINGS THROUGH ONLINE APPLICATION SYSTEM (OAS)



QR Code to
Online Appeal Filing

Online Application System (OAS): The OAS (<https://planning.lacity.gov/oas>) allows entitlement appeals to be submitted entirely online. Appeal fees may be paid for by credit card or e-check.

IN PERSON APPEAL FILINGS



QR Code to Forms
for In-Person Appeal
Filing

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 only, and payment can be made by credit card or check.

- a. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications;
- b. Alternatively, appeal applications can be filed with staff at DSC public counters.

CITY PLANNING DEVELOPMENT SERVICES CENTERS – PUBLIC COUNTERS

Office	Address	Phone Number	Email
Metro DSC	201 N. Figueroa St 4th Floor Los Angeles, CA 90012	(213) 482-7077	planning.figcounter@lacity.org
Van Nuys DSC	6262 Van Nuys Blvd Suite 251 Van Nuys, CA 91401	(818) 374-5050	planning.mbc2@lacity.org
South LA DSC <i>Tuesday and Thursday Only</i>	8475 S. Vermont Ave, 1st Floor Los Angeles, CA 90044	(213) 978-1465	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.

DETERMINATION EFFECTIVE DATE

This determination will become effective after the end of the appeal period date on the first page of this document unless an appeal is filed with the Department of City Planning.

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).

SCHEDULING CASE CONDITION CLEARANCE AND BUILDING PERMIT SIGN-OFFS



QR Code to BuildLA
Appointment Portal for
Condition Clearance

In order to clear conditions and/or obtain building permit sign-offs, you must make an [appointment](#) with the Department of City Planning's Development Services Center (DSC). You may schedule a Case Condition Clearance Appointment with the DSC at appointments.lacity.org after the effective date of the determination..

See instructions on how to prepare for your appointment at planning.lacity.gov/project-review/case-filings

Attachments: Modified Conditions of Approval, Findings

cc: Jane Choi, Principal City Planner
Deborah Kahen, Senior City Planner
Jonathan Ayon, City Planner
Marie Pichay, City Planning Associate

CONDITIONS OF APPROVAL

(As Modified by the City Planning Commission at its meeting on June 11, 2026)

Pursuant to Sections 12.22 A.25 and Section 16.05 of Chapter 1 of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the subject property.

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", and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Central 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 Municipal Code or the project conditions.
2. **Residential Density.** The project shall be limited to a maximum density of 124 multi-family residential dwelling units, including On-Site Restricted Affordable Units.
3. **On-site Restricted Affordable Units.** Six (6) units shall be reserved for Very Low Income Household, as defined by the California Government Code Section 65915 and by the Los Angeles Housing Department (LAHD).
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 the issuance of a building permit, the owner shall execute a covenant to the satisfaction of LAHD to make six (6) units available to Very Low Income Households or equal to five (5) percent of the site's base density allowed, for sale or rental, as determined to be affordable to such households by LAHD for a period of 55 years. Enforcement of the terms of said covenant shall be the responsibility of LAHD. The applicant shall submit a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by the LAHD.
6. **Rent Stabilization Ordinance (RSO).** Prior to the issuance of a Certificate of Occupancy, the owner shall obtain approval from LAHD regarding replacement of affordable units, provision of RSO Units, and qualification for the Exemption from the Rent Stabilization Ordinance with Replacement Affordable Units in compliance with Ordinance No. 184,873. In order for all the new units to be exempt from the Rent Stabilization Ordinance, the Applicant will need to either replace all withdrawn RSO units with affordable units on a one-for-one basis or provide at least 20 percent of the total number of newly constructed rental units as affordable, whichever results in the greater number. The executed and recorded covenant and agreement submitted and approved by LAHD shall be provided.
7. **Incentives.**
 - a. **Off-Menu Incentive.** The project shall be permitted one trash and recycling enclosure located on the front half of the lot, as shown in Exhibit A.
8. **Waivers of Development Standard.**

- a. **Height.** Building A shall be limited to a height of 48 feet, nine (9) inches. Building B shall be limited to a height of 54 feet, seven (7) inches. Building C shall be limited to a height of 56 feet.
 - b. **Westerly Side Yard.** The project shall be permitted a one (1) foot westerly side yard setback for the trash and recycling enclosures.
 - c. **Parking.** The project shall be permitted to provide 119 vehicular parking spaces.
 - d. **Space Between Buildings.** The project shall be permitted 10 feet of space between main buildings.
 - e. **Passageway.** The project shall be permitted a 10-foot passageway.
 - f. **Rear Yard.** The project shall be permitted a 10-foot rear yard setback.
9. **Landscaping.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning.
10. **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 19 24-inch box, or larger, trees onsite 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.
11. **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 Section 12.21.G.3 (Chapter 1, Open Space Requirement for Six or More Residential Units).

