

Notice of Public Hearing

Aviso de Audiencia Pública • 공청회통지
Abiso ng Pagdinig sa Publiko • 公開聽證會通知
Հանրային լսումների մասին ծանուցագիր



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번역 • 翻译
Pagsasalin
Թարգմանություն



The meeting's agenda will be provided no later than 72 hours before the meeting at planning4la.org/hearings. Please note that virtual meeting instructions will be provided on the meeting agenda.

In conformity with the Governor's Executive Order N-29-20 (3/17/20) and as a result of COVID-19, this public hearing will be conducted telephonically and will allow for remote public comment.

Options to Participate:

By phone:

When prompted, enter the Meeting ID:

With a PC, MAC, iPad, iPhone, or Android, click on this URL:

Enter Meeting ID:

and Passcode:

You will be auto-muted when entering the meeting. To comment on an agenda item, click the raise hand icon (Webinar) or press *9 (Phone) to "raise your hand" virtually following staff calling the item.

Project Address

Sitio de Proyecto
프로젝트 주소 • 項目地址
Address ng Proyekto
ծրագրի Հասցե

Proposed Project

Proyecto Propuesto
프로젝트 제안 • 擬議項目
Iminungkahing Proyekto
Առաջարկվող ծրագիր

Proposed Project CONTINUED

Proyecto Propuesto • 프로젝트 제안 • 擬議項目 • Iminungkahing Proyekto • Առաջարկվող ծրագիր

Actions Requested by the Applicant

Acciones Solicitadas por el Solicitante • 신청인이요청한실행사항 • 申請人所要求的事項
Mga Pagkilos na Hiniling ng Aplikante • Դիմումատուի կողմից պահանջվող գործողություններ

Case Information

Información del caso • 케이스 정보 • 案例資訊 • Impormasyon sa Kaso • Տեղեկություններ գործի վերաբերյալ

Case Number(s):

Appellant/Appellant Representative::

Related Case Number:

Zone:

Land Use Designation:

Overlays:

Council District:

Environmental Case Number(s):

Applicant:

Community Plan Area:

Applicant Representative:

Assigned Staff Contact Information:

Who's Receiving This Notice

Quién recibe este aviso • 본통지를받은사람들 • 誰會收到此通知

Sino ang Tumatanggap ng Paunawang Ito • Սույն ծանուցագիրը ստացող կողմը

You are receiving this notice either because you live on or own property that is on a site where a project application has been filed with the Department of City Planning, or because you requested to be added to the interested parties list. You are invited to attend this hearing to learn more about the proposed project and offer feedback. If unable to attend, you may contact the planner to provide written comment, obtain additional information, and/or review the project file.

General Information - Visit our website at planning4la.org/hearings for general information about public hearings and the exhaustion of administrative remedies.

File Review - The complete file will be available for public inspection by appointment only. Please email the staff identified on the front page, at least three (3) days in advance, to arrange for an appointment. Files are not available for review the day of or day before the hearing.

Agendas And Reports - Commission Agendas are accessible online at planning.lacity.org, by selecting "Commissions & Hearings", the specific Area or City Planning Commission and "Agendas". Appeal Recommendation Reports are available on-line seven (7) days prior to the Commission meeting and are hyperlinked to the case numbers on the agenda. **Please note that Appeal Recommendation Reports are not prepared for appeals related to Zoning Administrator decisions.**

Be advised that the Commission may RECONSIDER and alter its action taken on items listed on the meeting agenda at any time during this meeting or during the next regular meeting, in accordance with the Commission Policies and Procedures and provided that the Commission retains jurisdiction over the case. **If a Commission meeting is cancelled or adjourned due to lack of quorum, all remaining agenda items shall be continued to the next regular meeting or beyond, as long as the continuance is within the legal time limits of the case or cases.**

Testimony And Correspondence - Your attendance is optional; oral testimony can only be given at the Commission meeting and may be limited due to time constraints. Written testimony or evidentiary documentation may be submitted prior to, or at the meeting in accordance to the Commission's submittal requirements. Commissions function in a quasi-judicial capacity and therefore, cannot be contacted directly. Any materials submitted to the Commission become City property and will not be returned. This includes any correspondence or exhibits used as part of your testimony.

Requirements For Submission Of Materials - Written materials may be submitted prior to or at the meeting in accordance with the submittal requirements below. The case number must be written on all communications, plans and exhibits.

Please see revised submission guidelines below which have been modified in order to accommodate the conduct of the public hearing telephonically in conformity with the Governor's Executive Order N-29-20 (March 17, 2020).

- **Regular Submissions** – Written materials not limited as to volume must be received by the Commission Executive Assistant no later than by end of business day Monday of the week prior to the week of the Commission meeting. Materials must be delivered electronically to the staff and commission email identified on the front of this page.
- **Secondary Submissions** - All written materials in response to an Appeal Recommendation Report and/or additional comments must be submitted no later than **48 hours before to the Commission meeting (for Central, South LA and Harbor APCs, materials must be received no later than by 3:00 p.m., Thursday of the week prior to the Commission Meeting)**. Submissions, including exhibits, shall not exceed ten (10) pages and must be submitted electronically to the Commission identified on the front of this notice.
- **Day of Hearing Submissions** - Submissions less than 48 hours prior to, and including the day of the Commission meeting, must not exceed two (2) written pages, including exhibits. Photographs do not count toward the page limitation. These must be submitted electronically to the Commission email identified on the front of this page.
- **Non-Complying Submissions** - Submissions that do not comply with these rules will be stamped "File Copy. Non-complying Submission". Non-complying submissions will be placed into the official case file, but they will not be delivered to, or considered by the Commission. The Commission Rules and Operating Procedures are available online at planning.lacity.org by selecting "Commissions & Hearings" and selecting the specific Commission.

Exhaustion Of Administrative Remedies And Judicial Review - 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 agenzied here, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Accommodations - 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. To request a reasonable accommodation, such as translation or interpretation, please contact the Commission Executive Assistant at _____, the Commission Office Main Line at (213) 978-1300 or by email at _____@lacity.org a minimum of 3 days (72 hours) prior to the public hearing. Be sure to identify the language you need English to be translated into and indicate if the request is for oral interpretation or written translation services. If translation of a written document is requested, please include the document to be translated as an attachment to your email.

MASTER APPEAL FORM

WITH ATTACHMENTS



APPLICATIONS:

APPEAL APPLICATION

Instructions and Checklist

Related Code Section: Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

Purpose: This application is for the appeal of Department of City Planning determinations authorized by the Los Angeles Municipal Code (LAMC).

A. APPELLATE BODY/CASE INFORMATION

1. APPELLATE BODY

- ☐ Area Planning Commission ☐ City Planning Commission ☐ City Council ☐ Director of Planning
☐ Zoning Administrator

Regarding Case Number: _____

Project Address: _____

Final Date to Appeal: _____

2. APPELLANT

Appellant Identity:
(check all that apply)

- ☐ Representative ☐ Property Owner
☐ Applicant ☐ Operator of the Use/Site

- ☐ Person, other than the Applicant, Owner or Operator claiming to be aggrieved

- ☐ Person affected by the determination made by the **Department of Building and Safety**

- ☐ Representative ☐ Owner ☐ Aggrieved Party
☐ Applicant ☐ Operator

3. APPELLANT INFORMATION

Appellant's Name: _____

Company/Organization: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-mail: _____

a. Is the appeal being filed on your behalf or on behalf of another party, organization or company?

- ☐ Self ☐ Other: _____

b. Is the appeal being filed to support the original applicant's position? ☐ Yes ☐ No

4. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): _____

Company: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-mail: _____

5. JUSTIFICATION/REASON FOR APPEAL

a. Is the entire decision, or only parts of it being appealed? ☐ Entire ☐ Part

b. Are specific conditions of approval being appealed? ☐ Yes ☐ No

If Yes, list the condition number(s) here: _____

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- ☐ The reason for the appeal ☐ How you are aggrieved by the decision
☐ Specifically the points at issue ☐ Why you believe the decision-maker erred or abused their discretion

6. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature: _____ Date: _____

GENERAL APPEAL FILING REQUIREMENTS

B. ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES

1. Appeal Documents

a. **Three (3) sets** - The following documents are required for each appeal filed (1 original and 2 duplicates)
Each case being appealed is required to provide three (3) sets of the listed documents.

- ☐ Appeal Application (form CP-7769)
☐ Justification/Reason for Appeal
☐ Copies of Original Determination Letter

b. Electronic Copy

- ☐ Provide an electronic copy of your appeal documents on a flash drive (planning staff will upload materials during filing and return the flash drive to you) or a CD (which will remain in the file). The following items must be saved as individual PDFs and labeled accordingly (e.g. "Appeal Form.pdf", "Justification/Reason Statement.pdf", or "Original Determination Letter.pdf" etc.). No file should exceed 9.8 MB in size.

c. Appeal Fee

- ☐ Original Applicant - A fee equal to 85% of the original application fee, provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.
☐ Aggrieved Party - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

d. Notice Requirement

- ☐ Mailing List - All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC
☐ Mailing Fee - The appeal notice mailing fee is paid by the project applicant, payment is made to the City Planning's mailing contractor (BTC), a copy of the receipt must be submitted as proof of payment.

4. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): _____

Company: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-mail: _____

5. JUSTIFICATION/REASON FOR APPEAL

a. Is the entire decision, or only parts of it being appealed? ☐ Entire ☒ Part

b. Are specific conditions of approval being appealed? ☒ Yes ☐ No

If Yes, list the condition number(s) here: 8a, 8b, 8c, 8e, and 8f

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- ☒ The reason for the appeal ☒ How you are aggrieved by the decision
☒ Specifically the points at issue ☒ Why you believe the decision-maker erred or abused their discretion

6. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature: Dikki Tesson Date: 02/22/2021

GENERAL APPEAL FILING REQUIREMENTS

B. ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES

1. Appeal Documents

- a. **Three (3) sets** - The following documents are required for each appeal filed (1 original and 2 duplicates)
Each case being appealed is required to provide three (3) sets of the listed documents.

- ☒ Appeal Application (form CP-7769)
☒ Justification/Reason for Appeal
☒ Copies of Original Determination Letter

b. Electronic Copy

- ☐ Provide an electronic copy of your appeal documents on a flash drive (planning staff will upload materials during filing and return the flash drive to you) or a CD (which will remain in the file). The following items must be saved as individual PDFs and labeled accordingly (e.g. "Appeal Form.pdf", "Justification/Reason Statement.pdf", or "Original Determination Letter.pdf" etc.). No file should exceed 9.8 MB in size.

c. Appeal Fee

- ☐ Original Applicant - A fee equal to 85% of the original application fee, provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.
☐ Aggrieved Party - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

d. Notice Requirement

- ☐ Mailing List - All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC
☐ Mailing Fee - The appeal notice mailing fee is paid by the project applicant, payment is made to the City Planning's mailing contractor (BTC), a copy of the receipt must be submitted as proof of payment.

SPECIFIC CASE TYPES - APPEAL FILING INFORMATION
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C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITES (TOC)**1. Density Bonus/TOC**

Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

NOTE:

- Density Bonus/TOC cases, only the *on menu or additional incentives* items can be appealed.
- Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the Citywide Planning Commission.
- ☐ Provide documentation to confirm adjacent owner or tenant status, i.e., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, drivers license, bill statement etc.

D. WAIVER OF DEDICATION AND OR IMPROVEMENT

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

NOTE:

- Waivers for By-Right Projects, can only be appealed by the owner.
- When a Waiver is on appeal and is part of a master land use application request or subdivider's statement for a project, the applicant may appeal pursuant to the procedures that governs the entitlement.

E. TENTATIVE TRACT/VESTING**1. Tentative Tract/Vesting** - Appeal procedure for Tentative Tract / Vesting application per LAMC Section 17.54 A.

NOTE: Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.

- ☐ Provide a copy of the written determination letter from Commission.

F. BUILDING AND SAFETY DETERMINATION

- ☐ **1.** Appeal of the Department of Building and Safety determination, per LAMC 12.26 K 1, an appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.

a. Appeal Fee

- ☐ Original Applicant - The fee charged shall be in accordance with LAMC Section 19.01B 2, as stated in the Building and Safety determination letter, plus all surcharges. (the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code)

b. Notice Requirement

- ☐ Mailing Fee - The applicant must pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt as proof of payment.

- ☐ **2.** Appeal of the Director of City Planning determination per LAMC Section 12.26 K 6, an applicant or any other aggrieved person may file an appeal, and is appealable to the Area Planning Commission or Citywide Planning Commission as noted in the determination.

a. Appeal Fee

- ☐ Original Applicant - The fee charged shall be in accordance with the LAMC Section 19.01 B 1 a.

b. Notice Requirement

- ☐ Mailing List - The appeal notification requirements per LAMC Section 12.26 K 7 apply.
- ☐ Mailing Fees - The appeal notice mailing fee is made to City Planning's mailing contractor (BTC), a copy of receipt must be submitted as proof of payment.

G. NUISANCE ABATEMENT

1. Nuisance Abatement - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

NOTE:

- Nuisance Abatement is only appealable to the City Council.

a. Appeal Fee

- ☐ Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1.

2. Plan Approval/Compliance Review

Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4.

a. Appeal Fee

- ☐ Compliance Review - The fee charged shall be in accordance with the LAMC Section 19.01 B.
- ☐ Modification - The fee shall be in accordance with the LAMC Section 19.01 B.

NOTES

A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

Please note that the appellate body must act on your appeal within a time period specified in the Section(s) of the Los Angeles Municipal Code (LAMC) pertaining to the type of appeal being filed. The Department of City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.

This Section for City Planning Staff Use Only		
Base Fee:	Reviewed & Accepted by (DSC Planner):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

Case # ZA-2020-2164-ELD-SPR
825-837 Holt Eldercare Determination Appeal

The Zoning Administrator's decision rendered on February 9, 2021, was an abuse of discretion. In reference to Findings for Approval (Amended by Ord. No. 182,095, Eff. 5/7/12.), the Zoning Administrator shall not grant the approval unless he or she finds that the strict application of the land use regulations on the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.

This appeal is on behalf of the Homeowner's Association of 839 S. Holt Avenue, the property directly south of the proposed project.

In this decision, the Zoning Administrator abused his discretion through the following findings:

- 1.) The project's location, size, height, operations, and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.
- 2.) The project provides for an arrangement of uses, buildings, structures, open spaces, and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood.

The Zoning Administrator abused his discretion in granting the following deviations:

- 8a. A maximum of 80 guest rooms in lieu of the otherwise permitted 36 guest rooms pursuant to LAMC Section 12.10-C,4;
- 8b. A maximum Floor Area Ratio (FAR) of 5.06:1 in lieu of the otherwise permitted 3:1 FAR pursuant to LAMC Section 12.21.1;
- 8c. A maximum building height of 58 feet in lieu of the otherwise maximum 45 feet pursuant to LAMC Section 12.21.1.;
- 8e. A 10-foot front yard in lieu of the otherwise required 20-foot front yard pursuant to Ordinance No. 167,335.; and
- 8f. 6-foot side yards in lieu of the otherwise required 8-foot side yards pursuant to Ordinance No. 167,335.

The above five conditions demonstrate the Zoning Administrator's error in discretion. The above will adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety. These deviations are not compatible with the scale and character of the adjacent properties and surrounding neighborhood.

Financial hardship is not one of the findings upon which a decision is made, as referenced in the five findings below. On page 23 of the Zoning Administrator's decision, the applicant states, "The requested deviations from the LAMC are necessary for the proposed Eldercare Facility to enable a financially viable eldercare facility; without such deviations it is impractical and infeasible to build such a facility on the subject property." For the Zoning Administrator to make a decision based on this is an errant use of discretion. Making a decision based upon financial viability is irrelevant to any of the findings for approval of this property and its required deviations.

Councilmember Koretz recommended that this project be denied (refer to page 18, paragraph 6). The proposed property is a mid-block location, and the Councilmember indicates that combined with excessive height and reduced setbacks it adversely affects or degrades the adjacent properties.

The strict application of the land use regulations was not adhered to and therefore the Zoning Administrator should not have erred in his decision to grant these deviations. The zoning laws are intended to promote the health, safety, welfare, convenience, morals, and prosperity of the community at large and are meant to enhance the general welfare rather than to improve the economic interests of any particular property owner.

They are designed to stabilize neighborhoods and preserve the character of the community. When enacting zoning ordinances, a municipality takes many factors into consideration. The most significant are the density of the population; the site and physical attributes of the land involved; traffic; the fitness of the land for permitted use; the character of the neighborhood in the community; the existing uses and zoning of neighbor property; the effect of the permitted use on land in the surrounding area; any potential decrease in property values; and the gain to the public at large weighed against economic hardships imposed on individual property owners. This zoning laws are not being adhered to in this case, resulting in a deleterious impact to our community.

Following is a delineation of the findings and the relevant facts to the same:

1. That the project's location, size, height, operations, and other significant features shall be compatible with and shall not adversely affect or further degrade adjacent properties, the surrounding neighborhood or the public health, welfare, and safety:

The project's location, size, height, operations, and other significant features are not compatible with and will adversely affect or further degrade adjacent properties, the surrounding neighborhood or the public health, welfare, and safety.

This height and massing of this proposed project is not in keeping with the envelope of this community. The proposed building envelope is larger than all other structures in the immediate area. It is not compatible with envelope of the community. The proposed 58-foot high, 57,680 square-foot, five-story Eldercare Facility is larger in height and massing than all other structures in the immediate area. There are no buildings on Sherbourne, Holt, or Le Doux between Gregory Way and Chalmers that are five-stories and take up three adjacent lots.

The new project is best described by one neighbor, Rabbi Keshirim, as “an elephant in a bird’s nest” as it is plopped right in the middle of the block. The community is in an established low-rise neighborhood predominantly comprised of two and three-story duplexes and apartment buildings (refer to Exhibit 1 in the case files) that are built on single lots. The project is incompatible with, and shall adversely affect, adjacent properties, the surrounding neighborhood, and the public, health, welfare, and safety of the homeowners and renters that have resided in this community for decades.

The 834 S. Sherbourne Drive property is two adjoining duplexes directly behind the proposed site to the west. The owner has lived in this community for over 50 years. This project would impact her property, blocking her light. Even though the applicant has submitted a shade/shadow analysis of the project which shows that the proposed building would not have an impact on the eastern and western adjoining buildings, it would impact the foliage and trees in her garden – a garden planted, grown, and nurtured over 50 years.

Additionally, the shade/shadow report referred to on page 43 does not address the building directly to the south of this property, only the buildings to the east and west. The proposed property will loom over 839 S. Holt Avenue, which is only a three-story building. The apartments at 839 S. Holt Avenue on the northern side of the proposed property, will have their natural light dramatically reduced. The light and privacy of the rooftop decks at 839 S. Holt Avenue will also be seriously impacted.

Overall, the excessive height and reduced setbacks of this property will adversely affect and degrade the adjacent properties at 839 S. Holt Avenue, as well as other adjacent properties in the community.

The character of this community is unique. The one existing modern four-story building on Holt is incongruent with the neighborhood of Spanish Revival Architecture. At least that building is toward the end of the block, not right in the middle, and not encompassing three lots. As designed, this is a monolith, especially from the north, south, and west. This should adhere to the existing City Planning Guidelines. 360° tiering and articulation are critical to making this more congruent with the envelope of the community. Light and air to breathe would allow this to be more compatible with the community. Only the east-facing frontage of the building is being broken up.

The project does not fit the land space as it would narrow the sideyard setbacks between the adjacent buildings from the required 8 feet to 6 feet. The mass, alone, on this project predicates adherence to this requirement. Other setbacks in the area may be less than 8 feet, but they are not setbacks next to a 5-story, 57,680 square-foot, 3-lot structure.

The 10-foot front yard in lieu of the otherwise required 20-foot front yard pursuant to Ordinance No. 167,335 is an unwarranted deviation. This neighborhood is comprised of young children who play freely on the sidewalks, riding scooters and bicycles. There are also many elderly residents that would be impacted, as well as neighbors walking their dogs. It would be tragic for someone to be unfortunately injured in the community. Given the existing traffic and parking on the street (please refer to pictures submitted to the case files) it is already a challenge with the visibility of pedestrians.

Vans like FedEx and Amazon already block and congest this street. Deliveries such as these cannot be made on-site and will create additional congestion in the area, increasing visibility concerns and impacting the safety of the community. Adjoining properties, such as 839 S. Holt, also need to be able to back out of the driveway, so this causes another issue

The daily deliveries such as food, medical supplies, and other items that are necessary to support this project are also of concern. Medical emergencies are also inevitable and will impact the existing peaceful community. Street parking is already extremely limited. At 7am in the morning there will be no spaces on the street for a vehicle to park. As outlined above, many vehicles will not be able to deliver on-site and will result in double-parking, thus contributing to adverse traffic flow at a critical time.

Besides the height and massing issues, the density and FAR deviations of the proposed facility are unnecessary deviations. The subject 18,018 square-foot facility is zones [Q]R3-1-O, which permits a maximum of 36 guest rooms per 500 square feet of lot area, for a maximum of 36 guest rooms on the subject site. Height District No. 1 permits a maximum Floor Area Ratio (FAR) of 3.0:1, or approximately 34,170 square feet based on 11,390 square feet of buildable area. The project proposes a total of 80 guest rooms (62 Assisted Living guest rooms and 18 memory care guest rooms) and a total of 57,680 square feet for an FAR of 5.06:1.

The Density and FAR deviations are not necessary. They are only necessary to provide a financially feasible project (refer to page 24, paragraph 4 of the decision). That is not a finding and is an errant abuse of discretion by the Zoning Administrator. On page 25, paragraph one, the applicant states that the increase floor area is devoted to common areas serving the needs of the residents. If this is necessary, then reduce the density and FAR by reducing the number of guest rooms, thereby reducing the need for deviations.

The applicant goes on to state that “to make Eldercare Facilities financially viable, certain costs such as land costs and architectural fees need to be divided across a sufficient number of Guest Rooms and beds” (page 25, paragraph 2). Again, this is an errant abuse of discretion in the Zoning Administrator’s decision as financial viability is not a finding to be satisfied.

Once again, the applicant states on page 25 paragraph 3 that, “The applicant has submitted a financial feasibility analysis, conducted by the Concord Group (TCG), dated August 14, 2020, demonstrating that the project is not feasible unless constructed as proposed.” Financial viability is, again, not a reason to approve a finding.

On page 27, the Zone Administrator found that the analysis of the alternative development scenario is reasonable and adequately demonstrates that the development alternatives for a by-right eldercare facility is not viable, and the strict application of the land use regulations on the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations and inconsistent with the City's objective to promote and facilitate needed housing and services for the elderly. This is an errant use of discretion as financial viability is not a reason for a finding to be met.

3. The project shall not create an adverse impact on street access or circulation in the surrounding neighborhood:

This project will have an adverse impact on street access and circulation in the surrounding neighborhood with delivery trucks, ambulances and visitors coming and going and parking. Onsite parking for deliveries is provided but will not allow for certain deliveries due to vehicle height. The developer suggested having a loading zone in front of the building, which is appropriate for a commercial, not a residential setting. Also, there will not be enough spaces for workers and visitors, especially during holiday seasons when the community also has visitors.

There is already a tremendous parking problem in this community. Because Holt Avenue is so near to Wilshire Boulevard, many people park their cars on Holt Avenue for free and walk to their doctor's offices on Wilshire Boulevard. For the last three years, all the construction workers on nearby sites (especially sites in Beverly Hills) parked their vehicles and took up any remaining spaces. When owners or residents leave for work, or simply go to the market and return, the spaces are gone leaving no spaces to park on other than surrounding blocks.

Additionally, it is important to note that Holt Avenue is a narrow street and when two cars are driving in different directions there are incidents of cars being sideswiped as has happened to several individuals in the neighborhood.

4. That the project provides for an arrangement of uses, buildings, structures, open spaces, and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood:

As stated above, the project will not be compatible with the scale and character of the adjacent properties and surrounding neighborhood. There is nothing comparable in the neighborhood in relation to:

- 1) The scale – consuming 3 single lots with reduced setbacks – both front and sideyards;
- 2) Exceeding height with very little offset in elevations to reduce the oversized, block-like structure from a 360° view; and
- 3) Character – it does not lend itself to the architectural character of the existing Mediterranean and Mid-Century design so that it blends into the neighborhood. Rather the project projects is smack-dab in the middle of the block with a commercial hotel-like look, sitting up against the parkway in front of the property.

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

The project is not in substantial conformance with the purposes, intent, and provisions of the General Plan, applicable community plan, and with any applicable specific plan of a quiet residential neighborhood. Councilmember Paul Koretz has already recommended that the project be denied due to the height and massing issues. Given everything that has been stated above, and evidenced by the additional documents provided in the case file, the project does not conform with the criteria being presented allowing deviations to be granted.

Again, zoning laws are intended to promote the health, safety, welfare, convenience, and prosperity of the community at large and are meant to enhance the general welfare rather than to improve the economic interests of any particular property owner. They are designed to stabilize neighborhoods and preserve the character of the community. When enacting zoning ordinances, a municipality takes many factors into consideration. The most significant are the density of the population; the site and physical attributes of the land involved; traffic, the fitness of the land for permitted use; the character of the neighborhood in the community; the existing uses and zoning of the neighbor property; the effect of the permitted use on land in surrounding area; any potential decrease in property values; and the gain to the public at large weighed against economic hardships imposed on individual property owners.

This appeal is on behalf of the of the 839 South Holt Townhomes Association. The members of this association are not opposed to the use – to an Eldercare facility. Height, density and massing issues, and the proposed property not being consistent with the community envelope, are the reasons that it does not meet the findings and should not have been approved. The Zoning Administrator's decision is an errant abuse of discretion and the requested deviations should be denied approval.

839 South Holt Townhomes Association:

Shelly Lavin, Owner - Unit #104 (Holt Townhomes Association President)

Kyle Miller, Owner - Unit #101

Jeremiah Loeb and Andrea Ward, Owners – Unit #102

Erica Goldberger, Owner – Unit #103

Angela Efros, Owner – Unit #105

Nikki Vescovi and Philip Dumican, Owners – Unit #107

OFFICE OF ZONING ADMINISTRATION
200 N. SPRING STREET, ROOM 763
LOS ANGELES, CA 90012-4801
(213) 978-1318

ESTINEH MAILIAN
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

JACK CHIANG
HENRY CHU
JONATHAN A. HERSHEY, AICP
THEODORE L. IRVING, AICP
CHARLES J. RAUSCH JR.
CHRISTINA TOY LEE

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

**LOS ANGELES DEPARTMENT
OF CITY PLANNING
EXECUTIVE OFFICES**

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DEPUTY DIRECTOR
LISA M. WEBBER, AICP
DEPUTY DIRECTOR
planning.lacity.org

February 9, 2021

Daniel Kianmahd (A) (O)
The Panorama Group, Inc.
9171 Wilshire Boulevard #500
Los Angeles, CA 90210

Stephen Kia (R)
Urban Concepts
3731 Wilshire Boulevard
Los Angeles, CA 90010

CASE NO. ZA-2020-2164-ELD-SPR
ELDERCARE FACILITY UNIFIED PERMIT;
SITE PLAN REVIEW
825-837 Holt Avenue
Wilshire Community Plan Area
Zone: [Q]R3-1-O
C.D: 5
D.M.: 132B173
CEQA: ENV-2020-2165-CE
Legal Description: Lots 40-42, Tract 4666

Pursuant to California Environmental Quality Act, I hereby DETERMINE:

based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15332, Class 32 (In-Fill Development Projects), and that there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical resources applies.

Pursuant to Los Angeles Municipal Code Section 14.3.1, I hereby APPROVE:

an Eldercare Facility Unified Permit for the construction, use, and maintenance of an Eldercare Facility c's/Dementia Care Housing in the [Q]R3-1-O Zone; and

Pursuant to Los Angeles Municipal Code Section 16.05, I hereby APPROVE:

a Site Plan Review for a development which creates or results in an increase of 50 or more dwelling units or guest rooms or 50,000 gross square feet or more of non-residential floor area.

Upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan and floor plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.
6. Within 30 days of the effective date of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center for inclusion in the case file.
7. Approved herein is an Eldercare Facility subject to the following restrictions:
 - a. The facility shall be limited to a maximum of 62 Assisted Living guest rooms and 18 Alzheimer's/Dementia Care guest rooms;
 - b. At least seventy-five percent (75%) of the facility shall be devoted to Assisted Living Care Housing and not more than twenty-five percent (25%) of the facility shall be devoted to Alzheimer's/Dementia Care Housing.
 - c. Plans submitted to the Department of Building and Safety for the purposes of obtaining a building permit shall indicate a minimum of 75% of the floor area, exclusive of common areas, consisting of Assisted Living Care Housing;

- d. The license and subsequent renewals of the license from the California Department of Social Services, Community Care Licensing Division shall reflect a minimum of 75% of the floor area, exclusive of common areas, consisting of Senior Independent Housing and/or Assisted Living Care Housing.
 - e. The facility shall be licensed by the California Department of Social Services and comply with all assisted living and dementia care program regulations. A copy of the license shall be submitted to the Department of City Planning for verification and placed in the file.
 - f. Full-time medical services shall not be provided on-site.
8. The following deviations have been granted in conjunction with the Eldercare Facility, as shown on plans stamped Exhibit A:
- a. A maximum of 80 guest rooms in lieu of the otherwise permitted 36 guest rooms pursuant to LAMC Section 12.10-C,4;
 - b. A maximum Floor Area Ratio (FAR) of 5.06:1 in lieu of the otherwise permitted 3:1 FAR pursuant to LAMC Section 12.21.1;
 - c. A maximum building height of 58 feet in lieu of the otherwise maximum 45 feet pursuant to LAMC Section 12.21.1.
 - d. A continuous width of the exterior walls fronting Holt Avenue to exceed 40 feet without a change in plane as otherwise required pursuant to Ordinance No. 167,335.
 - e. A 10-foot front yard in lieu of the otherwise required 20-foot front yard pursuant to Ordinance No. 167,335.
 - f. 6-foot side yards in lieu of the otherwise required 8-foot side yards pursuant to Ordinance No. 167,335.
 - g. Waiver of the long-term bicycle parking requirements otherwise required pursuant to LAMC Section 12.21-A,16(a)(2).
9. Trees shall be planted on the property (including street trees) subject to the approval by the Street Tree Division, at a ratio of one tree for every 1,000 square feet of lot area. Trees may not be less than 24-inch box in size at the time of planting (Ordinance 167,335).
10. All employees who drive to work shall utilize the on-site parking garage.
11. Employee shifts shall be staggered to minimize on-site parking shortages.
12. Parking shall be provided in accordance with the Los Angeles Municipal Code.

13. The applicant shall develop and implement an incentive program to encourage employee use of alternative modes of transportation to arrive to and depart from work. A copy of the incentive programs shall be submitted to the Department of City Planning for inclusion in the case file.
14. A separate men's and women's shower facility shall be provided to incentivize employees biking to work.
15. All vendor deliveries shall be restricted to between the hours of 7 a.m. and 2 p.m. daily.
16. All loading activities shall be conducted on-site or within a designated loading zone.
17. The applicant/operator shall be responsible for ensuring compliance vendor with Condition Nos. 14 and 15.
18. Trash and recycling bins shall be fully enclosed.
19. The project shall be landscaped in substantial conformance with the landscape plans stamped Exhibit A (Sheets LP-1 through LP-5)
20. Outdoor lighting shall be designed to shine downward, installed with shielding, and directed onto the project site, so that the light source does not directly illuminate any adjacent properties, the public right-of-way, or the above night skies.
21. Prior to the issuance of a building permit, access and internal circulation shall be reviewed and approved by the Department of Transportation.
22. Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
23. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages and/or settlement costs.

- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement (b).
- e. If the City determines it necessary to protect the City's interests, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commission, committees, employees and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the applicant otherwise created by this condition.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within three years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void.

TRANSFERABILITY

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent upon you to advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

“A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code.”

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Municipal Code. The Zoning Administrator's determination in this matter will become effective after **FEBRUARY 24, 2021**, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://planning.lacity.org>.** Public offices are located at:

Downtown

Figueroa Plaza
201 North Figueroa
Street, 4th Floor
Los Angeles, CA 90012
(213) 482-7077

San Fernando Valley

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard, Room 251
Van Nuys, CA 91401
(818) 374-5050

West Los Angeles

West Los Angeles Development
Services Center
1828 Sawtelle Boulevard, 2nd Floor
Los Angeles, CA 90025
(310) 231-2598

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

NOTICE

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the Zoning Administrator who acted on the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report of the Department of Planning Staff thereon, the statements made at the public hearing on August 24, 2020, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements for authorizing an Eldercare Facility Unified Permit under the provisions of LAMC Section 14.3.1 have been established by the following facts:

BACKGROUND

The project site, consisting of three lots, is a level, rectangular-shaped, interior, approximately 18,018 square-foot (0.41 acre) parcel of land with an even width and depth of 150 feet and 120 feet, respectively, and an approximately 150-foot frontage on the west side of Holt Avenue, located between Gregory Way to the north and Chalmers Drive to the south.

The property is improved with three two-story duplexes, one duplex on each lot, for a total of six dwelling units. None of the existing buildings are identified as historic resources designated in the City, state or federal programs or identified and recorded in SurveyLA as potentially eligible historic resources.

The property is located within the Wilshire Community Plan area, which designates it for Medium Residential land uses, with a corresponding zone of R3; the property is zoned [Q]R3-1-O. The property is within an Oil Drilling District, but not within the boundaries of or subject to any specific plan, community design overlay, or interim control ordinance. The property is subject to "Q" Qualified Conditions pursuant to Ordinance 167,335 which

regulates open space, parking, building articulation, setbacks and tree planting requirements. The property is located within Tier 3 of a Transit-Oriented Communities area.

The project proposes the demolition and removal of the three duplexes and the construction, use, and maintenance of an approximately 57,680 square-foot Eldercare Facilities development consisting of both assisted living and Alzheimer's/Dementia uses. The proposed Eldercare Facility will contain 80 guest rooms, of which 62 guest rooms will be designated for Assisted Living Care and 18 guest rooms will be designated for Alzheimer's/Dementia Care. The proposed 5-story building will have a total FAR of 5.06:1 and have a maximum height of 58 feet.

Pedestrian access to the project site would be provided from the existing sidewalk along Holt Avenue, which would provide direct access to the ground-floor lobby. The proposed project provides 6 bicycle short-term spaces as required; no long-term bicycle parking spaces will be provided.

The project will provide 36 parking spaces (31 spaces for the Assisted Living guest rooms at a ratio of 0.5 spaces per unit and five spaces for the Alzheimer's/Dementia Guest Rooms at a ratio of 0.2 spaces per bed), which complies with the parking required pursuant to LAMC Section 12.21-A,4(u). On-site parking is provided entirely within a second level subterranean level. No vehicular parking will be visible from the street. Vehicular access to the proposed project will be directly from Holt Avenue via a single two-way, 24-foot-wide driveway. Vehicular access to the three existing duplexes will be consolidated into the single driveway located on the northern end of the property.

According to the applicant's submitted information, the facility is planned to have two subterranean levels – the first level containing common area amenities, and the second level containing underground parking. The building design maximizes natural light and natural ventilation for the primary common areas below grade by means of two expansive courtyards that daylight out to the sky.

The Guest Room accommodations include small bar sinks and under counter refrigerators but do not include any cooking. The facility will maintain a central kitchen and common dining area. Over 29,600 square feet (51% of the project floor area) is dedicated to common area amenities and open space/recreational areas for the project. Amenities include dining (three meals a day), bistro for snacks and refreshments, theater, library, fitness center, multi-purpose activities rooms, lounges and living room areas, beauty salon, outdoor space, including a rooftop deck, and administrative offices.

The focus of the staff in the Assisted Living Care area would be balancing the residents' need for care with their desires to remain independent. The Alzheimer's/Dementia Care area of the facility is designed to answer the needs of residents with varying levels of dementia or other degenerative conditions. Caregiver oversight and supervision would be provided to prevent accidents that may occur otherwise. The Alzheimer's/Dementia Care floor would also include an increased staff-to-resident ratio. Additionally, this area of the project would be more confined and secured as per applicable standards and regulations. The project would also provide security features including, but not limited to, controlled access to on-

site parking areas and building entries, particularly after regular business hours, video surveillance, and security lighting.

