

FINDINGS

Density Bonus/Affordable Housing Incentives / Waivers Compliance Findings

1. Pursuant to Section 12.22.A.25 of the LAMC and Government Code 65915, the Commission shall approve a density bonus and requested incentive(s)/waiver(s) unless the director finds any of the following:

- 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.

Floor Area Ratio (Off-Menu Incentive) – The subject property is zoned CR-1 and C2-1. Pursuant to LAMC Section 12.22. A.25(g)(3), the project is requesting an Off-Menu Incentive for an increase in the FAR of the project site. The CR and C2 zones in Height District 1 generally permit a 1.5:1 FAR. In this case, the project has requested an Off-Menu Incentive to allow an increase in the FAR for the project site for a FAR of 4.29:1.

The requested increase in FAR will allow for the construction of affordable units in addition to larger-sized dwelling units and retail space at the ground level. Granting of the incentive would result in a building design and construction efficiencies that provide for affordable housing costs; it enables the developer to expand the building envelope so that additional affordable units can be constructed and the overall space dedicated to residential uses is increased. The increased building envelope also ensures that all dwelling units are of a habitable size while providing a variety of unit types. The requested Incentive provides actual and identifiable cost reductions that provide for affordable housing costs because the incentive by nature increases the building envelope of the project so that additional residential units can be provided, including additional market-rate units that can generate income to subsidize the provision of the project's restricted affordable units.

Height (Off-Menu Incentive) – The subject property is zoned CR-1 and C2-1. Pursuant to LAMC Section 12.22. A.25(g)(3), the project is requesting an Off-Menu Incentive for an increase in the height of the proposed project. Generally, Height District 1 for the C2 zone does not restrict the height and number of stories. However, Height District 1 for the CR zone limits the height to six (6) stories and 75 feet. In this case, the project has requested an Off-Menu Incentive to allow an increase in the height for the project to allow for a height of 96 feet and eight (8) stories.

The requested increase in height and stories will allow for the construction of affordable units in addition to larger-sized dwelling units and retail space at the ground level. Granting of the incentive would result in a building design and construction efficiencies that provide for affordable housing costs; it enables the developer to expand the building envelope so that additional affordable units can be constructed and the overall space dedicated to residential uses is increased. The increased building envelope also ensures that all

dwelling units are of a habitable size while providing a variety of unit types. The increase in height and stories creates a larger floor plate that allows more habitable floor area and more units to be built on each floor, thus avoiding a taller development that is more expensive to build. This construction cost savings is then passed on to each of the units in the project, including the affordable units.

The project provides 11 percent of the base units for Very Low Income Households to qualify for the Density Bonus and the requested Incentives. The requests will allow the developer to expand the building envelope so the affordable units can be constructed, and the overall space dedicated to residential uses is increased. The increase in FAR, height, and the number of stories will allow for the construction of additional market rate floor area whose rents will subsidize the construction and operational costs of the affordable units. These Incentives support the applicant's decision to set aside 35 dwelling units for Very Low Income Households for 55 years.

b. The incentives will have a specific adverse impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there are no feasible method to satisfactorily mitigate or avoid the Specific Adverse Impact without rendering the development unaffordable to Very Low, Low and Moderate Income households.

There is no substantial evidence in the record that the proposed incentives will have a specific adverse impact. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22. A.25.(b)). As required by Section 12.22. A.25.(e)(2), the project meets the eligibility criterion that is required for density bonus projects. The record does not identify a public health and safety standard in relation to this finding.

The existing church building (formerly the First English Evangelical Lutheran Church) is not designated as an Historic-Cultural Monument, however, it is identified in SurveyLA as eligible "as an excellent example of Spanish Colonial Revival institutional architecture" and is treated as a historical resource as defined by CEQA. The project will renovate and re-purpose an existing, 19,972 square-foot church building into commercial (retail/restaurant) uses.

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 any objective health and safety standard that has been exceeded or violated. Therefore, there is no substantial evidence that the project's proposed incentives will have a specific adverse impact on the physical environment, 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 incentives are contrary to state or federal law.