Project Review Conditions

12. **Lighting.** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way, nor from above.
- a. 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.
 - b. All pedestrian walkways, storefront entrances, and vehicular accessways shall be illuminated with lighting fixtures.
 - c. Light fixtures located on the Project Site (and not in the public right-of-way) 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.

13. **Tree Maintenance.** New trees planted within the public right-of-way shall be spaced not more than an average of 30 feet on center, unless otherwise permitted by the Urban Forestry Division, Bureau of Public Works.
14. **Graffiti.** All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
15. **Electric Vehicle Parking.** All electric vehicle charging spaces (EV Spaces) and electric vehicle charging stations (EVCS) shall comply with the regulations outlined in Sections 99.04.106 and 99.05.106 of Article 9, Chapter IX of the LAMC, to the satisfactions of the Department of Building and Safety.
16. **Unbundled Parking.** Residential parking shall be unbundled from the cost of the rental units, with the exception of parking for Restricted Affordable Units.
17. **Mechanical Equipment.** All mechanical equipment on the roof shall be screened from view. The transformer, if located in the front yard, shall be screened with landscaping where possible.
18. **Maintenance.** The subject property (including all trash storage areas, associated parking facilities, sidewalks, yard areas, parkways, and exterior walls along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.
19. **Solar Energy Infrastructure.** 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.
20. **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.
21. **Signage**
 - a. There shall be no off-site commercial signage on construction fencing during construction.
 - b. On-site signs shall comply with the Municipal Code. Signage rights are not part of this approval.
22. Prior to the issuance of building permits, the applicant shall provide documentation to the Department of City Planning, Los Angeles Housing Department and the Council Office for inclusion in the case file regarding physical improvements and other measures that are in place or planned to improve existing tenant habitability.

AB 130 Conditions

23. Prior to the issuance of building permits, the Applicant shall demonstrate compliance with Public Resources Code Section 4290 and its implementing regulations in Title 14, Division 1.5, Chapter 7, Subdivision 2 (State Minimum Fire Safe Regulations) and Chapter 7 of the California Building Code.
24. **Phase I Environmental Assessment** - The applicant shall complete a phase I environmental assessment, as defined in the California Government Code Section 78090 of the Health and Safety Code.

- a. If a recognized environmental condition is found, the development proponent shall complete a preliminary endangerment assessment, as defined in Section 78095 of the Health and Safety Code, prepared by an environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity.
- b. If a release of a hazardous substance is found to exist on the site, the release shall be removed or any effects of the release shall be mitigated to levels required by current federal and state statutory and regulatory standards before the local government issues a certificate of occupancy.
- c. If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, the effects of the potential exposure shall be mitigated to levels required by current federal and state statutory and regulatory standards before the local government issues a certificate of occupancy.

25. Retain a Native American Monitor Prior to Commencement of Ground Disturbing Activities

- a. The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.
- b. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.
- c. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.
- d. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.

26. Unanticipated Discovery of Tribal Cultural Resource Objects (Non-Funerary/Non-Ceremonial).

- a. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.

27. Unanticipated Discovery of Human Remains and Associated Funerary of Ceremonial Objects

- a. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.
- b. If Native American human remains and/or grave goods are discovered or recognized on the project site, then Public Resource Code 5097.9 as well as Health and Safety Code Section 7050.5 shall be followed.
- c. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).
- d. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods.
- e. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

Construction Conditions

28. Construction Best Practice Conditions - Prior to the issuance of a grading or building permit, the applicant shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

- a. All construction equipment shall be properly tuned and maintained.
- b. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. During construction, trucks and vehicles in loading or unloading queues shall be kept with their engines off, when not in use to reduce vehicle emissions.
- c. Construction activities shall be staged and scheduled to avoid emissions peaks, and discontinued during second-stage smog alerts.
- d. Cover all trucks hauling soil, sand, and other loose materials, or require all trucks to maintain at least two feet of freeboard.
- e. Pave, water (three times daily), or apply non-toxic soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.