In accordance with the provisions of the Eldercare Facility Unified Permit process per LAMC Section 14.3.1, the applicant is seeking an Eldercare Facility with Assisted Living Care and Alzheimer's/Dementia Care Housing within the [Q]R3-1-O Zone, with deviations to allow for:

- A maximum of 80 guest rooms in lieu of the otherwise permitted 36 guest rooms pursuant to LAMC Section 12.10-C,4;
- A maximum Floor Area Ratio (FAR) of 5.06:1 in lieu of the otherwise permitted 3:1 FAR pursuant to LAMC Section 12.21.1;
- A maximum building height of 58 feet in lieu of the otherwise maximum 45 feet pursuant to LAMC Section 12.21.1.
- A continuous width of the exterior walls fronting Holt Avenue to exceed 40 feet without a change in plane as otherwise required pursuant to Ordinance No. 167,335.
- A 10-foot front yard in lieu of the otherwise required 20-foot front yard pursuant to Ordinance No. 167,335.
- 6-foot side yards in lieu of the otherwise required 8-foot side yards pursuant to Ordinance No. 167,335.
- Waiver of the long-term bicycle parking requirements otherwise required pursuant to LAMC Section 12.21-A,16(a)(2).

The applicant has submitted a financial feasibility analysis, conducted by The Panorama Group, dated August 14, 2020, demonstrating that the project is not feasible unless constructed as proposed.

Surrounding properties are similarly zoned [Q]R3-1-O and improved with multi-level, multi-family apartment buildings. The north adjoining property is developed with a four-story over one subterranean parking level apartment building containing six dwelling units. The five east adjoining properties, across Holt Avenue, are developed with two-story multi-family buildings containing between two to six units. The south adjoining property is developed with a three-story residential condominium building containing seven dwelling units. The four west and southwest adjoining properties, fronting on Sherbourne Drive, are developed with two-story multi-family buildings containing two and three dwelling units. The northwest adjoining property, fronting on Sherbourne Drive, is developed with a four-story over one subterranean parking level apartment building containing six dwelling units.

Streets and Circulation

Holt Avenue, abutting the subject property to the east, is a standard Local Street dedicated a right-of-way width of 60 feet and improved with asphalt roadway, concrete curb and gutter, 4-foot wide concrete sidewalks, and approximately 6-foot wide parkways.

Transit

The following bus stops are located near the project site:

- Metro Local Lines – 105 (0.1 miles); 20 (0.25 miles); and 28 (0.21 miles)
- Metro Rapid Line – 720 (0.25 miles)

The nearest freeway access is to the 10 Freeway via La Cienega Boulevard approximately 1.73 miles south of the project site. The subject property is not located within 1,000 feet of any freeway.

Previous Cases, Affidavits, Permits, and Orders on the Subject Property:

Ordinance No. 183,497 – On March 25, 2015, the City Council adopted an interim ordinance prohibiting the issuance of building permits for the construction of single-family dwellings on the RA, RE, RS, and R1 zoned lots in designated neighborhoods.

Ordinance No. 167,335 – On November 15, 1991 this ordinance became effective, resulting in a change of zone, implementing “Q” Qualified conditions new construction is subject to. The conditions regulate the maintenance of landscaping, the amount of private and common open space required, residential parking requirements, parking level screening requirements, building articulation, minimum side yard, front yard, and tree requirements.

Case No. ZA 17815 – On September 27, 1965, the Zoning Administrator approve a conditional use to permit surface and subsurface operations for the drilling and testing of one temporary geological exploratory hole, mainly associated with the site identified as 1114 South La Cienega Boulevard, but including a strip of land extending northwesterly therefrom, to a point near the southwesterly corner of Holt Avenue and Gregory Way.

Previous Cases, Affidavits, Permits, and Orders on the Surrounding Properties:

Staff utilized a 1,000-foot radius map via the Zoning Information Mapping Access System (ZIMAS) and the Planning Case Tracking System (PCTS), seeking past Eldercare Facility Unified Permit or Site Plan Review determinations. No relevant case was found to be within 1,000 feet of the subject property:

Public Communication

Communications Opposed to the Project:

Nicole Zinman, local resident – In an email dated August 24, 2020, Ms. Zinman states her opposition to the request. In summary, the residential neighborhood is not the appropriate place for a commercial business; the project will negatively impact parking and traffic; frequent calls for emergency services will be a disruption to the neighborhood; the proposed setbacks will result in safety hazards and compliance issues for fire safety and accessibility; there are environmental and water use issues that need to be considered; there are considerations that need to be made for a five-

story building in the middle of a residential neighborhood; the project is not appropriate for Holt Avenue.

Kenneth Blaker – In an email dated August 20, 2020, Mr. Blaker expressed his opposition to the location of the project in this neighborhood.

Nikki Vescovi, local resident – In an email dated August 18, 2020, Ms. Vescovi states her opposition to the request and submits a petition against the project, containing 151 signatures, representing residents along Holt Avenue, Sherbourne Drive, Le Doux Road, Shenandoah Street, Bedford Street, Gregory Way, Chalmers Drive, and Carson Road. In particular, Ms. Vescovi states that she is not opposed to the eldercare use, but the deviations being requested, as they are in place for safety and density issues; a 5-foot side yard setback would create an obstacle for emergency equipment and could block evacuation routes.

Shuki Greer, legal council representing a property owner – In emails dated August 17 and August 21, 2020, it is stated that there is reason to believe that a significant number of residents in the area were not notified; the project will harm the neighborhood – the property owner being represented will have their views blocked and lose all their tenants; project-generated noise will be deafening for a significant amount of time; the project will result in traffic generated by caregivers, support staff, and visitors day and night, negatively impacting parking on the street; there are concerns about trash and ambulances; a nearby eldercare facility recently closed, is now operating as a hotel, and is a nuisance.

Barbara Marom-Pollack, local resident – In an email dated August 17, 2020, Ms. Marom-Pollack stated her opposition to the request. In summary, the project will be a commercial intrusion into a residential neighborhood; that the proposed height, setbacks, and yards would result in a building that is inconsistent with the neighborhood; that the proposed number of guest rooms, in conjunction with necessary support staff would result in undue congestion in an already congested area; and that the parking provided by the project is inadequate.

Levi Yitzhaq, local resident – In an email dated August 10, 2020, Mr. Yitzhaq states his opposition to the request. In summary, he objects to the replacement of the existing structures with the new building, resulting in construction activity, and which only benefits the builder and the project's investors.

Levi Garbose, local resident – In an email dated August 10, 2020, Mr. Garbose states his opposition to the request. In summary, he objects to the replacement of the existing structures with the new building, resulting in construction activity, and which only benefits the builder and the project's investors.

Darrell Benvenuto, local resident – In an email dated August 4, 2020, Mr. Benvenuto states his opposition to the request. In summary, he feels that there was inadequate notice given to the community, and objects to the development of a medical facility in the neighborhood.

Ben Cohen, local resident – In an email dated August 2, 2020, Mr. Cohen stated his opposition to the request. In summary, the project is a commercial use in a residential area already suffering from a lack of parking; in addition to exacerbating the parking problems in the area, the project will result in frequent calls for emergency services multiple times a day at all hours.

Angela Efros – In an email dated June 23, 2020, Ms. Efros stated her opposition to the request.

Brad Neufeld, local resident – In emails dated August 4, August 10, and August 20, 2020, Mr. Neufeld states his opposition to the request. In summary, the community has not received adequate notification; the project will destroy the character of the quiet street; the proposed density, height, and setbacks are without precedent in the neighborhood; construction activity while the COVID-19 virus keeps us at home will expose us to increased noise, dust, and vibration.

Communications in Support of the Project:

Ira Yasnogorodsky, local resident – In an email received on August 21, 2020 and a letter dated May 30, 2020, Mr. Yasnogorodsky, who owns a duplex on the block, states that he is in support of the project, and that his father's, sister's, and grandmother's (deceased) name appears fraudulently on a petition in opposition to the project.

Mark Epstein, President, South Robertson Neighborhood Council – In a letter dated July 14, 2020, the Neighborhood Council indicates their support for the project.

45 individual letters and emails were received representing the west Los Angeles region in support of the project.

General Communication Received:

Aviv Kleinman, Planning Deputy, City Council District 5 – In an email dated August 21, 2020, a request was made to take the matter under advisement for a four-week period.

Declaration, 44 local residents – Individual letters, variously dated, state that they did not receive a hearing notice, was first informed of the project via a circulating petition opposed to the project, and if the hearing is postponed, would participate in assisting/coordinating a neighborhood response to the project.

Public Hearing

The public hearing was held on August 24, 2020 at 10:30 a.m. In conformity with the Governor's Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19, the hearing was conducted entirely telephonically. The purpose of the hearing was to obtain public testimony from affected and/or interested persons regarding the application. Interested parties were also invited to submit written comments regarding the request prior to the public hearing. Associate Zoning Administrator Fernando Tovar conducted the

hearing. The applicant's representative and community residents were in attendance, and their testimony is summarized by the following:

Bill Christopher, Representative

- Provided a presentation summarizing the project.
- The property is zoned R3; a Tier 3 Density Bonus project would result in a 67-foot in height building.
- There is a shortage of both adult care and memory care beds.
- Project will have a ground-level courtyard, and open patio areas.
- Project proposed greater than 4:1 FAR; maximum height of 58 feet, which is lower than the 68 feet allowed by a TOC project.
- Have been in touch with the community.
- Residential housing facility is permitted here.
- This is a residential use, not a commercial use.
- Parking and staffing: 36 parking spaces provided
- Loading and food deliveries, shuttle transportation.
- Residents are quiet and don't drive.
- Compared to allowed TOC project, the proposal is smaller, less intense.
- Eldercare results in more trips during peak hour; ITE guidelines are on the high side.
- South Robertson Neighborhood Council Land Use Committee and Board voted to support the project; the meeting was spirited.
- 46% of FAR represents common areas.
- 10-foot front yard setback; south property has a 10-foot setback, north property has 8-1/2-foot; 12-14 feet is not out of character.
- There are 40 buildings in the area with 3-5 stories, the most recent building on Le Doux.
- A petition in opposition to the project contains questionable signatures, including one with the name of a deceased person.

The following is a summary of public testimony in support received:

- The project is in the perfect location, nestled among other multi-family uses; need more manageable facilities like this one; this is well done and well designed.
- I am a physician at Cedar Sinai; there is a huge need for patient care after discharge; this is a unique opportunity to provide a service to the community.
- We need this facility now; my grandfather passed away at another facility; the facilities on Olympic Boulevard are obsolete; 8733 Olympic, operated as a senior facility, couldn't obtain a license to operate.
- I live nearby, my parents are elderly; I 100% support this project; it's a great, overdue project.
- I am a pharmacist; I have seen the benefits of eldercare housing; my uncle is struggling with dementia, and he doesn't have care; they need to live a full life.
- I strongly support the project; I live 1-1/2 miles from here; there are very few opportunities; I have elderly parents; need more facilities and fully welcome this one; short term impacts are not pleasant, but there are long-term benefits.

- I support this project; my grandfather suffers from Alzheimer's and my grandmother cannot care for him; it would be amazing to have a place that meets their needs and is close by to visit.
- I support this project; I have studied the plans and the location; we need more senior housing; this will have a minimal impact; the residents don't drive; the project is better than an alternative TOC project.
- I am a Professor of Gerontology, studying population, health and aging; this is a very exciting and much needed project; should find ways to build assisting living; concerns are not difficult; this is a high-end design; regarding siren noise – there is a reduced need for emergency room visits – falls are not as common; there will be a reduced traffic/parking demand; this is a transitional care facility, and much more; according to the plans, there are interior/exterior high-end amenities; natural lighting is incorporated into the design; the site is ideal and walkable for independent residents.
- I support this project; I turn 70 in March; mother had dementia at 94 years and lived in a house; had to put her at Belmont; project serves a need; will be a quiet wonderful neighbor; will be good neighbor – no parties and asleep by 8 p.m.
- Live in the area 39 years; want to keep the family close together, keep mom and dad close to support them; this project helps to keep us close; should add more to bring down the price.
- I live in the area and support the project; parents have lived in the area 70 years.
- Live in area 20 years; I have older parents/in-laws; there is a shortage of senior housing; this would allow kids to stay close to their grandparents.
- I live in the area; my grandfather has Alzheimer's, and wife can't care for him; I am intrigued with the idea that I can house my grandfather here; project will benefit the community.
- I support the project; there are no quality assisted living facilities; lack of options increases cost.
- I work in Culver City – am founder of a youth movement against Alzheimer's; professionals work by Alzheimer's – had Alzheimer's in the family; projects like this are necessary; there are issues in 2020 – nothing like they will be in 2030; the trends are that older adults, older than 83, one-third will have Alzheimer's; we are under-providing.
- I live in the area and support the project; my in-laws can't find senior housing.
- I live in the area; my older family members are having a more difficult time as they age; I won't be able to help them; should allow seniors in more peaceful areas.
- Even though I don't live in the neighborhood, I have family members that need this; sacrifices for the greater good need to be made.
- I have lived in the area 16 years; my parents are getting older; I am in full support; the location is close to synagogues and kosher stores.
- I live in the area and support the project; having an in-patient dietician will improve the quality of life for residents compared to staying at home.
- I live on Le Doux, within 500-feet; I have two family members with Alzheimer's; My family and I believe the only way to address the housing shortage is to build more housing; there is no need for more parking – senior residents don't drive.

- I work at other eldercare facilities; there is a huge misconception about the project – this isn't a 24-hour nursing home; some level of care will be provided, but the focus is less on nursing and more on health and autonomy; eldercare facilities are affordable – in-home care costs at least \$20/hr; regarding noise, 98% of medical calls are non-emergency; 6% of workers drive to work; helping seniors is everyone's business; they need to be treated with respect and dignity; I support the project.
- I live in the area; those opposing the project should pledge to house their parents at an existing facility; the apocalyptic image painted is not accurate; this will not be a breeding ground for disease or kids getting run-over, nor "wailing and moaning"; this is NIMBY-ism at its finest.
- I live in the area and I support the project.
- 80 units sounds like a lot – it should be considered as 80 small bedrooms instead.
- I have lived in the area since 1997 and work in the health field; I support the elderly population.

The following is a summary of public testimony in opposition received:

- Live on Holt Ave; it is terrible to find parking today; 32 units within a giant complex, and residential children, delivery trucks illegally parked on a major thoroughfare; only one level of parking proposed; where will staff and vendors park? Project will change the character of the neighborhood; the Code is there for our health and safety; should be limited to 36 units and 45 feet; no change in code should be approved.
- This project doesn't belong on a narrow street.
- I live within 500 feet of the project; we have been in lock-down since March; the virus is contagious and affects seniors; the development is proposing 5-foot balconies; project is a bait-and-switch; the code requirements are there for a purpose; should not approve any changes to code requirements.
- Live on Sherbourne; I am against the project; proposed setbacks are for safety and privacy; the project will increase crowding and reduce safety.
- I own two duplexes behind the project; will see and hear everything, as will the HOA next door; for 65 years, the quality of life has been wonderful for children, dog walkers; please keep it this way; don't need 80 rooms for seniors; there are other senior facilities all on major roads – why is this being proposed in the middle of a residential neighborhood; 36 units are okay – proposal for 80 is more than double allowed; project is a monstrosity and will increase noise levels; supporters of the location are the same as the developers; paid witnesses.
- This is not an affordable case – \$180,000/year; should keep at home – will pay for private care; need to reject 5-foot setback variances; we've established our roots; why not place the building on Beverly Glen or re-build the Olympic Blvd. site; there's a reason why they're on the main thoroughfare – because it's where we observe sabbath; this is profit versus quality of life; want to remain in house – enjoy the garden and light; Alzheimer's residents are not peaceful/quiet – moaning and crying; this location is not the place for this; needs to be smaller and unobtrusive.
- I live two lots away from the project; I am not opposed to the use, but I am opposed to the requested deviations; facility will not be affordable to most people.

- I live on Holt Ave; I support the use, but do not support the proposed deviations; should require more parking.
- I live on Holt Ave; this is a commercial business, and I am opposed to it.
- I live on Gregory Way; I am opposed to the project's height, lack of sufficient parking, and increased vendor and visitor traffic it would bring.
- I live on Gregory Way; if I had know about the petition opposing the project, I would have signed; I don't trust the proposed staffing levels; the proposed parking and building height is a problem; should be proposed as something more appropriate for the area.
- I live on Holt Ave; I am opposed to the project; I appreciate the need for senior housing, but there are safety issues associated with the reduced front yard setback; vehicle access in earthquake or fire.

Rachel Sares, representing 15 property owners

- I live on Holt Ave; this is not a question about the need for senior housing; the issue is whether it is needed in a residential area or not; this is a commercial use; I am embarrassed by some of the comments by people from Westwood; I have elderly parents – an 87-year old mother – but we need senior housing but not on a residential street; the project will ruin the quiet with their trucks and visitors.

Shuki Greer, representing seven other speakers in attendance

- The Walnut Groves case sets the findings that need to be made for this case.
- No waivers should be granted for the project.
- There are no practical difficulties; approving such would be inconsistent with the intent of the Plans.
- The project is not compatible with its surroundings.
- You can't make findings based on circumstances.
- This is the wrong location for this project.
- We have 130 signatures oppose to the project.
- We have 40 affidavits saying they did not receive notice of the hearing.
- The proposed CEQA clearance was not available for review.
- The project would be devastating and materially detrimental to adjacent properties.
- The adjacent property owners won't be able to re-rent or find tenants.
- The project will damage the neighborhood.
- Parking in the neighborhood is congested; there is no permit parking district.
- 20 employees, per the applicant – this is not true.
- Loading zone eradicates provided parking.
- Construction dumpsters will exacerbate parking.
- Some project residents will be active and driving.
- Will there really only be 10-15 visitors per day maximum? For 80 grandparents?
- Along Holt Avenue, there is flowing water if you dig 10 feet or more into the ground; does the environmental clearance address pumping out ground water?
- The environmental analysis is not on the website.
- It is disingenuous to claim that the project will not result in traffic.

- Fire trucks and ambulances will double park; with lights and sirens, this will be disruptive to the neighborhood.
- There is no sophisticated medical equipment or doctor on-site.
- Fire Station No 58 – receives 500 calls per month; there has been no input from them.
- The pandemic – will COVID still be around? There is no social distancing, and will be a magnet for disease.
- The street is quiet, low traffic; nobody works on Holt or brings disease.
- No cooking in rooms/dwellings.
- Direct care provided, housekeeping, kitchen, administration, culinary director, etc. – 30 people per day
- This will result in traffic.
- Applicant requests eight waivers; setbacks requirements are in place to address crowding; side yards are so that police/fire can get emergency access to the rear yard in case of earthquake.
- There is no study evaluating the project.
- Requested front yard setback reduces visibility from the driveways from adjacent buildings.
- How wide is the loading zone?
- The project is not in scale.
- Item No. 2 on the hearing agenda, is a similar facility.
- The feasibility is to pay for the executive board; why not use one staff executive for both facilities?
- There is no support for claim to need waivers.
- If the buildings are built, what guarantee is there if the facility isn't viable that the applicant won't walk away? But the neighborhood is stuck with the building, attracting the wrong people.
- There is no evidence that the project following the zoning regulations is not practical.
- The project should be denied.

Aviv Kleinman, Planning Deputy, Council District 5

- I request that this be taken under advisement for four weeks.
- There is much opposition to the project.
- What conditions can the applicant offer?
- I have heard that community members did not receive notice.

Bill Christopher, Representative

- The bridge on the second floor is enclosed.
- This project is not a "bait-and-switch"
- \$15,000/month rent is a myth.
- The applicant is paying a substantial linkage fee toward affordable housing.
- IF the project encounters groundwater, there will be a dewatering program.
- The project provides 36 parking spaces; 20 employees will not all be there at the same time; the parking is sufficient to accommodate guests; residents won't drive.

- Deliveries: typically small van/small box truck deliveries; food comes every two days; anticipate that there will be one or two deliveries per day.

At the conclusion of the hearing, the matter was taken under advisement for a period of four weeks, ending September 25, 2020. During that time, the record would remain open to receive additional written comments and no decision on the me would be made.

The above is a summary of the personal notes made during the hearing by Associate Zoning Administrator Fernando Tovar, who has since retired.

Under mutual consent with the applicant's representative, the record was held open until October 14, 2020.

Public Communication received after the Public Hearing

Douglas Kim, DouglasKim + Associates, - A memo, dated October 23, 2020, clarifying the findings of a previously submitted noise technical study, dated April 2020, was received.

Stephen T. Kia, Urban Concepts – In an email dated October 20, 2020, a copy of a Water Analysis and completed Department of Transportation Referral Form was submitted.

Daniel Skolnick, Senior Planning Deputy, Council District 5 – In a letter received on October 15, 2020, it was indicated that Councilman Koretz recommended that the project be denied, as the proposed mid-block location, combined with excessive height, reduced yards, and lack of a loading zone adversely affects or degrades the adjacent properties. The Councilman goes on to state that if the project is approved, that the project is limited to 45 feet in height, that employee shifts be staggered, that there be incentives to encourage the use of public transportation, that all staff and employees be required to park on-site, and that all deliveries and loading/unloading be conducted on-site or within a designated loading zone.

Bill Christopher, Representative – In emails received on October 14, 2020, the applicant's representative submitted a series of documents: a "Response to Community Issues" dated October 9, 2020; a "Petition from the Neighbors" dated October 7, 2020; several graphical exhibits showing three, four, and five-story multi-family buildings in the area, including calculated heights as determined by a registered engineer; a "Response to Daniel Sidis" dated October 9, 2020; and a set of revised proposal renderings, building plans, and preliminary landscape plans.

Bill Christopher, Representative – In an email received on September 30, 2020, the applicant's representative volunteered the following:

- Increased side yard setbacks from 5 feet to 6 feet.
- Added articulation to front façade.
- Increased setback at front yard; the entry surround at ground level is setback 10 feet; the remainder of the ground floor façade is set back 11 feet; the next or base layer of the façade is set back 12 feet; the deepest layer of the façade is set back 13.5 feet.
- One men's and one women's shower will be provided for staff to promote biking to work.

- Deliveries to the site will be restricted to between 7 a.m. and 2 p.m.
- An 8-foot block wall along the north property line to screen the delivery entrance.
- Landscape privacy screen along the remainder of the north property line and full landscape privacy screening along the south property line.

A revised set of plans were submitted reflecting the above changes. In addition, a request was made to increase the advisement period until October 1, 2020.

Daniel Sidis, property owner – In a letter dated September 25, 2020, Mr. Sidis states his opposition to the project. Mr. Sidis, who owns the north adjoining property, makes the following statements: the property that I own is my entire retirement income; I have already lost 20 percent of rental income due to the proposed project; all of my south-facing units will become vacant as a result of the proposed project; I will not be able to rent these units at the current rate; it has been projected that I will lose 30 percent of my income as a result of the project; the project will result in the loss of views from the south-facing units; it has been projected that I will lose 20 to 30 percent in property value as a result of the project; project proposed reduced side and front yard setbacks will diminish the safety of vehicle egress from my property and diminish the desirability of my property, translating into reduced rental income and property value. With regard to the “practical difficulty and unnecessary hardship” finding, the applicant has not justified their costs to support the proposed project. The proposed project is out of character with the neighborhood; the applicant has misled regarding the character of other eldercare facilities in the area; the project is a singular building over three lots, which magnifies the decreased setbacks and increased height; the applicant’s comparison between their proposed building height and mine are erroneous and misleading, and is not compatible with it; the amount of daily activity at the project is vague and potentially misleading; and the applicant’s comparison of the proposed project to a theoretical Transit-Oriented Community development is misleading.

Nikki Vescovi, Co-Chair, Holt Eldercare Neighborhood Community Response Team – Email attachments were received on September 25, 2020, consisting of photographs of the existing development along Holt Avenue, an inventory of existing building stories along Holt Avenue entitled “Appendix 1 – Composition of Holt Properties”, and a document entitled “825-839 Holt Eldercare Community Response”.

Erica Goldberger, local resident – In an email dated August 25, 2020, Ms. Berger states that she is opposed to the project. In particular, Ms. Berger objects to the requested side and front yard setback reductions and the height increase, as these are in place for safety and accessibility reasons.

Brad Neufeld, local resident – In an email dated August 24, 2020, Mr. Neufeld states that he attended the hearing, but was not given the opportunity to provide testimony. He states that he has over 40 affidavit from residents who did not receive a notice; that the *Walnut Acres Neighborhood Association et al v. City of Los Angeles* and the Eldercare ordinance controls the case; that over 150 area residents petitioned against the project; that the developer has stated that without the requested deviations, the project would not be feasible; that in keeping with the Walnut case, there would be significant and material harm to

adjacent properties; that the applicant has no standing to have the project considered; findings under Walnut Creek cannot be made without proper notice, based on the information in the record; that claims made by the developer are speculative and referenced surveys were not available for review and comment; and based on the proposed cost of care, the project will not result in reduction in eldercare need.

ELDERCARE FACILITY UNIFIED PERMIT FINDINGS

Following (highlighted) is a delineation of the findings and the application of the relevant facts to same:

1. **The strict application of the land use regulations on the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.**

The project site, consisting of three lots, is a level, rectangular-shaped, interior, approximately 18,018 square-foot (0.41 acre) parcel of land with an even width and depth of 150 feet and 120 feet, respectively, and an approximately 150-foot frontage on the west side of Holt Avenue, located between Gregory Way to the north and Chalmers Drive to the south.

The property is located within the Wilshire Community Plan area, which designates it for Medium Residential land uses, having a corresponding zone of R3; the property is zoned [Q]R3-1-O. The property is within an Oil Drilling District, but not within the boundaries of or subject to any specific plan, community design overlay, or interim control ordinance. The property is subject to “Q” Qualified Conditions pursuant to Ordinance 167,335 which regulates open space, parking, building articulation, setbacks and tree planting requirements.

According to the City of Los Angeles Housing Element’s Housing Needs Assessment:

The City of Los Angeles is being affected by population and demographic trends that will have significant impacts on the housing needs of the future. Of most significance are the slowdown in population growth and changes in the age distribution of residents, including fewer children and dramatically higher numbers of seniors.

According to the 2010 Census, a little more than one-fourth (26%) of the City’s population in 2010 was young, aged 0 to 19 years old. Young adults (aged 20 to 35), generally the age when people form independent households, made up another quarter of the population (25%). Thirty-eight percent of the City’s population is aged 35 to 64 years old. This leaves about 10.5% of the population that is currently aged 65 years and older (396,696).

The fastest growing age group aligns broadly with the “baby boom” generation, which is currently between about 45 and 65 years old. There are about 190,000 more people in the City within this age group, compared to 10 years ago. In fact, the number of “new seniors” (from 2000 to 2010) increased faster

in the Los Angeles region than New York or any other metropolitan area. The rapid growth of seniors is in stark contrast to the decline of children and younger adults.

According to demographers, the next decade will be marked by growth of households without children, primarily by those headed by householders aged 55 and older. While the City's overall population is projected to increase by about 4.5 percent between 2010 and 2020, its senior population (65 and older) is expected to grow by approximately 45% percent during this time period (to approximately 562,992)¹¹. By 2020, seniors are expected to account for more than 14% of the City's households, compared to 10.5% in 2010. This far exceeds the growth of any other age groups in the City. The increasing numbers of older Angelenos will have important effects on the demand for housing to come.

The housing needs of seniors are particularly challenging and require special attention because of the combination of fixed incomes, physical and sensory disabilities, and mobility/transportation limitations, all of which limit access to appropriate and affordable housing. Housing for seniors should provide or be located in proximity to information, transportation, social/health services, and opportunities for community involvement.

For the purposes of this Housing Element, seniors include those persons aged 65 years or older. According to the Census 2010, seniors comprised 10.5% of the City's population (396,696 persons). Almost one-fifth of all households citywide (239,654 of 1,318,168 households in 2010) are headed by seniors. Forty-two percent (102,330) of these households are seniors who live alone while the rest are households comprised of senior heads-of-households living with other person(s). Nearly 58% (138,657) of those over 65 years old lived in owner-occupied housing, while 42% (100,997) were renters.

Many seniors also live in institutionalized settings and other group quarters. Per the Census 2010, 13,853 seniors (about 3.5%) lived in group quarters, which include institutions, hospitals, hospices, nursing homes, correctional institutions, and non-institutional group quarters. This population represents a decrease of 4,156 persons (or 23%) living in group quarters since 2000, despite increases in the total elderly population.

Among persons 65 years or older, 153,379 (40.1%)⁵¹ are living with disabilities per the ACS 2010. While physical (ambulatory) disabilities are the most prevalent among this population at 28.3%, other disabilities also have a significant impact on limiting housing choices: 21.7% have a hearing/vision disability; 21.4% have an independent living disability, 13% have a self-care disability; and 11.7% have a cognitive disability.

Persons with self-care limitations also have unique housing needs because they need the assistance of a companion or family member in order to

accomplish daily activities, such as dressing, bathing, or getting around inside the home. Twenty-four percent of disabled adults aged 18-64, and almost one-third of adults over the age of 65, have some sort of self-care difficulty. Resources that could be devoted to housing often need to be diverted to cover personal care assistance.

People with disabilities should have options allowing them to live in the most integrated setting possible. To provide for this, a full spectrum of affordable housing is needed, from conventional residences to transitional and permanent supportive housing, including group, congregate and independent housing. Independent, supported living in the most integrated setting possible is preferable, either through individual or shared single-family homes or apartments, providing each individual with his/her own bedroom. Support services may be provided either on- or off-site. Appropriate housing for persons with mental or physical disabilities may include affordable small or large group homes (near retail services and public transit), apartment settings with support, outpatient/day treatment programs, and inpatient/day treatment programs or crisis shelters. Persons who use wheelchairs need affordable, conveniently-located housing which has been specially adapted for wheelchair accessibility, along with other physical needs.

The applicant is requesting an Eldercare Facility Unified Permit pursuant to Los Angeles Municipal Code (LAMC) Section 14.3.1 to allow the construction of a new five-story over two subterranean level Eldercare Facility over the entire site. An Eldercare Facility is defined by Section 12.03 of the L.A.M.C. as *"one functionally operated facility which provides residential housing for persons 62 years and older, and which combines in one facility, two or more of the following types of uses: Senior Independent Housing, Assisted Living Care Housing, Skilled Nursing Care Housing, and/or Alzheimer's/Dementia Care Housing. A minimum of 75 percent of the floor area, exclusive of common areas, shall consist of Senior Independent Housing and/or Assisted Living Care Housing"*.

Pursuant to Section 14.3.1 of the L.A.M.C., the Zoning Administrator is authorized to permit an Eldercare Facility to be located on a lot or lots in the A 1 through R3 Zones, or in the RAS3, R4, RAS4, R5, and all C Zones, when an Eldercare Facility does not meet the use, area, or height provisions of the respective zone contained in this chapter, or the requirements of any specific plan, supplemental use district, "T" classification, "Q" condition, "D" limitation, or Citywide regulation adopted or imposed by City action.

Eldercare Facilities are permitted by-right in the R3 Zone. In accordance with the provisions of the Eldercare Facility Unified Permit process per LAMC Section 14.3.1, the applicant is seeking an Eldercare Facility with Assisted Living Care and Alzheimer's/Dementia Care Housing within the [Q]R3-1-O Zone, with deviations to allow for:

- A maximum of 80 guest rooms in lieu of the otherwise permitted 36 guest rooms pursuant to LAMC Section 12.10-C,4;
- A maximum Floor Area Ratio (FAR) of 5.06:1 in lieu of the otherwise permitted 3:1 FAR pursuant to LAMC Section 12.21.1;
- A maximum building height of 58 feet in lieu of the otherwise maximum 45 feet pursuant to LAMC Section 12.21.1.
- A continuous width of the exterior walls fronting Holt Avenue to exceed 40 feet without a change in plane as otherwise required pursuant to Ordinance No. 167,335.
- A 10-foot front yard in lieu of the otherwise required 20-foot front yard pursuant to Ordinance No. 167,335.
- 6-foot side yards in lieu of the otherwise required 8-foot side yards pursuant to Ordinance No. 167,335.
- Waiver of the long-term bicycle parking requirements otherwise required pursuant to LAMC Section 12.21-A,16(a)(2).

The requested deviations from the LAMC are necessary for the proposed Eldercare Facility to enable a financially viable eldercare facility; without such deviations it is impractical and infeasible to build such a facility on the subject property.

The project proposes the demolition and removal of the three duplexes and the construction, use, and maintenance of an approximately 57,680 square-foot Eldercare Facilities development consisting of both assisted living and Alzheimer's/Dementia uses. The proposed Eldercare Facility will contain 80 guest rooms, of which 62 guest rooms will be designated for Assisted Living Care and 18 guest rooms will be designated for Alzheimer's/Dementia Care. The proposed 5-story building will have a total FAR of 5.06:1 and have a maximum height of 58 feet.

Pedestrian access to the project site would be provided from the existing sidewalk along Holt Avenue, which would provide direct access to the ground-floor lobby. The proposed project provides 6 bicycle short-term spaces as required; no long-term bicycle parking spaces will be provided.

The project will provide 36 parking spaces (31 spaces for the Assisted Living guest rooms at a ratio of 0.5 spaces per unit and five spaces for the Alzheimer's/Dementia Guest Rooms at a ratio of 0.2 spaces per bed), which complies with the parking required pursuant to LAMC Section 12.21-A,4(u). On-site parking is provided entirely within a second level subterranean level. No vehicular parking will be visible from the street. Vehicular access to the proposed project will be directly from Holt Avenue via a single two-way driveway. Existing vehicular access to the three duplexes will be consolidated into the single driveway located on the northern end of the property.

The facility is planned to have two subterranean levels – the first level containing common area amenities, and the second level containing underground parking. The building design maximizes natural light and natural ventilation for the primary common areas below grade by means of two expansive courtyards that daylight out to the sky.

The Guest Room accommodations include small bar sinks and under counter refrigerators but do not include any cooking. The facility will maintain a central kitchen and common dining area. Over 29,600 square feet (51% of the project floor area) is dedicated to common area amenities and open space/recreational areas for the project. Amenities include dining (three meals a day), bistro for snacks and refreshments, theater, library, fitness center, multi-purpose activities rooms, lounges and living room areas, beauty salon, outdoor space, including a rooftop deck, and administrative offices.

The focus of the staff in the Assisted Living Care area would be balancing the residents' need for care with their desires to remain independent. The Alzheimer's/Dementia Care area of the facility is designed to answer the needs of residents with varying levels of dementia or other degenerative conditions. Caregiver oversight and supervision would be provided to prevent accidents that may occur otherwise. The Alzheimer's/Dementia Care floor would also include an increased staff-to-resident ratio. Additionally, this area of the project would be more confined and secured as per applicable standards and regulations. The project would also provide security features including, but not limited to, controlled access to on-site parking areas and building entries, particularly after regular business hours, video surveillance, and security lighting.

Floor Area Ratio (FAR) and Density

The subject 18,018 square-foot property is zoned [Q]R3-1-O, which permits a density of one guest room per 500 square feet of lot area, for a maximum of 36 guest rooms on the subject site. Height District No. 1 permits a maximum Floor Area Ratio (FAR) of 3.0:1, or approximately 34,170 square feet based on 11,390 square feet of buildable area. The project proposes a total of 80 guest rooms (62 Assisted Living guest rooms and 18 memory care guest rooms) and a total floor area of 57,680 square feet for an FAR of 5.06:1.

The density and FAR deviations are necessary to provide a financially feasible project. Without this many guest rooms and proposed common areas the facility cannot operate nor achieve the economies of scale with staff, medical care, equipment, food and the like. As a result, the project requests to deviate from the underlying R3 zoning area regulations and Ordinance No. 167,335 by proposing an FAR of 5.06:1.

The additional FAR would allow for the construction of the proposed number of guest rooms which are sufficient in size throughout the entirety of the site. The total gross area of the proposed facility is approximately 57,680 square feet, split between approximately 29,610 square feet of common area and 28,070 square feet of Guest Room/livable area.

As proposed, all of the increased floor area is devoted to common areas to support the residents' needs. Senior Assisted Living and Memory Care projects require substantial support services and common areas to provide a

healthy environment for a senior population to age in place. The proposed project seeks to provide significant "quality-of-life" amenities rather than minimally-equipped facilities. The proposed common areas include a dining area, bistro, large kitchen, a second common kitchen and dining area is provided on the second level to serve the Alzheimer's component. In addition, there are laundry facilities, common bathrooms and other on-site amenities such as libraries, fitness room, activities room, beauty salon and lounge areas on each level. All of the resident rooms are designed as Guest Rooms without a kitchen and will be smaller in size than a standard Dwelling Unit. Much of the increased floor area is devoted to common areas serving the needs of the residents, which are contained largely in the first subterranean level of the building. The building design maximizes natural light and natural ventilation for the primary common areas below grade by means of two extensive courtyards that daylight out to the sky.

