

FINDINGS

TRANSIT ORIENTED COMMUNITIES AFFORDABLE HOUSING INCENTIVE PROGRAM / AFFORDABLE HOUSING INCENTIVES COMPLIANCE FINDINGS

Pursuant to Section 12.22 A.31(e) of the LAMC, the Director shall review a Transit Oriented Communities (TOC) Affordable Housing Incentive Program project application in accordance with the procedures outlined in LAMC Section 12.22 A.25(g).

1. Pursuant to Section 12.22 A.25(g) of the LAMC, the Director shall approve a density bonus and requested incentives unless the Director finds that:

- a. The incentives are not required to provide for affordable housing costs for rents for the affordable units.**

The record does not contain substantial evidence that would allow the Director to make a finding that the requested incentives are not necessary to provide for affordable housing costs per State Law. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed a predetermined percentage of income based on area median income thresholds dependent on affordability levels.

The list of incentives in the TOC Guidelines were pre-evaluated at the time the TOC Affordable Housing Incentive Program Ordinance was adopted to include types of relief that minimize restrictions on the size of the project. As such, the Director will always arrive at the conclusion that the on-menu incentives are required to provide for affordable housing costs because the incentives by their nature increase the scale of the project.

The following incentives allow the developer to add height, reduce the rear yard, easterly side yard, and westerly side yard residential setbacks, and reduce the amount of open space provided so that affordable housing units reserved for Extremely Low Income Households can be constructed and the overall space dedicated to residential uses is increased. These incentives are expressed in the TOC Guidelines which permit exceptions to zoning requirements that result in building design or construction efficiencies that provide for affordable housing costs. These incentives also support the applicant's decision to reserve 13 units of the total 121 units for Extremely Low Income Households.

Residential Density. A 70-percent increase in the maximum density to permit a total of 121 dwelling units in lieu of the 71 base units otherwise permitted by LAMC Section 12.14.

Floor Area Ratio. An increase in the FAR to permit a maximum of 3.32:1 in lieu of the 1.5:1 otherwise permitted by LAMC Section 12.21.1.

Height. A 22-foot increase in the height requirement, allowing up to 79 feet in height in lieu of the permitted 57 feet per LAMC Section 12.21.1.

Open Space. A 25-percent decrease in the required open space, allowing a minimum of 9,413 square-feet of open space in lieu of the 12,550 square-feet otherwise required by LAMC Section 12.21 G.2.

Yards/Setbacks. Utilization of RAS3 setbacks for the northerly rear yard and the easterly and westerly side yards in lieu of the setbacks otherwise required by LAMC Section 12.14 C.2.

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

There is no evidence in the record that the proposed incentive will have a specific adverse impact. A “specific adverse impact” is defined as, “a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete” (LAMC Section 12.22 A.25(b)). The finding that there is no evidence in the record that the proposed incentives will have a specific adverse impact is further supported by the CEQA findings. The findings to deny an incentive under Density Bonus Law are not equivalent to the findings for determining the existence of a significant unavoidable impact under CEQA. However, under a number of CEQA impact thresholds, the City is required to analyze whether any environmental changes caused by the project have the possibility to result in health and safety impacts. For example, CEQA Guidelines Section 15065(a)(4), provides that the City is required to find a project will have a significant impact on the environment and require an EIR if the environmental effects of a project will cause a substantial adverse effect on human beings.

The proposed project and potential impacts were analyzed in accordance with the CEQA Guidelines. The project was evaluated against the exceptions to the use of Categorical Exemptions pursuant to Section 15300.2 of the CEQA Guidelines. The Director of Planning determined that none of the exceptions apply to the proposed project and the project is Categorically Exempt from CEQA pursuant to Class 32 of the CEQA Guidelines.

Therefore, there is no substantial evidence that the proposed project will have a specific adverse impact upon public health and safety or the environment, or on any real property that is listed in the California Register of Historical Resources.

SITE PLAN REVIEW FINDINGS

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

The elements of the General Plan establish policies that provide for the regulatory environment in managing the City and for addressing concerns and issues. The majority of the policies derived from these Elements are in the form of code requirements of the LAMC. Except for the entitlements and incentives described herein, the project does not propose to deviate from any of the requirements of the LAMC. The following will discuss the Project’s consistency with various elements of the General Plan, including the Framework Element, the Housing Element, the Health and Wellness Element, the Transportation Element (also known

as “Mobility Plan 2035”), and the Silver Lake – Echo Park – Elysian Valley Community Plan.