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

- 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 any of the following that:**

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

There is no substantial evidence in the record that the proposed waivers of a development standard 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 church building (formerly the First English Evangelical Lutheran Church) is not designated as an Historic-Cultural Monument, however, it is identified in SurveyLA as eligible "as an excellent example of Spanish Colonial Revival institutional architecture" and is treated as a historical resource as defined by CEQA. The project will renovate and re-purpose an existing, 19,972 square-foot church building into commercial (retail/restaurant) uses.

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 any objective health and safety standard that has been exceeded or violated. Therefore, there is no substantial evidence that the project's proposed waivers will have a specific adverse impact on the physical environment, 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 waivers.

- b. *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)).

Rear Yard – The subject property is zoned CR-1 and C2-1. Pursuant to LAMC Section 12.12.2.C.3, the project is required to provide a 20-foot rear yard. The project request includes a waiver of development standard to allow for a reduction of the required rear yard setback in lieu of the otherwise required 20 feet.

Open Space – The subject property is zoned CR-1 and C2-1. Pursuant to LAMC Section 12.21.G, the project to provide 32,575 square feet of required open space. The project request includes a waiver of development standard to allow for a 25 percent reduction of the required open space in lieu of the otherwise required 32,575 square feet.

Side Yards – The subject property is zoned CR-1 and C2-1. Pursuant to LAMC Section 12.12.2.C.2, the underlying zone requires the project to provide a 11-foot side yard setbacks. The project request includes a waivers of development standard to allow for a reduction of the required side yards along the property's westerly and easterly side yards in lieu of the otherwise required 11-foot side yard.

Tree Reduction – The subject property is zoned CR-1 and C2-1. Pursuant to LAMC Section 12.21.G, the project is required to provide a total of 80 trees onsite. The project request includes a waiver of development standard to allow for a reduction of the required trees in lieu of the otherwise required 80 trees.

Building Passageway – The subject property is zoned CR-1 and C2-1. Pursuant to LAMC Section 12.21.C.2, the project is required to provide a 22-foot building passageway. The project request includes a waiver of development standard to allow for the reduction in the required building passageway to allow 10 feet in lieu of the otherwise required 22 feet.

These waivers are necessary to allow the project to be developed at its proposed density and floor area, as imposing the yards, open space, tree, and passage requirements would result in removing a portion of the currently proposed building envelope and a corresponding reduction in residential floor area and dwelling units for the project.

As proposed, the granting of these waivers will allow for the development of the proposed development with the inclusion of the affordable residential units because the quantity of units allowed under the density bonus within the 4.29 to 1 floor area ratio and increase in the height under the Incentives allows for the development of the affordable units. As presented by the applicant, without the requested open space, tree, passageway and yard reductions waivers, floor area located within the additional height would be physically precluded from the project preventing the construction of the proposed floor area and units described in the plans.

c. The Waivers are contrary to State/federal law.

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

Project Review Findings

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

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

Wilshire Community Plan

The Wilshire Community Plan Area has a pattern of low to medium density residential uses interspersed with areas of higher density residential uses. The Community Plan designates the project site as Regional Commercial with the corresponding zones of CR, C1.5, C2, C4, P, PB, RAS3, RAS4, R3, R4, and R5. The proposed project conforms to the following goals, objectives and policies of the Wilshire Community Plan:

Goal 1: Provide a safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the Wilshire community.

Objective 1-1: Provide for the preservation of existing quality housing, and for the development of new housing to meet the diverse economic and physical needs of the existing residents and expected new residents in the Wilshire Community Plan Area to the year 2010.

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

Policy 1-1.4: Provide for housing along mixed-use boulevards where appropriate.

Objective 1-2: Reduce vehicular trips and congestion by developing new housing in close proximity to regional and community commercial centers, subway stations and existing bus route stops.

Policy 1-2.1: Encourage higher density residential uses near major public transportation centers.

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

Policy 1-3.3: Promote the preservation and rehabilitation of individual residential buildings of historic significance.

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

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

Policy 1-4.2: Ensure that new housing opportunities minimize displacement of residents.