Due to the special needs of the residents, Eldercare Facilities must maintain staff on-site to monitor and assist elderly residents with basic needs and also requires the provision of substantial common indoor and outdoor areas and on-site amenities to support the unique needs of elderly residents that are key to quality of care and quality of life for the residents. The provision of on-site staff and a substantial level of common areas and on-site amenities requires a minimum number of Guest Rooms and beds to achieve economies of scale necessary to maintain the viability of these facilities. From an operational standpoint, Eldercare Facilities require multiple salaried employees, such as executive director, marketing director, culinary director, activities director, resident services director, and memory care director. The salaries of these employees are mostly driven by market conditions, not size of facility. In addition, to make Eldercare Facilities financially feasible, certain costs such as land cost and architectural fees, need to be divided across a sufficient number of Guest Rooms and beds. As with salaried employees and other operational costs, land cost is market driven and architectural fees are not proportional to Guest Room and bed count.

The applicant has submitted a financial feasibility analysis, conducted by The Concord Group (TCG), dated August 14, 2020, demonstrating that the project is not feasible unless constructed as proposed.

In order to assess the financial viability of each scenario, TCG completed the following work scope:

- Reviewed applicant's return-on-cost financial model using top-line-revenue input from a market study (also conducted by TCG), costs from general contractor bids and relevant site background materials including zoning and entitlement documents.

- Addressed the reasonableness of the financial model inputs through industry expertise and market research, with specific vetting of construction costs, rental revenue and operating expense assumptions.
- Provided conclusions with respect to the feasibility or infeasibility of the two development scenarios.

TCG examined the financial returns of two development scenarios:

- **Scenario A** features an eldercare development utilizing the current zoning (no variances). Utilizing the maximum floor area of 26,985 SF, this development would feature 36 Assisted Living guest rooms. This program requires 18 parking stalls.
- **Scenario B** features an Eldercare development utilizing proposed variances which result in an increase of total floor area. The proposed floor area of 57,680 SF increases the guest room count to 80. Of these 80 guest rooms, 62 would be Assisted Living and 18 would be Memory Care. This program requires 36 parking stalls.

To assess the financial feasibility of each scenario, TCG employed a commonly used senior living and multi-family industry metric - return on cost. Return on cost is calculated by dividing the stabilized NOI (gross income, less vacancy and operating expenses) by the total project cost (sum of land costs, hard costs and soft costs). Investors and construction lenders typically require a return on cost equal to the market cap rate plus a spread to reflect the developer's risk. The spread is typically 150 basis points for eldercare projects (the higher spread reflecting the increased risk associated with the operational intensity of eldercare). Based on recent transactions of comparable eldercare communities in similar California locations, the market cap rate is assumed to be 5.00%. The target cap rate of 5.00%, plus 150 basis points, means the target minimum yield on cost for the project is 6.50%.

Development Standard	Scenario A (By-Right)	Scenario B (Proposed)
Site Size (SF)	18,003	18,003
Building Area (SF)	26,985	57,680
Height (ft)	45	58
Total Guest Rooms	36	80
-Assisted Living	36	62
-Alzheimer's/Dementia	0	18
Parking	18	36
NOI	\$1,100,000	\$3,500,000
Land / Construction Costs	\$35,100,000	\$53,300,000
Yield on Cost (YOC)	3.13%	6.57%

Based on the developer required yield on cost, the only development proposal that is financially feasible is Scenario B. Scenario A yields a return on cost of 3.13%, well under the 6.50% threshold, while Scenario B yields a 6.57%. The proposed eldercare project meets/exceeds the industry standard feasibility threshold, demonstrating that the variances requested through the eldercare permit are necessary to build a financially viable project. Without the requested floor area, height, and other deviations, the project could not be built.

The Zoning Administrator finds that the analysis of the alternative development scenario is reasonable and adequately demonstrates that the development alternatives for a by-right eldercare facility is not viable, and the strict application of the land use regulations on the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations and inconsistent with the City's objective to promote and facilitate needed housing and services for the elderly.

Height, Articulation, and Setbacks

The subject property is zoned [Q]R3-1-O Zone, which permits a maximum height of 45 feet. Ordinance No. 167,335 (effective November 15, 1991) established permanent "Q" Qualified conditions that further regulate development on the property by requiring a minimum building articulation of 5 feet for a distance of 8 feet between any 40-foot continuous width of any exterior wall facing a public street, a minimum 20-foot front yard setback and minimum 8-foot side yard setbacks.

The project seeks to deviate from the maximum height limit by proposing a height of 58 feet, a minimum 10-foot front yard setback, minimum 6-foot side yard setbacks, and having a continuous width of the exterior walls fronting Holt Avenue exceeding 40 feet without the required change in plane.

These deviations are necessary to provide the floor area for both the number of proposed guest rooms and the variety of common area amenities that responds to the practical needs of the elderly residents. The floor plans are designed to allow wider interior hallways and corridors than typical apartments to allow for two-way traffic for those with disabilities or mobility aids. Unlike typical apartments, these hallways provide intermediary seating areas for residents as they move within the facility between the guest rooms and common areas. The distribution of common areas is designed in such a way that would make them widely available to residents, and to create opportunities for a variety of activities. Not granting these deviations would result in a building envelope that cannot accommodate the floor area necessary for a viable facility.

The project has been designed to minimize its height at the rear of the property, immediately adjacent to several two-story duplex residential buildings; changes of plane have been incorporated into the street-facing side

of the building, resulting in changes of plane from 1 foot to 5 feet in depth, but there remains one ground-level portion of the façade which exceeds the 40-foot width minimum before a change in plane.

Therefore, inasmuch as the deviations are directly related to the previously discussed need for additional FAR and guest rooms, the project requests to deviate from the underlying R3 zoning regulations and the “Q” Conditions of Ordinance No. 167,335 are reasonable, and the strict application of these land use regulations on the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.

Long-Term Bicycle Parking

The proposed use as an Eldercare Facility requires the provision of long-term bicycle parking at a ratio of 1 per 5,000 square-feet. Based on the project’s total floor area of 57,680 square feet, 12 long-term bicycle parking spaces are required. The project proposes to provide no long-term bicycle parking spaces; code-required short-term bicycle parking will be provided.

For the purpose of determining the number of long-term bicycle parking spaces required by a proposed project, the Municipal Code does not provide a specific ratio for Eldercare Facilities; rather, the use is considered as an “Institutional” use. The facility’s residents are occupying assisted living or memory care guest rooms. It is reasonable to assume that these residents are not typically physically able to ride bicycles, and therefore do not require long-term bicycle parking spaces. Providing space to maintain long-term bicycle parking within the constraints of the proposed facility would necessitate sacrificing other, more relevant features of the facility, which contribute to the viability of the operation. Therefore, the strict application of these land use regulations on the subject property would result in unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.

While the Zoning Administrator is authorized to grant relief from the zoning regulations, including the Specific Plan regulations, the Zoning Administrator’s authority only applies to relief from the zoning regulations necessary to facilitate the construction of an Eldercare Facility. With respect to the requested deviations, a fully zoning compliant project would not produce a viable facility. Given the nature of the facility, which requires substantially more common areas and on-site amenities than a traditional multi-family residential building, the [Q]R3-1-O Zone contain distinct regulations that make it impractical to provide an efficient layout and functional design for the proposed facility.

In light of the foregoing, the Zoning Administrator concurs that the relief requested, including an increased floor area, guest room density, and height; reduced front and side yards; and waiver of the exterior wall plane articulation and long-term bicycle parking requirements, is necessary to achieve the density and floor area necessary

to maintain the viability of the eldercare facility. In addition, the relief requested is necessary to serve a city- and area-wide demand for assisted living and memory care facilities for an aging population. Without such deviations, the zoning regulations restricting the building envelope would make the construction of the Eldercare Facility on the subject property impractical and infeasible. Thus, as discussed above, the strict application of the land use regulations on the subject property would result in practical difficulties and unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.

2. **The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.**

The proposed project is a new five-story, 58-foot in height, 57,680 square-foot Eldercare Facility containing 62 Assisted Living guest rooms and 18 Alzheimer's/Dementia guest rooms, with two subterranean levels, in the [Q]R3-1-O Zone. In addition, the project will provide a reduced front yard setback of 10 feet, reduced side yard setbacks of 6 feet, a deviation from the maximum 40-foot width articulation requirement, and no long-term bicycle parking.

The project will provide Code-required 36 parking spaces entirely within the second subterranean level. No vehicular parking will be visible from the street. Vehicular access to the project will be directly from Holt Avenue via a single two-way, 24-foot-wide driveway. Existing vehicular access will be consolidated from three existing driveways into a single driveway located on the northern end of the property.

Pedestrian access to the project site would be provided from the existing sidewalk along Holt Avenue, which would provide direct access to the ground-floor lobby. The proposed project provides 6 short-term bicycle spaces as required; no long-term bicycle parking spaces will be provided.

The facility is planned to have two subterranean levels – the first level containing common area amenities, and the second level containing underground parking. The building design maximizes natural light and natural ventilation for the primary common areas below grade by means of two expansive courtyards that daylight out to the sky.

The ground level is proposed to contain a lobby, mail room, bistro, kitchen main dining area, a dining courtyard, restrooms, 10 Assisting Living guest rooms, and offices for the administrative staff. The second level would be reserved for Alzheimer's/Memory Care residents, and contain a small elevator lobby, dining room, living room, a wellness office, restroom, activity area, and 18 guest rooms. The third and fourth levels are proposed identically, featuring a small elevator lobby, restroom, wellness office, and 19 Assisted Living guest rooms. The fifth level is proposed to contain a small elevator lobby, a dining room, restroom, 14 Assisted Living guest rooms, and three separate outdoor patio areas facing the interior and rear of the building.

The Guest Room accommodations include small bar sinks and under counter refrigerators but do not include any cooking. The facility will maintain a central kitchen and common dining areas. Over 29,600 square feet (51% of the project floor area) is dedicated to common area amenities and open space/recreational areas for the project. Amenities include dining (three meals a day), bistro for snacks and refreshments, theater, library, fitness center, multi-purpose activities rooms, lounges and living room areas, beauty salon, outdoor space, including a rooftop deck, and administrative offices.

The focus of the staff in the Assisted Living Care area would be balancing the residents' need for care with their desires to remain independent. The Alzheimer's/Dementia Care area of the facility is designed to answer the needs of residents with varying levels of dementia or other degenerative conditions. Caregiver oversight and supervision would be provided to prevent accidents that may occur otherwise. The Alzheimer's/Dementia Care floor would also include an increased staff-to-resident ratio. Additionally, this area of the project would be more confined and secured as per applicable standards and regulations. The project would provide security features including, but not limited to, controlled access to on-site parking areas and building entries, particularly after regular business hours, video surveillance, and security lighting.

The project site, consisting of three lots, is a level, rectangular-shaped, interior, approximately 18,018 square-foot (0.41 acre) parcel of land with an even width and depth of 150 feet and 120 feet, respectively, and an approximately 150-foot frontage on the west side of Holt Avenue, located between Gregory Way to the north and Chalmers Drive to the south.

Surrounding properties are similarly zoned [Q]R3-1-O and improved with multi-level, multi-family apartment buildings. The north adjoining property is developed with a four-story over one subterranean parking level apartment building containing six dwelling units. The five east adjoining properties, across Holt Avenue, are developed with two-story multi-family buildings containing between two to six units. The south adjoining property is developed with a three-story residential condominium building containing seven dwelling units. The four west and southwest adjoining properties, fronting on Sherbourne Drive, are developed with two-story multi-family buildings containing two and three dwelling units. The northwest adjoining property, fronting on Sherbourne Drive, is developed with a four-story over one subterranean parking level apartment building containing six dwelling units.

Of the 12 properties fronting on the western side of Holt Avenue, seven properties (exclusive of the three subject properties) are developed with two-story residential buildings, one property is developed with a two-story over parking garage residential building (three-story in appearance), and one is developed with a four-story over subterranean parking level residential building. Of the eleven properties fronting on the eastern side of Holt Avenue, eight properties are developed with two-story residential buildings and three properties (developed with a single building) has a three-story residential building.

Holt Avenue, abutting the subject property to the east, is a standard Local Street dedicated a right-of-way width of 60 feet and improved with asphalt roadway, concrete curb and gutter, 4-foot wide concrete sidewalks, and approximately 6-foot wide parkways.

The proposed five-story, 58-foot in height, 57,680 square-foot building will provide a reduced front yard setback of 10 feet, reduced side yard setbacks of 6 feet, a deviation from the maximum 40-foot width articulation requirement, and no long-term bicycle parking.

Eldercare Facilities are a permitted residential use within the R3 Zone. The proposed Eldercare Facility will provide Assisted Living Care and Alzheimer's/Dementia Care services. Pursuant to the State of California's licensing requirement, and as defined by LAMC Section 12.03, Assisted Living Care would provide assistance with two or more non-medical activities of daily living, and full-time medical services are not permitted on-site. Residents of the Alzheimer's/Dementia Care housing may require 24-hour care, which is permitted as defined by LAMC Section 12.03.

The project will contain 80 guest rooms consisting of 62 Assisted Living guest rooms and 18 Alzheimer's/Dementia guest rooms, in lieu of the 36 guest rooms otherwise permitted by the R3 Zone. Given the limited mobility of the residents, the applicant's stated economies of scale necessary to care for these residents, and the citywide need for eldercare facilities, the guest room density is reasonable. Along with the proposed guest room density, a host of secondary issues arise: visitor, staff, and vendor parking and increased traffic; and sirens associated with emergency service calls. The project does not request any deviation from the parking requirement of the Zoning Code. According to the staff report proposing the Eldercare Facility Unified Permit process, prepared by the Department of City Planning and dated May 8, 2003, staff and visitor parking needs are reflected in the parking requirements. Further, "[r]esident vehicles do not contribute measurably to traffic volumes generated by Eldercare Facilities, because most residents, as a result of their age and physical limitations, do not drive. A study by the American Seniors Housing Association concluded that the average number of resident vehicles at an Independent Senior Housing Facility or an Assisted Living Care Facility is 0.05 vehicles per unit. This is extremely low compared to other housing types."

Nevertheless, conditions have been incorporated into this approval which require the applicant to develop an incentive program to encourage staff to utilize public or alternative transportation or to only utilize the available on-site parking; that staffing be staggered to minimize the number of staff on-site at any one time; and that vendor deliveries times be restricted and limited to only occurring within a designated loading zone or within the parking garage. The Department of Transportation has analyzed the parameters of the project and determined that the project results in a less-than-significant impact on vehicles miles traveled. Testimony received indicated that that calls for emergency services at these facilities are much lower than perceived.

The proposed building envelope is larger than most other structures in the immediate area, but it is compatible with development in the immediate neighborhood.

The properties located immediately to the north and northwest of the property are developed with four-story residential buildings, having heights of approximately 45 feet (not including rooftop access structures), and the south adjoining property is developed with a two-story over parking garage residential building, appearing as a three-story building. As proposed, the five-story building would be one story taller than those to the north and northwest, and two stories taller than the southern property. The adjoining properties to the east, across Holt Avenue, and the west, fronting on Bedford Street, are developed with two story buildings.

The project has incorporated a number of features in an effort to minimize the project's height and massing within the surrounding community: it proposes two below-ground levels – one to accommodate required parking, and another to accommodate many of the common areas and services provided by the facility; the rear of the building is broken into two masses, separated by an uncovered 1,400 square-foot outdoor patio located on the ground level; and the fifth floor expands on this separation by the development of uncovered outdoor patio areas, further minimizing the bulk of the height of the building, as it appears from the west. The applicant has submitted a shade/shadow analysis of the project which shows that the proposed building would not have an impact on the eastern and western adjoining buildings.

Along the east-facing frontage of the building, the massing is broken up through the use of changes in plane, with a change in design and material between the ground-level and the upper four levels. Though these changes in plane do not meet the 5-foot depth change for a minimum span of 8 feet standard set by the existing [Q] condition of the zone, but they do offer aesthetic relief in contrast to a single-plane monolithic building façade.

As proposed, the project would observe a reduced front yard setback of 10 feet; the applicant has clarified, with updated plans verifying, that most of the building would observe front yard setbacks of 11 feet to 16 feet, with the 10-foot setback being located around the building entryway, though still less than the 20 feet otherwise required by the [Q] condition of the zone. While most of the development along either side of Holt Avenue appears to observe a uniform front yard setback, most of the properties also appear to have been developed with less than the 20 feet otherwise required; this is observed using the City Planning Department's Zoning Information and Map Access System, and measuring the distance between the buildings as they appear in the 2017 Digital Color Ortho photo and their relationship to the property boundary in that geographic information system. Many properties along the west side of Holt Avenue appear to observe approximately 13-foot front yard setbacks. With this consideration, the requested front yard setback is a reasonable deviation in consideration of the benefit the eldercare facility represents.

The northern adjoining property owner has expressed concern that the 10-foot front yard setback will decrease the safety of vehicles existing his property; the northern adjoining property is developed with a subterranean parking garage, with their descending parking ramp alongside the shared side property line. On closer examination, the project will not result in significantly less safety for the northern property owner. At present, the northern property and the immediately southern adjoining property (representing the northern portion of the project site), share a driveway apron. The project property is presently improved with a one-lane driveway at this location. The proposed project would expand upon this driveway width to create a 24-1/2-foot wide driveway, with accompanying increase in driveway apron width. This, combined with the depth of the existing sidewalk, should provide an increased field of view of on-coming north-bound traffic. Nevertheless, the proposed driveway plan will be reviewed by the Departments of Building and Safety and Transportation to ensure that the proposed development does not conflict with safety regulations for vehicle ingress and egress.

Concerns have been raised about the proposed 6-foot side yards, in lieu of the required 8-foot side yards, and how they are necessary to facilitate emergency personnel access to the sides and rear of the building in case of emergency. While the side yard setbacks are utilized for access to the sides and rear yard areas of a property, the purpose of the setbacks are not for emergency access – they are there to convey a sense of developmental density through the physical separation of buildings on adjoining properties. Though the proposed building will observe reduced side yard setbacks, the building will be constructed to the latest fire and seismic standards, and should pose a lesser threat to failure under such stress than other older buildings in the area. In response to community concern regarding the originally proposed 5-foot side yard setbacks, the applicant has revised their plans to reflect the now considered 6-foot setbacks. With this consideration, the requested side yard setback is a reasonable deviation on balance with the benefit the eldercare facility represents.

The combination of Assisted Living and Alzheimer's/Dementia Care housing and the operation of the facility is generally considered a passive use. Although the project proposes a substantial amount of outdoor open space, it is not anticipated that the facility would result in noises that would be considered a nuisance or inconsistent to the surrounding residential uses. The applicant has submitted a noise analysis for construction-related noise impacts which found no significant adverse impacts.

The project, though exceeding some developmental regulations, is compatible with the surrounding area and reflects the gradual developmental trends occurring within the broader neighborhood, as evidenced by an applicant-submitted survey of building types within several blocks of the project site. As a part of this approval, the Zoning Administrator has imposed conditions on the development and operation of the use to ensure that it remains compatible with its surroundings. As conditioned, it is found that the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

3. **The project shall provide services to the elderly such as housing, medical services, social services, or long-term care to meet citywide demand.**

The proposed facility consists of 80 guest rooms: 62 guest rooms for Assisted Living Care and 18 guest rooms for Alzheimer's/Dementia Care Housing. As designed, the project meets the definition of an "Eldercare Facility," which requires that it is "one functionally operated facility which provides residential housing for persons 62 years and older, and which combines in one facility, two or more of the following types of uses: Senior Independent Housing, Assisted Living Care Housing, Skilled Nursing Care Housing, and/or Alzheimer's/Dementia Care Housing. A minimum of 75 percent of the floor area, exclusive of common areas, shall consist of Senior Independent Housing and/or Assisted Living Care Housing" (LAMC Section 12.03).

The US Census estimates that since 2011, the population of people aged 65 and over in California has grown at a faster rate than the total population of the state. As noted by the City's Housing Element, the senior population in the City of Los Angeles is projected to grow by roughly 45 percent between 2000 and 2020, with seniors expected to account for more than 14 percent of the City's households by 2020. The senior age group is the fastest growing group in the City. The City has established objectives and programs to help provide eldercare facilities for the City's growing senior population. The Eldercare entitlement process embodied within Section 14.3.1 of the LAMC is a process adopted by the City in attempts to streamline the entitlement process for these developments.

Further, one of the Housing Element objectives is to assist in the development of 250 senior units each year; Construct 1,750 Eldercare units; and explore the creation of an affordability component to Eldercare Ordinance.

As the City of Los Angeles responds to market demands for increased senior housing models, the proposed Project seeks to address the growing need for eldercare housing by providing Assisted Living and Alzheimer's/Dementia care options on a site that has historically been used for multifamily residential purposes. On a site originally developed and proposed for apartment units, the project intends to continue the use of the property for residential purposes, now targeted toward an elderly population which will increase in coming years.

The proposed facility is designed to provide housing and services to meet the special needs of elderly residents. Approximately 51% of the project's floor area is devoted to common areas and on-site support services for the residents. The residential common areas would be located within the first subterranean level through the fifth floor, and include wellness rooms, an open lounge, a fitness room, common dining rooms, activity rooms, family/living rooms, and building lobby bistro for snacks and drinks, a salon and theatre room. According to the applicant, the distribution of open space and amenities throughout the project is intended to make the facilities widely available to residents, as well as create opportunities for a wider variety of activities and allow each space to be shared both collectively and by groups of residents for community engagement and interaction. The building would also include a central

kitchen. These on-site uses are intended to provide quality care and amenities and enhance the quality of life of the eldercare facility residents and surrounding community.

The focus of the staff in the Assisted Living Care area would be balancing the residents' need for care with their desires to remain independent. The Alzheimer's/Dementia Care area of the facility is designed to answer the needs of residents with varying levels of dementia or other degenerative conditions. Caregiver oversight and supervision would be provided to prevent accidents that may occur otherwise. The Alzheimer's/Dementia Care second floor would also include an increased staff ratio. Additionally, this area of the project site would be more secured as per applicable standards and regulations. Overall, the project would provide security features including, but not limited to, controlled access to on-site parking areas and building entries, particularly after regular business hours, video surveillance, and security lighting.

The facility will provide varying levels of senior care and housing to ensure a continuum of care and allow residents to age in place, have access to assisted care, which would help alleviate the increasing demand placed on the housing market by seniors. As such, the project provides services to the elderly, including housing, medical services, social services, and long-term care to meet citywide demand.

4. The project shall not create an adverse impact on street access or circulation in the surrounding neighborhood.

Pedestrian access to the project site would be provided from existing sidewalks along Holt Avenue, which would provide direct access to the ground-floor lobby. Six short-term bicycle parking stalls will be provided on-site. Due to the compromised physical and mental state of its residents, residents are unlikely to ride a bicycle and, therefore, the project will not provide long-term bicycle parking.

Vehicle access to the project site would be provided along Holt Avenue at the northeast corner of the project site with one 24-foot-wide driveway for both ingress and egress, consolidating three existing driveways. 36 on-site parking spaces for project will be provided in conformance to the code within a subterranean parking structure.

The elderly population residing on the site either require assistance with at least two activities of daily living or are afflicted with Alzheimer's or dementia; as such, most residents are not able to drive vehicles. The project's internal circulation and parking plan is designed with a driveway for ingress and egress to minimize congestion and back-up onto the street. All circulation would be contained on site with access to the subterranean parking garage. Moreover, the driveway access and circulation would be subject to review and approval by the Department of Transportation at the time of permitting.

A Transportation Study Assessment, conducted by the Department of Transportation, dated August 5, 2020, determined that the project would result in a net increase of

87 daily trips; therefore, the project would not result in a significant transportation impact on Vehicle Miles Traveled (VMT). Based on the VMT thresholds established in LADOT's Transportation Assessment Guidelines, this project does not exceed the 250 daily trip threshold for a significant impact.

Conditions have been made a part of this approval to ensure that operation of the facility will not conflict with the community; as such, the project shall not create an adverse impact on street access or circulation in the surrounding neighborhood.

5. **The project provides for an arrangement of uses, buildings, structures, open spaces and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood.**

The proposed project is a new five-story, 58-foot in height, 57,680 square-foot Eldercare Facility containing 80 guest room consisting of 62 Assisted Living guest rooms and 18 Alzheimer's/Dementia guest rooms, with two subterranean levels, in the [Q]R3-1-O Zone. The project will provide a 10-foot minimum front yard setback, 6-foot side yard setbacks, a 15-foot rear yard setback, a deviation from the maximum 40-foot width frontage façade articulation requirement, and no long-term bicycle parking.

Eldercare Facilities are a permitted residential use within the R3 Zone. The proposed Eldercare Facility will provide Assisted Living Care and Alzheimer's/Dementia Care services. Pursuant to the State of California's licensing requirement, and as defined by LAMC Section 12.03, Assisted Living Care would provide assistance with two or more non-medical activities of daily living, and full-time medical services are not permitted on-site. Residents of the Alzheimer's/Dementia Care housing may require 24-hour care, which is permitted as defined by LAMC Section 12.03.

Surrounding properties are similarly zoned [Q]R3-1-O and improved with multi-level, multi-family apartment buildings. The north adjoining property is developed with a four-story over one subterranean parking level apartment building containing six dwelling units. The five east adjoining properties, across Holt Avenue, are developed with two-story multi-family buildings containing between two to six units. The south adjoining property is developed with a three-story residential condominium building containing seven dwelling units. The four west and southwest adjoining properties, fronting on Sherbourne Drive, are developed with two-story multi-family buildings containing two and three dwelling units. The northwest adjoining property, fronting on Sherbourne Drive, is developed with a four-story over one subterranean parking level apartment building containing six dwelling units.

Of the 12 properties fronting on the western side of Holt Avenue, seven properties (exclusive of the three subject properties) are developed with two-story residential buildings, one property is developed with a two-story over parking garage residential building (three-story in appearance), and one is developed with a four-story over subterranean parking level residential building. Of the eleven properties fronting on the eastern side of Holt Avenue, eight properties are developed with two-story

residential buildings and three properties (developed with a single building) has a three-story residential building.

The proposed building envelope is larger than most other structures in the immediate area, but it is compatible with development in the immediate neighborhood.

The properties located immediately to the north and northwest of the property are developed with four-story residential buildings, having heights of approximately 45 feet (not including rooftop access structures), and the south adjoining property is developed with a two-story over parking garage residential building, appearing as a three-story building. As proposed, the five-story building would be one story taller than those to the north and northwest, and two stories taller than the southern property. The adjoining properties to the east, across Holt Avenue, and the west, fronting on Bedford Street, are developed with two story buildings, and the proposed eldercare facility would observe the code-required 15-foot rear yard setback.

The project has incorporated a number of features in an effort to minimize the project's height and massing within the surrounding community: it proposes two below-ground levels – one to accommodate required parking, and another to accommodate many of the common areas and services provided by the facility; the rear of the building is broken into two masses, separated by an uncovered 1,400 square-foot outdoor patio located on the ground level; and the fifth floor expands on this separation by the development of uncovered outdoor patio areas, further minimizing the bulk of the height of the building, as it appears from the west. The applicant has submitted a shade/shadow analysis of the project which shows that the proposed building would not have a significant effect on the eastern and western adjoining buildings.

Along the east-facing frontage of the building, the massing is broken up through the use of changes in plane, including a change in design and material between the ground-level and the upper four levels. Though these changes in plane, which vary between 1 foot and 5 feet, do not meet the 5-foot depth change for a minimum span of 8 feet standard set by the existing [Q] condition of the zone, they do offer aesthetic relief in contrast to a single-plane monolithic building façade.

As proposed, the project would observe a front yard setback of 10 feet. The applicant has clarified, with updated plans verifying, that most of the building would observe front yard setbacks of 11 feet to 16 feet, with the 10-foot setback being located around the building entryway. While much of the development along either side of Holt Avenue appears to observe a uniform front yard setback, most of the properties also appear to have been developed with less than the 20 feet otherwise required; this is observed using the City Planning Department's Zoning Information and Map Access System, and measuring the distance between the buildings as they appear in the 2017 Digital Color Ortho photo and their relationship to the property boundary in that geographic information system. Many properties along the west side of Holt Avenue appear to observe approximately 13-foot front yard setbacks. With this consideration,

the requested front yard setback is a reasonable deviation in light of the benefit the eldercare facility represents.

The project proposes 6-foot side yard setbacks, in lieu of the 8 feet required by regulations contained within the [Q] Qualified conditions attached to the zone of the property. This is required because the development exceeds 99 feet of frontage along Holt Avenue. Observation of the development in the immediate neighborhood did not reveal any newer buildings that have been constructed since the application of this setback requirement which has a street frontage exceeding 99 feet. Closer observation of the pattern of development along Holt Avenue reveals variations between 5 feet and 3 feet, among buildings constructed on one or two 50-foot wide lots. As such, the proposed side yard setback is consistent with the existing pattern of development within the neighborhood.

An Eldercare Facility use is a generally passive, non-impactful, residential use and any operations associated with the facility including maintenance activity or noise emitted from the site is not expected to expose surrounding residential uses to severe, on-going noise or nuisances.

Although the proposed building requires additional density, floor area, height, and setbacks, among other deviations, the expanded building envelope would accommodate space that will be utilized to provide for on-site services and amenities for residents who are unable to travel to nearby facilities which provide senior services. As such, the project has been designed to the extent feasible to maintain compatibility with the surrounding uses and also to enhance the aesthetics of the surrounding neighborhood, and represents an arrangement of uses, buildings, structures, open spaces and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood.

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

The General Plan is the City's roadmap for future growth and development. The General Plan Elements establish goals, policies, purposes, and programs 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 implemented in the form of Municipal Code requirements. The General Plan is comprised of the Framework Element, seven state-mandated elements, and four additional elements. The Framework Element establishes the broad overall policy and direction for the General Plan.

The Housing Element of the General Plan contains Housing Goals, Policies, Objectives, and Programs, which state the following:

- Goal 1.1** Produce an adequate supply of rental and ownership housing to meet current and projected needs.

Policy 9 Facilitate Housing for Senior and Disabled Persons. ... Explore options to introduce greater accessibility and affordability into the Eldercare process, given the significant zoning benefits provided ...

Objective: Construct 1750 Eldercare units.

The Land Use Element of the General Plan is comprised of 35 Community Plans spanning the City of Los Angeles. The project site is located within the boundaries of the Wilshire Community Plan, which designates the subject property for Medium Residential land uses corresponding to the R3 Zone. The subject property is zoned [Q]R3-1-O and is thus consistent with the existing land use designation. The Community Plan states the following:

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

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 1-4 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.

The project is in close proximity to the following bus stops which are located near the project site along Wilshire Boulevard to the north, La Cienega Boulevard to the east and Olympic Boulevard to the south:

- Metro Local Lines – 105 (0.1 miles); 20 (0.25 miles); and 28 (0.21 miles)
- Metro Rapid Line – 720 (0.25 miles)

La Cienega Community Center (City of Beverly Hills) is located at the southeastern corner of La Cienega Boulevard and Gregory Way (0.15 miles).

The proposed new Eldercare Facility, located within Tier 3 of a Transit-Oriented Community-eligible transit stop, will provide 80 guest rooms for seniors who either need assisted living services or are suffering from Alzheimer's/Dementia. The project would promote greater choice in the type of housing for that vulnerable and fast-growing demographic, and would provide varying levels of care to satisfy a range of

needs, and is close to both public transportation and public recreational opportunities. As described above, the proposed project is in substantial conformance with the purpose, intent and provisions General Plan and applicable Community Plan. The project is not located within any specific plan area and not subject to any specific plan.

SITE PLAN REVIEW FINDINGS

7. **The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and does not conflict with any applicable regulations, standards, and any applicable specific plan.**

The General Plan is the City's roadmap for future growth and development. The General Plan Elements establish goals, policies, purposes, and programs 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 implemented in the form of Municipal Code requirements. The General Plan is comprised of the Framework Element, seven state-mandated elements, and four additional elements. The Framework Element establishes the broad overall policy and direction for the General Plan.

The Housing Element of the General Plan contains Housing Goals, Policies, Objectives, and Programs, which state the following:

Goal 1.1 Produce an adequate supply of rental and ownership housing to meet current and projected needs.

Policy 9 Facilitate Housing for Senior and Disabled Persons. ... Explore options to introduce greater accessibility and affordability into the Eldercare process, given the significant zoning benefits provided ...

Objective: Construct 1750 Eldercare units.

The Land Use Element of the General Plan is comprised of 35 Community Plans spanning the City of Los Angeles. The project site is located within the boundaries of the Wilshire Community Plan, which designates the subject property for Medium Residential land uses corresponding to the R3 Zone. The subject property is zoned [Q]R3-1-O and is thus consistent with the existing land use designation. The Community Plan states the following:

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

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 1-4 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.

The proposed new Eldercare Facility, located within Tier 3 of a Transit-Oriented Community-eligible transit stop, will provide 80 guest rooms for seniors who either need assisted living services or are suffering from Alzheimer's/Dementia. The project would promote greater choice in the type of housing for that vulnerable and fast-growing group, and would provide varying levels of care to satisfy a range of needs.

The project is in close proximity to the following bus stops which are located near the project site along Wilshire Boulevard to the north, La Cienega Boulevard to the east and Olympic Boulevard to the south:

- Metro Local Lines – 105 (0.1 miles); 20 (0.25 miles); and 28 (0.21 miles)
- Metro Rapid Line – 720 (0.25 miles)

La Cienega Community Center (City of Beverly Hills) is located at the southeastern corner of La Cienega Boulevard and Gregory Way (0.15 miles).

As described above, the proposed project is in substantial conformance with the purpose, intent and provisions General Plan and applicable Community Plan. The project is not located within any specific plan area and not subject to any specific plan.

8. **That 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 neighboring properties.**

The proposed project is a new five-story, 58-foot in height, 57,680 square-foot Eldercare Facility containing 80 guest room consisting of 62 Assisted Living guest rooms and 18 Alzheimer's/Dementia guest rooms, with two subterranean levels, in the [Q]R3-1-O Zone. The project will provide a 10-foot minimum front yard setback, 6-foot side yard setbacks, a 15-foot rear yard setback, a deviation from the maximum 40-foot width frontage façade articulation requirement, and no long-term bicycle parking.

Eldercare Facilities are a permitted residential use within the R3 Zone. The proposed Eldercare Facility will provide Assisted Living Care and Alzheimer's/Dementia Care services. Pursuant to the State of California's licensing requirement, and as defined by LAMC Section 12.03, Assisted Living Care would provide assistance with two or more non-medical activities of daily living, and full-time medical services are not permitted on-site. Residents of the Alzheimer's/Dementia Care housing may require 24-hour care, which is permitted as defined by LAMC Section 12.03.

Height, Bulk and Setbacks

The proposed building reaches a height of 58 feet with five stories, with an exterior wall width fronting Holt Avenue to exceed 40 feet without a change in plane, 10-foot front yard setback and 6-foot side yard setbacks.

Surrounding properties are similarly zoned [Q]R3-1-O and improved with multi-level, multi-family apartment buildings. The north adjoining property is developed with a four-story over one subterranean parking level apartment building containing six dwelling units. The five east adjoining properties, across Holt Avenue, are developed with two-story multi-family buildings containing between two to six units. The south adjoining property is developed with a three-story residential condominium building containing seven dwelling units. The four west and southwest adjoining properties, fronting on Sherbourne Drive, are developed with two-story multi-family buildings containing two and three dwelling units. The northwest adjoining property, fronting on Sherbourne Drive, is developed with a four-story over one subterranean parking level apartment building containing six dwelling units.

Of the 12 properties fronting on the western side of Holt Avenue, seven properties (exclusive of the three subject properties) are developed with two-story residential buildings, one property is developed with a two-story over parking garage residential building (three-story in appearance), and one is developed with a four-story over subterranean parking level residential building. Of the eleven properties fronting on the eastern side of Holt Avenue, eight properties are developed with two-story residential buildings and three properties (developed with a single building) has a three-story residential building.

The proposed building envelope is larger than most other structures in the immediate area, but it is compatible with existing and future development in the immediate neighborhood.

The properties located immediately to the north and northwest of the property are developed with four-story residential buildings, having heights of approximately 45 feet (not including rooftop access structures), and the south adjoining property is developed with a two-story over parking garage residential building, appearing as a three-story building. As proposed, the five-story building would be one story taller than those to the north and northwest,

and two stories taller than the southern property. The adjoining properties to the east, across Holt Avenue, and the west, fronting on Bedford Street, are developed with two story buildings.

The project has incorporated a number of features in an effort to minimize the project's height and massing within the surrounding community: it proposes two below-ground levels – one to accommodate required parking, and another to accommodate many of the common areas and services provided by the facility; the rear of the building is broken into two masses, separated by an uncovered 1,400 square-foot outdoor patio located on the ground level; and the fifth floor expands on this separation by the development of uncovered outdoor patio areas, further minimizing the bulk of the height of the building, as it appears from the west. The applicant has submitted a shade/shadow analysis of the project which shows that the proposed building would not have an impact on the eastern and western adjoining buildings.

