



DEPARTMENT OF CITY PLANNING APPEAL RECOMMENDATION REPORT

South Los Angeles Area Planning Commission

Date: April 6, 2021
Time: After 4:30 p.m.*
Place: In conformance with the Governor's Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19, the CPC meeting will be conducted entirely telephonically by Zoom [<https://zoom.us/>].

The meeting's telephone number and access code access number will be provided no later than 72 hours before the meeting on the meeting agenda published at <https://planning.lacity.org/about/commissions-boards-hearings> and/or by contacting cpc@lacity.org

Public Hearing: Required
Appeal Status: Not Further Appealable
Expiration Date: April 28, 2021

Case No.: DIR-2020-4338-RDP-1A
CEQA No.: ENV-2018-2454-CE
Incidental Cases: None
Related Cases: ZA-2018-2453-CU-DB-SPR, VTT-82114,
9 – Curren D. Price Jr.
Council No.: South Los Angeles West
Plan Area: North University Park –
Specific Plan: Exposition Park –West
Adams Neighborhood
Stabilization Overlay
Certified NC: Empowerment Congress
North Area
GPLU: Low Medium II Residential
Zone: RD1.5-1-O
Applicant/Owner: Robert Champion,
Representative: Champion Real Estate
Company
Kyndra Casper, DLA Piper
LLP
Appellants: Jean Frost,
West Adams Heritage
Association

**PROJECT
LOCATION:** 806 West Adams Boulevard

**PROPOSED
PROJECT:** The project would demolish the existing on-site building and parking lot and construct a total of 102 residential units consisting of 100 five-bedroom units and two three-bedroom units within six, three-story buildings over a single-level podium parking structure, totaling four stories. Five of the apartment units would be restricted affordable units for Very Low Income households and the two three-bedroom units would be restricted Workforce Housing. An additional four-story building would provide a clubhouse that would include a variety of resident-serving amenities. In total, the project would construct 185,985 square feet of new floor area. The project provides a total of 30,535 square feet of on-site open space. The seven buildings would sit on a fully enclosed and screened single-level, ground-floor parking structure providing a total of 255 vehicle parking spaces for off-street parking and 220 bicycle parking spaces. A total of 19 on-site, non-protected trees will be removed as a result of the project.

**APPEAL
ACTION:**

1. Appeal of the project's environmental clearance determining that based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to CEQA Guidelines Section 15332 (Class 32), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies
2. Appeal of the Director of Planning's determination to approve a 2.47% density increase to match the base density of the LAMC pursuant to the Exposition/University Park Redevelopment Plan, Sections 1304 and 1306, for the construction of a new four-story (45 feet high), approximately 185,985 square foot residential complex with 102 residential units. This includes five (5) units set aside for Very Low Income Households and two (2) units set aside for

Workforce Households, on a 124,257 net square foot lot in the Low Medium II District of the Hoover Redevelopment Project Area.

RECOMMENDED ACTIONS:

1. **Determine** that based on the whole of the administrative record, the project is exempt from CEQA pursuant to CEQA Guidelines, Section 15332, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. **Deny** the appeal filed by Jean Frost on behalf of the West Adams Heritage Association and **SUSTAIN** the decision of the Director of Planning to **APPROVE** a Redevelopment Plan Project Compliance Review, permitting a 2.47% density increase to match the base density of the LAMC pursuant to the Exposition/University Park Redevelopment Plan, Sections 1304 and 1306, for the construction of a new four-story (45 feet high), approximately 185,985 square-foot residential complex with 102 residential units;
3. **Adopt** the attached Findings; and
4. **Adopt** the attached Conditions of Approval.

VINCENT P. BERTONI, AICP
Director of Planning

Michelle Singh

Faisal Roble,
Principle City Planner

Michelle Singh

Michelle Singh,
Senior City Planner

Sergio Ibarra

Sergio Ibarra,
City Planner

Rafael J. Fontes

Rafael Fontes,
Planning Assistant

ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the City Planning Commission Secretariat, 200 North Spring Street, Room 272, Los Angeles, CA 90012 (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to this programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1300.