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

The project is a mixed-use development with a total of 318 dwelling units including 35 units restricted for families or persons of Very Low Income and maximizes the property's development potential. The project's Very Low Income and market rate units satisfy both the needs of affordable housing as well as the City's need for more housing overall. The project will result in the net addition of 35 covenanted affordable dwelling units in a community in-

need of more affordable housing.

Goal 2: Encourage strong and competitive commercial sectors which promote economic vitality and serve the needs of the Wilshire community through well-designed, safe and accessible areas, while preserving historic and cultural character.

Objective 2-1: Preserve and strengthen viable commercial development and provide additional opportunities for new commercial development and services within existing commercial areas.

Policy 2-1.1: New commercial uses should be located in existing established commercial areas or shopping centers.

Policy 2-1.2: Protect existing and planned commercially zoned areas, especially in Regional Commercial Centers, from encroachment by standalone residential development by adhering to the community plan land use designations.

Objective 2-2: Promote distinctive commercial districts and pedestrian-oriented areas.

Policy 2-2.1: Encourage pedestrian-oriented design in designated areas and in new development.

Policy 2-2.3: Encourage the incorporation of retail, restaurant, and other neighborhood serving uses in the first floor street frontage of structures, including mixed use projects located in Neighborhood Districts.

Objective 2-3: Enhance the visual appearance and appeal of commercial districts.

Policy 2-2.1: Improve streetscape identity and character through appropriate controls of signs, landscaping, and streetscape improvements; and require that new development be compatible with the scale of adjacent neighborhoods.

The project proposes to develop a mixed-use development with commercial uses for restaurant use. The commercial component is also consistent with the Community Plan because it provides additional opportunities for new commercial development and services within the repurposed former church building incorporating restaurant, neighborhood serving uses along the street frontage of the mixed-use project.

Goal 17: Preserve and restore cultural resources, neighborhoods and landmarks which have historical and/or cultural significance.

Objective 17-1: Ensure that the Wilshire Community's historically significant resources are protected, preserved, and/or enhanced.

Policy 17-1.1: Encourage the preservation, maintenance, enhancement and reuse of existing historic buildings and the restoration of original facades.

Objective 17-3: Encourage private owners of historic resources to maintain and enhance their properties in a manner that will preserve the integrity of such resources.

Policy 17-3.1: Assist private owners of historic resources to maintain and enhance their properties in a manner that will preserve the integrity of such resources.

The existing church building (formerly the First English Evangelical Lutheran Church) is not designated as an Historic-Cultural Monument; however, it is identified in SurveyLA as eligible “as an excellent example of Spanish Colonial Revival institutional architecture” and is treated as an historical resource as defined by CEQA. The project as proposed will preserve and reuse the church building as commercial/restaurant uses.

Therefore, the project is consistent with the Wilshire Community Plan in that it implements the above-mentioned goals, objectives and policies of the Plan.

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

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

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

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

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

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

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

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

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

The proposed project will result in the development of a mixed-use residential building that will provide 318 dwelling units, including 35 units reserved for Very Low Income Households, thereby contributing toward and facilitating the City's long-term housing demands and vision for a more livable city.

The project site is located approximately 750 feet from Vermont/Wilshire Metro Station, with direct access to both the Metro B (Red) and D (Purple) Lines, thereby reducing vehicular trips to and from the project site and congestion around the site.

The project site is currently developed with a private school serving grades K-12, and a four-story office building in the north which includes a one-story plus mezzanine 12,800 square feet church building constructed in 1936. The development of the site will enable the City to conserve nearby existing stable residential neighborhoods and lower-intensity commercial districts by locating density along major corridors, and allowing controlled growth away from such neighborhoods and districts. Therefore, the proposed 318-unit residential building is consistent with the Distribution of Land Use goals, objectives and policies of the General Plan Framework Element.

The **Housing Element** of the General Plan (2021-2029) is the City's blueprint for meeting housing and growth challenges. It identifies the City's housing conditions and needs, reiterates goals, objectives, and policies that are the foundation of the City's housing and growth strategy, and provides the array of programs the City has committed to implement to create sustainable, mixed-income neighborhoods across the City. The Housing Element includes the following objectives and policies relevant to the instant request:

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

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

Policy 1.1.2: Plan for appropriate land use designations and density to accommodate an ample supply of housing units by type, cost, and size within the

City to meet housing needs, according to Citywide Housing Priorities and the City's General Plan.