- f. Sweep all paved access roads, parking areas, and staging areas at construction sites daily with water sweepers.
- g. Sweep streets daily with water sweepers if visible soil material is carried onto adjacent public streets.
- h. Hydroseed or apply non-toxic stabilizers to inactive construction areas.
- i. Enclose, cover, water (twice daily), or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.).
- j. Limit traffic speeds on unpaved roads to 15 miles per hour.
- k. Install sandbags or other erosion control measures to prevent silt runoff to public roadways during rainy season construction (November through April).
- l. Replant vegetation in disturbed areas as quickly as possible.
- m. During construction phases, all equipment shall have sound-control devices no less effective than those provided on the original equipment and no equipment shall have an unmuffled exhaust.
- n. During construction phases, the contractor shall ensure that all construction be performed in accordance with City of Los Angeles noise standards. The construction contract shall specify that construction or repair work may only be performed between the hours of 7:00 a.m. and 6:00 p.m. weekdays, between 8:00 a.m. and 5:00 p.m. on Saturdays. No construction may occur on Sundays or National Holidays.
- o. During construction phases, the contractor shall store and maintain stationary noise generating equipment as far as possible from the adjacent residents.
- p. The contractor shall be restricted from playing loud music in the open construction area audible at local residences.
- q. During construction activities, construction manager and inspector shall serve as the contact persons in the event that noise levels become disruptive to local residents. A sign will be posted at the site with the contact phone number.
- r. Prior to any work occurring within 50 feet of the residential buildings, a written notice will be sent to those residences indicating the date and time that construction is scheduled to occur. The notice shall include contact numbers of construction manager and inspector.
- s. Noise baffling devices such as sound barriers shall be placed between powered equipment and homes within 100 feet of construction activities.

Administrative Conditions

29. **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.
30. **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.
31. **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.
32. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except wherein these conditions allow otherwise.
33. **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.
34. **Department of Water and Power.** Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Rules Governing Water and Electric Service. Any corrections and/or modifications to plans made subsequent to this determination in order to accommodate changes to the project due to the under-grounding of utility lines, that are outside of substantial compliance or that affect any part of the exterior design or appearance of the project as approved by the Director, 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.
35. **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.
36. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designate agency, or the

agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.

37. **Expiration.** In the event that this grant is not utilized within three years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
38. **Building Plans.** A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
39. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
40. **Project Plan Modifications.** Any corrections and/or modifications to the project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in Site Plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision-making authority including the Director of Planning, City Planning Commission, Area Planning Commission, or Board.
41. **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. Action 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

Density Bonus/Affordable Housing Incentives / Waivers 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 incentives do not result in identifiable and actual cost reductions to provide for affordable housing costs per State Law. The California Health & Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs for very low, low, and moderate income households. Section 50052.5 addresses owner-occupied housing and Section 50053 addresses rental households. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed 25 percent gross income based on area median income thresholds dependent on affordability levels

Based on the set-aside of five (5) percent of the base units for Very Low Income households, the applicant is entitled to one (1) incentive under both the Government Code and LAMC. Therefore, the one (1) Off-Menu request qualifies as the proposed development's incentive.

Trash Enclosure on the Front Half of the Lot

Los Angeles Municipal Code (LAMC) 12.21.A.19(c)(12)(ii) requires that exterior trash and recycling enclosures be located on the rear half of the lot. The applicant is requesting an Off-Menu Incentive to locate one trash enclosure on the front half of the lot, near the southwest corner of the site.

The site contains two frontages along Silver Lake Boulevard, including the easterly lot line and the southerly lot line. Although the southerly lot line is designated as the official front lot line, the easterly elevation effectively serves as the primary street frontage, as it is the longer frontage and features the primary elements of the development, including courtyards, walkways, the fountain, etc. Granting the off-menu incentive to locate one trash and recycling enclosure on the front half of the lot would result in building design and construction efficiencies that provide for affordable housing units, enabling the developer to be able to utilize the site to its fullest potential so that additional affordable units can be constructed. Locating the trash and recycling enclosure in the southwest corner of the lot allows for two (2) new residential buildings to be oriented along the westerly lot line at their maximum envelopes and one (1) new residential building to be oriented in the rear half of the lot along the northerly lot line at its maximum envelope. This Incentive supports the applicant's decision to set aside a minimum of five (5) percent of the base units, that is six (6) dwelling units, restricted to Very Low Income Households for 55 years

- b. The incentive(s) will have a specific adverse impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there are no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the

development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.