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Exhibits:

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- Exhibit B – Letter of Determination for DIR-2020-4338-RDP
- Exhibit C –Appeal Application
- Exhibit D – CEQA Clearance (ENV-2018-2454-CE) and Supplemental Memorandum
- Exhibit E – Radius and Vicinity Maps
- Exhibit F – Public Correspondence
- Exhibit G – Environmental Studies
- Exhibit H – Mailing List

PROJECT ANALYSIS

PROJECT SUMMARY

The project is an urban infill residential development on a 2.8-acre site, located at the southeast corner of Severance Street and Adams Boulevard. The project proposes to construct 102 total residential units (five units set aside for Very Low Income Households and two for Workforce Housing) to be distributed among six three-story buildings. These six buildings, with the exception of an additional four-story clubhouse building, are set atop an at-grade parking garage that covers most of the site. The project also proposes a total of 255 parking spaces and 220 bike spaces (115 long-term and 105 short-term). Vehicle access will be provided via a pair of (2) two-way driveways off of Severance Street and Adams Boulevard. The project includes a network of central courtyard areas at the second level (open to the sky), with exterior skyways connecting circulation corridors that traverse the buildings at the third and fourth floors.

APPEAL SCOPE

The appeal, filed by Jean Frost of the West Adams Heritage Association, challenges the Director of Planning's determination to approve a Redevelopment Plan Project Compliance Review, permitting a 2.47% density increase to match the base density of the LAMC pursuant to the Exposition/University Park Redevelopment Plan, Sections 1304 and 1306, for the construction of a new four-story (45 feet high), approximately 185,985 square-foot residential complex with 102 residential units.

BACKGROUND

The site is level, orthogonal, approximately 124,257 net square foot lot (120,410 after dedications), and comprised of four parcels tied and held together as one lot. The four parcels are:

Parcel 1: FR 2 Arb 40, Block 22 of Hancock's Survey Tract ("Parcel 1");
Parcel 2: FR 2 Arb 39, Block 22 of Hancock's Survey Tract ("Parcel 2");
Parcel 3: FR 14 Arb 2 of Severance Tract ("Parcel 3"); and
Parcel 4: FR 14 Arb 1 of Severance Tract ("Parcel 4").

The site is presently developed with an existing two-story plaster office building currently used by the University of Southern California that will be demolished. The remainder of the site is devoted to a parking lot and landscaping on the corner of Severance Street and Adams Boulevard, with the interior-most portion left as exposed soil. All structures, fifteen on-site trees, and asphalt will be demolished and removed from the site. There are eight street trees abutting the site, two along Severance Street and six along Adams Boulevard. The seven buildings would sit on a fully enclosed and screened single-level, ground-floor parking structure providing a total of 255 vehicle parking spaces for off-street parking and 220 bicycle parking spaces. A total of 19 on-site, non-protected trees will be removed as a result of the project. Vehicular access to the project site will be provided via a full access driveway (accommodating both right-turn and left-turn ingress/egress movements) located on Severance Street and a restricted access driveway (accommodating only right-turn ingress/egress movements) located on Adams Boulevard.

SURROUNDING PROPERTIES

Adjacent properties include a four-story residential building to the west across Severance Street, a three-story residential building to the north across Adams Boulevard, a two-story commercial building on the adjacent property to the east, and two and one-story residential and educational buildings to the south owned by the University of Southern California.