Policy 1.1.6: Allocate citywide housing targets across Community Plan areas in a way that seeks to address patterns of racial and economic segregation, promote jobs/ housing balance, provide ample housing opportunities, and affirmatively further fair housing.

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

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

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

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

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

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

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

Objective 3.1: Use design to create a sense of place, promote health, foster community belonging, and promote racially and socially inclusive neighborhoods.

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 3.1.6: Establish plans and development standards that promote positive health outcomes for the most vulnerable communities and populations.

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

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

Policy 3.2.1: *Promote the integration of housing with other compatible land uses at both the building and neighborhood level.*

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.*

The proposed project implements the Housing Element by increasing the housing supply consistent with the Regional Commercial land use designation. The subject site consists of a private school and a four-story office building which includes a one-story plus mezzanine 12,800 square foot church building. The approval of the request permits 318 units with 35 units set aside for Very Low Income Households. As such, the project would achieve the production of new housing opportunities, meeting the needs of the city, while ensuring a range of different housing types (studio, one- and two-bedroom rental units) that address the needs of the city's households. Therefore, the project is consistent with the Housing Element goals, objectives and policies of the General Plan.

The **Mobility Element** of the General Plan (Mobility Plan 2035) will not be affected by the recommended action herein. Shatto Place, adjoining the property to the west, is a Local Street dedicated to a width of 100 feet and is improved with asphalt roadway, curb, gutter, concrete sidewalks, and street trees. 6th Street, adjoining the property to the south, is designated as an Avenue II dedicated to a width of 80 feet and is improved with asphalt roadway, curb, gutter, concrete sidewalks, and street trees.

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

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

Vehicular access to the site is provided by two (2) ingress/egress driveways located along Shatto Place, with access to the three (3) parking levels (subterranean and at grade). Pedestrian access to the building is also provided from entrances along Shatto Place.

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

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

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

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

The project site is located within 0.25 miles of a Major Transit Stop, which is defined in Section 21064.3 of the Public Resources Code (PRC) as an existing, under construction, or planned rail station or intersection of two or more bus routes with service intervals of 15 minutes or less during the morning and afternoon commuter peak periods. Therefore, the subject site is located within a Transit Priority Area (TPA), which is defined in Section 21099(a) of the PRC as an area within 0.50 miles of a major transit stop that is existing or planned. The subject site is located approximately 750 feet from Vermont/Wilshire Metro Station, with direct access to both the Metro B (Red) and D (Purple) Lines, which qualifies as a Major Transit Stop. The proposed project is therefore located within close proximity to public transit which will reduce vehicular trips and VMT associated with the project.

In addition, the project will provide a total of 234 parking spaces and will also provide bicycle parking in compliance with the City's bike parking standards, which will facilitate non-motorized modes of transportation to and from the project and associated reductions in vehicle miles traveled and improvement of air quality.

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

As conditioned, all electric vehicle charging spaces (EV Spaces) and electric vehicle charging stations (EVCS) shall comply with the regulations outlined in Section 99.04.106 of Article 9, Chapter IX of the LAMC to immediately accommodate electric vehicles within the parking areas.

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

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

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

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

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

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

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

The subject property is comprised of four (4) lots resulting in approximately 66,418 square feet of lot area with a 345-foot frontage along Shatto Place and a 187-foot frontage along 6th Street. The property is currently developed with a private school and a four-story office building which includes a one-story plus mezzanine 12,800 square feet church building. The subject property is zoned CR-1 and C2-1, within the Wilshire Community Plan Area.

Surrounding properties are developed with a mix of residential, commercial retail/restaurant, commercial office, and institutional uses. To the west of the project site, along Shatto Place, land uses include office and creative office development, surface parking, a parking structure, and educational uses and county government uses. The project site is bordered to the north

along West 5th Street by multi-family residential uses. To the east, along South Westmoreland Avenue, uses include multi-family residential, commercial and office development. To the south of the project site, along West 6th Street, land uses include various commercial, and office uses and related surface parking. Southwest of the project site is Young Oak Kim Academy, a Los Angeles Unified School District (LAUSD) middle school.

