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October 23, 2020

Los Angeles City Council  
c/o Office of the City Clerk  
City Hall, Room 395  
Los Angeles, California 90012

Attention: PLUM Committee

Dear Honorable Members:

**APPEAL OF CASE NO. CPC-2019-4908-DB-SPR, FOR PROPERTY LOCATED AT 1309-  
1331 SOUTH PACIFIC AVENUE; CF 20-0680**

On May 5, 2020, the City Planning Commission approved a Density Bonus Compliance Review and Site Plan Review for the construction of a 4-story, 45-foot and 5-inch tall residential building comprised of 102 dwelling units (including 12 Very Low Income units), with approximately 83,158 square feet in floor area with a Floor Area Ratio ("FAR") of 2.65:1, and 127 parking spaces in 2 subterranean levels. The City Planning Commission determined that after consideration of the whole of the administrative record, the project is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines, Article 19, Section 15332 (Class 32). The City Planning Commission approved the Density Bonus Compliance Review with three (3) On- and Off-Menu Incentives, one (1) Waiver of Development Standard, and approved the Site Plan Review.

The Density Bonus On- and Off-Menu Incentives and Waivers of Development Standards are as follows:

- a. *Off-Menu Incentive:* A 2.65:1 FAR in lieu of the 1.5:1 otherwise permitted by the C2-1XL-CPIO Zone and San Pedro Community Plan Implementation Overlay ("CPIO") Section IV-2.B;
- b. *On-Menu Incentive:* A 20 percent reduction in the required open space, to allow 8,831 square feet in lieu of the 10,950 square feet otherwise required by LAMC Section 12.21 G; and
- c. *Off-Menu Incentive:* A 5-foot rear yard setback in lieu of the 16 feet otherwise required by the C2-1XL-CPIO Zone.
- d. *Waiver of Development Standard:* A 45-foot and 5-inch building height in lieu of the 30 feet otherwise permitted by the C2-1XL-CPIO Zone and CPIO Section IV-2.A.2.

In accordance with Los Angeles Municipal Code ("LAMC") Section 12.22 A.25(g)(2), Requests for Incentives on the Menu ("On-Menu Incentives") are appealable. However, LAMC Section 12.22 A.25(g)(3) states that the decision of City Planning Commission shall be final for Requests for Waiver or Modification of any Development Standard(s) Not on the Menu ("Off-Menu Incentives" or "Waivers of Development Standards"). Therefore, the Off-Menu Incentives and Waiver of Development Standard under Items (a), (c), and (d) above are not appealable.

Based on the above, the appeal filed by an aggrieved party (filed by Citizens Protecting San Pedro, with 7 additional appeal forms signed by 7 other parties) dated May 20, 2020, shall not include the Off-Menu Incentives and Waiver of Development Standard. The Off-Menu Incentives and Waiver of Development Standard are therefore not before the Planning and Land Use Management Committee or City Council for consideration.

Sincerely,

VINCENT P. BERTONI, AICP  
Director of Planning

A handwritten signature in black ink that reads "Michelle Singh". The script is cursive and fluid, with the first name "Michelle" and last name "Singh" clearly distinguishable.

MICHELLE SINGH  
Senior City Planner

VPB:FR:MS:CC