Figure 1. ZIMAS zoning map

The site is located within the South Los Angeles Community Plan Area, and has a land use designation of Low Medium II Residential with a corresponding zone of RD1.5-1-O. Properties to the west and south are also zoned RD1.5-1-O and are developed with two to four story residences and apartment blocks. Properties to the north are zoned RD1.5-1-O-HPOZ, consisting of two to four story apartment blocks and a surface parking lot associated with the Doherty Campus of Mount Saint Mary's University, Los Angeles. Properties to the east are zoned [Q]C2-1-O and C4 and developed mostly with two- to four-story structures. These consist of an office building, residence, apartment block owned by the University of Southern California. The site is located within a Transit Priority Area in the City of Los Angeles (ZI-2452), and a Tier 3 - Transit Oriented Community Area, and is within 2,000 feet of a major transit stop, the Metro E Line (Expo Line), LATTC/Ortho Institute Station.

The site is also located within the Exposition University Park Redevelopment Plan Area and is subject to the provisions of the University Park – Exposition Park – West Adams Neighborhood Stabilization Overlay (NSO) District. As per the LAMC, the site has a residential density limit of one unit per 1,500 square feet. The site is 124,257 net square feet, which would permit 83 units. In this case, the project requested a 2.47 percent density bonus pursuant to LAMC Section 12.22 A. 25(c)(1). As such, the project includes a total of 102 units, in which five (5) units will be set aside for Very Low Income (or 6 percent of the total units). The Residential Density Increase under the Redevelopment Plan per Sec. 1306 requires a Plan Project Compliance Review to ensure the project meets the criteria of the Redevelopment Plan for the bonus units and that the project complies with all the requirements of the Low Medium II Residential area.

STREETS

Adams Boulevard, abutting the project site to the north, is a designated Avenue I, dedicated to a right-of-way width of 100 feet and is fully improved with a parkway, curb, sidewalk, and gutter.

Severance Street, abutting the project site to the west, is a designated Local Street – Standard, dedicated to a right-of-way width of 60 feet and is fully improved with curb, sidewalk, and gutter.

27th Street, abutting the project site to the southeast, is a designated Local Street – Standard, dedicated to a right-of-way width of 60 feet and is fully improved with curb, sidewalk, and gutter.

Environmental Clearance

The Project application was filed on July 22, 2020, seeking a Redevelopment Plan Project Compliance Review. The CEQA clearance, ENV-2018-2454-CE determined that the that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Article 19, Section 15332, Class 32, and there is no substantial evidence demonstrating that an exception to a categorical exemption applies pursuant to CEQA Guidelines, Section 15300.2 applies.

DECISION AND APPEAL

On January 28, 2021, the Director of Planning issued a Determination that approved a Redevelopment Plan Project Compliance Review, permitting a 2.47% density increase to match the base density of the LAMC pursuant to the Exposition/University Park Redevelopment Plan, Sections 1304 and 1306, for the construction of a new four-story (45 feet high), approximately 185,985 square-foot residential complex with 102 residential units.

On February 16, 2021, an appeal was filed by Jean Frost on behalf of the West Adams Heritage Association.

APPEAL ANALYSIS

APPEAL (Jean Frost, West Adams Heritage Association)

The following statements are summarized from the appeals submitted by the appellant. The appeal in its entirety is attached for reference (see Exhibit D). The main appeal points raised were related to the following: 1) Public noticing requirements; 2) Redevelopment Plan Compliance findings; 3) CEQA – eligibility for a Class 32 Categorical Exemption.

1) Public Noticing Requirements

Appeal point 1:

“The project approval is subject to the requirements of the Exposition/University Park Redevelopment Plan (“The Plan”) and constitutes a variance from the Preservation Plan, as such, a public hearing is required which staff have previously acknowledged. The Planning Case file shows: “Public Hearing Waived: NO.” Staff has indicated there would be a hearing on the discretionary action. There is an extensive history of emails with City Planning staff explaining and agreeing that a public hearing would be required. The community expected a public hearing; the record shows that staff had that same expectation. Then out of the blue an RDP Letter was issued with no hearing, no notice to parties of interest, with no transparency to a public that has had a continuing discussion with the City and its representatives. This is a clear abuse of discretion.”