The proposed project is for the construction, use, and maintenance of a five-story, mixed-use development containing 121 residential units. The project will be comprised of 89,719 square-feet of floor area, of which 3,603 square-feet will be designated for ground floor commercial space, built on a 27,055 square-foot site, resulting in a Floor Area Ratio (“FAR”) of 3.32:1. The project will rise to a height of 79 feet. The project proposes to utilize Base and Additional Incentives under the Transit Oriented Communities (“TOC”) Affordable Housing Incentive Program in return for providing 13 income-restricted units, or 10 percent of the total 121 units, for Extremely Low Income Households.

The project site is comprised of four (4) contiguous lots within the Silver Lake – Echo Park – Elysian Valley Community Plan Area. The project site is located in the [Q]C2-1VL Zone and is designated by the Community Plan for Community Commercial land uses, which corresponds with the RAS3, CR, C2, C4, and P Zones. The project site is not located within the boundaries of any specific plan, overlay, or interim control ordinance.

The Project will be consistent with the character of development in the immediate area and will be in harmony with the applicable elements of the General Plan. The Applicant is committed to creating a dynamic and visually appealing development that improves the conditions of the site, improves the character of the surrounding area and provides critically needed housing.

General Plan Framework Element

The Framework Element is a strategy for long-term growth which sets a citywide context to guide the update of Community Plans and Citywide Elements. The Framework Element is a comprehensive, long-range document containing purposes, policies, and programs for the development of the City of Los Angeles. The Citywide General Plan Framework text defines policies related to growth and includes policies for land use, housing, urban form/neighborhood design, open space/conservation, economic development, transportation, and infrastructure/public services.

The primary objectives of the policies in the Framework Element are to support the viability of the City’s residential neighborhoods and commercial districts, and when growth occurs, to encourage sustainable growth in a number of higher-intensity commercial and mixed-use districts, centers and boulevards and industrial districts particularly in proximity to transportation corridors and transit stations.

The project is in conformance with the following Framework goals and objectives:

Land Use (from General Plan Framework, Chapter 3, Land Use Goals, Objectives, and Policies – Distribution of Land Use)

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 livable city.

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

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

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

Goal 3C: *Multi-family neighborhoods that enhance the quality of life for the City's existing and future residents.*

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

The project site is comprised of four (4) contiguous lots zoned [Q]C2-1VL and designated for Community Commercial land uses. Currently, the project site is developed with a grocery store, a recycling center, and a surface parking lot. The project proposes to demolish the existing improvements and redevelop the site with a five-story, 79-foot mixed-use building that will include 121 residential dwelling units, 13 of which will be restricted for Extremely Low Income Households, and two (2) ground-floor commercial spaces. The proposed mix of uses is consistent with the goals outlined in the General Plan Framework Element to provide a balance of uses as well as opportunities for housing near transit.

The project is located within 750-feet from the intersection of a rapid bus (Metro Line 4) and a regular bus (Metro Line 603) at Sunset Boulevard and Coronado Street. According to the TOC Referral Form, dated March 13, 2023, both bus routes provide service with a frequency interval of 15-minutes or less during peak morning and afternoon commute periods. In particular, the Metro Line 4 is a major bus route that stretches from Downtown Los Angeles to Downtown Santa Monica and would therefore allow residents to easily travel throughout the City on public transit alone. The Metro Line 603 would also provide residents with access to major destinations in and outside of the City of Los Angeles, including Glendale, Westlake, Pico-Union, and Downtown Los Angeles. The project will also provide 74 residential vehicle parking spaces and 5 commercial parking spaces across two (2) subterranean floors, which can be accessed through an alley north of Sunset Boulevard. Additionally, the project will also include 94 residential bicycle parking spaces (85 long-term and 9 short-term) and four (4) commercial parking spaces (2 long-term and 2 short-term), therefore accommodating a variety of transit methods for residents and customers besides the use of personal automobiles.