Along the east-facing frontage of the building, the massing is broken up through the use of changes in plane, with a change in design and material between the ground-level and the upper four levels. Though these changes in plane do not meet the 5-foot depth change for a minimum span of 8 feet standard set by the existing [Q] condition of the zone, they do offer aesthetic relief in contrast to a single-plane monolithic building façade.

As proposed, the project would observe a front yard setback of 10 feet. The applicant has clarified, with updated plans verifying, that most of the building would observe front yard setbacks of 11 feet to 16 feet, with the 10-foot setback being located around the building entryway. While much of the development along either side of Holt Avenue appears to observe a uniform front yard setback, most of the properties also appear to have been developed with less than the 20 feet otherwise required; this is observed using the City Planning Department's Zoning Information and Map Access System, and measuring the distance between the buildings as they appear in the 2017 Digital Color Ortho photo and their relationship to the property boundary in that geographic information system. Many properties along the west side of Holt Avenue appear to observe approximately 13-foot front yard setbacks. With this consideration, the requested front yard setback is a reasonable deviation in consideration of the benefit the eldercare facility represents.

The project proposes 6-foot side yard setbacks, in lieu of the 8 feet required by regulations contained within the [Q] Qualified conditions attached to the zone of the property. This is required because the development exceeds 99 feet of frontage along Holt Avenue. Observation of the development in the immediate neighborhood did not reveal any newer buildings that have been constructed since the application of this setback requirement which has a street frontage exceeding 99 feet. Closer observation of the pattern of development along Holt Avenue reveals variations between 5 feet and 3 feet, among buildings constructed on one or two 50-foot wide lots. As such, the

proposed side yard setback is consistent with the existing pattern of development within the neighborhood.

Off-Street Parking Facilities/Loading Areas

The project will provide 36 parking spaces (31 spaces for the Assisted Living guest rooms at a ratio of 0.5 spaces per unit and five spaces for the Alzheimer's/Dementia Guest Rooms at a ratio of 0.2 spaces per bed), which complies with the parking required pursuant to LAMC Section 12.21-A,4(u). On-site parking is provided entirely within a second level subterranean level. No vehicular parking will be visible from the street. Vehicular access to the proposed project will be directly from Holt Avenue via a single two-way, 24-foot-wide driveway. Vehicular access to the three existing duplexes will be consolidated into the single driveway located on the northern end of the property.

The number/types of guest rooms (and number of guest beds) and the respective requirement for parking as described above follows:

Unit Type	Number of Guest Room/Bed	Ratio	Total Spaces Required	Total Spaces Provided
Assisted Living	62	0.5	31	
Memory Care	22	0.2	5	
Total Spaces Required			36	36

An Eldercare Facility Unified Development is required to provide long-term bicycle parking at a ratio of 1 space per 5,000 square feet and required to provide short-term bicycle parking at a ratio of 1 space per 10,000 square feet, pursuant to LAMC Section 12.21-A,16(a)(2). This would require 12 long-term spaces ($57,680 \text{ SF} / 5,000 = 23$) and 6 short-term spaces ($57,680 \text{ square feet} / 10,000 = 6$) for a total of 18 bicycle parking spaces. Due to the compromised physical state of the facility's residents, the project will not be providing long-term bicycle parking. All required short-term bicycle parking spaces are located in a bicycle storage room on level B1 as illustrated in the project plans.

Lighting

Lighting for the proposed project has been conditioned to be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.

On-Site Landscaping

Various types of vegetation and trees are integrated into the design of the building facades to minimize the visual impact of the maximum 58-foot tall building and buffering from neighboring properties. The proposed project's landscaping creates a pedestrian-friendly ground floor that helps unify and bolster continuity between the neighborhood and the project site as a whole along Holt Avenue. Additionally, perimeter landscaping will provide a privacy buffer and screening between the subject development and the adjoining properties.

Trash Collection

The project will include centralized on-site trash collection for both refuse and recyclable materials, in conformance with the LAMC. All trash and recycling areas are conditioned to be enclosed and not visible to the public. Trash collection will occur within one trash room located on the second and lowest subterranean level. The trash room is not visible from the public right-of-way. Compliance with these regulations will allow the project to be compatible with existing and future development.

As described above, the project consists, of an arrangement of buildings and structures, off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements that will be compatible with existing and future development on adjacent and neighboring properties.

9. **That any residential project provides recreational and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties.**

The proposed project will include 80 guest rooms; 62 for Assisted Living Care and 18 for Alzheimer's/Dementia Care. The project provides a number of indoor and outdoor common area amenities throughout the facility summarized by level below:

Level	Amenities
B1	Theater, Library, Wine Cellar, Salon, Residential Laundry, Restrooms, Fitness Room, Open Lounge, 1,200 square-foot Outdoor Courtyard
1	Bistro, Main Dining Room, 1,400 square-foot Dining Courtyard, Kitchen, Mail Room, two Outdoor Rear Yards totaling 1,400 square feet

2	Restroom, Wellness Office, Kitchen, Dining Room, Living Room, Activity Room, Quiet Room, 300 square-foot Outdoor Patio
3	Restroom, Wellness Room
4	Restroom, Wellness Room
5	Restroom, Kitchen, Dining Room, Living room, Activity Room, three Outdoor Patios totaling 2,400 square feet

The common open space areas of the proposed project account for 26,684 square feet of the project floor area. Included in this is space for staff offices, a staff lounge, and maintenance laundry. Essentially, many services that the facility's residents require are provided on-site; thus minimizing impacts on neighboring properties.

The combination of these various recreational features and design features would provide adequate amenities for the building residents, minimizing impacts on neighboring properties.

ADDITIONAL MANDATORY FINDINGS

10. 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 X, outside the flood zone.

Inquiries regarding this matter should be directed to Alex Truong, Planning Staff for the Expedited Processing Unit at (213) 978-3308.



JONATHAN A. HERSHEY, AICP
Associate Zoning Administrator

JAH:ON:AT:bk

cc: Councilmember Paul Koretz
Fifth District
Adjoining Property Owners
Interested Parties



Sheet Index

Architectural:

- A0.0 Cover Sheet
- A0.1 Vicinity Map
- A1.0 Site Plan
- A1.1 Sun/ Shade Exhibit
- A1.2 Holt Ave. Setback Exhibit
- A2.0 Building Elevations
- A3.0 Building Plans
- A3.1 Building Plans
- A4.0 Building Sections
- A5.0 Unit Plans
- A5.1 Unit Plans
- A6.0 Perspectives
- A6.1 Perspectives



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HOLT AVE AL MC
LOS ANGELES, CA # 2020-0010

CONCEPT PHASE
NOVEMBER 30, 2020

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COVER SHEET
SHEET INDEX

A0.0



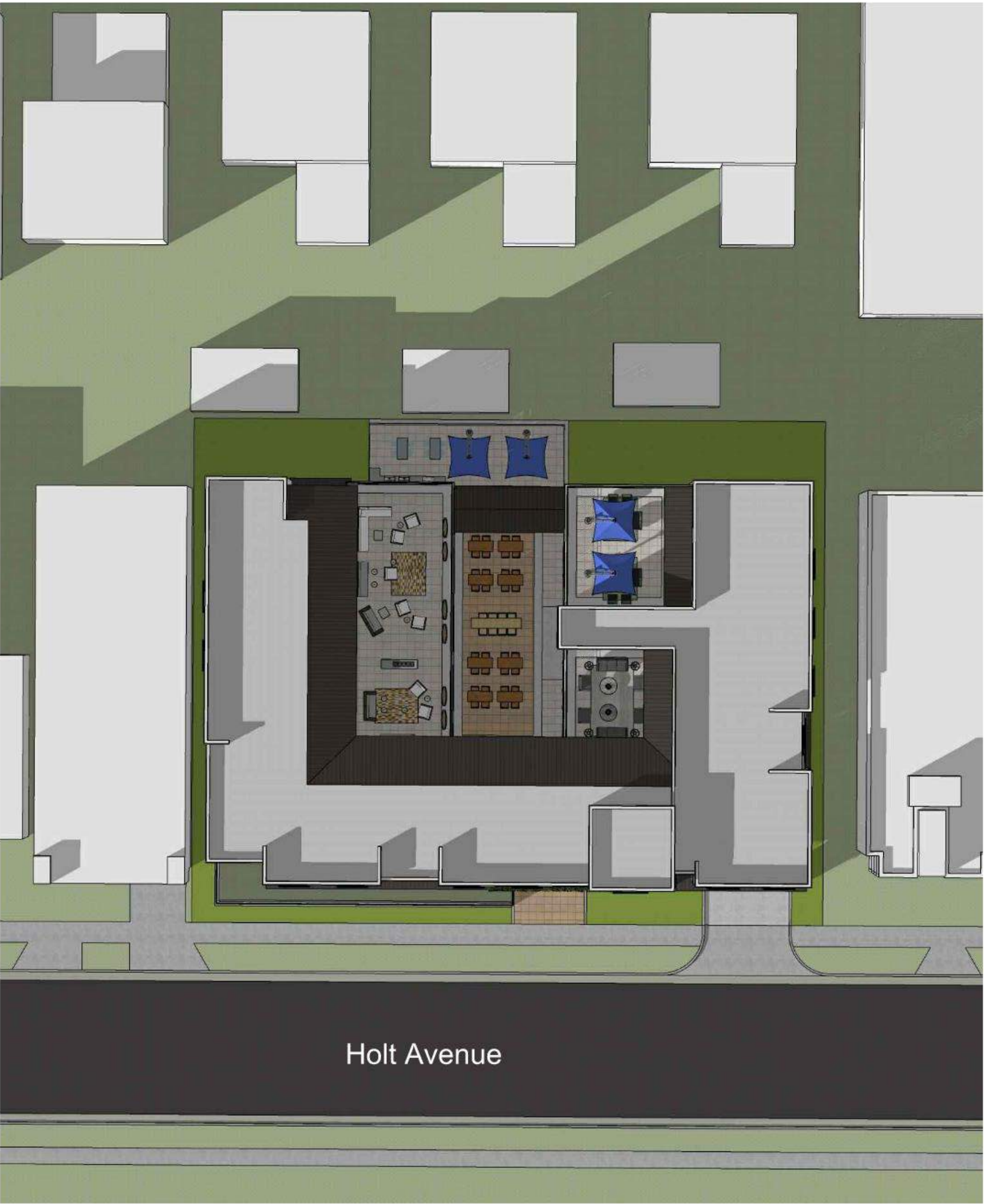
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Summer Solstice (June 20th) - 12:00pm



Summer Solstice (June 20th) - 3:00pm



Winter Solstice (December 21st) - 9:00am



Winter Solstice (December 21st) - 12:00pm



Winter Solstice (December 21st) - 3:00pm



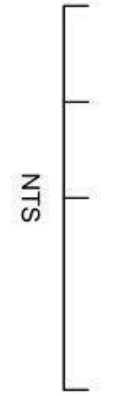
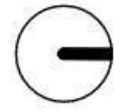
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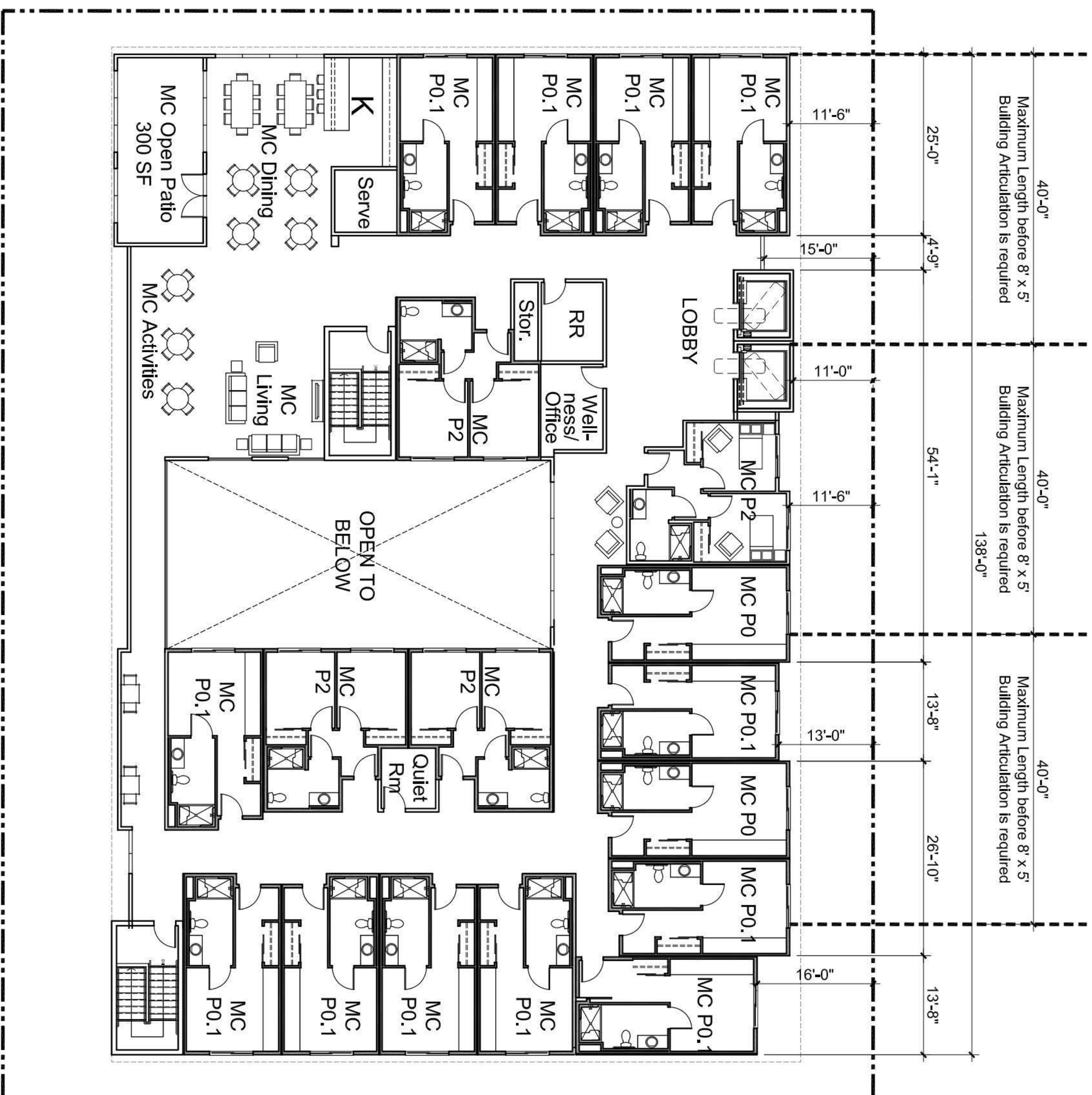
CONCEPT PHASE
MARCH 23, 2020



NTS

SHADE AND SHADOW ANALYSIS

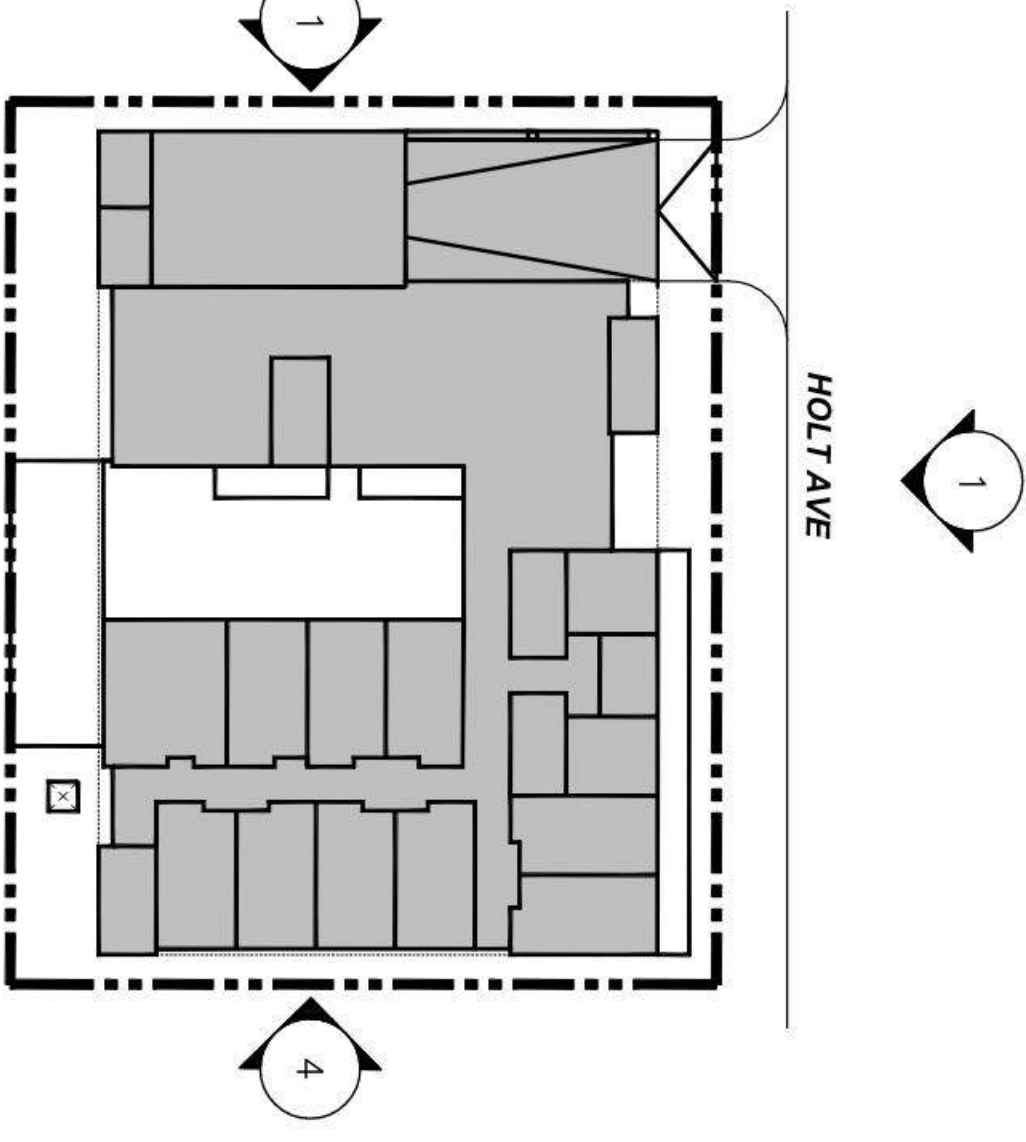
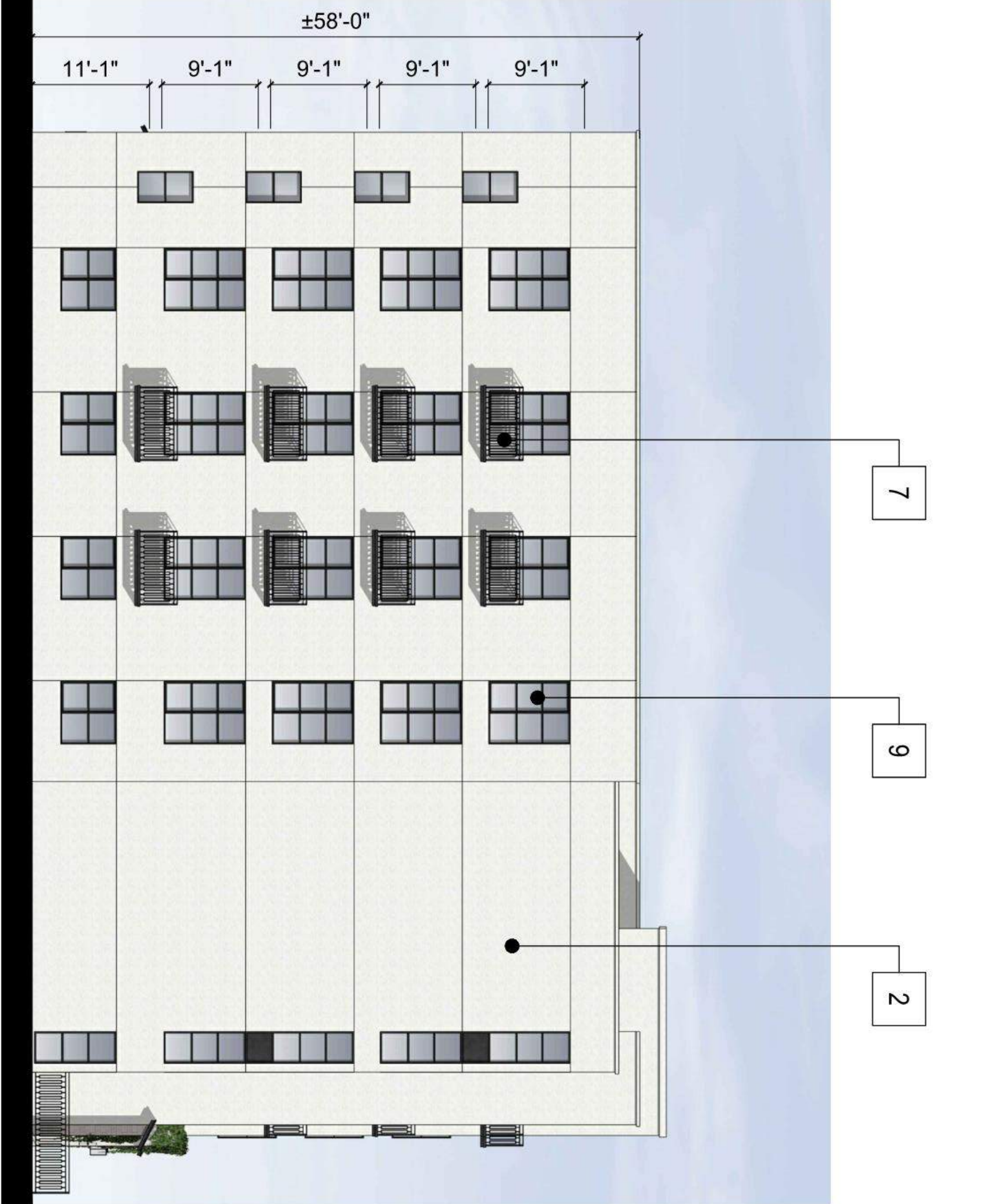
A1.1



LEVEL 2 (TYPICAL LEVEL)



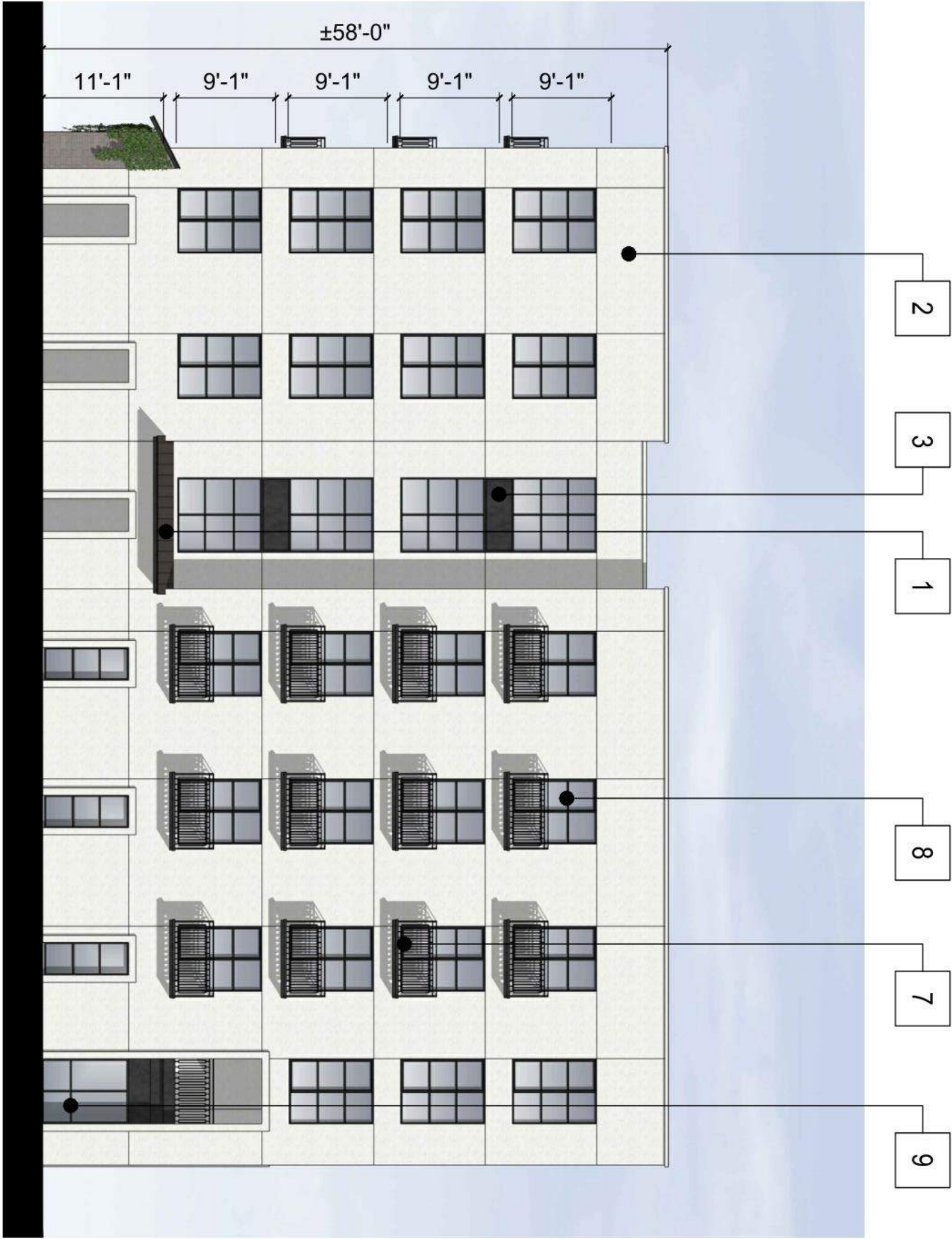
LEVEL 1



- Keymap - n.t.s.**
- Material Legend**
1. Standing Seam Metal Roof
 2. Stucco
 3. Fiber Cement Panel
 4. Stone Veneer
 5. Decorative Tile
 6. Metal Ornamentation
 7. Metal Railing
 8. Vinyl Window
 9. Storefront Glazing
 10. Wall Mounted Light Sconce

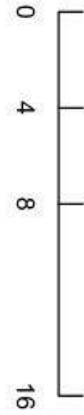
3. REAR - West Elevation

4. LEFT - South Elevation



1. FRONT - East Elevation

2. RIGHT - North Elevation



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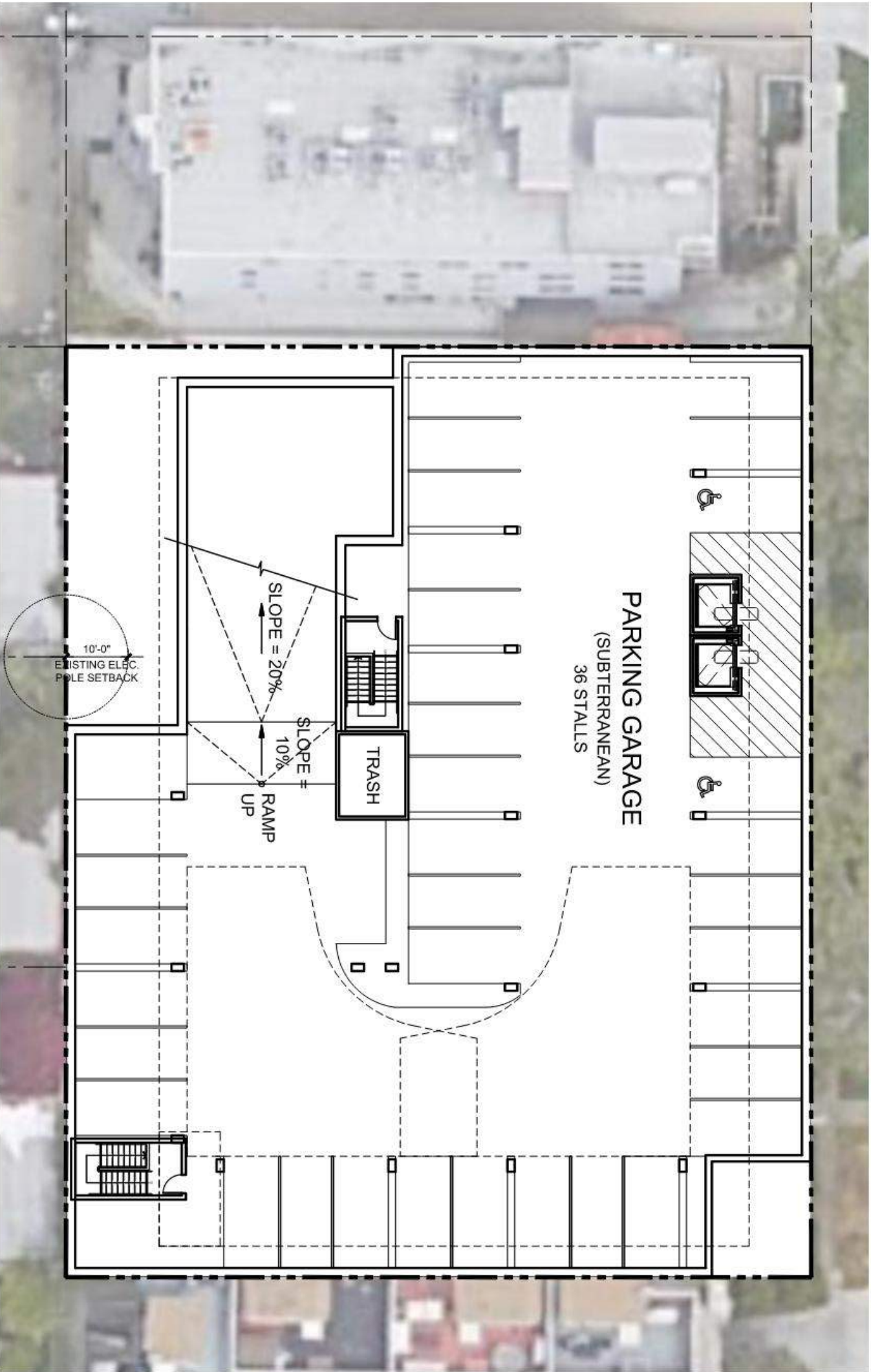
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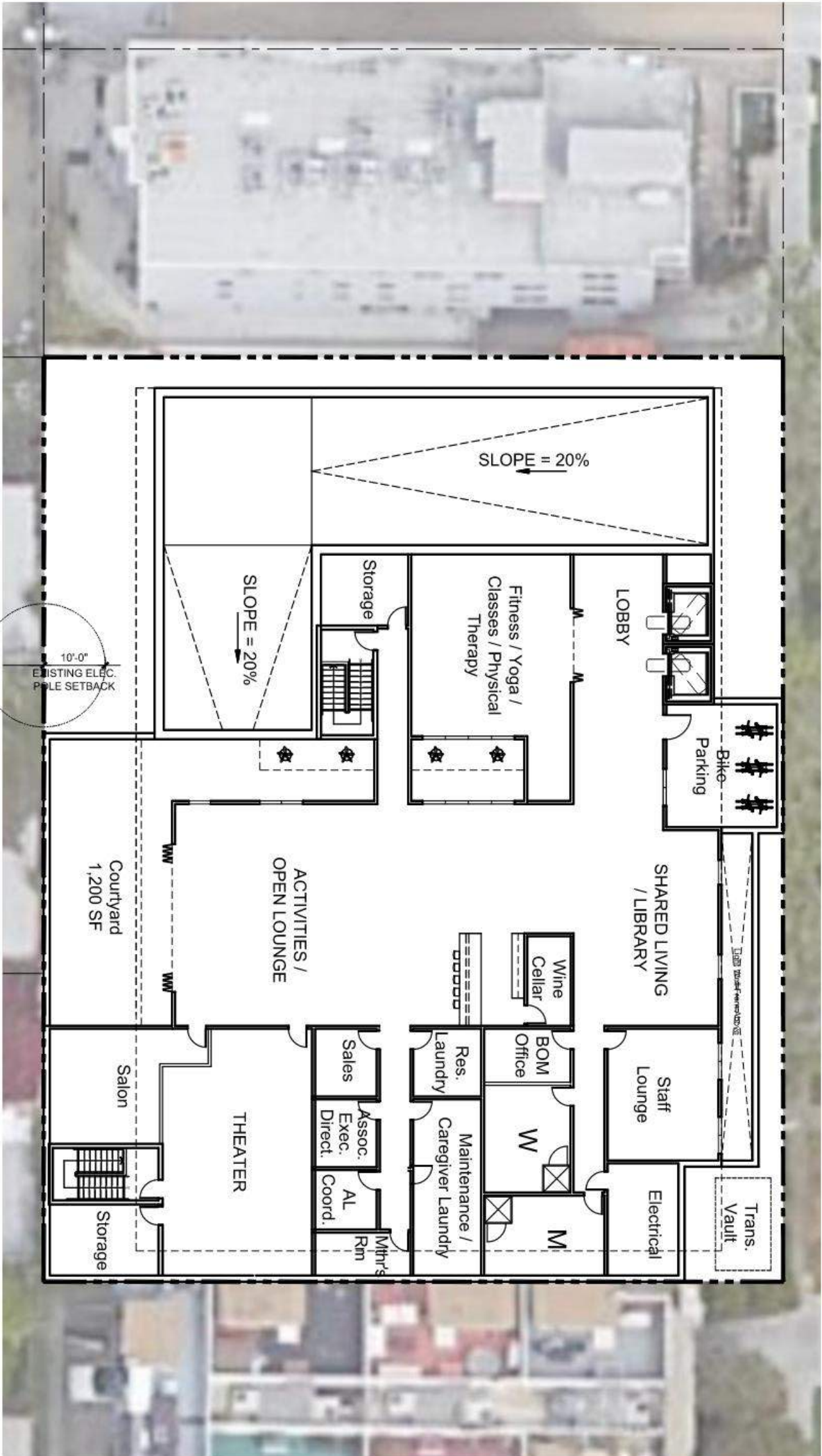
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ELEVATIONS