Staff Response 1:

The appellant failed to provide substantive evidence to support its assertion that a public hearing was required. Los Angeles Municipal Code Section 11.5.14 Redevelopment Plan Procedures D.3 Notice and Hearing states that a hearing shall be held as required per the LAMC. No such provision for a public hearing on the requested entitlement is found within the LAMC, including 11.5.14, therefore a public hearing is not required for a Redevelopment Plan Project Compliance. The Project was reviewed in accordance with the Review Procedures for Redevelopment Plan Project Compliance per LAMC 11.5.14 D.5(d). These procedures stipulate that “the Director shall grant a Project Compliance upon written findings that the project: (1) Substantially complies with the relevant Redevelopment Regulations, findings, standards and provisions of the Redevelopment Plan; and (2) Is subject to all conditions required by the relevant Redevelopment Regulations; and (3) Complies with CEQA; and (4) Any other findings that are required in the relevant Redevelopment Plan.” The Appellant has not provided any evidence to support its claim that the City was required to hold a hearing in advance of issuing these findings. The Appellant has likewise not provided any evidence to support its claim that the City has erred, abused its discretion, or arbitrarily decided to review compliance by making this determination.

The appellant failed to provide substantive evidence to support its assertion that the Director neglected to transmit notice of determination to parties of interest. Per LAMC 11.5.14 D.5(c)(3), the Director transmitted copies of the decision by mail to the applicant, the Department of Building and Safety, the Councilmember (Curren D. Price Jr., CD 9) having jurisdiction over the Redevelopment Project Area in which the property is located, the Department of Transportation, owners of all properties abutting, and interested parties which have filed written requests for notice with the City Planning Department. Among the latter is the North Area Neighborhood Development Council (NANDC), on which Ms. Frost

(the signee of the appellant) serves as the Chair of the NANDC Policy Committee. The mailing list is attached as Exhibit H.

2) The Redevelopment Plan Compliance Findings

Appeal point 2:

“Secondly the RDP Letter errs in its judgement that the project complies with the Redevelopment Plan.” And “Essentially the findings cannot be made under ‘The Plan’ to approve the density proposed, the RDP letter cherry picks what it perceives as complying but when it is examined factually it falls short of demonstrable truth.”

Staff Response 2:

The Appellant has failed to provide substantive evidence to support its allegations that the City has erred in its judgment that the Project is consistent with the applicable Exposition/University Park Redevelopment Plan policies and other applicable zoning regulations. The Director has made findings of consistency with the Plan when approving the Project and no new substantial evidence has been raised by the Appellant regarding this analysis.

The Appellant has failed to provide substantive evidence to support its allegations that the findings cannot be made under ‘The Plan’ to approve the density proposed. The Plan states that “the Agency may, ...authorize new housing to be developed at higher densities than otherwise permitted by sections 1303, 1304, 1305.”

Section 1306 of the Redevelopment Plan permits a 2.47% increase in density in this case, which translates to an additional two workforce housing units. As required by the Plan, and detailed in the determination Findings (Exhibit B), the Director found that the Project will “contribute to the revitalization goals of the plan” by increasing housing choices in the community and alleviating the market pressure on overcrowded or substandard housing. The project “contribute[s] to a desirable residential environment, neighborhood stability, and [does] not adversely impact the neighboring environment” by providing 102 units (with 5 affordable) within a transit rich area. This is coupled with various amenity spaces located within the property, and away from neighboring uses. The project will also “provide units with adequate living area and avoid excessively dense development” by providing housing at a density of approximately 1,218 square feet of lot area per unit, complemented by generous in unit and shared building amenities. Finally, the 102 unit project will “provide adequate parking” via 255 off-street vehicle parking spaces, which is the maximum parking ratio that a local land use permitting authority is allowed to impose (per California Government Code Section 65915, subsection (p)(1)). The Appellant has not provided any evidence to refute the City’s findings in the affirmative.