The project will revitalize an underutilized property by providing residential opportunities to households of diverse incomes. The project will contain 121 residential dwelling units, of which 13 will be restricted for Extremely Low Income Households. These units will be comprised of

73 studio units, 36 one-bedroom units, and 12 two-bedroom units, which will allow the project to meet the needs of various household sizes. The project is also situated on Sunset Boulevard, which is a major throughfare that is adequately serviced by sufficient public services and infrastructure that will meet the demands of the building's residents. The project will also include two (2) ground floor commercial spaces, which will provide the building's residents and neighbors with additional commercial opportunities in addition to the existing variety on Sunset Boulevard. Through the mixed-use nature of the building and its convenient location on a major throughfare, the project will improve the quality of life of the community's existing and future residents. Therefore, the project is in conformance with the purpose of the Framework Element.

Housing (from General Plan Framework, Chapter 4, Housing Goals, Objectives, and Policies)

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

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

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

The Framework Element's chapter on housing encourages the development of different types of housing that will address the needs of the City's diverse households. The proposed project will offer 121 residential dwelling units, of which 13 will be restricted for Extremely Low Income Households and the remainder will be provided at market-rate rents. The project's unit mix will be comprised of 73 studio units, 36 one-bedroom units, and 12 two-bedroom units. The project therefore will provide housing opportunities that will be accessible to households of different incomes and sizes.

The project will be constructed within 750-feet of the intersection of a rapid bus line (Metro Line 4) and a regular bus line (Metro Line 603) at Sunset Boulevard and Coronado Street. The project site is located on Sunset Boulevard, which is a major throughfare that is populated with a variety of commercial and residential uses. Therefore, the project will contribute to the development of new multi-family housing within close proximity to public transit and high activity areas.

Housing Element

The 2021-2029 Housing Element (The Plan to House LA) was adopted by City Council on November 2021. The Housing Element is one of the eight State mandated elements of the General Plan that identifies the City's housing conditions and needs and establishes the goals, objectives, policies, and programs that are the foundation of the City's housing strategy.

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

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

Policy 1.2.1: *Expand rental and for-sale housing for people of all income levels. Prioritize housing developments that result in a net gain of Affordable Housing and serve those with the greatest needs.*

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.*

As proposed, the project will add 121 residential units to the City's housing stock, 13 of which will be restricted for Extremely Low Income Households. The project will provide approximately 89,719 square-feet of total floor area, of which 3,603 square-feet will be utilized for the provision of two (2) ground-floor commercial spaces, for a maximum FAR of 3.32:1. The proposed project is possible through the utilization of Base and Additional Incentives under the TOC Affordable Housing Incentive Program. The TOC Program is intended to incentivize the development of housing, including housing opportunities below market rate, near major transit stops. The project site is located within 750-feet from the intersection of a regular bus line and a rapid bus line, both of which have frequency of service intervals of 15-minutes or less during peak morning and afternoon commute times. By adding units to the City's housing stock at a site close to transit and for a mix of incomes, the project substantially conforms to the purpose of the Housing Element of the General Plan.

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 following policies of the Mobility Plan apply to the proposed project:

Chapter 2: World Class Infrastructure

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

Chapter 3: Access for All Angelenos

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

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

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

Chapter 5: Clean Environments and Healthy Communities

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

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

The project is for the construction, use, and maintenance of a five-story, 79-foot-tall mixed-use building that will contain 121 residential dwelling units, 13 of which will be reserved for Extremely Low Income Households, and two (2) ground-floor commercial units. The project will include a two-floor subterranean garage accessible from an alley immediately to the north of the site that will contain 74 residential automobile parking spaces, 5 commercial automobile parking spaces, 94 residential bicycle parking spaces (85 long-term and 9 short-term) and four (4) commercial bicycle parking spaces (2 long-term and 2 short-term). The project is requesting Base and Additional Incentives under the Transit Oriented Communities (TOC) Affordable Housing Incentive Program, for which the project is eligible due to its proximity from a major transit stop comprised of the intersection of a rapid bus line and a regular bus line at Sunset Boulevard and Coronado Street.

The project site is currently developed with a grocery store, a recycling center, and a surface parking lot that is accessible to vehicles from curb cuts on Sunset Boulevard. The project will remove the curb cuts, as the garage will only be accessible from an alley at the rear of the project site. The project proposes to plant seven (7) new street trees on Sunset Boulevard, where there currently are none. Additionally, the project's courtyard and two (2) ground-floor commercial spaces will be accessible from the street level, activating the sidewalk and providing a pleasant pedestrian experience.