There is no 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 existing development is not designated as a Historic-Cultural Monument; however, it is identified in SurveyLA as an "example of an American Colonial Revival garden apartment complex" and is treated as a historical resource as defined by CEQA. Additionally, the Historic Resources Assessment (HRA) prepared by Robert Chattel of Chattel, Inc., was reviewed and accepted by the Office of Historic Resources in an email dated October 22, 2024. The existing development is proposed to be maintained and the proposed project would not result in any substantial adverse changes to any historical resources within the vicinity of the project as defined in Section 15064.5(b) of the CEQA Guidelines.

The property is not located on a substandard street in a Hillside area or Methane Zone. However, the project is located within a Very High Fire Hazard Severity Zone and Special Grading Area (BOE Basic Grid Map A-13372) and is required to comply with all pertinent regulations including those governing construction, use, and maintenance. Therefore, there is no substantial evidence that the proposed project, and thus the requested incentive, will have a specific adverse impact on the physical environment, on public health and safety or the physical environment, or on any Historical Resource. Based on the above, there is no basis to deny the requested incentives.

c. The incentives are contrary to state or federal law.

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

2. Government Code Section 65915 and LAMC Section 12.22 A.25 of Chapter 1 and Section 13B.2.3 OF Chapter 1 A state that the Commission shall approve a Density Bonus and requested Waiver(s) of Development Standards unless the Commission finds any of the following that:

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

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

Waiver of Development Standard – Height: The R3-1VL Zone limits buildings to a height of 45 feet and two (2) stories. The Applicant is requesting a waiver of development standard to allow a 11-foot height increase to permit a maximum building height of 56 feet. As proposed, the granting of this waiver will allow the developer to expand the building envelope so that additional affordable units can be constructed, and the overall space dedicated to residential uses is increased. The increased building envelope also ensures that all dwelling units are of a habitable size while providing a variety of unit types. Thus, the denial of the requested waiver would affect the density permitted by state law and would have the result of physically precluding one or more affordable units.

Waiver of Development Standard – Westerly Side Yard Setback for Trash and Recycling Accessory Structures. According to the Los Angeles Municipal Code (LAMC) Section 12.21.C.5(j), a minimum five (5) foot setback is required for accessory structures. The applicant is proposing a one (1) foot setback from the property line to the trash and recycling enclosure located along the westerly side yard. As proposed, the granting of this waiver will allow the developer to locate the trash area outside of the building envelope, allowing more floor area to be devoted to residential units. Without the westerly side yard setback waiver for the accessory structures, the trash and recycling enclosure would need to be relocated to the rear of the proposed buildings, which would result in a reduced building footprint that would result in the loss of four (4) dwelling units per buildings or a total of 12 dwelling units lost. Thus, the denial of the requested waiver would affect the density permitted by state law and would have the result of physically precluding one or more affordable units.

Waiver of Development Standard – Parking: Density Bonus Parking Option 1 allows one (1) parking space for each one-bedroom unit and 1.5 parking spaces for each two-bedroom unit, though the total parking requirement may be further reduced by 10 percent pursuant to the Bicycle Parking Ordinance (LAMC 12.21.A(4)) and each van-accessible space equipped with electrical vehicle (EV) charging equipment counts as two (2) spaces, per AB 1100 (California Vehicle Code 22511.2). The project is comprised of 76 new one-bedroom units, 16 existing one-bedroom units, and 32 two-bedroom units, resulting in 140 required parking spaces per Parking Option 1. This project proposes to utilize the 10 percent reduction in vehicle parking requirements under the Bicycle Parking Ordinance by providing 65 bicycle parking spaces, thereby reducing the vehicle parking requirement to 126 spaces. This project also proposes to provide three van-accessible EV spaces, further reducing the vehicle parking requirement to 123 spaces, pursuant to AB 1100. The applicant is proposing to provide 119 parking spaces in lieu of the 123 parking spaces. As proposed, the granting of this waiver will allow the developer to expand the building envelope so that additional affordable units can be constructed, and the overall space dedicated to residential uses is increased. Without the parking waiver, the project would have to include a ground floor parking level to accommodate the four (4) remaining spaces, which would result in a loss of three (3) dwelling units. Thus, the denial of the requested waiver would affect the density permitted by state law and would have the result of physically precluding one or more affordable units.