The proposed project involves the demolition of the existing uses, and the re-purposing of the existing church building for the construction, use, and maintenance of a new eight-story 262,638 square-foot mixed-use building. The project includes 318 dwelling units, including 35 dwelling units (11 percent) set aside for Very Low Income households and 21,482 square feet of commercial space, with a maximum building height of 96 feet over two (2) subterranean levels of parking. The project includes 234 vehicle parking spaces and a total of 171 bicycle parking spaces (155 long-term spaces and 16 short-term spaces); and 24,431 square feet of open space, including indoor open space areas, common outdoor open space areas, and private balconies.

The project includes 149 studio, 138 one-bedroom, and 31 two-bedroom units and a total of 24,431 square feet of open space for residents, pursuant to the waiver of development standard to allow a 25 percent reduction in open space. Pursuant to LAMC Section 12.21. G. the project, as proposed, is required to provide 32,575 square feet of open space. The project provides approximately 24,431 square feet total of open space, which includes a 1,500 square foot entry plaza. Open space accessible to residents includes a 3,260 square foot courtyard on the second floor, as well as patios on the ground floor. The project also includes private patios and recreation rooms on the first and second levels. As conditioned, the project will provide open space as required by LAMC Section 12.21. G. and pursuant to the requested Density Bonus waiver of development standard.

Vehicular access to the site is provided by two (2) ingress/egress driveways located along Shatto Place, with access to the three (3) parking levels (subterranean and at grade). Pedestrian access to the building is also provided from entrances along Shatto Place. Access to the commercial/restaurant uses is provided via entrances facing the street.

Height, Bulk, and Setbacks

The subject property is zoned CR-1 and C2-1. Height District 1 for the C2 zone does not restrict the height and number of stories. However, Height District 1 for the CR zone limits the height to six (6) stories and 75 feet. The project request includes an Off-Menu Incentive to allow an increase in the height for the project to allow for a height of 96 feet and eight (8) stories. The proposed building height is consistent with applicable zoning regulations and State and City density bonus law; moreover, the building height is compatible with the existing and proposed development patterns in the immediate surrounding area which include existing and approved multi-story buildings.

The project has a maximum FAR of 4.29:1. The subject property is zoned CR-1 and C2-1. The CR and C2 zones in Height District 1 generally permit a 1.5:1 FAR. In this case, the project has requested an Off-Menu Incentive to allow an increase in the FAR for the project site for a FAR of 4.29:1 to accommodate the proposed number of residential dwelling units and associated floor area allowed due to the provision of 35 Very Low Income affordable units. The scale, massing and location of the project will respond to the unique triangular shape of the site and the surrounding urban context. The proposed floor area and bulk of the project is consistent with applicable zoning regulations and State and City density bonus law.

The subject property is zoned CR-1 and C2-1, which requires a 20-foot rear yard setback. As such the project is providing a 10-foot front setback with the requested waiver of development standard. Additionally, the underlying zones require an 11-foot side yard. The request includes density bonus waivers of development standard to allow a reduction in the easterly and westerly side yard setbacks to allow five (5) feet in lieu of the otherwise required 11 feet side yard setback.

As such, with the approval of the requested waiver, the project complies with the required setbacks.

The height, bulk, and setbacks of the subject project are consistent with the existing development in the immediate surrounding area and with the underlying CR-1 and C2-1 Zones. The surrounding properties are developed with a mix of residential, commercial, educational and commercial office uses. To the west of the project site, along Shatto Place, land uses include office and creative office development, surface parking, a parking structure, and educational uses and county government uses. The project site is bordered to the north along West 5th Street by multi-family residential uses. To the east, along South Westmoreland Avenue, uses include multi-family residential, commercial and office development. To the south of the project site, along West 6th Street, land uses include various commercial, and office uses and related surface parking.

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

Parking

The project is subject to Assembly Bill 2097 which eliminates parking requirements for residential and commercial projects located within one-half mile of a major transit stop. However, the project will provide a total of 234 parking spaces and 155 long-term bicycle parking spaces will be provided on-site within the building. Sixteen (16) short-term bicycle racks will be provided on-site and along the Shatto Place frontage.