Per AB 2097, the project is not required to provide any on-site automobile parking spaces. As proposed, the project will provide parking, but at less than the standards required by the Municipal Code. The project is located on Sunset Boulevard and is served by the Metro Line 4, which runs east and west from Downtown Los Angeles to Downtown Santa Monica, and the Metro Line 603, which runs north to south from Glendale to Downtown Los Angeles, therefore allowing residents to easily access various neighborhoods across the City. Therefore, the project substantially conforms to the purpose of the Mobility Element.

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 also be discussed with the Conservation Element below:

Conservation Element

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

The project proposes the construction, use, and maintenance of a five-story, mixed-use development that will include 121 dwelling units. The project will offer several health-focused design features and amenities, including 9,418 square-feet of open space comprised of a 2,926 square-foot courtyard, three (3) recreation rooms that total 2,353 square-feet, and 4,139 square-foot roof deck. The project will also provide residents with a fitness center, a yoga studio, and co-working space. The project's pedestrian entrances are oriented towards Sunset Boulevard, a major throughfare that is populated with a variety of commercial and residential uses, and therefore allows easy access to public transit located at the intersection of Sunset Boulevard and Coronado Street. The project will also contain ample bicycle parking spaces for residents and customers 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 five (5) street trees along Sunset Boulevard, which will help prevent the heat island effect and provide shade to pedestrians. Therefore, the project conforms to the purposes of the Plan for a Healthy Los Angeles and the Conservation Element of the General Plan.

Silver Lake – Echo Park – Elysian Valley Community Plan

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

Objective 1-4: *Promote and ensure the provision of adequate housing for all persons, including special needs populations, regardless of income, age, or ethnic background.*

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

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.*

Goal 2: *An economically vital commercial sector and strong viable commercial areas that offer a diversity of goods and services to meet the needs of the community in the Plan Area. Commercial areas should satisfy market demand, maximize convenience, and accessibility while preserving and enhancing the unique historic and cultural identities of the district.*

Objective 2-1: *Conserve and strengthen viable commercial development and encourage the reuse of obsolete commercial development.*

Policy 2-1.1: *New commercial uses shall be located in established commercial areas, emphasizing more intense and efficient use of existing commercial land, ultimately contributing to and enhancing the existing urban form and village atmosphere.*

The project site is located within the Silver Lake – Echo Park – Elysian Valley Community Plan, which designates the site for Community Commercial Land Uses, which corresponds with the RAS3, CR, C2, C4, and P Zones. The site is zoned [Q]C2-1VL, which limits the residential density of the site to the requirements of the R4 Zone. In the R4 Zone, projects are permitted to a density of 400 square-feet of lot area per dwelling. The site has a total buildable area of 28,334 square-feet and therefore may accommodate a maximum base density of 71 units. Under the TOC Program, the project is requesting a 70-percent increase in base density, among other incentives, in order to allow for a total 121 residential dwelling units, 13 of which will be reserved for Extremely Low Income Households. The project's unit mix will be

73 studios, 36 one-bedroom units, and 12 two-bedroom units. The project's dwelling units will therefore be accessible to households of different incomes, sizes, and backgrounds.

The project site is presently developed with a grocery store, a recycling center, and a surface parking lot that are accessible to automobiles through curb cuts on Sunset Boulevard. The project proposes the demolition of the existing structures and the construction, use, and maintenance of a five-story, 79-foot-tall mixed-use building that will include two (2) ground floor commercial units. The project will remove the curb cuts on Sunset Boulevard and provide pedestrian entrances for the building's courtyard and both commercial spaces instead. Automobiles can enter the building's subterranean parking garage through an entrance accessible through the rear alley. As proposed, the project will improve the surrounding area of Sunset Boulevard by encouraging pedestrian activity while providing two (2) ground-floor commercial units on a major throughfare that is currently developed with a diverse array of commercial uses.

The project site is located within 750-feet from the intersection of Sunset Boulevard and Coronado Boulevard, which is served by a rapid bus line (Metro Line 4) and a regular bus line (Metro Line 603). Both bus lines have frequency of service intervals that are fifteen minutes or less during peak morning and afternoon commute times. The Metro Line 4 runs east to west and allows passengers to easily travel from Downtown Los Angeles to Downtown Santa Monica. The Metro Line 603 runs north to south and allows passengers to easily commute from Glendale to Downtown Los Angeles. The project will also include a two-level subterranean garage that will include 74 residential automobile parking spaces, 5 commercial automobile parking spaces, 94 residential bicycle parking spaces (85 long-term and 9 short-term) and 4 commercial bicycle parking spaces (2 long-term and 2 short-term). The project's close proximity to transit opportunities, reduced automobile parking spaces, and increased bicycle parking spaces will encourage the use of alternative modes of transportation and reduce automobile trips.