A2.0



LEVEL B2



LEVEL B1



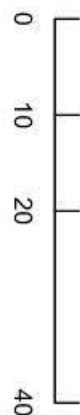
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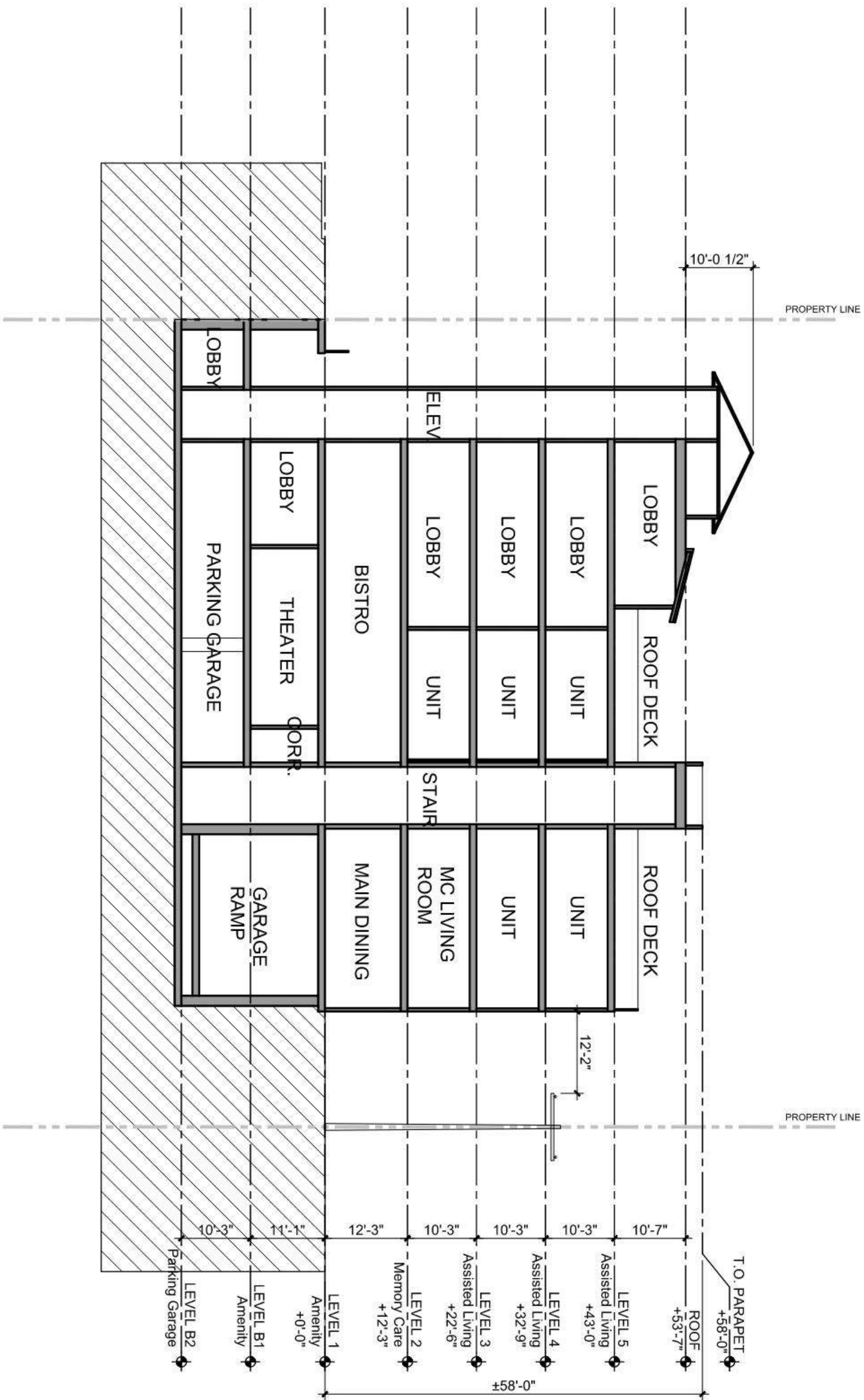
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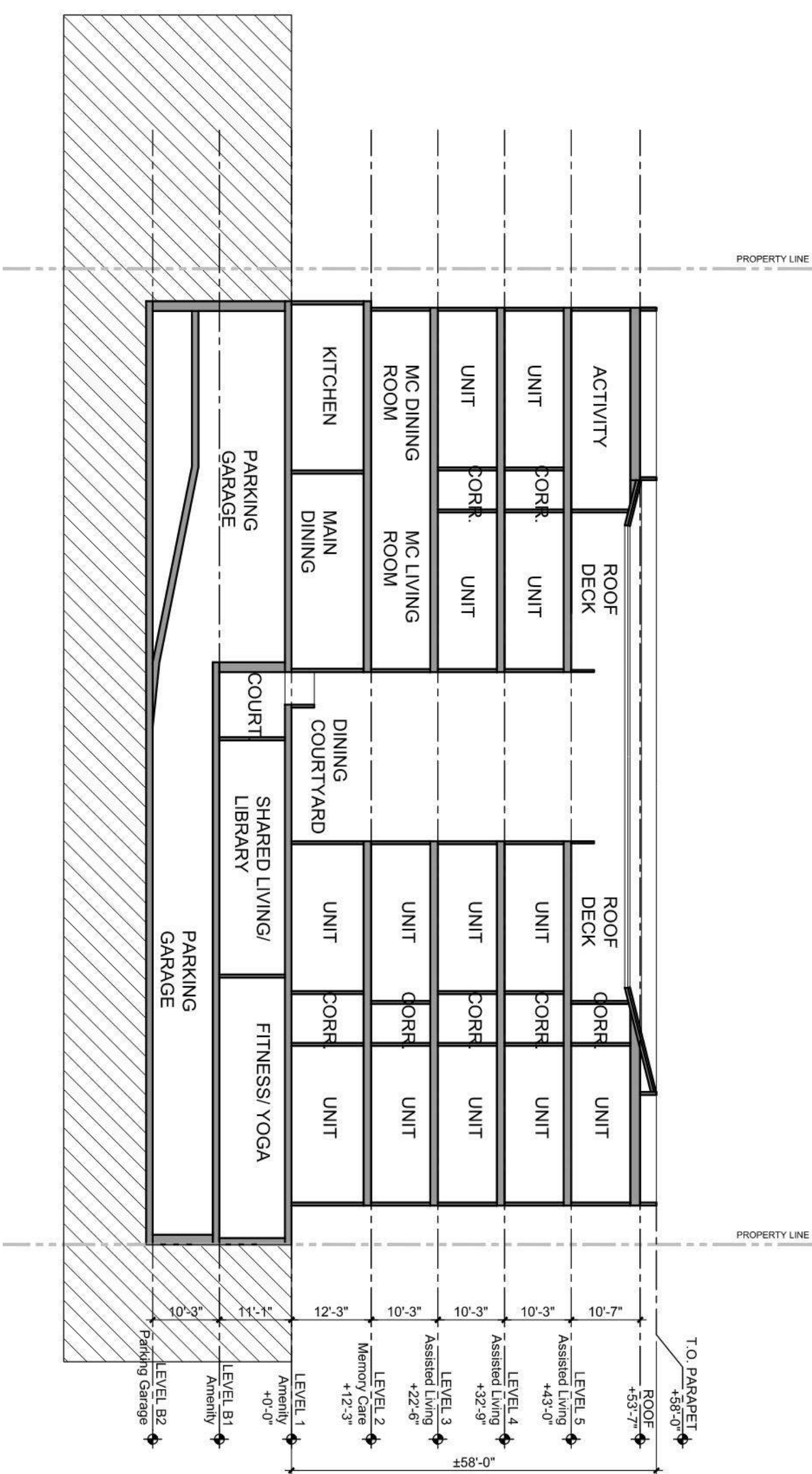


BUILDING PLANS

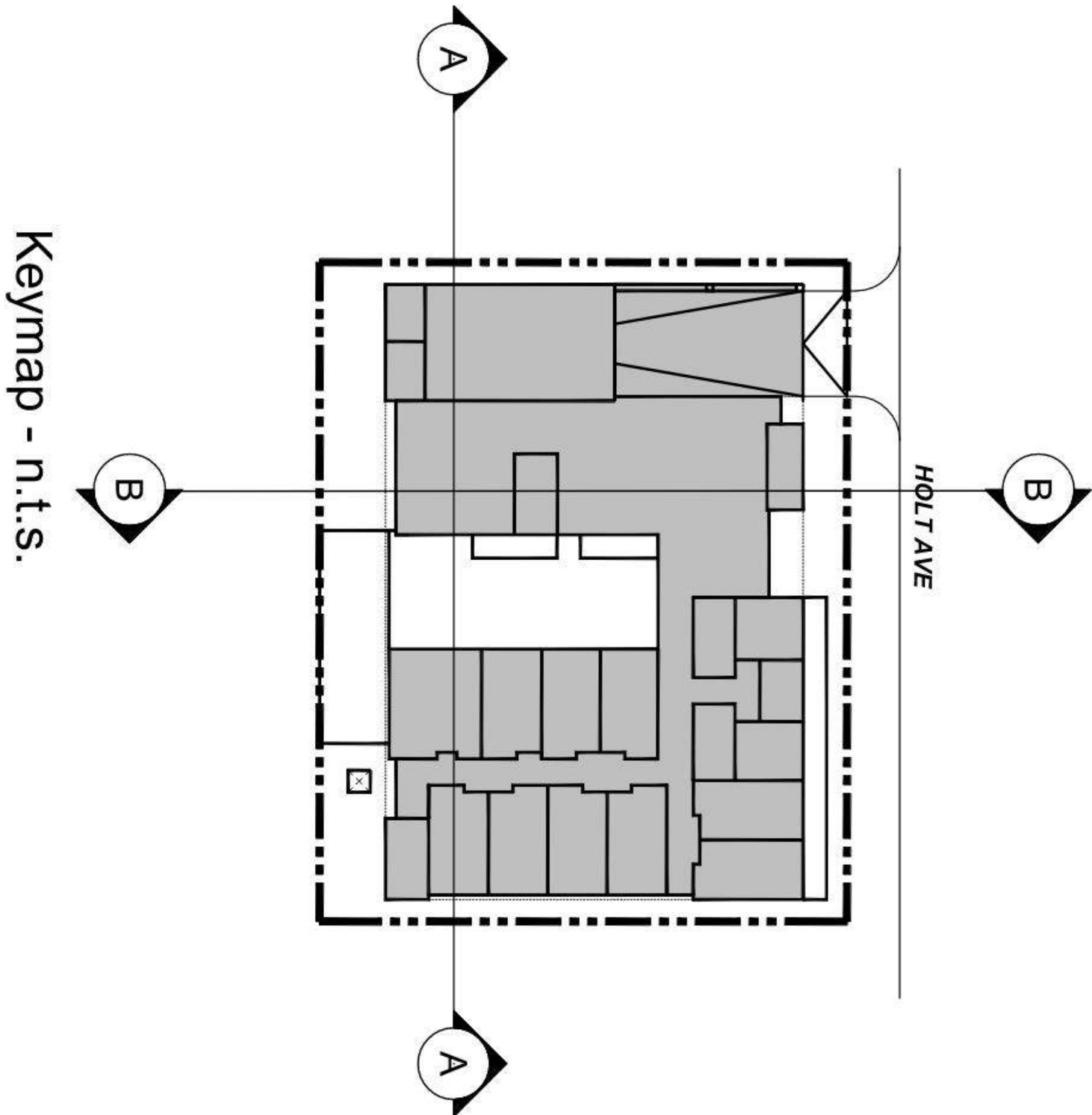
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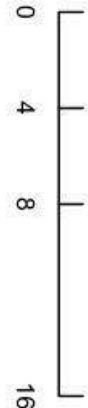
SECTION B-B

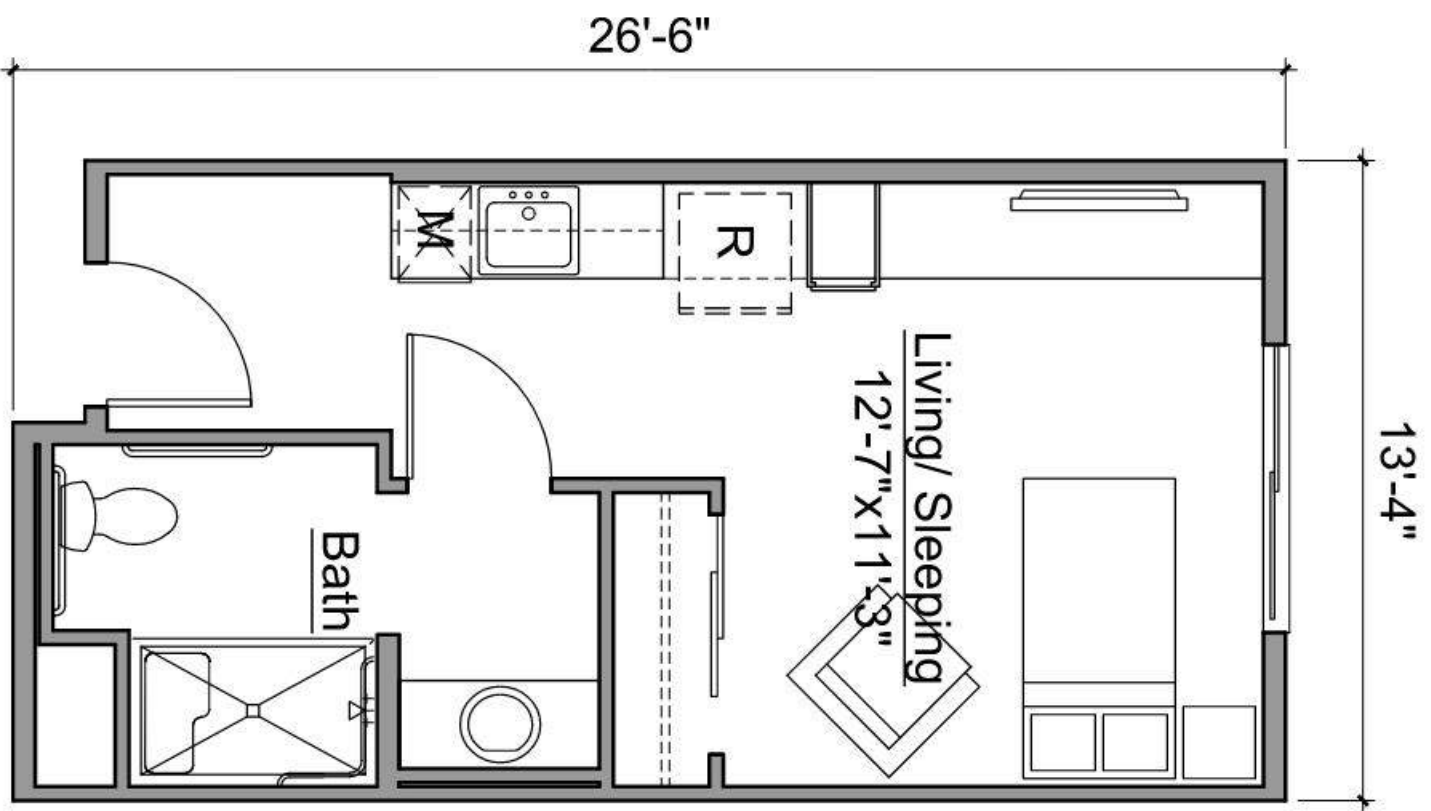


SECTION A-A

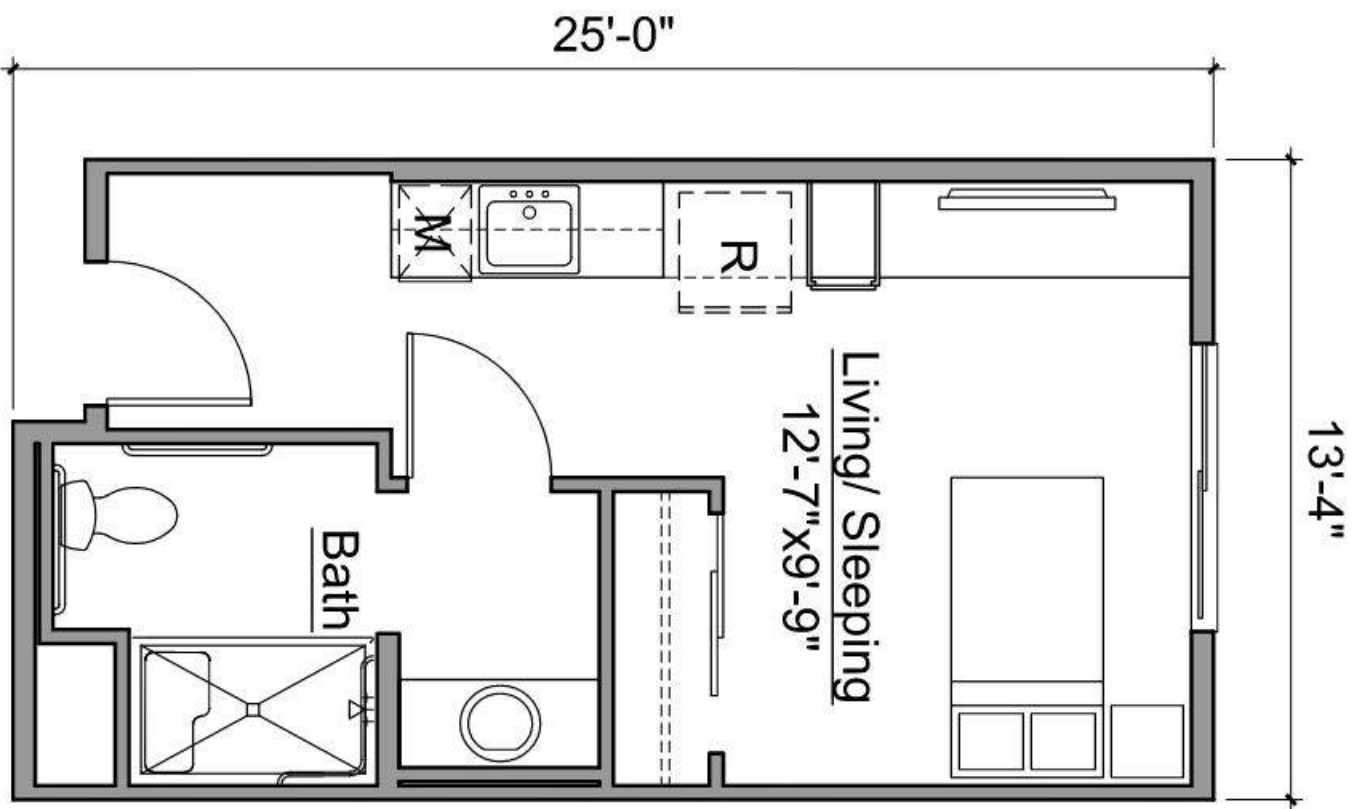


Keymap - n.t.s.

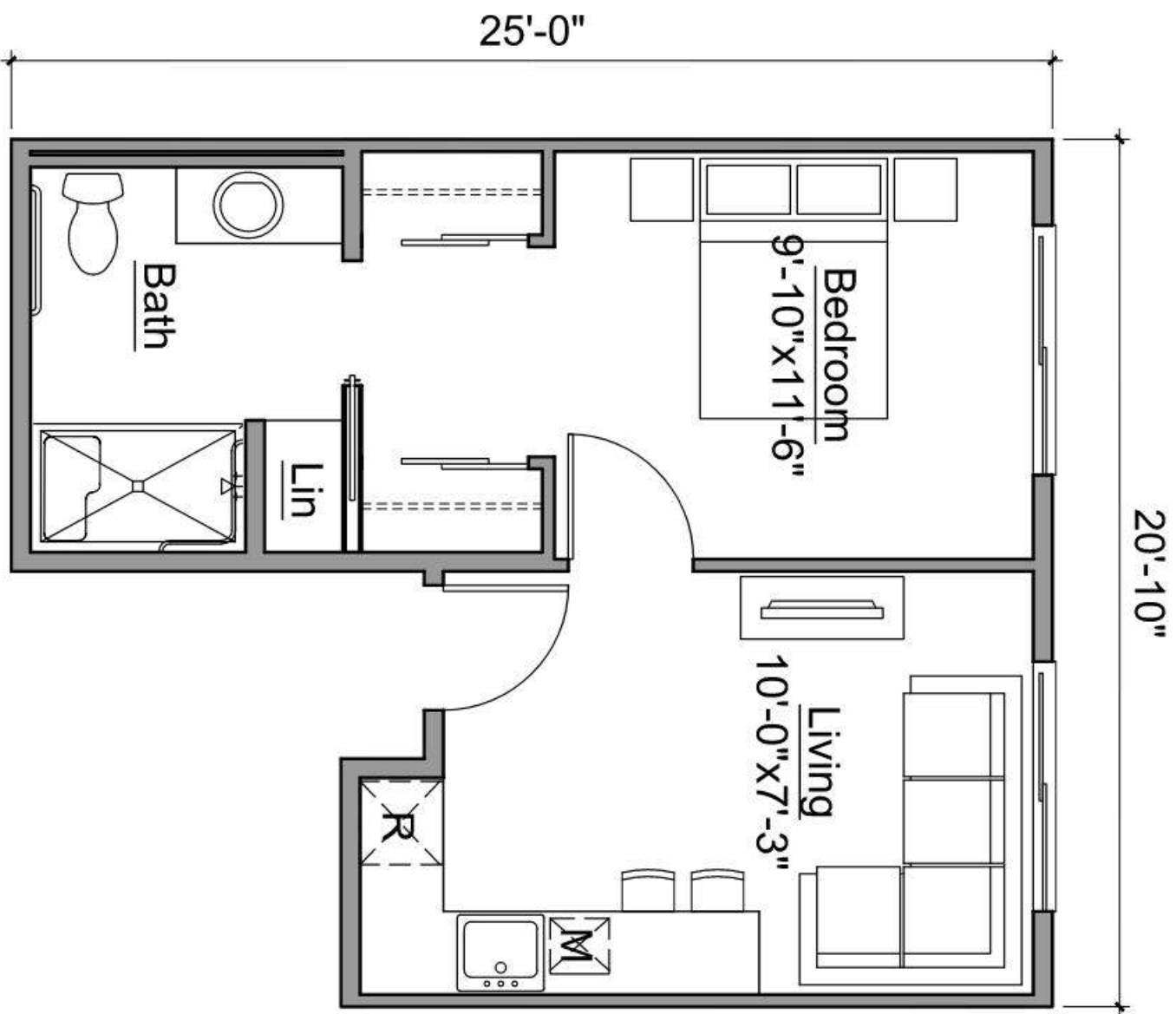




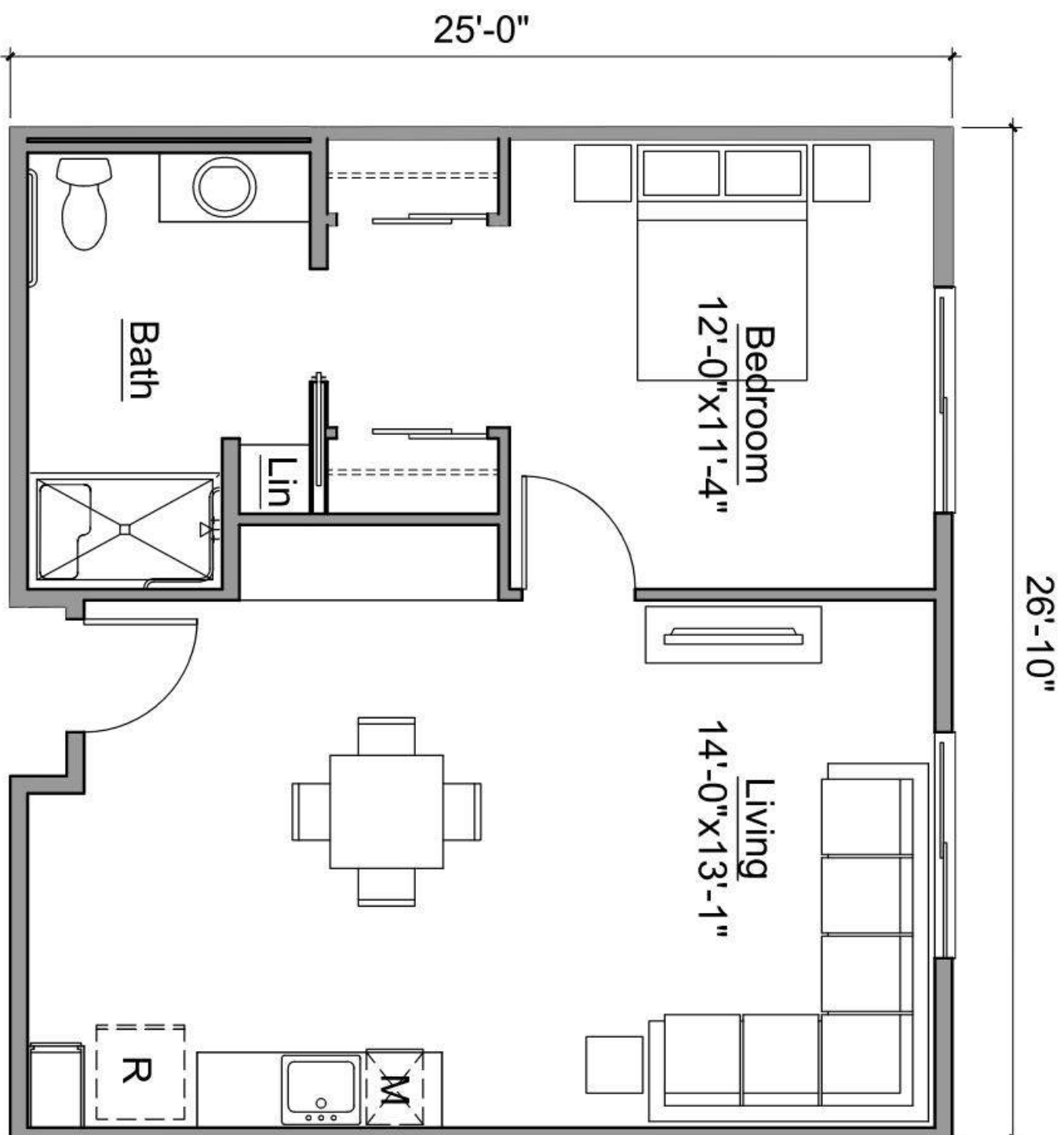
Assisted Living
Unit AL-0
± 349 Gross Sq. Ft.



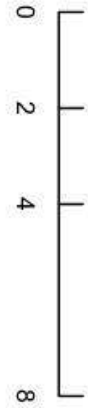
Assisted Living
Unit AL-0.1
± 329 Gross Sq. Ft.

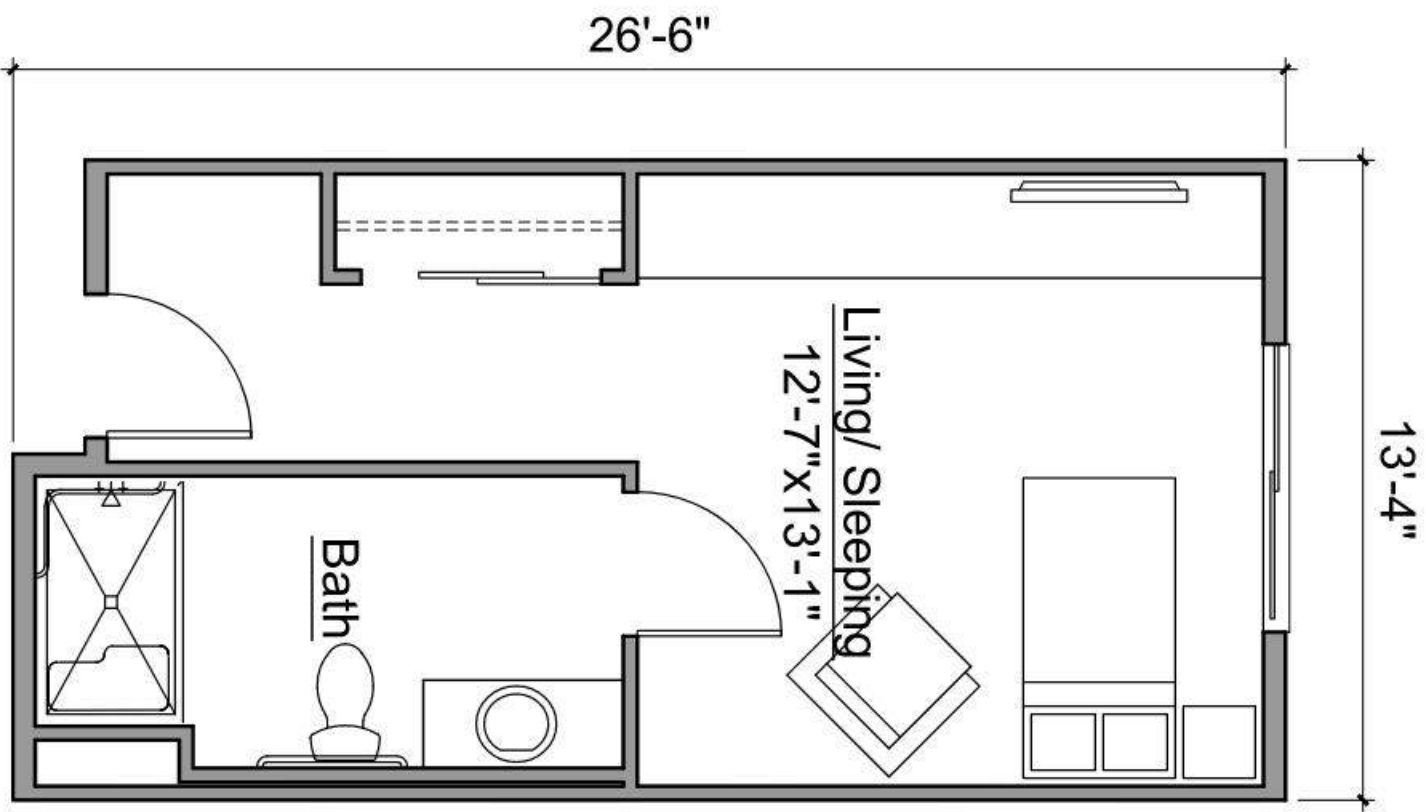


Assisted Living
Unit AL-1
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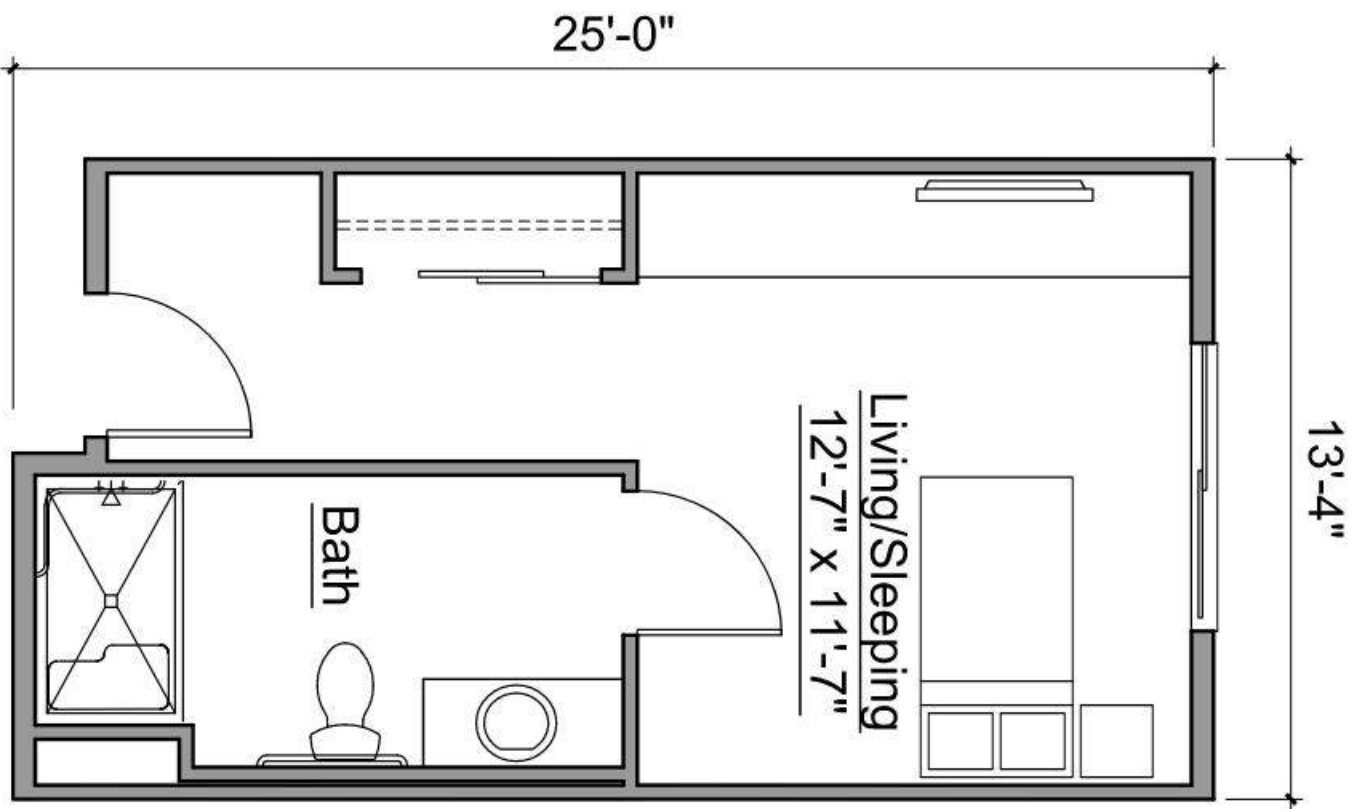


Assisted Living
Unit AL-1.1
±668 Gross Sq. Ft.

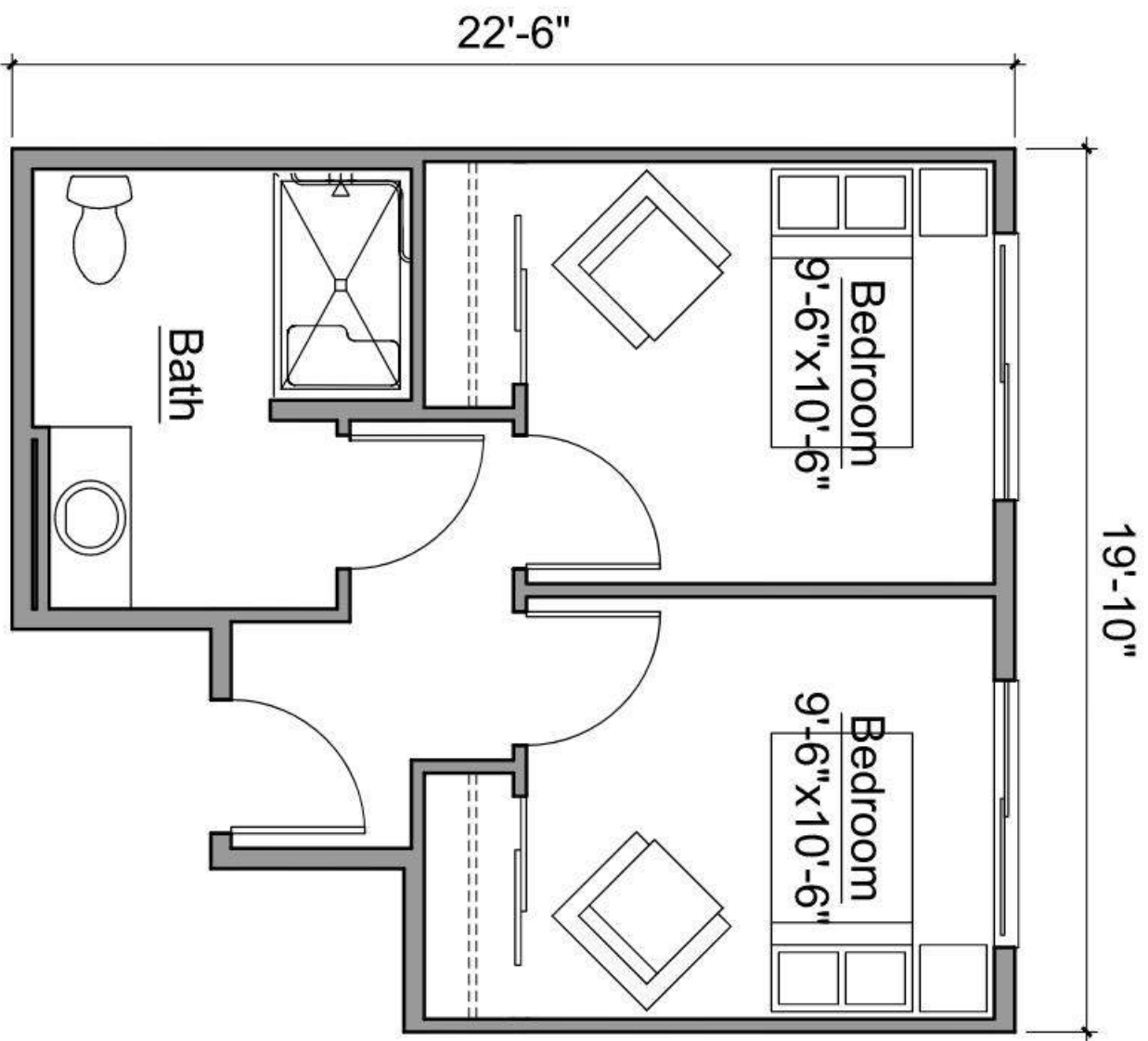




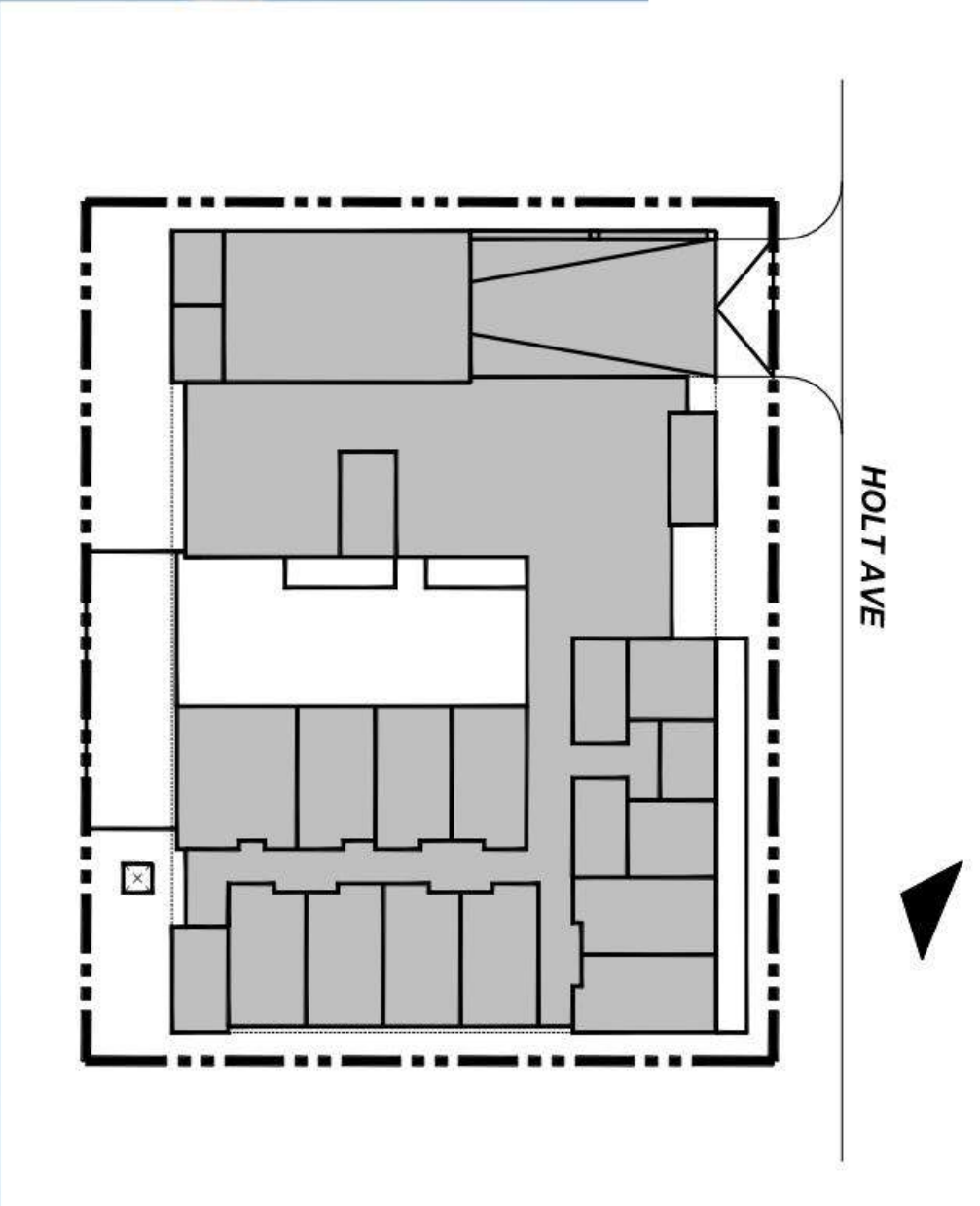
Memory Care
Unit MC-0
± 348 Gross Sq. Ft.