Appeal point 3:

“The project will not enhance the built environment in the surrounding neighborhood nor perform a function nor provide a service that is beneficial to the community, city or region nor can the calculation that the project will ‘increase the supply of off-street parking by 259 spaces’ be tallied as a benefit when it is adding approximately 990 new tenants, most of whom have cars.”

Staff Response 3:**Community Benefit**

The Appellant has failed to provide substantive evidence to support these assertions per the findings required by the Plan. In this case, the project will be providing a new residential development in place of an under-utilized site on a prime residential corner within the Redevelopment Plan. As detailed in the determination Findings (Exhibit B), “the Project substantially conforms with the purpose, intent and provisions of the Community Plan, and complies with the development standards applicable to the Low Medium II Residential designation and the RD1.5 zone.” Additionally, “the Project is more-broadly situated within a vibrant university community in close proximity to transit and a variety of cultural, dining, educational, and entertainment amenities... [and] meets the goals of Section 1200 to make provisions for housing...”

Parking

In regards to parking, the project is providing parking per the Density Bonus parking incentive, and at no point is parking tallied as a “benefit” per the Director’s Determination Findings language. Moreover, “the Project also provides two covenanted affordable 3-bedroom units created for families at the Workforce affordability level, along with the five 5 five-bedroom units to be covenanted for tenants qualifying at the Very Low Income level pursuant to the prior Density Bonus approval.” Additionally, “California Government Code Section 65915, subsection (p)(1) provides that, where a project provides the required amount of affordable housing for the required term, a local land use permitting authority is prohibited from imposing parking ratios that exceed 2.5 spaces for dwelling units with four or more bedrooms. Accordingly, with 102 units constructed for the Project, the Project conforms to the requirement by providing 255 spaces.” The Appellant’s assertion that “most” of the new tenants will have cars is not supported by any quantifiable evidence.

3) CEQA**Appeal Point 4:**

“Secondly a new CE number has been attached to this RDP letter: ENV-2020-2454-CE. The previous CE attached to this project is ENV-2018-2453-CE. The RDP Letter constitutes project segmentation. The Redevelopment Plan requires findings that a project that exceeds the base density set by the Plan would be compatible with and would not have adverse impacts on the surrounding neighborhood, would avoid excessively dense development and would provide adequate parking. These discretionary findings require analysis and potential mitigation of adverse impacts associated with projects in the Redevelopment Plan area.”

Staff Response 4:

The Appellant has failed to provide substantive evidence to support its allegations that an improper segmenting of the project's environmental clearance took place. The CE number associated with this RDP case is CE-2018-2454-CE. The Project has not changed since the initial 2018 analysis, maintaining the same height, FAR, unit count, and site design. The case year of 2020 on the letter of determination, ENV-2020-2454-CE, is due to staff error. Therefore, the appellant has not met its burden as there is no evidence in the record to conclude that the City has engaged in improper segmenting. The Appellant also fails to substantiate how the project would have adverse impacts on the surrounding neighborhood, would be an excessively dense development, or not have adequate parking. The site is located within a Transit Priority Area in the City of Los Angeles (ZI-2452), is in a Tier 3 - Transit Oriented Community Area, and is within 2,000 feet of a major transit stop, the Metro E Line (Expo Line), LATTC/Ortho Institute Station, making it subject to A.B. 744. The Categorical Exemption adequately examines the project as it relates to CEQA and is attached as Exhibit D.

Appeal Point 5:

"When one examines the whole of the administrative record it is clear, as expressed by Roland Souza, President of West Adams Heritage: Given all of the record, 'A categorical exemption is not the appropriate level of environmental review for a project that is highly discretionary, is in a historically sensitive environmental [sic], located on a scenic highway, and fails to meet objectives of the community plan and redevelopment plan.'"