For these reasons outlined above, the Project demonstrates consistency with the Silver Lake – Echo Park – Elysian Valley Community Plan.

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

The project site is comprised of four (4) contiguous lots with a total lot area of 27,055 square-feet. The project site has 212 feet of street frontage along the northern side of Sunset Boulevard between Coronado Street and Benton Way. The project site is presently improved with a grocery store, a recycling center, and a surface level parking lot. The project site is zoned [Q]C2-1VL and is designated for Community Commercial land uses by the Silver Lake – Echo Park – Elysian Valley Community Plan.

Surrounding properties are developed with commercial and residential buildings. Properties to the north across the alley are zoned R2-1VL and RD1.5-1VL and are developed with single-family and multi-family residences that range in height from one-story to three-stories. Properties immediately to the east are zoned [Q]C2-1VL and are developed with a single-story strip mall that includes a restaurant, a hair salon, a massage parlor, a bakery, and a daycare center. Properties to the south across Sunset Boulevard are zoned [Q]C2-1VL and are developed with a series of one-story commercial buildings, including a tattoo parlor, a

massage spa, and a tax preparation business. Properties to the west are zoned [Q]C2-1VL and are developed with a single-story strip mall that includes a nail salon, a donut shop, a dental office, a restaurant, a laundromat, and a smoke shop.

The project proposes the demolition of the existing structures and the construction, use, and maintenance of a five-story, 79-foot-tall mixed-use development containing 121 residential dwelling units and two (2) ground-floor commercial units. The building will be comprised of 89,719 square-feet of floor area, 3,603 square-feet of which will be used for the commercial spaces, for a FAR of 3.32:1. The project will reserve 13 dwelling units, or 10 percent of the total 121 units, for Extremely Low Income Households. The project will also include a two-level subterranean garage that will contain 74 residential automobile parking spaces, 5 commercial automobile parking spaces, 94 residential bicycle parking spaces (85 long-term and 9 short-term), and 4 commercial bicycle parking spaces (2 long-term and 2 short-term).

Height

The project site is zoned [Q]C2-1VL and is therefore within Height District 1VL, which limits developments that are not purely residential to a height of 45 feet and 3 stories. Due to a grade change at the project site exceeding 20 feet, a height increase of 12 feet is permitted per the LAMC Section 12.21.1 B.2. The site is also requesting an additional height increase of 22 feet and 2 stories under the Transit Oriented Communities (“TOC”) Affordable Housing Incentive Program. Accounting for all of the height increases, the construction of a 79-foot, five-story building as proposed is allowed. Therefore, the project is within the allowable maximum height for the subject zone.

Bulk/Massing

The project site is zoned [Q]C2-1VL, which allows for a maximum FAR of 1.5:1. Under the TOC Program, the site is allowed a maximum increase in FAR of up to 3.75:1. The project proposes the construction, use, and maintenance of a building that will contain approximately 89,719 total square-feet on a site with a buildable area of 27,055 square feet. Therefore, the project will have a FAR of 3.32:1, which is within the maximum permitted.

The project site has a 212 foot frontage along the northern side of Sunset Boulevard between Coronado Street and Benton Way. The project is a five-story, 79-foot-tall mixed-use building that will contain 121 residential dwelling units and two (2) ground-floor commercial units. Pedestrian access to the commercial units and an open-air courtyard at the center of the building will be on Sunset Boulevard. The project will also include a two-level subterranean garage that will be accessible from the rear alley. The project is designed so that the façade on Sunset Boulevard is primarily made up of white stucco, metal, and concrete. However, the design breaks up the plane by providing double-height storefront glass for the commercial spaces on the ground floor, creating visual interest for pedestrians. The project’s façade will also include windows, Juliet balconies, textured offset patterns, and a large arch that will accent the entrance to the courtyard. These design elements will help with articulation and create breaks in the plane. Overall, the project has been designed in a manner that will be complementary to the surrounding neighborhood.

Setbacks

The project is zoned [Q]C2-1VL, which requires that the residential portions of mixed-use projects abide by the side yard and rear yard setback restrictions imposed in the R4 Zone.