Memory Care
Unit MC-0.1
± 329 Gross Sq. Ft.



Memory Care
Unit MC-2
± 393 Gross Sq. Ft.



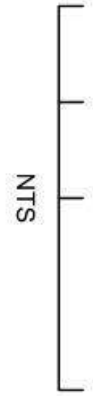
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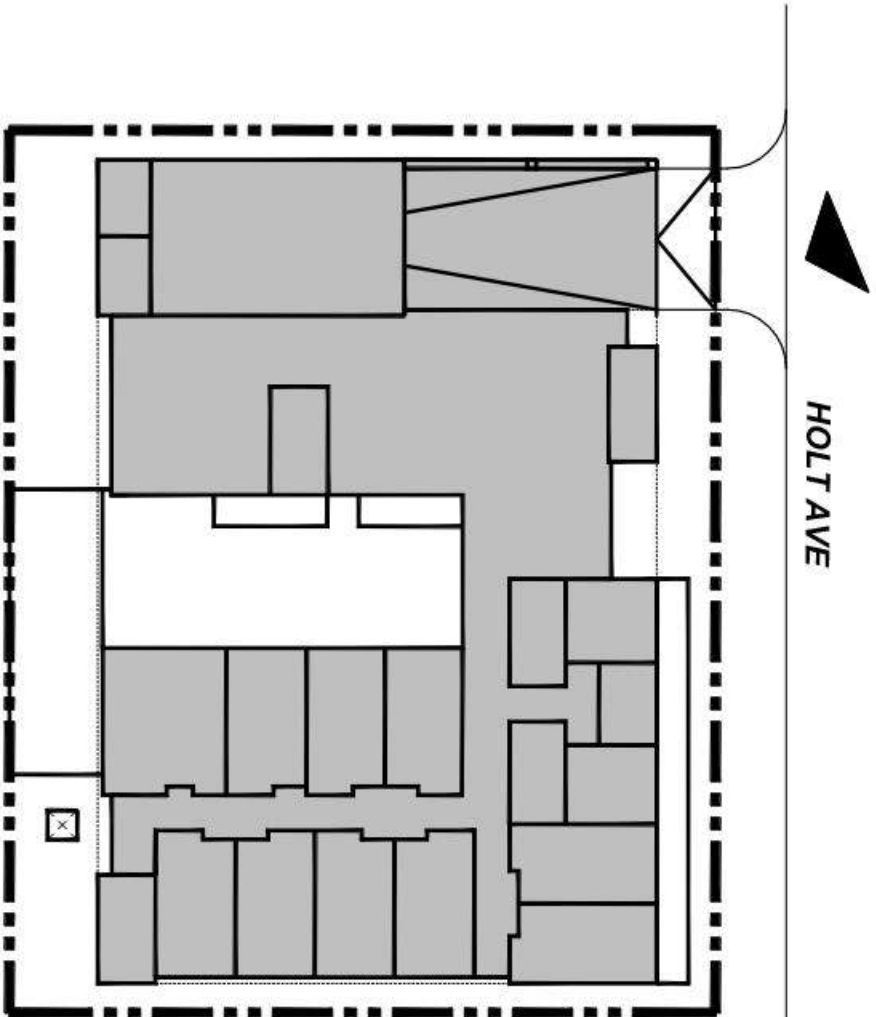
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PERSPECTIVES

A6.0



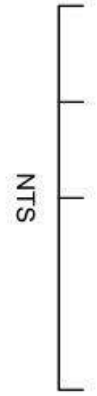
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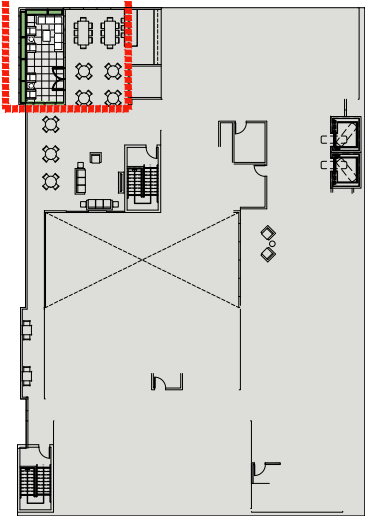
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NOVEMBER 30, 2020



PERSPECTIVES

A6.1



KEYMAP - N.T.S.

KEYNOTES



1. RECTANGULAR FIBERGLASS PLANTER

2. 2' X 2' PEDESTAL PAVERS

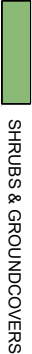
3. SOFA SEATING W/ TABLE

4. SOFA SEATS W/ ROUND TABLES

5. GREEN WALL OPTIONS:



PLANTING LEGEND

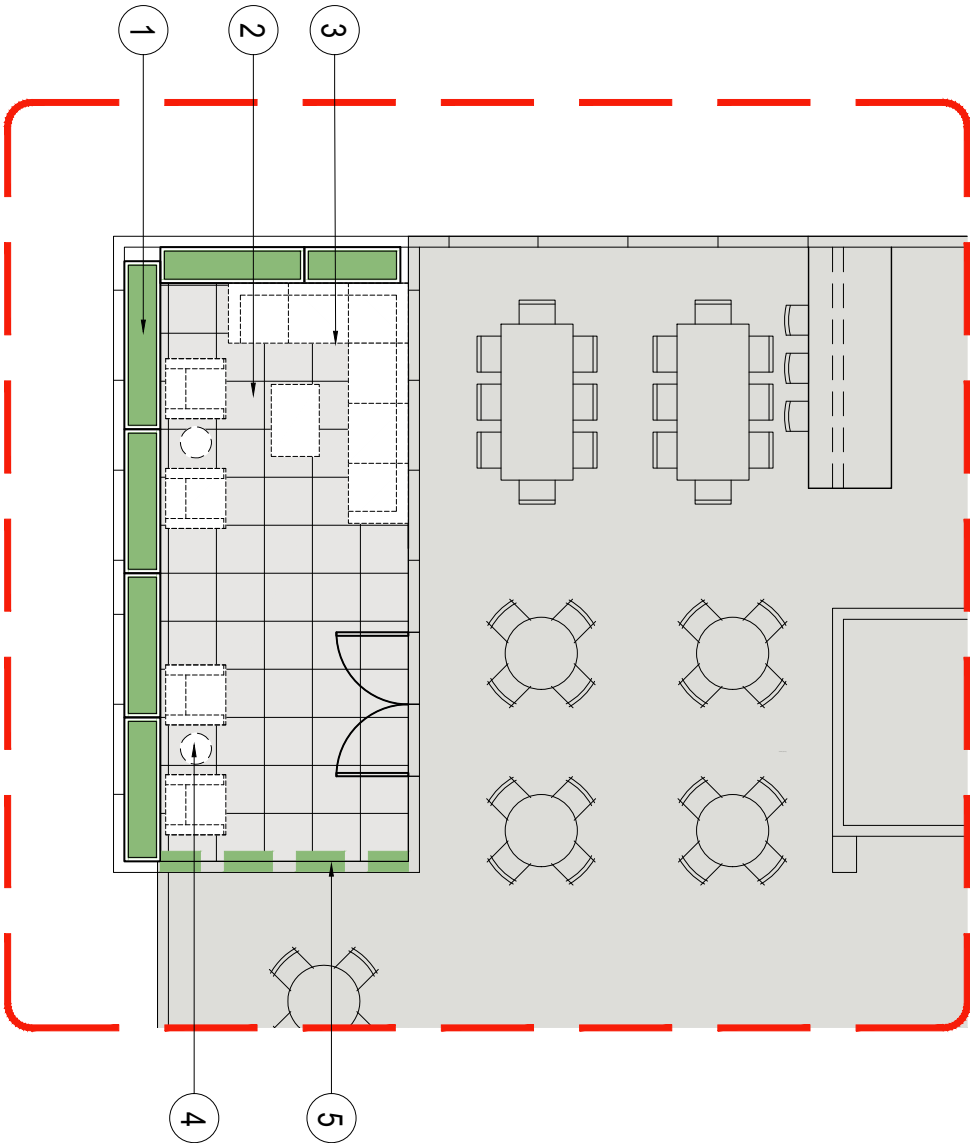


SHRUBS & GROUNDCOVERS

PAVING LEGEND



2' X 2' PEDESTAL PAVERS



1. PRELIMINARY LANDSCAPE PLAN - 2ND LVL MEMORY CARE PATIO N

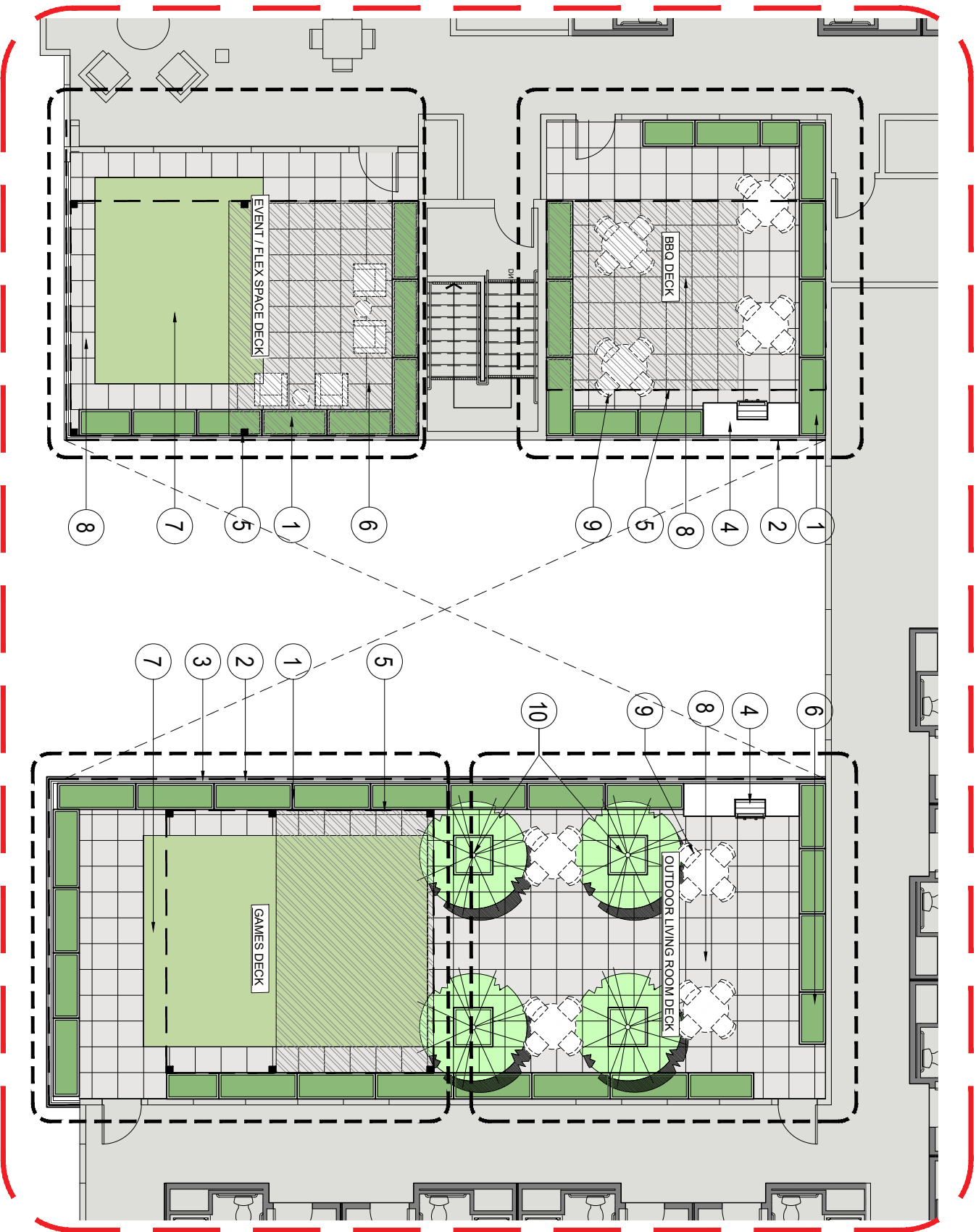


Scale: 1/16" = 1'-0"

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825-837 SOUTH HOLT AVENUE
LOS ANGELES, CA 90035

PROJECT # 22013 10/09/2020



1 PRELIMINARY LANDSCAPE PLAN - 5TH LEVEL
SCALE: 3/32" = 1'-0"

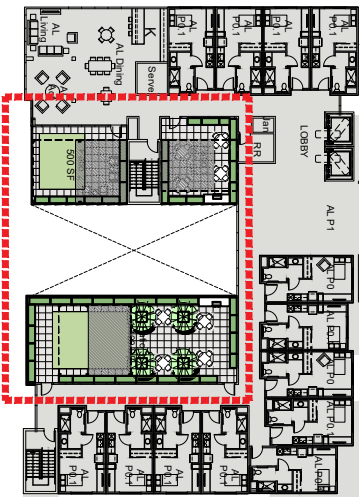


Scale: 3/32" = 1'-0"

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KEY PLAN

KEYNOTES

1. FIBERGLASS PLANTER



2. 5TH GLASS RAILING

3. 10H SAFETY NET MESH WALL



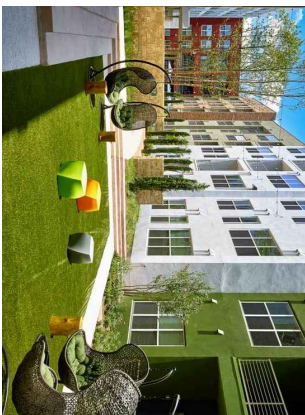
4. BBQ



5. CABLE SLIDE & GLIDE SHADE SYSTEM



6. COUCH SEATING W/ TABLES



7. OPEN SYNTHETIC GRASS AREA

8. CONC. PAVING TILES

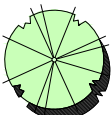
9. ROUND TABLES W/ CHAIRS

10. 3' X 3' MOBILE FIBERGLASS TREE PLANTERS



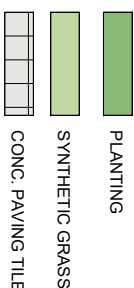
PLANTING LEGEND

TREES



CITRUS LEMON
'MEYER IMPROVED'
MEYER IMPROVE LEMON

PAVING LEGENDS



825-837 SOUTH HOLT AVENUE
LOS ANGELES, CA 90035

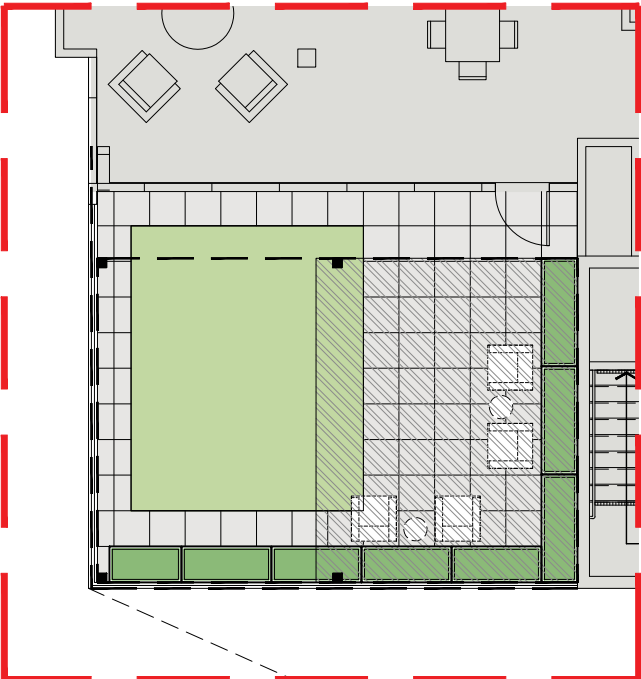
PROJECT # 22013 10/09/2020

SOLLA INC
Landscape Architects

2669 Saturn Street
BREA, CA, 92821
la@sqldinc.com

T. 562-905-0800
F. 562-905-0880
www.sqldinc.com

LP-4



2 EVENT/FLEX SPACE DECK ACTIVITIES

SCALE: 3/32" = 1'-0"



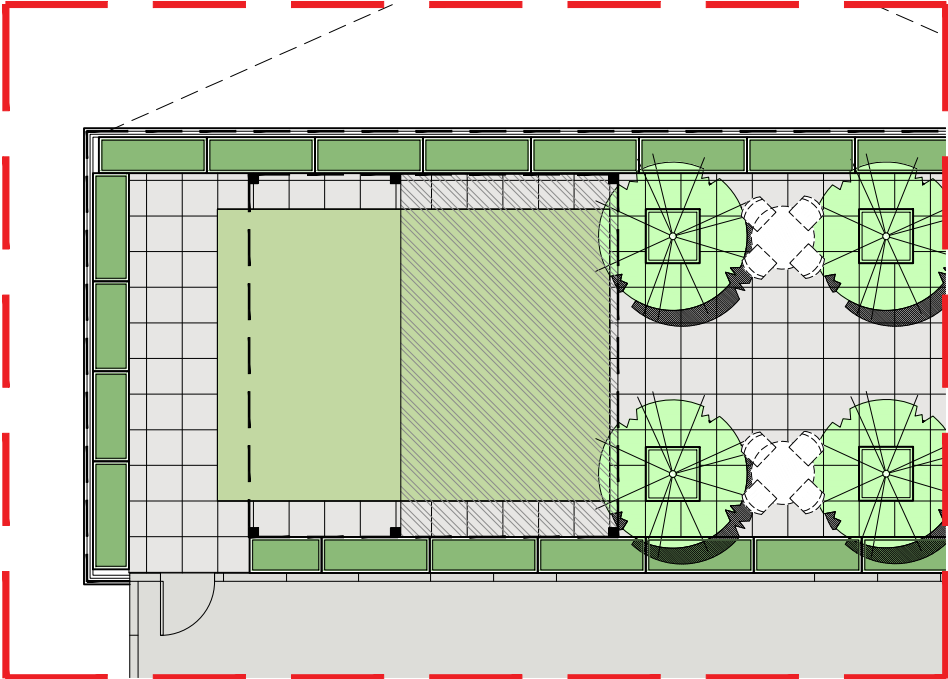
OUTDOOR PAINTING



LIVE MUSIC / ENTERTAINMENT



MEDITATION / STRETCHING EXERCISES



1 GAMES DECK ACTIVITIES

SCALE: 3/32" = 1'-0"



PUTTING GREEN



CIRCUIT WALKS



BOCCE BALL



GROUP GAMES / ACTIVITIES



CORNHOLE

EXHIBIT "A"
Page No. 17 of 18
Case No. ZA-2020-2164-ELD-SPR

SOLA INC
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lp-4A

825-837 SOUTH HOLT AVENUE
LOS ANGELES, CA 90035

PROJECT # 22013 10/09/2020

			
PODOCARPUS GRACILLIOR (HEDGE) FERN PINE	ARBUTUS 'MARINA' STRAWBERRY TREE	ACER PALMATUM 'SANGOKAKU' CORAL BARK JAPANESE MAPLE	CITRUS LEMON 'MEYER IMPROVED' IMPROVED MEYER LEMON

1

TREE SELECTIONS.

SCALE: N.T.S

825-837 SOUTH HOLT AVENUE
LOS ANGELES, CA 90035

PROJECT # 22013 10/09/2020

EXHIBIT “A”
Page No. 18 of 18
Case No. ZA-2020-2164-ELD-SPR

COVID-19 UPDATE

Interim Appeal Filing Procedures

Fall 2020



Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, City Planning has implemented new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction.

OPTION 1: Online Appeal Portal

(planning.lacity.org/development-services/appeal-application-online)

Entitlement and CEQA appeals can be submitted online and payment can be made by credit card or e-check. The online appeal portal allows appellants to fill out and submit the appeal application directly to the Development Services Center (DSC). Once the appeal is accepted, the portal allows for appellants to submit a credit card payment, enabling the appeal and payment to be submitted entirely electronically. A 2.7% credit card processing service fee will be charged - there is no charge for paying online by e-check. Appeals should be filed early to ensure DSC staff has adequate time to review and accept the documents, and to allow Appellants time to submit payment. On the final day to file an appeal, the application must be submitted and paid for by 4:30PM (PT). Should the final day fall on a weekend or legal holiday, the time for filing an appeal shall be extended to 4:30PM (PT) on the next succeeding working day. Building and Safety appeals (LAMC Section 12.26K) can only be filed using Option 2 below.

OPTION 2: Drop off at DSC

An appellant may continue to submit an appeal application and payment at any of the three Development Services Center (DSC) locations. City Planning established drop off areas at the DSCs with physical boxes where appellants can drop.

Metro DSC

(213) 482-7077
201 N. Figueroa Street
Los Angeles, CA 90012

Van Nuys DSC

(818) 374-5050
6262 Van Nuys Boulevard
Van Nuys, CA 91401

West Los Angeles DSC

(310) 231-2901
1828 Sawtelle Boulevard
West Los Angeles, CA 90025

City Planning staff will follow up with the Appellant via email and/or phone to:

- Confirm that the appeal package is complete and meets the applicable LAMC provisions
- Provide a receipt for payment



APPLICATIONS:

APPEAL APPLICATION

Instructions and Checklist

Related Code Section: Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

Purpose: This application is for the appeal of Department of City Planning determinations authorized by the Los Angeles Municipal Code (LAMC).

A. APPELLATE BODY/CASE INFORMATION

1. APPELLATE BODY

- ☐ Area Planning Commission ☐ City Planning Commission ☐ City Council ☐ Director of Planning
☐ Zoning Administrator

Regarding Case Number: _____

Project Address: _____

Final Date to Appeal: _____

2. APPELLANT

Appellant Identity:
(check all that apply)

- ☐ Representative ☐ Property Owner
☐ Applicant ☐ Operator of the Use/Site

- ☐ Person, other than the Applicant, Owner or Operator claiming to be aggrieved

- ☐ Person affected by the determination made by the **Department of Building and Safety**

- ☐ Representative ☐ Owner ☐ Aggrieved Party
☐ Applicant ☐ Operator

3. APPELLANT INFORMATION

Appellant's Name: _____

Company/Organization: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-mail: _____

a. Is the appeal being filed on your behalf or on behalf of another party, organization or company?

- ☐ Self ☐ Other: _____

b. Is the appeal being filed to support the original applicant's position? ☐ Yes ☐ No

4. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): _____

Company: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-mail: _____

5. JUSTIFICATION/REASON FOR APPEAL

a. Is the entire decision, or only parts of it being appealed? ☐ Entire ☐ Part

b. Are specific conditions of approval being appealed? ☐ Yes ☐ No

If Yes, list the condition number(s) here: _____

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- ☐ The reason for the appeal ☐ How you are aggrieved by the decision
☐ Specifically the points at issue ☐ Why you believe the decision-maker erred or abused their discretion

6. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature: _____ Date: _____

GENERAL APPEAL FILING REQUIREMENTS

B. ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES

1. Appeal Documents

a. **Three (3) sets** - The following documents are required for each appeal filed (1 original and 2 duplicates)
Each case being appealed is required to provide three (3) sets of the listed documents.

- ☐ Appeal Application (form CP-7769)
☐ Justification/Reason for Appeal
☐ Copies of Original Determination Letter

b. Electronic Copy

- ☐ Provide an electronic copy of your appeal documents on a flash drive (planning staff will upload materials during filing and return the flash drive to you) or a CD (which will remain in the file). The following items must be saved as individual PDFs and labeled accordingly (e.g. "Appeal Form.pdf", "Justification/Reason Statement.pdf", or "Original Determination Letter.pdf" etc.). No file should exceed 9.8 MB in size.

c. Appeal Fee

- ☐ Original Applicant - A fee equal to 85% of the original application fee, provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.
☐ Aggrieved Party - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

d. Notice Requirement

- ☐ Mailing List - All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC
☐ Mailing Fee - The appeal notice mailing fee is paid by the project applicant, payment is made to the City Planning's mailing contractor (BTC), a copy of the receipt must be submitted as proof of payment.

4. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): _____

Company: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-mail: _____

5. JUSTIFICATION/REASON FOR APPEAL

a. Is the entire decision, or only parts of it being appealed? ☐ Entire ☒ Part

b. Are specific conditions of approval being appealed? ☒ Yes ☐ No

If Yes, list the condition number(s) here: 8a, 8b, 8c, 8e, 8f, 15

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- ☒ The reason for the appeal ☒ How you are aggrieved by the decision
☒ Specifically the points at issue ☒ Why you believe the decision-maker erred or abused their discretion

6. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature: _____

Date: _____

GENERAL APPEAL FILING REQUIREMENTS

B. ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES

1. Appeal Documents

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c. Appeal Fee

- ☐ Original Applicant - A fee equal to 85% of the original application fee, provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.
☒ Aggrieved Party - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

d. Notice Requirement

- ☐ Mailing List - All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC
☐ Mailing Fee - The appeal notice mailing fee is paid by the project applicant, payment is made to the City Planning's mailing contractor (BTC), a copy of the receipt must be submitted as proof of payment.

SPECIFIC CASE TYPES - APPEAL FILING INFORMATION
--

C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITES (TOC)**1. Density Bonus/TOC**

Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

NOTE:

- Density Bonus/TOC cases, only the *on menu or additional incentives* items can be appealed.
- Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the Citywide Planning Commission.
- ☐ Provide documentation to confirm adjacent owner or tenant status, i.e., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, drivers license, bill statement etc.

D. WAIVER OF DEDICATION AND OR IMPROVEMENT

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

NOTE:

- Waivers for By-Right Projects, can only be appealed by the owner.
- When a Waiver is on appeal and is part of a master land use application request or subdivider's statement for a project, the applicant may appeal pursuant to the procedures that governs the entitlement.

E. TENTATIVE TRACT/VESTING**1. Tentative Tract/Vesting** - Appeal procedure for Tentative Tract / Vesting application per LAMC Section 17.54 A.

NOTE: Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.

- ☐ Provide a copy of the written determination letter from Commission.

F. BUILDING AND SAFETY DETERMINATION

- ☐ **1.** Appeal of the Department of Building and Safety determination, per LAMC 12.26 K 1, an appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.

a. Appeal Fee

- ☐ Original Applicant - The fee charged shall be in accordance with LAMC Section 19.01B 2, as stated in the Building and Safety determination letter, plus all surcharges. (the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code)

b. Notice Requirement

- ☐ Mailing Fee - The applicant must pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt as proof of payment.

- ☐ **2.** Appeal of the Director of City Planning determination per LAMC Section 12.26 K 6, an applicant or any other aggrieved person may file an appeal, and is appealable to the Area Planning Commission or Citywide Planning Commission as noted in the determination.

a. Appeal Fee

- ☐ Original Applicant - The fee charged shall be in accordance with the LAMC Section 19.01 B 1 a.

b. Notice Requirement

- ☐ Mailing List - The appeal notification requirements per LAMC Section 12.26 K 7 apply.
- ☐ Mailing Fees - The appeal notice mailing fee is made to City Planning's mailing contractor (BTC), a copy of receipt must be submitted as proof of payment.

G. NUISANCE ABATEMENT

1. Nuisance Abatement - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

NOTE:

- Nuisance Abatement is only appealable to the City Council.

a. Appeal Fee

- ☐ Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1.

2. Plan Approval/Compliance Review

Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4.

a. Appeal Fee

- ☐ Compliance Review - The fee charged shall be in accordance with the LAMC Section 19.01 B.
- ☐ Modification - The fee shall be in accordance with the LAMC Section 19.01 B.

NOTES

A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

Please note that the appellate body must act on your appeal within a time period specified in the Section(s) of the Los Angeles Municipal Code (LAMC) pertaining to the type of appeal being filed. The Department of City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.

This Section for City Planning Staff Use Only		
Base Fee:	Reviewed & Accepted by (DSC Planner):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

Case # ZA-2020-2164-ELD-SPR

825-837 Holt Eldercare Community Response

Applying the “strict application” of land use regulations on the subject property would result in practical difficulties and unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations in our neighborhood.

Zoning laws are intended to promote the health, safety, welfare, convenience, morals, and prosperity of the community at large and are meant to enhance the general welfare rather than to improve the economic interests of any particular property owner.

They are designed to stabilize neighborhoods and preserve the character of the community. When enacting zoning ordinances, a municipality takes many factors into consideration. The most significant are the density of the population; the site and physical attributes of the land involved; traffic; the fitness of the land for permitted use; the character of the neighborhood in the community; the existing uses and zoning of neighbor property; the effect of the permitted use on land in the surrounding area; any potential decrease in property values; and the gain to the public at large weighed against economic hardships imposed on individual property owners. This zoning laws are not being adhered to in this case, resulting in a deleterious impact to our community.

The Zoning Administrator’s decision rendered on February 9, 2021 was an abuse of discretion. In reference to Findings for Approval (Amended by Ord. No. 182,095, Eff. 5/7/12.), the Zoning Administrator shall not grant the approval unless he or she finds that the strict application of the land use regulations on the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.

Financial hardship is not one of the findings upon which a decision is made. As is referenced in the five findings below. On page 23 of the Zoning Administrator’s decision, the applicant states, “The requested deviations from the LAMC are necessary for the proposed Eldercare Facility to enable a financially viable eldercare facility; without such deviations it is impractical and infeasible to build such a facility on the subject property.” To make a decision based on this is an errant use of discretion. Making a decision based upon financial viability is irrelevant to any of the findings for approval.

1. That the project’s location, size, height, operations, and other significant features shall be compatible with and shall not adversely affect or further degrade adjacent properties, the surrounding neighborhood or the public health, welfare, and safety:

The project’s location, size, height, operations, and other significant features are not compatible with and will adversely affect or further degrade adjacent properties, the surrounding neighborhood or the public health, welfare, and safety.

The height and massing of this proposed project are not in keeping with the envelope of this community. The proposed building envelope is larger than all other structures in the immediate area and is not compatible with the envelope of the community. The proposed 58-foot high, 57,680 square-foot, five-story Eldercare Facility is larger in height and massing than all other structures in the immediate area. There are no buildings on Sherbourne, Holt, or Le Doux between Gregory Way and Chalmers that cover five-stories and three adjacent lots. This height and massing are not in keeping with the envelope of this community.

The proposed mid-rise project is in the middle of an established low-rise neighborhood predominantly comprised of two and three-story duplexes and apartment buildings (refer to Exhibit 1 in the case files) that are built on single lots. The project is incompatible with, and shall adversely affect, adjacent properties, the surrounding neighborhood, and the public, health, welfare, and safety of the homeowners and renters that have resided in this community for decades.

The owner of 834 S. Sherbourne Drive owns two adjoining duplexes directly behind the proposed site. She has lived in this community for over 50 years. This project would loom over her property and will completely block her light in her garden full of plants established through her relationship. The new project is best described by one neighbor, Rabbi Keshirim, who explained to the Senior City Planner that it would look like, “an elephant in a bird’s nest” as it is plopped in the center of the block.

The character of this community is unique. The one existing modern four-story building on Holt is incongruent with the neighborhood of Spanish Revival Architecture. At least that building is toward the end of the block, not smack in the middle, and not encompassing three lots. As designed, this is a monolith from all angles. This should adhere to the existing City Planning Guidelines. No 360° tiering and articulation is shown which would be important to making this more congruent with the envelope of the community. Only the façade is tiered. Light and air to breath would allow this to be more compatible with the community. The project does not fit the land space. The setbacks between the adjacent buildings would be reduced from 8 feet to 6 feet.

The 10-foot front yard in lieu of the otherwise required 20-foot front yard pursuant to Ordinance No. 167,335 is an unwarranted deviation. This neighborhood is comprised of young children who play freely on the sidewalks, riding scooters and bicycles. There are also many elderly residents that would be impacted, as well as neighbors walking their dogs. It would be tragic for someone to be unfortunately injured in the community. Given the existing traffic and parking on the street (please refer to pictures submitted to the case files) it is already a challenge with the visibility of pedestrians. Adjoining properties, such as 839 S. Holt, need to be able to back out of the driveway, so this in itself causes additional concern.

The daily deliveries such as food, medical supplies, and other items that are necessary to support this project are also of concern. Medical emergencies are also inevitable and will impact the existing peaceful community. Street parking is already extremely limited. At 7am in

the morning there will be no spaces on the street for a vehicle to park and if vehicles are double-parked this will contribute to adverse traffic flow at a critical time.

Besides the height and massing issues, the density and FAR deviations of the proposed facility are unnecessary deviations. The subject 18,018 square-foot facility is zones [Q]R3-1-O, which permits a maximum of 36 guest rooms per 500 square feet of lot area, for a maximum of 36 guest rooms on the subject site. Height District No. 1 permits a maximum Floor Area Ratio (FAR) of 3.0:1, or approximately 34,170 square feet based on 11,390 square feet of buildable area. The project proposes a total of 80 guest rooms (62 Assisted Living guest rooms and 18 memory care guest rooms) and a total of 57,680 square feet for an FAR of 5.06:1.

The Density and FAR deviations are not necessary. They are only necessary to provide a financially feasible project (refer to page 24, paragraph 4 of the decision). That is not a finding and is an errant abuse of discretion by the Zoning Administrator. (On page 25, paragraph one the applicant states that the increase floor area is devoted to common areas serving the needs of the residents. If this is necessary then reduce the density and FAR by reducing the number of guest rooms, thereby reducing the need for deviations).

The applicant states that “to make Eldercare Facilities financially viable, certain costs such as land costs and architectural fees need to be divided across a sufficient number of Guest Rooms and beds” (page 25, paragraph 2). Again, this is an errant abuse of discretion in the zoning administrator’s decision as financial viability is not a finding in the decision making process.

Once again, the applicant states on page 25 paragraph 3 that, “The applicant has submitted a financial feasibility analysis, conducted by the Concord Group (TCG), dated August 14, 2020, demonstrating that the project is not feasible unless constructed as proposed.” Financial viability is, again, not a reason to approve a finding.

On page 27, the Zone Administrator found that the analysis of the alternative development scenario is reasonable and adequately demonstrates that the development

The Zoning Administrator finds that the analysis of the alternative development scenario is reasonable and adequately demonstrates that the development alternatives for a by-right eldercare facility is not viable, and the strict application of the land use regulations on the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations and inconsistent with the City's objective to promote and facilitate needed housing and services for the elderly. This is an errant use of discretion as financial viability is not a reason for a finding to be met.

3. The project shall not create an adverse impact on street access or circulation in the surrounding neighborhood:

This project will have an adverse impact on street access and circulation in the surrounding neighborhood with delivery trucks, ambulances and visitors coming and going and parking.

Onsite parking for deliveries is not provided. The developer suggested having a loading zone in front of the building which is appropriate for a commercial, not a residential setting and would take up valuable street parking for the already existing residents in the community.