The proposed parking is located within the building and therefore will not be visible from the public right-of-way. Parking is provided within two (2) subterranean parking levels as well as one (1) parking level on the first floor. An access gate between commercial and residential will be provided to ensure security for resident parking. Vehicular access to the site is provided by two (2) ingress/egress driveways located along Shatto Place. Both driveways are located as far as possible from pedestrian accessways given the configuration of the site.

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

Lighting

Lighting is required to be provided per LAMC requirements. The project proposes security lighting will be provided to illuminate buildings, entrances, walkways and parking areas. The project is required to provide outdoor lighting with shielding, so that the light source cannot be seen from adjacent residential properties. Therefore, the lighting will be compatible with the existing and future developments in the neighborhood.

On-Site Landscaping

The project proposes 24,431 square feet of common open space areas, which includes a 1,500 square foot entry plaza. Open space accessible to residents includes a 3,260 square foot courtyard on the second floor, as well as patios on the ground floor. The project also includes private patios and recreation rooms on the first and second levels.

The project includes landscaped areas distributed throughout the project. The project has been conditioned to provide open space and on-site trees pursuant to the Density Bonus waivers of development standards for a reduction in the required open space and on-site tree requirement. Furthermore, the project is conditioned so that all open areas not used for buildings, driveways, parking areas, recreational facilities or walks will be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect. Therefore, the on-site landscaping will be compatible with the existing and future developments in the neighborhood.

Loading/Trash Area

The development is not required to provide a loading area pursuant to LAMC Section 12.21. C.6. Waiting areas and drop areas will be on the ground level. Tenants moving in or out of the building will be able to park moving trucks in the loading zone located at the ground floor parking level. Loading and drop for the commercial uses will be in compliance with the LAMC.

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

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

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

The project consists of 318 total dwelling units including 149 studio, 138 one-bedroom, and 31 two-bedroom units, therefore pursuant to the LAMC the project is required to provide 32,575 square feet of open space. The project provides approximately 24,431 square feet total of open space, which includes a 1,500 square foot entry plaza. Open space accessible to residents includes a 3,260 square foot courtyard on the second floor, as well as patios on the ground floor. The project also includes private patios and recreation rooms on the first and second levels. There is also a recreation room, and co-working spaces located on the ground floor.

Therefore, the project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.

Environmental Finding

6. Housing Element Streamlining Checklist. The proposed project was found to be within the scope of the 2021-2029 Housing Element Environmental Impact Report (EIR), SCH No.

2021010130, ENV-2020-672-EIR, certified on November 24, 2021 (Housing Element EIR). The proposed project, which includes the development of 420,327 housing units (cumulatively, 456,643), is within the scope of the 2021-2029 Housing Element as it will build out the City's regional housing needs assessment (RHNA). A CEQA Streamlining Checklist for a Project Within the Scope of the Housing Element Program EIR, ENV Case No. ENV-2024-4112-HES (HE Streamlining Checklist), was prepared for the proposed project, pursuant to CEQA Guidelines Section 15168(c). Section 15168(c) provides for limited environmental review of subsequent projects under a Program EIR, where the project is found to be an activity within the scope of the program for which the EIR was prepared, and the impacts of the project are within the scope of the impacts analyzed in the EIR. Council found that the Housing Element EIR analyzed the impacts of the build-out of the RHNA, which involves the development of housing citywide. The HE Streamlining Checklist was prepared by staff to determine whether the impacts of the proposed project are within the scope of the Housing Element EIR. The prepared HE Streamlining Checklist supports that the impacts of the proposed project are within the scope of the Housing Element EIR and that no significant environmental effects not examined in the Program EIR will occur from the proposed project. All required mitigation measures from the Housing Element EIR Mitigation Monitoring Program (MMP) will be imposed on the proposed project. An MMP for the proposed project has been prepared for adoption by the decisionmaker.

7. **Flood Insurance.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Flood Zone X, areas determined to be outside the 0.2% annual chance floodplain.