However, pursuant to the TOC Guidelines, in any commercial zone, Eligible Housing Developments may utilize any or all of the yard requirements of the RAS3 Zone as outlined in LAMC Section 12.10.5. The subject property is located in a commercial zone and has requested an Additional Incentive under the TOC Program to utilize RAS3 side yard and rear yard setbacks for the residential portions of the projects.

The project shall provide the following setbacks, which compatible with the TOC Program and the existing neighborhood:

Residential Setback	C2 Zone (Residential)	RAS3 Zone (Additional Incentive under TOC)	Proposed
Southerly Front Yard	0'	N/A	0'
Easterly Side Yard	8' (Conform to R4)	5'	7'
Westerly Side Yard	8' (Conform to R4)	5'	7'
Rear Yard	17' (Conform to R4)	15'	15'

The project is a mixed-use development in the [Q]C2-1VL Zone. For the commercial portion of the development, there are no setback requirements per the Municipal Code. For residential portion of the project, the project is required to provide side and rear yard setbacks that conform to the requirements of the R4 Zone. Under the TOC Program, the project may request an Additional Incentive to provide residential side and rear yard setbacks that instead conform to the RAS3 Zone. As shown in the chart above, the proposed setbacks conform with the TOC Program's requirements.

Parking/Loading

The project will include a two-level subterranean parking garage that will be accessible only through a driveway located in the rear alley. Q conditions imposed by Ordinance 176,825 require that vehicular access to the building be limited to either the side or the rear and that parking be located in the rear of the building or underground. The subterranean parking lot and the location of the driveway in the rear alley reduce the visibility of parking spaces and automobile lights from the public right-of-way and the surrounding neighborhood. The proposed driveway will be reviewed during the condition clearance process.

Per LAMC Section 12.21 A.4, the project would be required to provide 151 residential and 7 commercial automobile parking spaces. However, the project is requesting to utilize a Base Incentive under the TOC Program that allows a reduction of both the residential and commercial automobile parking requirements, allowing the project to provide a minimum of 61 residential and 5 commercial automobile parking spaces. The project proposes to provide 74 residential and 5 commercial automobile parking spaces, therefore meeting the minimum required.

In accordance with LAMC Sections 12.21 A 16, the project is required to provide 85 long-term and 9 short-term bicycle parking spaces for residential uses and two (2) long-term and two (2) short-term bicycle parking spaces for commercial uses. The project is providing 85 long-term and 9 short-term bicycle parking spaces for residential uses and two (2) long-term and two (2) short-term bicycle parking spaces for commercial uses, therefore meeting the minimum required.

Per LAMC Section 12.21 C.6, the project is not required to provide a loading space because

the site's terrain makes it difficult to allow a loading zone inside the parking garage, which is accessible from the alley. The Department of Building and Safety has advised the applicant to work with LADOT to determine whether the loading zone can be allowed along Sunset Boulevard.

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 landscaping on the ground floor and the roof deck and along the alley and the public right-of-way. The landscaping will include 31 25-inch box trees and a variety of other plants and shrubs.

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 maintained in accordance with a landscape plan prepared by a licensed landscape architect or architect and submitted for approval to the Department of City Planning, Development Services Center.

Trash Collection

Trash storage and collection are proposed to be enclosed within the building, with residential trash collection on the second subterranean parking floor and commercial trash collection on the ground floor. Both collection areas are not within the public view.

Building Materials

The building façade is proposed to consist of white trowelled stucco, metal panels and concrete panels, as show 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.

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

The project is required to provide a minimum of 9,413 square-feet of open space. The project is providing 9,418 square-feet of open space, which meets the minimum required. The project's open space will consist of a 2,926 square-foot courtyard, three (3) recreation rooms that total 2,353 square-feet, and a 4,139 square-foot roof deck. 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.

ADDITIONAL MANDATORY FINDINGS

- 5.** 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 Zone C, areas outside of a flood zone.

ENVIRONMENTAL FINDINGS

The Director of Planning determined that based on the whole of the administrative record as supported by *Justification for Categorical Exemption Case No. ENV-2023-2029-CE* in the case file, the project is exempt from CEQA pursuant to CEQA Guidelines, Section 15332, Class 32 and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the CEQA Guidelines, regarding cumulative impacts, significant effects, unusual circumstances, scenic highways, hazardous waste sites or historical resources applies.