Additionally, even though all vendor deliveries shall be restricted to between the hours of 7am to 2pm daily there will be no way to control or enforce this.

There will not be enough spaces for workers and visitors, especially during holiday seasons when the community also has visitors.

There is already a tremendous parking problem in this neighborhood as there is a nursing school a few blocks away at Gregory Way and La Cienega that has no parking lot. These students regularly show up at 6am and park their cars on our streets for free, waiting for someone to leave so they can find a space. They then sleep in their cars until the school opens to ensure that they have a spot all day as there is no restricted parking in neighborhood. Also, because we are so near to Wilshire Blvd., many people park their cars on our streets for free and walk to their doctor's offices on Wilshire. When we leave for work, or simply go to the market and return, our space is gone leaving us to park on other surrounding blocks.

Additionally, it is important to note that Holt Avenue is a narrow street and when two cars are driving in different directions there are incidents of being sideswiped as has happened to several individuals in the neighborhood.

4. That the project provides for an arrangement of uses, buildings, structures, open spaces, and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood:

As stated above, the project will not be compatible with the scale and character of the adjacent properties and surrounding neighborhood. There is nothing comparable in the neighborhood in relation to:

- 1) The scale – consuming 3 single lots with reduced setbacks – both front and side yards
- 2) Exceeding height with no offset in elevations to reduce the oversized, block-like structure
- 3) Character – it does not lend itself to the architectural character of the existing Mediterranean and Mid-Century design so that it blends into the neighborhood. Rather the project projects a commercial hotel-like look, sitting up against the parkway in front of the property.

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

The project is not in substantial conformance with the purposes, intent and

provisions of the General Plan, applicable community plan and with any applicable specific plan of a quiet residential neighborhood. Just ask our Councilmember Paul Koretz. Given everything that has been stated above, and evidenced by the additional documents provided, the project does not conform with any of the criteria being presented allowing waivers to be granted on this project.

Again, zoning laws are intended to promote the health, safety, welfare, convenience, and prosperity of the community at large and are meant to enhance the general welfare rather than to improve the economic interests of any particular property owners. They are designed to stabilize neighborhoods and preserve the character of the community. When enacting zoning ordinances, a municipality takes many factors into consideration. The most significant are the density of the population; the site and physical attributes of the land involved; traffic, the fitness of the land for permitted use; the character of the neighborhood in the community; the existing uses and zoning of the neighbor property; the effect of the permitted use on land in surrounding area; any potential decrease in property values; and the gain to the public at large weighed against economic hardships imposed on individual property owners.

To conclude, this applicant is seeking deviations from the zoning regulations which should be denied. The applicant on record is not the property owner on title. Documents signed as the owner of record were submitted on the zoning application are falsified.

This appeal is on behalf of Cheryl Holstrom of 842 S. Sherbourne, adjacent to the proposed property. I am not opposed to the use, to an Eldercare facility. Height, density and massing issues and the proposed property not being in consistent with the community envelope are the reasons that it does not meet finding #1 or #4.

- 1). This project will adversely affect and degrade adjacent properties as well as the surrounding area;
- 3). This project will create an adverse impact on street access and circulation in the surrounding neighborhood;
- 4.) This project provides for an arrangement of uses, buildings, structures, open spaces, and other improvements that are incompatible with the scale and character of the adjacent properties and surrounding neighborhood.

Given everything that has been listed above, the project does not conform with any of the criteria presented for deviations to be approved by the Zoning Administrator. The Zoning Administrator's decision is an errant abuse of discretion and the requested deviations should be denied approval.

**APPLICATIONS:****APPEAL APPLICATION**

Instructions and Checklist

Related Code Section: Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

Purpose: This application is for the appeal of Department of City Planning determinations authorized by the Los Angeles Municipal Code (LAMC).

A. APPELLATE BODY/CASE INFORMATION**1. APPELLATE BODY**

- ☒ Area Planning Commission
 ☐ City Planning Commission
 ☐ City Council
 ☐ Director of Planning
 ☐ Zoning Administrator

Regarding Case Number: ZA-2020-2164-ELD-SPR

Project Address: 825-837 Holt Avenue

Final Date to Appeal: 02/24/2021

2. APPELLANT

Appellant Identity:
(check all that apply)

- ☐ Representative
 ☐ Property Owner
 ☐ Applicant
 ☐ Operator of the Use/Site

☒ Person, other than the Applicant, Owner or Operator claiming to be aggrieved
Daniel Sidis, owner of adjacent property

☐ Person affected by the determination made by the **Department of Building and Safety**

- ☐ Representative
 ☐ Owner
 ☐ Aggrieved Party
 ☐ Applicant
 ☐ Operator

3. APPELLANT INFORMATION

Appellant's Name: Daniel Sidis

Company/Organization: _____

Mailing Address: 819 S Holt Ave #101

City: Los Angeles State: CA Zip: 90035

Telephone: (310) 877-5187 E-mail: danny@sidisinc.com

a. Is the appeal being filed on your behalf or on behalf of another party, organization or company?

☒ Self
 ☐ Other: _____

b. Is the appeal being filed to support the original applicant's position? ☐ Yes ☒ No

4. REPRESENTATIVE/AGENT INFORMATIONRepresentative/Agent name (if applicable): Joshua GreerCompany: Berger Greer, LLPMailing Address: 468 N Camden Dr #278BCity: Beverly Hills State: CA Zip: 90210Telephone: (516) 368-5283 E-mail: shuki@bergergreer.com**5. JUSTIFICATION/REASON FOR APPEAL**a. Is the entire decision, or only parts of it being appealed? ☐ Entire ☒ Partb. Are specific conditions of approval being appealed? ☒ Yes ☐ NoIf Yes, list the condition number(s) here: 8 a-f

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- ☒ The reason for the appeal ☒ How you are aggrieved by the decision
- ☒ Specifically the points at issue ☒ Why you believe the decision-maker erred or abused their discretion

6. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature:  Date: 2/22/2021**GENERAL APPEAL FILING REQUIREMENTS****B. ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES****1. Appeal Documents**

- a. **Three (3) sets** - The following documents are required for each appeal filed (1 original and 2 duplicates)
Each case being appealed is required to provide three (3) sets of the listed documents.

- ☒ Appeal Application (form CP-7769)
- ☒ Justification/Reason for Appeal
- ☒ Copies of Original Determination Letter

b. Electronic Copy

- ☐ Provide an electronic copy of your appeal documents on a flash drive (planning staff will upload materials during filing and return the flash drive to you) or a CD (which will remain in the file). The following items must be saved as individual PDFs and labeled accordingly (e.g. "Appeal Form.pdf", "Justification/Reason Statement.pdf", or "Original Determination Letter.pdf" etc.). No file should exceed 9.8 MB in size.

c. Appeal Fee

- ☐ Original Applicant - A fee equal to 85% of the original application fee, provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.
- ☐ Aggrieved Party - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

d. Notice Requirement

- ☐ Mailing List - All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC
- ☐ Mailing Fee - The appeal notice mailing fee is paid by the project applicant, payment is made to the City Planning's mailing contractor (BTC), a copy of the receipt must be submitted as proof of payment.

SPECIFIC CASE TYPES - APPEAL FILING INFORMATION**C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITES (TOC)****1. Density Bonus/TOC**

Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

NOTE:

- Density Bonus/TOC cases, only the *on menu or additional incentives* items can be appealed.
- Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the Citywide Planning Commission.
- ☐ Provide documentation to confirm adjacent owner or tenant status, i.e., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, drivers license, bill statement etc.

D. WAIVER OF DEDICATION AND OR IMPROVEMENT

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

NOTE:

- Waivers for By-Right Projects, can only be appealed by the owner.
- When a Waiver is on appeal and is part of a master land use application request or subdivider's statement for a project, the applicant may appeal pursuant to the procedures that governs the entitlement.

E. TENTATIVE TRACT/VESTING**1. Tentative Tract/Vesting** - Appeal procedure for Tentative Tract / Vesting application per LAMC Section 17.54 A.

NOTE: Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.

- ☐ Provide a copy of the written determination letter from Commission.

F. BUILDING AND SAFETY DETERMINATION

- ☐ **1.** Appeal of the Department of Building and Safety determination, per LAMC 12.26 K 1, an appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.

a. Appeal Fee

- ☐ Original Applicant - The fee charged shall be in accordance with LAMC Section 19.01B 2, as stated in the Building and Safety determination letter, plus all surcharges. (the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code)

b. Notice Requirement

- ☐ Mailing Fee - The applicant must pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt as proof of payment.

- ☐ **2.** Appeal of the Director of City Planning determination per LAMC Section 12.26 K 6, an applicant or any other aggrieved person may file an appeal, and is appealable to the Area Planning Commission or Citywide Planning Commission as noted in the determination.

a. Appeal Fee

- ☐ Original Applicant - The fee charged shall be in accordance with the LAMC Section 19.01 B 1 a.

b. Notice Requirement

- ☐ Mailing List - The appeal notification requirements per LAMC Section 12.26 K 7 apply.
- ☐ Mailing Fees - The appeal notice mailing fee is made to City Planning's mailing contractor (BTC), a copy of receipt must be submitted as proof of payment.

G. NUISANCE ABATEMENT**1. Nuisance Abatement** - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

NOTE:

- Nuisance Abatement is only appealable to the City Council.

a. Appeal Fee

- ☐ Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1.

2. Plan Approval/Compliance Review

Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4.

a. Appeal Fee

- ☐ Compliance Review - The fee charged shall be in accordance with the LAMC Section 19.01 B.
- ☐ Modification - The fee shall be in accordance with the LAMC Section 19.01 B.

NOTES

A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

Please note that the appellate body must act on your appeal within a time period specified in the Section(s) of the Los Angeles Municipal Code (LAMC) pertaining to the type of appeal being filed. The Department of City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.

This Section for City Planning Staff Use Only		
Base Fee:	Reviewed & Accepted by (DSC Planner):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

From: Daniel Sidis

To: whom it may concern

Justification/Reason for Appeal

Case # ZA-2020-2164-ELD-SPR

825-837 Holt Ave

By approving the application, the Zoning Administrator (“ZA”) violated the law and abused his discretion. The ZA is acting in a quasi-judicial role, and as such must adhere to the standards of law that govern his decision making. In making the required findings, each must be supported by substantial evidence. In this matter, the record does not contain evidence to support the findings.

In his decision, the ZA abused his discretion specifically by making the following findings:

- The strict application of the land use regulations on the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.
- The project’s location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.
- The project provides for an arrangement of uses, buildings, structures, open spaces and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood.

In addition, I object to the following deviations, as granting the same is an abuse of the ZA’s authority and discretion:

- a. A maximum of 80 guest rooms in lieu of the otherwise permitted 36 guest rooms pursuant to LAMC Section 12.10-C,4;
- b. A maximum Floor Area Ratio (FAR) of 5.06:1 in lieu of the otherwise permitted 3:1 FAR pursuant to LAMC Section 12.21.1;
- c. A maximum building height of 58 feet in lieu of the otherwise maximum 45 feet pursuant to LAMC Section 12.21.1.
- d. A continuous width of the exterior walls fronting Holt Avenue to exceed 40 feet without a change in plane as otherwise required pursuant to Ordinance No. 167,335.
- e. A 10-foot front yard in lieu of the otherwise required 20-foot front yard pursuant to Ordinance No. 167,335.
- f. 6-foot side yards in lieu of the otherwise required 8-foot side yards pursuant to Ordinance No. 167,335.

Finding 1 - The strict application of the land use regulations on the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.

There is no substantial evidence in the record to support this finding, and it was an abuse of discretion for the ZA to make this finding. First, it is important to note that the law is not entirely clear that financial hardship may constitute “unnecessary hardship” at all. Neither *Stolman* nor *Walnut Acres* held that financial hardship would be sufficient to meet the standard, as both did not have to decide that question because they held that the evidence did not support such hardship.

“City asserts that financial hardship may constitute “unnecessary hardship.” Even assuming that this is true, the zoning administrator's determination of the first required finding is erroneous.” *Stolman v. City of Los Angeles*, 114 Cal. App. 4th 916, 926, 8 Cal. Rptr. 3d 178, 186 (2003). “As in *Stolman*, we assume that financial hardship may be sufficient for purposes of obtaining a permit under section 14.3.1 to show unnecessary hardship, but find no evidence supporting the claimed financial hardship.” *Walnut Acres Neighborhood Assn. v. City of Los Angeles*, 235 Cal. App. 4th 1303, 1315, 185 Cal. Rptr. 3d 871, 879 (2015).

As such, case law is far from clear that financial hardship can suffice at all, and I argue that it does not and cannot be the basis for a finding of unnecessary hardship. Zoning laws are intended to promote the health, safety, welfare, convenience, morals, and prosperity of the community at large and are meant to enhance the general welfare rather than to improve the economic interests of any particular property owner. They are designed to stabilize neighborhoods and preserve the character of the community.

When enacting zoning ordinances, a municipality takes many factors into consideration. The most significant are the density of the population; the site and physical attributes of the land involved; traffic; the fitness of the land for permitted use; the character of the neighborhood in the community; the existing uses and zoning of neighbor property; the effect of the permitted use on land in the surrounding area; any potential decrease in property values; and the gain to the public at large weighed against economic hardships imposed on individual property owners.

In similar cases, using similar legal standards, “unnecessary hardship” has been found when, among other reasons, a lot has unique characteristics, or other specific reasons making the zoning rule inapplicable to a particular lot. (See generally *Walnut Acres* at 1316). It makes logical sense for there to be an exception to the strict application of zoning rules where a particular lot defies the basis for that rule to have been made. If a lot has a particular shape, topography, soil content, or other relevant feature, a strict application of zoning rules may in fact result in an unnecessary hardship. By contrast, pure financial hardships speak to the individual considerations of a particular owner or developer, and therefore do not form a basis for undoing a zoning rule put into place in consideration of an entire community.

Further, the law does not allow a developer to create his own hardship scenario, and then ask for the city to grant him a variance on that basis. Self-created hardships are unquestionably not a valid basis for variances to be granted:

“Since the facts in the instant case clearly reveal that any hardship suffered by appellants is the result of their own actions ... there can be no question that the planning commission acted properly in denying them a variance. *Town of Atherton v. Templeton*, 198 Cal. App. 2d 146, 154, 17 Cal. Rptr. 680, 685 (Ct. App. 1961).

Where a developer seeks out and purchases three adjacent lots with the intent of applying for an eldercare facility that by his own application will require significant variances for feasibility, the law does not allow him to “ask forgiveness rather than permission” by arguing that his financial situation forces the city to grant him deviances from the zoning rules.

Because financial hardship cannot support a basis for a finding of unnecessary hardship, the ZA abused his discretion in relying on it to make the finding he made in this case.

Even if financial hardship is a valid basis for such a finding, in this case the record does not contain substantial evidence to establish it as a valid basis. The decision relies on the applicant’s unverified word, and the “TCG study” to conclude that allowing the variances is the only financially viable way to build the facility.

In taking the applicant’s word for it, the ZA made several improper assumptions. For example, the applicant asserted that all of the on-site amenities that the facility is proposed to have are necessary for the quality of life of its residents. That assertion is copied almost verbatim in the ZA’s decision, despite there being no actual support for the proposition. The ZA revealingly states that the proposed project “*seeks to provide significant “quality-of-life” amenities rather than minimally-equipped facilities.*” (p. 25 of 46). Clearly the ZA acknowledges that these are not necessary amenities, but rather ones done with the intent of allegedly improving the quality of life of its residents. The same is true regarding the need for increased common areas and wide hallways. The need for those items in the facility is stated without support by the applicant, and repeated as fact by the ZA.

The ZA further intertwined the needs for these amenities and facilities with the financial costs of building and maintaining a project. The TCG study is as noteworthy for what it did examine, as for what it left out. The TCG study explicitly calculated land costs into its total project cost. **This inclusion alone makes the ZA’s reliance on it an abuse of discretion.** There is no reason that the applicant is entitled to variances because of his cost in acquiring the land. That is not the law with regard to unnecessary hardships, it is not a valid reason to grant variances, and it shocks the conscience to learn that the community would have to tolerate a building that was allowed merely because the applicant paid above-market price for the land and then asked the city to make it financially viable for him.

This point cannot be emphasized enough. The zoning rules were in clear effect before the applicant purchased any of the lots at issue here. He is clearly sophisticated enough to know what variances he would need and what size project he would like to build. He obviously knew that he would have to ask for these variances from the code, and planned accordingly. It is a

complete abuse of discretion for the ZA to find that he gets to build his not-to-code facility simply because he put himself in a financial hole by purchasing the lots at an unreasonable rate.

The decision also recounts how investors and lenders “typically” require a certain return on cost equal to the market cap rate plus a spread, which “typically” is 150 basis points. (p.26 of 46). The decision then crunches the numbers, and concludes that the variances requested are “necessary” to build a financially viable project, and further that “without the requested... deviations, the project could not be built.” (p.27 of 46). The ZA abused his discretion because what lenders “typically” do does not equate to what is “necessary” for the financial viability of the project. The standard for “unnecessary hardship” is not “I’ll be forced to work extra hard to secure financing” or “the typical lender may be concerned with my numbers”, the standard is that the strict application of the rules *would* result in unnecessary hardship. Further, the argument laid out above, about how financial hardship is not a valid basis for unnecessary hardship, comes into even more focus here. With this conclusion, the ZA is finding “unnecessary hardship” based on the applicant’s inability to maintain a certain level of financial comfort and security. Making this the standard is a far cry from the law, and thus a clear abuse of discretion.

Finally, the decision states that the entire administrative board and staff is necessary for the facility. Putting aside the ZA’s decision to parrot the applicant’s statements on these points, and despite the record being entirely bereft of any support for such statements, the ZA ignored information actually in the record which demonstrates that the entire administrative board was *not* necessary. The same applicant, developer, and nearly-identical proposed project is being sought in Eagle Rock, and another one is already open elsewhere in Los Angeles. There is no reason why some of these administrative positions could not suffice for more than one location, yet the applicant has stated that his facility is only financially viable if a full administrative staff is on location at each building.

The disconnect between the applicant, the TCG study, and the city highlights this last issue. The information as analyzed in the TCG study calculated operating expenses as an assumed number, thereby coming to the conclusion it did. But if the specific facts of this developer, fully flushed out for the ZA in the record, demonstrate that such an administration is not needed at this particular location, that puts all of the financial conclusions into question. The TCG study was an all-or-nothing study, only analyzing full compliance with the zoning rules, or all the variances. What about a middle ground? If that would be financially viable, then granting all the variances is clearly an abuse of discretion.

Lastly, the ZA conflated the other findings, specifically those about the citywide demand for services for the aging population, into the question of unnecessary hardship. The unnecessary hardship analysis asks whether the project can be feasibly built according to the code, or whether it requires deviations. The analysis does not allow for the consideration of the city’s needs or of the Housing Element’s goals. The decision states: *“the strict application of the land use regulations on the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations and inconsistent with the City’s objective to promote and facilitate needed housing and services for the elderly.”* (p.27 of 46). And then again: *In addition, the relief requested is necessary to serve a city- and area-wide demand for assisted living and memory care facilities for an aging population. Without such deviations, the zoning regulations restricting the building envelope would make the construction of the Eldercare Facility on the subject property impractical and infeasible.* (p.29 of 46).

By improperly considering the needs of the aging population, the ZA looked outside the scope of the law, and distorted the considerations required for each of the required findings.

Because the ZA abused his discretion, the finding is improper.

Finding 2 – “The project’s location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.”

Finding 5 – “The project provides for an arrangement of uses, buildings, structures, open spaces and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood.”

(I have combined these two findings into one analysis, as their contents contain significant overlapping bases, and my objections are similar to both. For clarity’s sake, I am challenging each of them as an abuse of discretion, and believe both were found incorrectly)

In reaching the findings related to the project’s envelope and its effect on the adjacent properties and the neighborhood, the ZA abused his discretion in several ways. First, he listed all of the properties around the project and their heights, and ignored the glaringly obvious: all of the properties were of the same use: multi-family homes for traditional, residential families. By contrast, an eldercare facility is a different use and function, and functions differently than a multi-family residential unit in several ways. It does not have the same hours. It has significantly more deliveries. It has dozens of people arriving in the morning for work and leaving in the evening, making it analogous to a commercial establishment.

Second, there is not a single five story building anywhere in the vicinity. The only place such buildings exist are on the large thoroughfares of La Cienega Blvd, Robertson Blvd, and Olympic Blvd. By contrast, this proposal is smack in the middle of an entirely residential street. The proposal would be significantly larger than any other building near it, yet the ZA somehow concluded that it would be in character with the neighborhood.

Third, the fact that the proposal is on three lots is entirely absent from the ZA’s decision. This fact played a large role in the stated opposition to the project, yet the ZA ignores it. When you talk about a front façade of a building spanning three lots, you are already talking about changing the character of the entire block. More than it being a story higher than the others, or less setback from the sidewalk, making what is now spaces between lots into continuous building blocks light in all directions, affects visibility, and is an affront to the nature and character of the street. As is laid out several times in the record, this detail is of high concern to adjoining property owners throughout the neighborhood. It was an abuse of discretion for the ZA to not consider it.

Fourth, the purported ways in which the project incorporated an effort to minimize the project’s mass border strain credulity. The ZA states two, the existence of underground levels and the rear of the building broken up into two masses. The underground levels do not represent any effort to minimize the project’s envelope, they represent how the applicant is seeking to push the boundaries in every conceivable direction. None of the other buildings on the block have a second subterranean level, yet this proposal seeks to go further down than appropriate just as it seeks to go further up, sideways and forward than appropriate. The rear masses, and the split between them, are not viewable from the three most crucial directions- the front of the property

and the north and south sides. The ZA's conclusion that the massive incongruities with the neighborhood are offset by these "efforts" is an abuse of discretion.

Fifth, 834 S. Sherbourne Drive, to the immediate west of the property, has a garden full of plants grown on her property, and these plants will be blocked from sunlight and all light significantly. Note that the decision purports to address this by stating, "The applicant has submitted a shade/shadow analysis of the project which shows that the proposed building would not have an impact on the eastern and western adjoining buildings." (p. 32 of 46). However, the finding is "will not adversely affect or further degrade adjoining properties". By ignoring the difference between the word "properties" and "buildings", the ZA completely ignores the damage to the adjacent yard and garden. Conflating the two words is an affront to the neighboring property owner who is going to suffer a concrete and particular injury, and it is an abuse of discretion. **Because the ZA abused his discretion, these findings are improper.**

In reality, the following statements are true:

- The strict application of the land use regulations on the subject property would NOT result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.
- The project's location, size, height, operations and other significant features will NOT be compatible with and WILL adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.
- The project DOES NOT provide for an arrangement of uses, buildings, structures, open spaces and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood.

As the owner of the property to the immediate north of the proposal, I stand to lose a tremendous amount of money if this project is allowed to proceed. Allowing variances to the height, side setbacks, front setbacks, and density will make my building significantly less desirable. My land value will go down, my rental income will disappear, and my retirement income will be decimated. Under no circumstances should the city allow these variances to be granted.

Accordingly, I submit that the Zoning Administrator violated the law and abused his discretion. His findings should be nullified, and his decision should be reversed.

Sincerely,

Daniel Sidis

Daniel Sidis

DETERMINATION LETTER

OFFICE OF ZONING ADMINISTRATION
200 N. SPRING STREET, ROOM 763
LOS ANGELES, CA 90012-4801
(213) 978-1318

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CHIEF ZONING ADMINISTRATOR

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ERIC GARCETTI
MAYOR

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February 9, 2021

Daniel Kianmahd (A) (O)
The Panorama Group, Inc.
9171 Wilshire Boulevard #500
Los Angeles, CA 90210

Stephen Kia (R)
Urban Concepts
3731 Wilshire Boulevard
Los Angeles, CA 90010

CASE NO. ZA-2020-2164-ELD-SPR
ELDERCARE FACILITY UNIFIED PERMIT;
SITE PLAN REVIEW
825-837 Holt Avenue
Wilshire Community Plan Area
Zone: [Q]R3-1-O
C.D: 5
D.M.: 132B173
CEQA: ENV-2020-2165-CE
Legal Description: Lots 40-42, Tract 4666

Pursuant to California Environmental Quality Act, I hereby DETERMINE:

based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15332, Class 32 (In-Fill Development Projects), and that there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical resources applies.

Pursuant to Los Angeles Municipal Code Section 14.3.1, I hereby APPROVE:

an Eldercare Facility Unified Permit for the construction, use, and maintenance of an Eldercare Facility c's/Dementia Care Housing in the [Q]R3-1-O Zone; and

Pursuant to Los Angeles Municipal Code Section 16.05, I hereby APPROVE:

a Site Plan Review for a development which creates or results in an increase of 50 or more dwelling units or guest rooms or 50,000 gross square feet or more of non-residential floor area.

Upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan and floor plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.
6. Within 30 days of the effective date of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center for inclusion in the case file.
7. Approved herein is an Eldercare Facility subject to the following restrictions:
 - a. The facility shall be limited to a maximum of 62 Assisted Living guest rooms and 18 Alzheimer's/Dementia Care guest rooms;
 - b. At least seventy-five percent (75%) of the facility shall be devoted to Assisted Living Care Housing and not more than twenty-five percent (25%) of the facility shall be devoted to Alzheimer's/Dementia Care Housing.
 - c. Plans submitted to the Department of Building and Safety for the purposes of obtaining a building permit shall indicate a minimum of 75% of the floor area, exclusive of common areas, consisting of Assisted Living Care Housing;

- d. The license and subsequent renewals of the license from the California Department of Social Services, Community Care Licensing Division shall reflect a minimum of 75% of the floor area, exclusive of common areas, consisting of Senior Independent Housing and/or Assisted Living Care Housing.
 - e. The facility shall be licensed by the California Department of Social Services and comply with all assisted living and dementia care program regulations. A copy of the license shall be submitted to the Department of City Planning for verification and placed in the file.
 - f. Full-time medical services shall not be provided on-site.
8. The following deviations have been granted in conjunction with the Eldercare Facility, as shown on plans stamped Exhibit A:
- a. A maximum of 80 guest rooms in lieu of the otherwise permitted 36 guest rooms pursuant to LAMC Section 12.10-C,4;
 - b. A maximum Floor Area Ratio (FAR) of 5.06:1 in lieu of the otherwise permitted 3:1 FAR pursuant to LAMC Section 12.21.1;
 - c. A maximum building height of 58 feet in lieu of the otherwise maximum 45 feet pursuant to LAMC Section 12.21.1.
 - d. A continuous width of the exterior walls fronting Holt Avenue to exceed 40 feet without a change in plane as otherwise required pursuant to Ordinance No. 167,335.
 - e. A 10-foot front yard in lieu of the otherwise required 20-foot front yard pursuant to Ordinance No. 167,335.
 - f. 6-foot side yards in lieu of the otherwise required 8-foot side yards pursuant to Ordinance No. 167,335.
 - g. Waiver of the long-term bicycle parking requirements otherwise required pursuant to LAMC Section 12.21-A,16(a)(2).
9. Trees shall be planted on the property (including street trees) subject to the approval by the Street Tree Division, at a ratio of one tree for every 1,000 square feet of lot area. Trees may not be less than 24-inch box in size at the time of planting (Ordinance 167,335).
10. All employees who drive to work shall utilize the on-site parking garage.
11. Employee shifts shall be staggered to minimize on-site parking shortages.
12. Parking shall be provided in accordance with the Los Angeles Municipal Code.

13. The applicant shall develop and implement an incentive program to encourage employee use of alternative modes of transportation to arrive to and depart from work. A copy of the incentive programs shall be submitted to the Department of City Planning for inclusion in the case file.
14. A separate men's and women's shower facility shall be provided to incentivize employees biking to work.
15. All vendor deliveries shall be restricted to between the hours of 7 a.m. and 2 p.m. daily.
16. All loading activities shall be conducted on-site or within a designated loading zone.
17. The applicant/operator shall be responsible for ensuring compliance vendor with Condition Nos. 14 and 15.
18. Trash and recycling bins shall be fully enclosed.
19. The project shall be landscaped in substantial conformance with the landscape plans stamped Exhibit A (Sheets LP-1 through LP-5)
20. Outdoor lighting shall be designed to shine downward, installed with shielding, and directed onto the project site, so that the light source does not directly illuminate any adjacent properties, the public right-of-way, or the above night skies.
21. Prior to the issuance of a building permit, access and internal circulation shall be reviewed and approved by the Department of Transportation.
22. Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
23. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages and/or settlement costs.

- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement (b).
- e. If the City determines it necessary to protect the City's interests, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commission, committees, employees and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the applicant otherwise created by this condition.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within three years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void.

TRANSFERABILITY

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent upon you to advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

“A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code.”

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Municipal Code. The Zoning Administrator's determination in this matter will become effective after **FEBRUARY 24, 2021**, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://planning.lacity.org>.** Public offices are located at:

Downtown

Figueroa Plaza
201 North Figueroa
Street, 4th Floor
Los Angeles, CA 90012
(213) 482-7077

San Fernando Valley

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard, Room 251
Van Nuys, CA 91401
(818) 374-5050

West Los Angeles

West Los Angeles Development
Services Center
1828 Sawtelle Boulevard, 2nd Floor
Los Angeles, CA 90025
(310) 231-2598

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

NOTICE

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the Zoning Administrator who acted on the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report of the Department of Planning Staff thereon, the statements made at the public hearing on August 24, 2020, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements for authorizing an Eldercare Facility Unified Permit under the provisions of LAMC Section 14.3.1 have been established by the following facts:

BACKGROUND

The project site, consisting of three lots, is a level, rectangular-shaped, interior, approximately 18,018 square-foot (0.41 acre) parcel of land with an even width and depth of 150 feet and 120 feet, respectively, and an approximately 150-foot frontage on the west side of Holt Avenue, located between Gregory Way to the north and Chalmers Drive to the south.

The property is improved with three two-story duplexes, one duplex on each lot, for a total of six dwelling units. None of the existing buildings are identified as historic resources designated in the City, state or federal programs or identified and recorded in SurveyLA as potentially eligible historic resources.

The property is located within the Wilshire Community Plan area, which designates it for Medium Residential land uses, with a corresponding zone of R3; the property is zoned [Q]R3-1-O. The property is within an Oil Drilling District, but not within the boundaries of or subject to any specific plan, community design overlay, or interim control ordinance. The property is subject to "Q" Qualified Conditions pursuant to Ordinance 167,335 which

regulates open space, parking, building articulation, setbacks and tree planting requirements. The property is located within Tier 3 of a Transit-Oriented Communities area.

The project proposes the demolition and removal of the three duplexes and the construction, use, and maintenance of an approximately 57,680 square-foot Eldercare Facilities development consisting of both assisted living and Alzheimer's/Dementia uses. The proposed Eldercare Facility will contain 80 guest rooms, of which 62 guest rooms will be designated for Assisted Living Care and 18 guest rooms will be designated for Alzheimer's/Dementia Care. The proposed 5-story building will have a total FAR of 5.06:1 and have a maximum height of 58 feet.

Pedestrian access to the project site would be provided from the existing sidewalk along Holt Avenue, which would provide direct access to the ground-floor lobby. The proposed project provides 6 bicycle short-term spaces as required; no long-term bicycle parking spaces will be provided.

The project will provide 36 parking spaces (31 spaces for the Assisted Living guest rooms at a ratio of 0.5 spaces per unit and five spaces for the Alzheimer's/Dementia Guest Rooms at a ratio of 0.2 spaces per bed), which complies with the parking required pursuant to LAMC Section 12.21-A,4(u). On-site parking is provided entirely within a second level subterranean level. No vehicular parking will be visible from the street. Vehicular access to the proposed project will be directly from Holt Avenue via a single two-way, 24-foot-wide driveway. Vehicular access to the three existing duplexes will be consolidated into the single driveway located on the northern end of the property.

According to the applicant's submitted information, the facility is planned to have two subterranean levels – the first level containing common area amenities, and the second level containing underground parking. The building design maximizes natural light and natural ventilation for the primary common areas below grade by means of two expansive courtyards that daylight out to the sky.

The Guest Room accommodations include small bar sinks and under counter refrigerators but do not include any cooking. The facility will maintain a central kitchen and common dining area. Over 29,600 square feet (51% of the project floor area) is dedicated to common area amenities and open space/recreational areas for the project. Amenities include dining (three meals a day), bistro for snacks and refreshments, theater, library, fitness center, multi-purpose activities rooms, lounges and living room areas, beauty salon, outdoor space, including a rooftop deck, and administrative offices.

The focus of the staff in the Assisted Living Care area would be balancing the residents' need for care with their desires to remain independent. The Alzheimer's/Dementia Care area of the facility is designed to answer the needs of residents with varying levels of dementia or other degenerative conditions. Caregiver oversight and supervision would be provided to prevent accidents that may occur otherwise. The Alzheimer's/Dementia Care floor would also include an increased staff-to-resident ratio. Additionally, this area of the project would be more confined and secured as per applicable standards and regulations. The project would also provide security features including, but not limited to, controlled access to on-

site parking areas and building entries, particularly after regular business hours, video surveillance, and security lighting.

In accordance with the provisions of the Eldercare Facility Unified Permit process per LAMC Section 14.3.1, the applicant is seeking an Eldercare Facility with Assisted Living Care and Alzheimer's/Dementia Care Housing within the [Q]R3-1-O Zone, with deviations to allow for:

- A maximum of 80 guest rooms in lieu of the otherwise permitted 36 guest rooms pursuant to LAMC Section 12.10-C,4;
- A maximum Floor Area Ratio (FAR) of 5.06:1 in lieu of the otherwise permitted 3:1 FAR pursuant to LAMC Section 12.21.1;
- A maximum building height of 58 feet in lieu of the otherwise maximum 45 feet pursuant to LAMC Section 12.21.1.
- A continuous width of the exterior walls fronting Holt Avenue to exceed 40 feet without a change in plane as otherwise required pursuant to Ordinance No. 167,335.
- A 10-foot front yard in lieu of the otherwise required 20-foot front yard pursuant to Ordinance No. 167,335.
- 6-foot side yards in lieu of the otherwise required 8-foot side yards pursuant to Ordinance No. 167,335.
- Waiver of the long-term bicycle parking requirements otherwise required pursuant to LAMC Section 12.21-A,16(a)(2).

The applicant has submitted a financial feasibility analysis, conducted by The Panorama Group, dated August 14, 2020, demonstrating that the project is not feasible unless constructed as proposed.

Surrounding properties are similarly zoned [Q]R3-1-O and improved with multi-level, multi-family apartment buildings. The north adjoining property is developed with a four-story over one subterranean parking level apartment building containing six dwelling units. The five east adjoining properties, across Holt Avenue, are developed with two-story multi-family buildings containing between two to six units. The south adjoining property is developed with a three-story residential condominium building containing seven dwelling units. The four west and southwest adjoining properties, fronting on Sherbourne Drive, are developed with two-story multi-family buildings containing two and three dwelling units. The northwest adjoining property, fronting on Sherbourne Drive, is developed with a four-story over one subterranean parking level apartment building containing six dwelling units.

Streets and Circulation

Holt Avenue, abutting the subject property to the east, is a standard Local Street dedicated a right-of-way width of 60 feet and improved with asphalt roadway, concrete curb and gutter, 4-foot wide concrete sidewalks, and approximately 6-foot wide parkways.

Transit

The following bus stops are located near the project site:

- Metro Local Lines – 105 (0.1 miles); 20 (0.25 miles); and 28 (0.21 miles)
- Metro Rapid Line – 720 (0.25 miles)

The nearest freeway access is to the 10 Freeway via La Cienega Boulevard approximately 1.73 miles south of the project site. The subject property is not located within 1,000 feet of any freeway.

Previous Cases, Affidavits, Permits, and Orders on the Subject Property:

Ordinance No. 183,497 – On March 25, 2015, the City Council adopted an interim ordinance prohibiting the issuance of building permits for the construction of single-family dwellings on the RA, RE, RS, and R1 zoned lots in designated neighborhoods.

Ordinance No. 167,335 – On November 15, 1991 this ordinance became effective, resulting in a change of zone, implementing “Q” Qualified conditions new construction is subject to. The conditions regulate the maintenance of landscaping, the amount of private and common open space required, residential parking requirements, parking level screening requirements, building articulation, minimum side yard, front yard, and tree requirements.

Case No. ZA 17815 – On September 27, 1965, the Zoning Administrator approve a conditional use to permit surface and subsurface operations for the drilling and testing of one temporary geological exploratory hole, mainly associated with the site identified as 1114 South La Cienega Boulevard, but including a strip of land extending northwesterly therefrom, to a point near the southwesterly corner of Holt Avenue and Gregory Way.