Staff Response 5:

CEQA

On August 30, 2018, the Department of City Planning determined the proposed project to be exempt from CEQA as the project was found to meet the findings required for a Class 32 Categorical Exemption (In-Fill Development Projects) and issued a Notice of Exemption for ENV-2018-2454-CE. Specifically, the project was found a) to be consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations; b) occur within city limits on a project site of no more than five acres substantially surrounded by urban uses; c) located on a site has no value as habitat for endangered, rare or threatened species; d) would not result in any significant effects relating to traffic, noise, air quality, or water quality; and e) can be adequately served by all required utilities and public services. In addition, there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies. Further discussion on how the project meets the conditions of the Class 32 Categorical Exemption can be found in Exhibit E. The appellant has not submitted any substantial evidence that the project will result in a significant environmental impact. Furthermore, this determination is supported by substantial evidence in the record, including technical reports on the project's potential impacts on air quality, noise, historic resources, and a traffic study approved by LADOT, all of which support the conclusion that the project would not cause significant environmental impacts (Exhibit G).

Historically Sensitive Environment

The Appellant has failed to demonstrate how the project will cause a substantial adverse change in the significance of a historical resource but merely states it's in a historically sensitive area. Per the Categorical Exemption of this project, the project site is not within a Historic Preservation Overlay Zone. The subject property is comprised of four lots at

758 – 832 West Adams Boulevard and 2610 South Severance Street. The project site is currently occupied by a two-story plaster building used by the University of Southern California as an office, childcare, and classroom facility, as well as a surface parking lot and ornamental trees and landscaping. The project site previously contained a separate two-story office, childcare, and classroom facility that was demolished in 2017 as a separate action that is not part of the currently proposed project. The existing building was constructed in 1971. None of the existing structures on the project site are designated as historic cultural monuments and the project site is not located within a Historic Preservation Overlay Zone. Furthermore, a historic resource evaluation, dated June 14, 2018, was conducted by the Historic Resources Group that reviewed the existing buildings and determined that, based on visual observation, research of primary and secondary sources, and an analysis of established eligibility criteria, the existing onsite building is not eligible for historic designation at the local, state, or national level.

Scenic Highway

Adams Boulevard is identified in the City of Los Angeles Mobility Plan 2035 as a Scenic Highway and not a state scenic highway, which under Article 19, Section 15332, Class 32, does not meet one of the five exceptions, which includes being a state scenic highway or causing a substantial adverse change in the significance of a historical resource. The only State Scenic Highway within the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27, which travels through a portion of Topanga State Park. The portion of State Route 27 which travels through the Los Angeles city limits is approximately 19 miles from the subject site. Therefore, the subject site will not create any impacts within a highway designated as a state scenic highway.

Community Plan and Redevelopment Plan

In regard to the project failing to meet the objectives of the community and redevelopment plan, the appellant provides no evidence to demonstrate such a claim, and is referred to staff response 1 (above) as it relates to the redevelopment plan findings.

CONCLUSION

For the reasons stated herein, and in the findings of the Director of Planning's Determination, the proposed project complies with the applicable provisions of the Exposition/University Park Redevelopment Plan and the California Environmental Quality Act (CEQA). Planning staff evaluated the proposed project and determined it meets the threshold to approve a Redevelopment Plan Project Compliance Review and that the project qualifies for a Class 32 Categorical Exemption. Based on the complete plans submitted by the applicant and considering the appellant's arguments for appeal, staff has determined that the project meets the required findings.

Therefore, staff recommends that the City Planning Commission take the following actions: determine that based on the whole of the administrative record, the project is exempt from CEQA pursuant to CEQA Guidelines, Section 15332, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies, deny the appeal filed by Jean Frost and sustain the decision of the Director to approve a 2.47% density increase pursuant to the Exposition/University Park Redevelopment Plan, Sections 1304 and 1306, for the construction of a new four-story (45 feet high), approximately 185,985 square foot residential complex with 102 residential units; adopt the attached Findings, and adopt the attached Conditions of Approval.