Waiver of Development Standard – Spaces Between Buildings: LAMC Section 12.21.C.2(a) requires the project to provide 16 feet of space between a five-story building and any other main building on a lot and 14 feet of space between a four-story building and any other main building on a lot. Building A is a four-story building and is proposing 11'-2 3/8" of space from the adjacent building to the south, and Buildings B and C are each five stories and are proposing 10 feet of space from adjacent buildings. As proposed, the granting of this waiver will allow the developer to expand the building envelope so that additional affordable units can be constructed, and the overall space dedicated to residential uses is increased. Without the spaces between buildings waiver, the project would lose a total of 24 dwelling units. Thus, the denial of the requested waiver would

affect the density permitted by state law and would have the result of physically precluding one or more affordable units.

Waiver of Development Standard – Passageway: LAMC Section 12.21.C.2(b), requires the project to provide a passageway width of at least 16 feet. The applicant is proposing a reduction of six (6) feet to provide a passageway width of 10 feet. As proposed, the granting of this waiver will allow the developer to expand the building envelope so that additional affordable units can be constructed, and the overall space dedicated to residential uses is increased. Without the passageway waiver, the project would lose a total of five (5) dwelling units. Thus, the denial of the requested waiver would affect the density permitted by state law and would have the result of physically precluding one or more affordable units. This waiver allows the project to retain the existing structures while adding additional units to the site.

Waiver of Development Standard – Rear Yard Setback: The R3-1VL Zone requires a rear yard setback of 15 feet. The Applicant is requesting a waiver of development standard to allow a 10-foot rear yard setback. As proposed, the granting of this waiver will allow the developer to expand the building envelope for Building A so that additional affordable units can be constructed, and the overall space dedicated to residential uses is increased. Without the rear yard setback waiver, the project would lose a minimum of four (4) dwelling units. Thus, the denial of the requested waiver would affect the density permitted by state law and would have the result of physically precluding one or more affordable units.

- b. The waivers or reductions of development standards would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, 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 low-income and moderate-income households.**

There is no evidence in the record that the proposed waivers will have a specific adverse impact upon public health and safety or the physical environment, or any real property that is listed in the California Register of Historical Resources. A "specific adverse impact" is defined as "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22 A.25(b)). The record does not identify a public health and safety standard in relation to this finding.

The existing development is not designated as a Historic-Cultural Monument; however, it is identified in SurveyLA as an "example of an American Colonial Revival garden apartment complex" and is treated as a historical resource as defined by CEQA. Additionally, the Historic Resources Assessment (HRA) prepared by Robert Chattel of Chattel, Inc., was reviewed and accepted by the Office of Historic Resources in an email dated October 22, 2024. The existing development is proposed to be maintained and the proposed project would not result in any substantial adverse changes to any historical resources within the vicinity of the project as defined in Section 15064.5(b) of the CEQA Guidelines.

The property is not located on a substandard street in a Hillside area or Methane Zone. However, the project is located within a Very High Fire Hazard Severity Zone and Special Grading Area (BOE Basic Grid Map A-13372) and is required to comply with all pertinent regulations including those governing construction, use, and maintenance. There is no evidence in the record which identifies any objective health and safety standard that has been exceeded or violated. Therefore, there is no substantial evidence that the proposed project, and thus the requested incentive, will have a specific adverse impact on the

physical environment, on public health and safety or the physical environment, or on any Historical Resource. Based on the above, there is no basis to deny the requested incentives.

c. The waivers or reductions of development standards are contrary to state or federal law.

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

Project Review Findings

3. Pursuant to Section 16.05 of LAMC Chapter 1 and Section 13B.2.4 of LAMC Chapter 1A, the decisionmaker shall grant a Project Review approval upon finding that:

a. The project substantially conforms with the purposes, intent and provisions of the General Plan, applicable community plan, and any application specific plan.

The elements of the General Plan establish policies that provide for the regulatory environment in managing the City and for addressing concerns and issues. The majority of the policies derived from these Elements are in the form of code requirements of the LAMC. Except for the entitlements, incentive, and waivers described herein, the project does not propose to deviate from any of the requirements of the LAMC.

The proposed project is consistent with General Plan and the Silver Lake – Echo Park – Elysian Valley Community Plan, as it promotes infill development, housing production, and efficient land use in an urbanized area. The project preserves existing housing, while adding new housing, including affordable units which cater to the needs of a variety of residents. The project is located in a walkable area with established commercial uses nearby. As such, the project is in line with the following goals, objectives, and policies of the General Plan, including the Housing Element, and Silver Lake – Echo Park – Elysian Valley Community Plan:

The 2021-2029 **Housing Element** for the General Plan (Housing Element) was adopted by the City of Los Angeles in November 24, 2021. The Housing Element is one of the eight State-mandated elements of the General Plan and identifies the City's housing conditions and needs, establishes the goals, objectives and policies and programs that are the foundation of the City's housing strategy, including the project site. The City's Housing Element was updated in 2021 and the current Housing Element is the 2021-2029 Housing Element. The current Housing Element includes goals, objectives, and policies related to the preservation of affordable housing, including but not limited to the following:

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.

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

Goal 2: A City that preserves and enhances the quality of housing and provides greater housing stability for households of all income levels.

Objective 2.1: Strengthen renter protections, prevent displacement and increase the stock of affordable housing. [Note, "affordable housing" is defined to include rent stabilized units.]

Objectives 2.3: Preserve, conserve, and improve the quality of housing.

The Project meets the above Goals and Objectives by preserving by retaining existing RSO units on-site in addition to adding dwelling units to an existing development. The resulting project is a housing development comprised existing and new units, that include a mix of RSO, affordable (Extremely Low Income), and market-rate units, which caters to a range of housing needs in the City.

General Plan Framework Element

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

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

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

The site is adjacent to a Neighborhood District identified in Figure 3-1 of the General Plan Framework. Neighborhood Districts are intended focal points of surrounding residential neighborhoods. They contain a diversity of uses that serve daily needs, such as restaurants, retail outlets, grocery stores, child care facilities, community meeting rooms, pharmacies, religious facilities and other similar uses. The clustering of uses minimizes automobile trips and encourages walking to and from adjacent residential neighborhoods. Pedestrian-oriented areas are encouraged, and the district may be served by a local shuttle service.

Physically, neighborhood districts are generally characterized by one- or two-story low-rise structures, particularly in suburban areas of the City. Pedestrian activity will be encouraged by the emphasis on local-serving uses, design of buildings, and incorporation of streetscape amenities. Generally, neighborhood districts are at FAR 1.5:1 or less, and characterized by one- and two-story building, as determined in the community plan.

The project aligns with this provision by adding residential units in an area that has a mix of commercial uses, retail opportunities and public amenities, such as libraries. The Project retains a FAR lower than 1.5:1, while exceeding the two-story building scale through the State Density Bonus Program.

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

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

referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram.

The Project meets this Objective and Policy by adding new multi-family units in a neighborhood district while retaining existing RSO units on the site. The Project is both conserving an existing stable residential site while simultaneously adding new housing units.

Silver Lake – Echo Park – Elysian Valley Community Plan – Residential Goals and Policies

The Silver Lake – Echo Park – Elysian Valley Community Plan was adopted by the Los Angeles City Council on August 11, 2004. The purpose of the Community Plan is to enhance neighborhood characteristics while providing housing opportunities, improving commercial areas, preserving community identity, encouraging development around transit, and improving the quality of the built environment. The Land Use Designations and corresponding zoning in the Community Plan are implemented through zoning regulations in the Los Angeles Municipal Code (LAMC), including applicable ordinances that are codified in the LAMC.

The project is consistent with the following objectives of the Silver Lake – Echo Park – Elysian Valley Community Plan:

Goal 1: A safe, secure, and high-quality residential environment for all economic, age, and ethnic segments of the Plan Area.

Objective 1-1: Achieve and maintain a housing supply sufficient to meet the diverse economic and socioeconomic needs of current and projected population to the year 2010.

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

Policy 1-1.1: Maintain an adequate supply and distribution of multiple family, low income, and special needs housing opportunities in the Community Plan Area.

The Project meets this Objective and Policies by providing additional dwelling units in the area. The project offers one- and two-bedroom units, as well as Very Low Income and RSO units, thereby offering a mix of type and price of dwelling unit in the area.

Objective 1-2: Reduce automobile trips in residential areas by locating new housing in areas offering proximity to goods, services, and facilities.

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

Policy 1-4.2: Promote mixed-use housing projects in pedestrian-oriented areas and designated Mixed Use Boulevards, Neighborhood Districts and Community Centers to increase supply and maintain affordability.

The Project meets this Objective and Policies by adding dwelling units to an existing development, which is located within close proximity to existing jobs, stores, and a library. This will reduce automobile trips by being in close proximity to existing jobs,

amenities, and commercial options. The project also offers short- and long-term bicycle parking, which will encourage active transportation.

Mobility Element (Mobility Plan 2035)

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

The project is in a walkable location in close proximity to many jobs, retail stores, a large park facility, a library, and bus line with direct connection to other resource-rich communities, reducing the new need for short vehicle trips. The project will also provide 59 long-term and six short-term bicycle parking stalls. Therefore, the Project is in substantial conformance with the purposes, intent and provisions of the Mobility Element of the General Plan. The Project will support and meet the following goals and objectives of Mobility Plan 2035:

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

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

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

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

Policy 3.5: Support "first-mile, last-mile solutions" such as multi-modal transportation services, organizations, and activities in the areas around transit stations and major bus stops (transit stops) to maximize multi-modal connectivity and access for transit riders.

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

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

Health and Wellness Element (Plan for a Healthy Los Angeles)

The Health Element, also known as the "Plan for a Healthy Los Angeles," was adopted by the City Council on March 31, 2015, with a technical amendment on November 24, 2021, to highlight compliance with SB 1000. The following policies of the Health Element apply to the proposed project:

Policy 2.2: Healthy Building Design and Construction: Promote a healthy built environment by encouraging the design and rehabilitation of building and sites for healthy living and working conditions, including promoting enhanced pedestrian-oriented circulation, lighting, attractive and open stairs, healthy building materials and universal accessibility using existing tools, practices, and programs.

Policy 5.6: Resilience: In collaboration with public, private, and nonprofit partners, increase the city's resilience to risks (increasing temperatures and heat related effects, wildfires, reduced water supply, poor air quality, and sea level rise) resulting from climate change, and target resilience in the most vulnerable communities.

The project will offer several health-focused design features and amenities, including 7,600 square-feet of open space 3,800 square feet of private open space provided as balconies, and 3,800 square feet of common open space provided as a 1,292 square feet recreation center in Building B, 1,038 square feet of outdoor common open space between Buildings B and C, a 605 square-foot roof-top deck in Building B, and an 866 square-foot roof-top deck in Building C. As shown in Exhibit A, the applicant submitted a landscape plan showing that the common open space areas will be attractively landscaped with trees, shrubs, and groundcover. The project will also contain ample bicycle parking spaces for residents who elect to use such alternative modes of transportation, thereby reducing vehicle miles traveled (VMT) per capita and pollution from personal vehicles. The project also proposes the planting of 144 street trees on-site, which will help prevent the heat island effect and provide shade for pedestrians. Therefore, the project conforms to the purposes of the Plan for a Healthy Los Angeles.

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

The project includes the demolition of five (5) existing carports and accessory structures in an existing residential development with seven (7) apartment buildings for the construction, use, and maintenance of three (3) new apartment buildings with 76 total one-bedroom dwelling units, of which six (6) are reserved for Very Low-Income households. Two of the new apartment buildings will be four (4) stories tall, with heights of 48 feet, 9 inches and 54 feet, 7 inches, and the third new apartment building will be five (5) stories with a height of 56 feet. In total, the three new apartment buildings will add 71,267 square feet of floor area. Each apartment building will have its own two (2) level subterranean garage, with a combined total of 119 vehicular parking spaces. The project will also provide 59 long-term bicycle parking spaces and six (6) short-term bicycle parking spaces. The project will be compatible with the existing and future development on adjacent properties and neighboring properties as it relates to height, bulk, setbacks, off-street parking, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements as follows:

Height

The project site is zoned R3-1VL and is therefore within Height District 1VL, which limits developments that are not purely residential to a height of 45 feet and unlimited stories. The project is requesting a Waiver of Development Standard through the Density Bonus Program to allow a height increase of 11 feet to allow a maximum height of 56 feet. Therefore, the project is within the allowable maximum height for the subject zone.

Bulk/Massing

The project site is zoned R3-1VL, which allows for a maximum floor area ratio (FAR) of 3:1. The project will maintain the existing 41,315 square feet of floor area and add 71,267 square feet of floor area for a combined total floor area of 112,584 square feet and a FAR of 1.44:1.

The project will maintain the seven existing residential buildings on the site and construct two new five-story buildings behind the existing buildings and a new four-story building at the north end of the site, but with the fourth-floor setback from the Silver Lake Blvd. frontage. As a result, the mass will be substantially set back from the street and from the residential area to the east.

Therefore, the bulk and massing of the proposed project is compatible with existing and future development on adjacent properties and neighboring properties.

Setbacks

The project is zoned R3-1VL, which requires the following setbacks for a project where the tallest buildings are four (4) and five (5) stories:

Setback	Required (feet)	Provided (feet)
Front	15	15
Rear	15	10
Westerly	8	8
Easterly	8	8

As shown in the chart above, the proposed setbacks conform with the required setback requirements, except for the rear yard. The project is requesting a Waiver of Development Standard through the Density Bonus Program to allow for a 10-foot rear yard setback in-lieu of the 15-foot setback otherwise required. Therefore, the project complies with the required setbacks.

Parking/Loading

The applicant is requesting a Waiver of Development Standard to provide 119 parking spaces in lieu of the 123 parking spaces. Vehicular access to the project site will be provided via four (4) driveways located along the easterly lot line fronting Silver Lake Boulevard. Building A features one (1) driveway, which will provide access to the two (2) levels of subterranean parking in Building A and will also lead to a ramp connecting to parking level (1) in Building B. Building B features one (1) driveway, which will provide access to parking level two (2). Building C features two (2) driveways, one (1) of which will provide access to parking level one (1) and the other will provide access to parking level two (2).

Therefore, in conjunction with the Waiver of Development Standard, the project complies with parking and loading requirements.

Lighting

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

Landscaping

The project will provide ample landscaping throughout the project, including 144 trees, as shown in the Landscape Plans in Exhibit "A". The project is conditioned to landscape all open areas not used for buildings, driveways, parking areas, recreational facilities or

pedestrian pathways, shall include an automatic irrigation system, and maintain in accordance with a landscape plan prepared by a licensed landscape architect or architect and submitted for approval to the Department of City Planning, Development Services Center.

Trash Collection

Trash storage and collection are provided through two (2) locations on-site, both located along the functional “rear” of the site. One trash and recycling enclosure will be located near the northwest of the site and will not be visible to the public. The trash and recycling enclosure near the southwest of the site will be screened from public view with vertical screening trees.

Building Materials

The building façade is proposed to be compatible with the existing residential buildings and will consist of sand finish plaster, bone black wood siding, geddy gray wood siding, white trim paint, oyster shell roof shingles, white fiberglass windows, and white fiberglass doors, as shown in the stamped “Exhibit A.”

Solar Panels

The project is conditioned to comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety. Additionally, the project is conditioned to power generators used during the construction process through electric or solar. Solar generator and electric generator equipment must be located as far away from sensitive uses as feasible.

Electric Vehicle Charging Stations

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

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

The project is required to provide a minimum of 7,600 square-feet of open space, of which at least 3,800 square feet must be common open space. The project provides approximately 7,601 square feet of open space, consisting of a 3,800 square feet of private open space provided as balconies, and 3,800 square feet of common open space provided as a 1,292 square feet recreation center in Building B, 1,038 square feet of outdoor common open space between Buildings B and C, a 605 square-foot roof-top deck in Building B, and an 866 square-foot roof-top deck in Building C. As shown in Exhibit A, the applicant submitted a landscape plan showing that the common open space areas will be attractively landscaped with trees, shrubs, and groundcover. Therefore, the project will provide recreation and service amenities to improve habitability for its residents and minimize the impacts on neighboring properties.

The project proposes adding 76 new units to a property with 48 existing units under the Rent Stabilization Ordinance (RSO). The 76 new units will be within 3 new buildings. Because the proposed new buildings are being constructed in proximity to the existing buildings, habitability for the existing residents during construction must be considered and impacts to neighboring properties must be minimized. The project is required to comply with all existing City Ordinances governing construction and noise. In addition, Condition No. 27 identifies Construction Best Practices that the project is required to follow in order to minimize impacts to the existing tenants and neighboring properties. Therefore, the habitability for existing tenants and impacts on neighboring properties will be addressed through these measures.

ADDITIONAL MANDATORY FINDINGS

1. **CEQA PRC Section 21080.66:** It has been determined based on the whole of the administrative record, that the Project is statutorily exempt from the California Environmental Quality Act ("CEQA") pursuant to Public Resource Code Section 21080.66. The Statutory Exemption document, referenced in Case No. ENV-2024-5535-SE and attached as Exhibit C, provides the full analysis and justification for project conformance and the project has been conditioned to comply with the mandatory requirements of PRC Section 21080.66.

The proposed project qualifies for CEQA PRC **Section 21080.66**. 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

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