Previous Cases, Affidavits, Permits, and Orders on the Surrounding Properties:

Staff utilized a 1,000-foot radius map via the Zoning Information Mapping Access System (ZIMAS) and the Planning Case Tracking System (PCTS), seeking past Eldercare Facility Unified Permit or Site Plan Review determinations. No relevant case was found to be within 1,000 feet of the subject property:

Public Communication

Communications Opposed to the Project:

Nicole Zinman, local resident – In an email dated August 24, 2020, Ms. Zinman states her opposition to the request. In summary, the residential neighborhood is not the appropriate place for a commercial business; the project will negatively impact parking and traffic; frequent calls for emergency services will be a disruption to the neighborhood; the proposed setbacks will result in safety hazards and compliance issues for fire safety and accessibility; there are environmental and water use issues that need to be considered; there are considerations that need to be made for a five-

story building in the middle of a residential neighborhood; the project is not appropriate for Holt Avenue.

Kenneth Blaker – In an email dated August 20, 2020, Mr. Blaker expressed his opposition to the location of the project in this neighborhood.

Nikki Vescovi, local resident – In an email dated August 18, 2020, Ms. Vescovi states her opposition to the request and submits a petition against the project, containing 151 signatures, representing residents along Holt Avenue, Sherbourne Drive, Le Doux Road, Shenandoah Street, Bedford Street, Gregory Way, Chalmers Drive, and Carson Road. In particular, Ms. Vescovi states that she is not opposed to the eldercare use, but the deviations being requested, as they are in place for safety and density issues; a 5-foot side yard setback would create an obstacle for emergency equipment and could block evacuation routes.

Shuki Greer, legal council representing a property owner – In emails dated August 17 and August 21, 2020, it is stated that there is reason to believe that a significant number of residents in the area were not notified; the project will harm the neighborhood – the property owner being represented will have their views blocked and lose all their tenants; project-generated noise will be deafening for a significant amount of time; the project will result in traffic generated by caregivers, support staff, and visitors day and night, negatively impacting parking on the street; there are concerns about trash and ambulances; a nearby eldercare facility recently closed, is now operating as a hotel, and is a nuisance.

Barbara Marom-Pollack, local resident – In an email dated August 17, 2020, Ms. Marom-Pollack stated her opposition to the request. In summary, the project will be a commercial intrusion into a residential neighborhood; that the proposed height, setbacks, and yards would result in a building that is inconsistent with the neighborhood; that the proposed number of guest rooms, in conjunction with necessary support staff would result in undue congestion in an already congested area; and that the parking provided by the project is inadequate.

Levi Yitzhaq, local resident – In an email dated August 10, 2020, Mr. Yitzhaq states his opposition to the request. In summary, he objects to the replacement of the existing structures with the new building, resulting in construction activity, and which only benefits the builder and the project's investors.

Levi Garbose, local resident – In an email dated August 10, 2020, Mr. Garbose states his opposition to the request. In summary, he objects to the replacement of the existing structures with the new building, resulting in construction activity, and which only benefits the builder and the project's investors.

Darrell Benvenuto, local resident – In an email dated August 4, 2020, Mr. Benvenuto states his opposition to the request. In summary, he feels that there was inadequate notice given to the community, and objects to the development of a medical facility in the neighborhood.

Ben Cohen, local resident – In an email dated August 2, 2020, Mr. Cohen stated his opposition to the request. In summary, the project is a commercial use in a residential area already suffering from a lack of parking; in addition to exacerbating the parking problems in the area, the project will result in frequent calls for emergency services multiple times a day at all hours.

Angela Efros – In an email dated June 23, 2020, Ms. Efros stated her opposition to the request.

Brad Neufeld, local resident – In emails dated August 4, August 10, and August 20, 2020, Mr. Neufeld states his opposition to the request. In summary, the community has not received adequate notification; the project will destroy the character of the quiet street; the proposed density, height, and setbacks are without precedent in the neighborhood; construction activity while the COVID-19 virus keeps us at home will expose us to increased noise, dust, and vibration.

Communications in Support of the Project:

Ira Yasnogorodsky, local resident – In an email received on August 21, 2020 and a letter dated May 30, 2020, Mr. Yasnogorodsky, who owns a duplex on the block, states that he is in support of the project, and that his father's, sister's, and grandmother's (deceased) name appears fraudulently on a petition in opposition to the project.

Mark Epstein, President, South Robertson Neighborhood Council – In a letter dated July 14, 2020, the Neighborhood Council indicates their support for the project.

45 individual letters and emails were received representing the west Los Angeles region in support of the project.

General Communication Received:

Aviv Kleinman, Planning Deputy, City Council District 5 – In an email dated August 21, 2020, a request was made to take the matter under advisement for a four-week period.

Declaration, 44 local residents – Individual letters, variously dated, state that they did not receive a hearing notice, was first informed of the project via a circulating petition opposed to the project, and if the hearing is postponed, would participate in assisting/coordinating a neighborhood response to the project.

Public Hearing

The public hearing was held on August 24, 2020 at 10:30 a.m. In conformity with the Governor's Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19, the hearing was conducted entirely telephonically. The purpose of the hearing was to obtain public testimony from affected and/or interested persons regarding the application. Interested parties were also invited to submit written comments regarding the request prior to the public hearing. Associate Zoning Administrator Fernando Tovar conducted the

hearing. The applicant's representative and community residents were in attendance, and their testimony is summarized by the following:

Bill Christopher, Representative

- Provided a presentation summarizing the project.
- The property is zoned R3; a Tier 3 Density Bonus project would result in a 67-foot in height building.
- There is a shortage of both adult care and memory care beds.
- Project will have a ground-level courtyard, and open patio areas.
- Project proposed greater than 4:1 FAR; maximum height of 58 feet, which is lower than the 68 feet allowed by a TOC project.
- Have been in touch with the community.
- Residential housing facility is permitted here.
- This is a residential use, not a commercial use.
- Parking and staffing: 36 parking spaces provided
- Loading and food deliveries, shuttle transportation.
- Residents are quiet and don't drive.
- Compared to allowed TOC project, the proposal is smaller, less intense.
- Eldercare results in more trips during peak hour; ITE guidelines are on the high side.
- South Robertson Neighborhood Council Land Use Committee and Board voted to support the project; the meeting was spirited.
- 46% of FAR represents common areas.
- 10-foot front yard setback; south property has a 10-foot setback, north property has 8-1/2-foot; 12-14 feet is not out of character.
- There are 40 buildings in the area with 3-5 stories, the most recent building on Le Doux.
- A petition in opposition to the project contains questionable signatures, including one with the name of a deceased person.

The following is a summary of public testimony in support received:

- The project is in the perfect location, nestled among other multi-family uses; need more manageable facilities like this one; this is well done and well designed.
- I am a physician at Cedar Sinai; there is a huge need for patient care after discharge; this is a unique opportunity to provide a service to the community.
- We need this facility now; my grandfather passed away at another facility; the facilities on Olympic Boulevard are obsolete; 8733 Olympic, operated as a senior facility, couldn't obtain a license to operate.
- I live nearby, my parents are elderly; I 100% support this project; it's a great, overdue project.
- I am a pharmacist; I have seen the benefits of eldercare housing; my uncle is struggling with dementia, and he doesn't have care; they need to live a full life.
- I strongly support the project; I live 1-1/2 miles from here; there are very few opportunities; I have elderly parents; need more facilities and fully welcome this one; short term impacts are not pleasant, but there are long-term benefits.

- I support this project; my grandfather suffers from Alzheimer's and my grandmother cannot care for him; it would be amazing to have a place that meets their needs and is close by to visit.
- I support this project; I have studied the plans and the location; we need more senior housing; this will have a minimal impact; the residents don't drive; the project is better than an alternative TOC project.
- I am a Professor of Gerontology, studying population, health and aging; this is a very exciting and much needed project; should find ways to build assisting living; concerns are not difficult; this is a high-end design; regarding siren noise – there is a reduced need for emergency room visits – falls are not as common; there will be a reduced traffic/parking demand; this is a transitional care facility, and much more; according to the plans, there are interior/exterior high-end amenities; natural lighting is incorporated into the design; the site is ideal and walkable for independent residents.
- I support this project; I turn 70 in March; mother had dementia at 94 years and lived in a house; had to put her at Belmont; project serves a need; will be a quiet wonderful neighbor; will be good neighbor – no parties and asleep by 8 p.m.
- Live in the area 39 years; want to keep the family close together, keep mom and dad close to support them; this project helps to keep us close; should add more to bring down the price.
- I live in the area and support the project; parents have lived in the area 70 years.
- Live in area 20 years; I have older parents/in-laws; there is a shortage of senior housing; this would allow kids to stay close to their grandparents.
- I live in the area; my grandfather has Alzheimer's, and wife can't care for him; I am intrigued with the idea that I can house my grandfather here; project will benefit the community.
- I support the project; there are no quality assisted living facilities; lack of options increases cost.
- I work in Culver City – am founder of a youth movement against Alzheimer's; professionals work by Alzheimer's – had Alzheimer's in the family; projects like this are necessary; there are issues in 2020 – nothing like they will be in 2030; the trends are that older adults, older than 83, one-third will have Alzheimer's; we are under-providing.
- I live in the area and support the project; my in-laws can't find senior housing.
- I live in the area; my older family members are having a more difficult time as they age; I won't be able to help them; should allow seniors in more peaceful areas.
- Even though I don't live in the neighborhood, I have family members that need this; sacrifices for the greater good need to be made.
- I have lived in the area 16 years; my parents are getting older; I am in full support; the location is close to synagogues and kosher stores.
- I live in the area and support the project; having an in-patient dietician will improve the quality of life for residents compared to staying at home.
- I live on Le Doux, within 500-feet; I have two family members with Alzheimer's; My family and I believe the only way to address the housing shortage is to build more housing; there is no need for more parking – senior residents don't drive.

- I work at other eldercare facilities; there is a huge misconception about the project – this isn't a 24-hour nursing home; some level of care will be provided, but the focus is less on nursing and more on health and autonomy; eldercare facilities are affordable – in-home care costs at least \$20/hr; regarding noise, 98% of medical calls are non-emergency; 6% of workers drive to work; helping seniors is everyone's business; they need to be treated with respect and dignity; I support the project.
- I live in the area; those opposing the project should pledge to house their parents at an existing facility; the apocalyptic image painted is not accurate; this will not be a breeding ground for disease or kids getting run-over, nor "wailing and moaning"; this is NIMBY-ism at its finest.
- I live in the area and I support the project.
- 80 units sounds like a lot – it should be considered as 80 small bedrooms instead.
- I have lived in the area since 1997 and work in the health field; I support the elderly population.

The following is a summary of public testimony in opposition received:

- Live on Holt Ave; it is terrible to find parking today; 32 units within a giant complex, and residential children, delivery trucks illegally parked on a major thoroughfare; only one level of parking proposed; where will staff and vendors park? Project will change the character of the neighborhood; the Code is there for our health and safety; should be limited to 36 units and 45 feet; no change in code should be approved.
- This project doesn't belong on a narrow street.
- I live within 500 feet of the project; we have been in lock-down since March; the virus is contagious and affects seniors; the development is proposing 5-foot balconies; project is a bait-and-switch; the code requirements are there for a purpose; should not approve any changes to code requirements.
- Live on Sherbourne; I am against the project; proposed setbacks are for safety and privacy; the project will increase crowding and reduce safety.
- I own two duplexes behind the project; will see and hear everything, as will the HOA next door; for 65 years, the quality of life has been wonderful for children, dog walkers; please keep it this way; don't need 80 rooms for seniors; there are other senior facilities all on major roads – why is this being proposed in the middle of a residential neighborhood; 36 units are okay – proposal for 80 is more than double allowed; project is a monstrosity and will increase noise levels; supporters of the location are the same as the developers; paid witnesses.
- This is not an affordable case – \$180,000/year; should keep at home – will pay for private care; need to reject 5-foot setback variances; we've established our roots; why not place the building on Beverly Glen or re-build the Olympic Blvd. site; there's a reason why they're on the main thoroughfare – because it's where we observe sabbath; this is profit versus quality of life; want to remain in house – enjoy the garden and light; Alzheimer's residents are not peaceful/quiet – moaning and crying; this location is not the place for this; needs to be smaller and unobtrusive.
- I live two lots away from the project; I am not opposed to the use, but I am opposed to the requested deviations; facility will not be affordable to most people.

- I live on Holt Ave; I support the use, but do not support the proposed deviations; should require more parking.
- I live on Holt Ave; this is a commercial business, and I am opposed to it.
- I live on Gregory Way; I am opposed to the project's height, lack of sufficient parking, and increased vendor and visitor traffic it would bring.
- I live on Gregory Way; if I had know about the petition opposing the project, I would have signed; I don't trust the proposed staffing levels; the proposed parking and building height is a problem; should be proposed as something more appropriate for the area.
- I live on Holt Ave; I am opposed to the project; I appreciate the need for senior housing, but there are safety issues associated with the reduced front yard setback; vehicle access in earthquake or fire.

Rachel Sares, representing 15 property owners

- I live on Holt Ave; this is not a question about the need for senior housing; the issue is whether it is needed in a residential area or not; this is a commercial use; I am embarrassed by some of the comments by people from Westwood; I have elderly parents – an 87-year old mother – but we need senior housing but not on a residential street; the project will ruin the quiet with their trucks and visitors.

Shuki Greer, representing seven other speakers in attendance

- The Walnut Groves case sets the findings that need to be made for this case.
- No waivers should be granted for the project.
- There are no practical difficulties; approving such would be inconsistent with the intent of the Plans.
- The project is not compatible with its surroundings.
- You can't make findings based on circumstances.
- This is the wrong location for this project.
- We have 130 signatures oppose to the project.
- We have 40 affidavits saying they did not receive notice of the hearing.
- The proposed CEQA clearance was not available for review.
- The project would be devastating and materially detrimental to adjacent properties.
- The adjacent property owners won't be able to re-rent or find tenants.
- The project will damage the neighborhood.
- Parking in the neighborhood is congested; there is no permit parking district.
- 20 employees, per the applicant – this is not true.
- Loading zone eradicates provided parking.
- Construction dumpsters will exacerbate parking.
- Some project residents will be active and driving.
- Will there really only be 10-15 visitors per day maximum? For 80 grandparents?
- Along Holt Avenue, there is flowing water if you dig 10 feet or more into the ground; does the environmental clearance address pumping out ground water?
- The environmental analysis is not on the website.
- It is disingenuous to claim that the project will not result in traffic.

- Fire trucks and ambulances will double park; with lights and sirens, this will be disruptive to the neighborhood.
- There is no sophisticated medical equipment or doctor on-site.
- Fire Station No 58 – receives 500 calls per month; there has been no input from them.
- The pandemic – will COVID still be around? There is no social distancing, and will be a magnet for disease.
- The street is quiet, low traffic; nobody works on Holt or brings disease.
- No cooking in rooms/dwellings.
- Direct care provided, housekeeping, kitchen, administration, culinary director, etc. – 30 people per day
- This will result in traffic.
- Applicant requests eight waivers; setbacks requirements are in place to address crowding; side yards are so that police/fire can get emergency access to the rear yard in case of earthquake.
- There is no study evaluating the project.
- Requested front yard setback reduces visibility from the driveways from adjacent buildings.
- How wide is the loading zone?
- The project is not in scale.
- Item No. 2 on the hearing agenda, is a similar facility.
- The feasibility is to pay for the executive board; why not use one staff executive for both facilities?
- There is no support for claim to need waivers.
- If the buildings are built, what guarantee is there if the facility isn't viable that the applicant won't walk away? But the neighborhood is stuck with the building, attracting the wrong people.
- There is no evidence that the project following the zoning regulations is not practical.
- The project should be denied.

Aviv Kleinman, Planning Deputy, Council District 5

- I request that this be taken under advisement for four weeks.
- There is much opposition to the project.
- What conditions can the applicant offer?
- I have heard that community members did not receive notice.

Bill Christopher, Representative

- The bridge on the second floor is enclosed.
- This project is not a "bait-and-switch"
- \$15,000/month rent is a myth.
- The applicant is paying a substantial linkage fee toward affordable housing.
- IF the project encounters groundwater, there will be a dewatering program.
- The project provides 36 parking spaces; 20 employees will not all be there at the same time; the parking is sufficient to accommodate guests; residents won't drive.

- Deliveries: typically small van/small box truck deliveries; food comes every two days; anticipate that there will be one or two deliveries per day.

At the conclusion of the hearing, the matter was taken under advisement for a period of four weeks, ending September 25, 2020. During that time, the record would remain open to receive additional written comments and no decision on the matter would be made.

The above is a summary of the personal notes made during the hearing by Associate Zoning Administrator Fernando Tovar, who has since retired.

Under mutual consent with the applicant's representative, the record was held open until October 14, 2020.

Public Communication received after the Public Hearing

Douglas Kim, DouglasKim + Associates, - A memo, dated October 23, 2020, clarifying the findings of a previously submitted noise technical study, dated April 2020, was received.

Stephen T. Kia, Urban Concepts – In an email dated October 20, 2020, a copy of a Water Analysis and completed Department of Transportation Referral Form was submitted.

Daniel Skolnick, Senior Planning Deputy, Council District 5 – In a letter received on October 15, 2020, it was indicated that Councilman Koretz recommended that the project be denied, as the proposed mid-block location, combined with excessive height, reduced yards, and lack of a loading zone adversely affects or degrades the adjacent properties. The Councilman goes on to state that if the project is approved, that the project is limited to 45 feet in height, that employee shifts be staggered, that there be incentives to encourage the use of public transportation, that all staff and employees be required to park on-site, and that all deliveries and loading/unloading be conducted on-site or within a designated loading zone.

Bill Christopher, Representative – In emails received on October 14, 2020, the applicant's representative submitted a series of documents: a "Response to Community Issues" dated October 9, 2020; a "Petition from the Neighbors" dated October 7, 2020; several graphical exhibits showing three, four, and five-story multi-family buildings in the area, including calculated heights as determined by a registered engineer; a "Response to Daniel Sidis" dated October 9, 2020; and a set of revised proposal renderings, building plans, and preliminary landscape plans.

Bill Christopher, Representative – In an email received on September 30, 2020, the applicant's representative volunteered the following:

- Increased side yard setbacks from 5 feet to 6 feet.
- Added articulation to front façade.
- Increased setback at front yard; the entry surround at ground level is setback 10 feet; the remainder of the ground floor façade is set back 11 feet; the next or base layer of the façade is set back 12 feet; the deepest layer of the façade is set back 13.5 feet.
- One men's and one women's shower will be provided for staff to promote biking to work.

- Deliveries to the site will be restricted to between 7 a.m. and 2 p.m.
- An 8-foot block wall along the north property line to screen the delivery entrance.
- Landscape privacy screen along the remainder of the north property line and full landscape privacy screening along the south property line.

A revised set of plans were submitted reflecting the above changes. In addition, a request was made to increase the advisement period until October 1, 2020.

Daniel Sidis, property owner – In a letter dated September 25, 2020, Mr. Sidis states his opposition to the project. Mr. Sidis, who owns the north adjoining property, makes the following statements: the property that I own is my entire retirement income; I have already lost 20 percent of rental income due to the proposed project; all of my south-facing units will become vacant as a result of the proposed project; I will not be able to rent these units at the current rate; it has been projected that I will lose 30 percent of my income as a result of the project; the project will result in the loss of views from the south-facing units; it has been projected that I will lose 20 to 30 percent in property value as a result of the project; project proposed reduced side and front yard setbacks will diminish the safety of vehicle egress from my property and diminish the desirability of my property, translating into reduced rental income and property value. With regard to the “practical difficulty and unnecessary hardship” finding, the applicant has not justified their costs to support the proposed project. The proposed project is out of character with the neighborhood; the applicant has misled regarding the character of other eldercare facilities in the area; the project is a singular building over three lots, which magnifies the decreased setbacks and increased height; the applicant’s comparison between their proposed building height and mine are erroneous and misleading, and is not compatible with it; the amount of daily activity at the project is vague and potentially misleading; and the applicant’s comparison of the proposed project to a theoretical Transit-Oriented Community development is misleading.

Nikki Vescovi, Co-Chair, Holt Eldercare Neighborhood Community Response Team – Email attachments were received on September 25, 2020, consisting of photographs of the existing development along Holt Avenue, an inventory of existing building stories along Holt Avenue entitled “Appendix 1 – Composition of Holt Properties”, and a document entitled “825-839 Holt Eldercare Community Response”.

Erica Goldberger, local resident – In an email dated August 25, 2020, Ms. Berger states that she is opposed to the project. In particular, Ms. Berger objects to the requested side and front yard setback reductions and the height increase, as these are in place for safety and accessibility reasons.

Brad Neufeld, local resident – In an email dated August 24, 2020, Mr. Neufeld states that he attended the hearing, but was not given the opportunity to provide testimony. He states that he has over 40 affidavit from residents who did not receive a notice; that the *Walnut Acres Neighborhood Association et al v. City of Los Angeles* and the Eldercare ordinance controls the case; that over 150 area residents petitioned against the project; that the developer has stated that without the requested deviations, the project would not be feasible; that in keeping with the Walnut case, there would be significant and material harm to

adjacent properties; that the applicant has no standing to have the project considered; findings under Walnut Creek cannot be made without proper notice, based on the information in the record; that claims made by the developer are speculative and referenced surveys were not available for review and comment; and based on the proposed cost of care, the project will not result in reduction in eldercare need.

ELDERCARE FACILITY UNIFIED PERMIT FINDINGS

Following (highlighted) is a delineation of the findings and the application of the relevant facts to same:

1. **The strict application of the land use regulations on the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.**

The project site, consisting of three lots, is a level, rectangular-shaped, interior, approximately 18,018 square-foot (0.41 acre) parcel of land with an even width and depth of 150 feet and 120 feet, respectively, and an approximately 150-foot frontage on the west side of Holt Avenue, located between Gregory Way to the north and Chalmers Drive to the south.

The property is located within the Wilshire Community Plan area, which designates it for Medium Residential land uses, having a corresponding zone of R3; the property is zoned [Q]R3-1-O. The property is within an Oil Drilling District, but not within the boundaries of or subject to any specific plan, community design overlay, or interim control ordinance. The property is subject to “Q” Qualified Conditions pursuant to Ordinance 167,335 which regulates open space, parking, building articulation, setbacks and tree planting requirements.

According to the City of Los Angeles Housing Element’s Housing Needs Assessment:

The City of Los Angeles is being affected by population and demographic trends that will have significant impacts on the housing needs of the future. Of most significance are the slowdown in population growth and changes in the age distribution of residents, including fewer children and dramatically higher numbers of seniors.

According to the 2010 Census, a little more than one-fourth (26%) of the City’s population in 2010 was young, aged 0 to 19 years old. Young adults (aged 20 to 35), generally the age when people form independent households, made up another quarter of the population (25%). Thirty-eight percent of the City’s population is aged 35 to 64 years old. This leaves about 10.5% of the population that is currently aged 65 years and older (396,696).

The fastest growing age group aligns broadly with the “baby boom” generation, which is currently between about 45 and 65 years old. There are about 190,000 more people in the City within this age group, compared to 10 years ago. In fact, the number of “new seniors” (from 2000 to 2010) increased faster

in the Los Angeles region than New York or any other metropolitan area. The rapid growth of seniors is in stark contrast to the decline of children and younger adults.

According to demographers, the next decade will be marked by growth of households without children, primarily by those headed by householders aged 55 and older. While the City's overall population is projected to increase by about 4.5 percent between 2010 and 2020, its senior population (65 and older) is expected to grow by approximately 45% percent during this time period (to approximately 562,992)¹¹. By 2020, seniors are expected to account for more than 14% of the City's households, compared to 10.5% in 2010. This far exceeds the growth of any other age groups in the City. The increasing numbers of older Angelenos will have important effects on the demand for housing to come.

The housing needs of seniors are particularly challenging and require special attention because of the combination of fixed incomes, physical and sensory disabilities, and mobility/transportation limitations, all of which limit access to appropriate and affordable housing. Housing for seniors should provide or be located in proximity to information, transportation, social/health services, and opportunities for community involvement.

For the purposes of this Housing Element, seniors include those persons aged 65 years or older. According to the Census 2010, seniors comprised 10.5% of the City's population (396,696 persons). Almost one-fifth of all households citywide (239,654 of 1,318,168 households in 2010) are headed by seniors. Forty-two percent (102,330) of these households are seniors who live alone while the rest are households comprised of senior heads-of-households living with other person(s). Nearly 58% (138,657) of those over 65 years old lived in owner-occupied housing, while 42% (100,997) were renters.

Many seniors also live in institutionalized settings and other group quarters. Per the Census 2010, 13,853 seniors (about 3.5%) lived in group quarters, which include institutions, hospitals, hospices, nursing homes, correctional institutions, and non-institutional group quarters. This population represents a decrease of 4,156 persons (or 23%) living in group quarters since 2000, despite increases in the total elderly population.

Among persons 65 years or older, 153,379 (40.1%)⁵¹ are living with disabilities per the ACS 2010. While physical (ambulatory) disabilities are the most prevalent among this population at 28.3%, other disabilities also have a significant impact on limiting housing choices: 21.7% have a hearing/vision disability; 21.4% have an independent living disability, 13% have a self-care disability; and 11.7% have a cognitive disability.

Persons with self-care limitations also have unique housing needs because they need the assistance of a companion or family member in order to

accomplish daily activities, such as dressing, bathing, or getting around inside the home. Twenty-four percent of disabled adults aged 18-64, and almost one-third of adults over the age of 65, have some sort of self-care difficulty. Resources that could be devoted to housing often need to be diverted to cover personal care assistance.

People with disabilities should have options allowing them to live in the most integrated setting possible. To provide for this, a full spectrum of affordable housing is needed, from conventional residences to transitional and permanent supportive housing, including group, congregate and independent housing. Independent, supported living in the most integrated setting possible is preferable, either through individual or shared single-family homes or apartments, providing each individual with his/her own bedroom. Support services may be provided either on- or off-site. Appropriate housing for persons with mental or physical disabilities may include affordable small or large group homes (near retail services and public transit), apartment settings with support, outpatient/day treatment programs, and inpatient/day treatment programs or crisis shelters. Persons who use wheelchairs need affordable, conveniently-located housing which has been specially adapted for wheelchair accessibility, along with other physical needs.

The applicant is requesting an Eldercare Facility Unified Permit pursuant to Los Angeles Municipal Code (LAMC) Section 14.3.1 to allow the construction of a new five-story over two subterranean level Eldercare Facility over the entire site. An Eldercare Facility is defined by Section 12.03 of the L.A.M.C. as *"one functionally operated facility which provides residential housing for persons 62 years and older, and which combines in one facility, two or more of the following types of uses: Senior Independent Housing, Assisted Living Care Housing, Skilled Nursing Care Housing, and/or Alzheimer's/Dementia Care Housing. A minimum of 75 percent of the floor area, exclusive of common areas, shall consist of Senior Independent Housing and/or Assisted Living Care Housing"*.

Pursuant to Section 14.3.1 of the L.A.M.C., the Zoning Administrator is authorized to permit an Eldercare Facility to be located on a lot or lots in the A 1 through R3 Zones, or in the RAS3, R4, RAS4, R5, and all C Zones, when an Eldercare Facility does not meet the use, area, or height provisions of the respective zone contained in this chapter, or the requirements of any specific plan, supplemental use district, "T" classification, "Q" condition, "D" limitation, or Citywide regulation adopted or imposed by City action.

Eldercare Facilities are permitted by-right in the R3 Zone. In accordance with the provisions of the Eldercare Facility Unified Permit process per LAMC Section 14.3.1, the applicant is seeking an Eldercare Facility with Assisted Living Care and Alzheimer's/Dementia Care Housing within the [Q]R3-1-O Zone, with deviations to allow for:

- A maximum of 80 guest rooms in lieu of the otherwise permitted 36 guest rooms pursuant to LAMC Section 12.10-C,4;
- A maximum Floor Area Ratio (FAR) of 5.06:1 in lieu of the otherwise permitted 3:1 FAR pursuant to LAMC Section 12.21.1;
- A maximum building height of 58 feet in lieu of the otherwise maximum 45 feet pursuant to LAMC Section 12.21.1.
- A continuous width of the exterior walls fronting Holt Avenue to exceed 40 feet without a change in plane as otherwise required pursuant to Ordinance No. 167,335.
- A 10-foot front yard in lieu of the otherwise required 20-foot front yard pursuant to Ordinance No. 167,335.
- 6-foot side yards in lieu of the otherwise required 8-foot side yards pursuant to Ordinance No. 167,335.
- Waiver of the long-term bicycle parking requirements otherwise required pursuant to LAMC Section 12.21-A,16(a)(2).

The requested deviations from the LAMC are necessary for the proposed Eldercare Facility to enable a financially viable eldercare facility; without such deviations it is impractical and infeasible to build such a facility on the subject property.

The project proposes the demolition and removal of the three duplexes and the construction, use, and maintenance of an approximately 57,680 square-foot Eldercare Facilities development consisting of both assisted living and Alzheimer's/Dementia uses. The proposed Eldercare Facility will contain 80 guest rooms, of which 62 guest rooms will be designated for Assisted Living Care and 18 guest rooms will be designated for Alzheimer's/Dementia Care. The proposed 5-story building will have a total FAR of 5.06:1 and have a maximum height of 58 feet.

Pedestrian access to the project site would be provided from the existing sidewalk along Holt Avenue, which would provide direct access to the ground-floor lobby. The proposed project provides 6 bicycle short-term spaces as required; no long-term bicycle parking spaces will be provided.

The project will provide 36 parking spaces (31 spaces for the Assisted Living guest rooms at a ratio of 0.5 spaces per unit and five spaces for the Alzheimer's/Dementia Guest Rooms at a ratio of 0.2 spaces per bed), which complies with the parking required pursuant to LAMC Section 12.21-A,4(u). On-site parking is provided entirely within a second level subterranean level. No vehicular parking will be visible from the street. Vehicular access to the proposed project will be directly from Holt Avenue via a single two-way driveway. Existing vehicular access to the three duplexes will be consolidated into the single driveway located on the northern end of the property.

The facility is planned to have two subterranean levels – the first level containing common area amenities, and the second level containing underground parking. The building design maximizes natural light and natural ventilation for the primary common areas below grade by means of two expansive courtyards that daylight out to the sky.

The Guest Room accommodations include small bar sinks and under counter refrigerators but do not include any cooking. The facility will maintain a central kitchen and common dining area. Over 29,600 square feet (51% of the project floor area) is dedicated to common area amenities and open space/recreational areas for the project. Amenities include dining (three meals a day), bistro for snacks and refreshments, theater, library, fitness center, multi-purpose activities rooms, lounges and living room areas, beauty salon, outdoor space, including a rooftop deck, and administrative offices.

The focus of the staff in the Assisted Living Care area would be balancing the residents' need for care with their desires to remain independent. The Alzheimer's/Dementia Care area of the facility is designed to answer the needs of residents with varying levels of dementia or other degenerative conditions. Caregiver oversight and supervision would be provided to prevent accidents that may occur otherwise. The Alzheimer's/Dementia Care floor would also include an increased staff-to-resident ratio. Additionally, this area of the project would be more confined and secured as per applicable standards and regulations. The project would also provide security features including, but not limited to, controlled access to on-site parking areas and building entries, particularly after regular business hours, video surveillance, and security lighting.

Floor Area Ratio (FAR) and Density

The subject 18,018 square-foot property is zoned [Q]R3-1-O, which permits a density of one guest room per 500 square feet of lot area, for a maximum of 36 guest rooms on the subject site. Height District No. 1 permits a maximum Floor Area Ratio (FAR) of 3.0:1, or approximately 34,170 square feet based on 11,390 square feet of buildable area. The project proposes a total of 80 guest rooms (62 Assisted Living guest rooms and 18 memory care guest rooms) and a total floor area of 57,680 square feet for an FAR of 5.06:1.

The density and FAR deviations are necessary to provide a financially feasible project. Without this many guest rooms and proposed common areas the facility cannot operate nor achieve the economies of scale with staff, medical care, equipment, food and the like. As a result, the project requests to deviate from the underlying R3 zoning area regulations and Ordinance No. 167,335 by proposing an FAR of 5.06:1.

The additional FAR would allow for the construction of the proposed number of guest rooms which are sufficient in size throughout the entirety of the site. The total gross area of the proposed facility is approximately 57,680 square feet, split between approximately 29,610 square feet of common area and 28,070 square feet of Guest Room/livable area.

As proposed, all of the increased floor area is devoted to common areas to support the residents' needs. Senior Assisted Living and Memory Care projects require substantial support services and common areas to provide a

healthy environment for a senior population to age in place. The proposed project seeks to provide significant "quality-of-life" amenities rather than minimally-equipped facilities. The proposed common areas include a dining area, bistro, large kitchen, a second common kitchen and dining area is provided on the second level to serve the Alzheimer's component. In addition, there are laundry facilities, common bathrooms and other on-site amenities such as libraries, fitness room, activities room, beauty salon and lounge areas on each level. All of the resident rooms are designed as Guest Rooms without a kitchen and will be smaller in size than a standard Dwelling Unit. Much of the increased floor area is devoted to common areas serving the needs of the residents, which are contained largely in the first subterranean level of the building. The building design maximizes natural light and natural ventilation for the primary common areas below grade by means of two extensive courtyards that daylight out to the sky.

Due to the special needs of the residents, Eldercare Facilities must maintain staff on-site to monitor and assist elderly residents with basic needs and also requires the provision of substantial common indoor and outdoor areas and on-site amenities to support the unique needs of elderly residents that are key to quality of care and quality of life for the residents. The provision of on-site staff and a substantial level of common areas and on-site amenities requires a minimum number of Guest Rooms and beds to achieve economies of scale necessary to maintain the viability of these facilities. From an operational standpoint, Eldercare Facilities require multiple salaried employees, such as executive director, marketing director, culinary director, activities director, resident services director, and memory care director. The salaries of these employees are mostly driven by market conditions, not size of facility. In addition, to make Eldercare Facilities financially feasible, certain costs such as land cost and architectural fees, need to be divided across a sufficient number of Guest Rooms and beds. As with salaried employees and other operational costs, land cost is market driven and architectural fees are not proportional to Guest Room and bed count.

The applicant has submitted a financial feasibility analysis, conducted by The Concord Group (TCG), dated August 14, 2020, demonstrating that the project is not feasible unless constructed as proposed.

In order to assess the financial viability of each scenario, TCG completed the following work scope:

- Reviewed applicant's return-on-cost financial model using top-line-revenue input from a market study (also conducted by TCG), costs from general contractor bids and relevant site background materials including zoning and entitlement documents.

- Addressed the reasonableness of the financial model inputs through industry expertise and market research, with specific vetting of construction costs, rental revenue and operating expense assumptions.
- Provided conclusions with respect to the feasibility or infeasibility of the two development scenarios.

TCG examined the financial returns of two development scenarios:

- **Scenario A** features an eldercare development utilizing the current zoning (no variances). Utilizing the maximum floor area of 26,985 SF, this development would feature 36 Assisted Living guest rooms. This program requires 18 parking stalls.
- **Scenario B** features an Eldercare development utilizing proposed variances which result in an increase of total floor area. The proposed floor area of 57,680 SF increases the guest room count to 80. Of these 80 guest rooms, 62 would be Assisted Living and 18 would be Memory Care. This program requires 36 parking stalls.

To assess the financial feasibility of each scenario, TCG employed a commonly used senior living and multi-family industry metric - return on cost. Return on cost is calculated by dividing the stabilized NOI (gross income, less vacancy and operating expenses) by the total project cost (sum of land costs, hard costs and soft costs). Investors and construction lenders typically require a return on cost equal to the market cap rate plus a spread to reflect the developer's risk. The spread is typically 150 basis points for eldercare projects (the higher spread reflecting the increased risk associated with the operational intensity of eldercare). Based on recent transactions of comparable eldercare communities in similar California locations, the market cap rate is assumed to be 5.00%. The target cap rate of 5.00%, plus 150 basis points, means the target minimum yield on cost for the project is 6.50%.

Development Standard	Scenario A (By-Right)	Scenario B (Proposed)
Site Size (SF)	18,003	18,003
Building Area (SF)	26,985	57,680
Height (ft)	45	58
Total Guest Rooms	36	80
-Assisted Living	36	62
-Alzheimer's/Dementia	0	18
Parking	18	36
NOI	\$1,100,000	\$3,500,000
Land / Construction Costs	\$35,100,000	\$53,300,000
Yield on Cost (YOC)	3.13%	6.57%

Based on the developer required yield on cost, the only development proposal that is financially feasible is Scenario B. Scenario A yields a return on cost of 3.13%, well under the 6.50% threshold, while Scenario B yields a 6.57%. The proposed eldercare project meets/exceeds the industry standard feasibility threshold, demonstrating that the variances requested through the eldercare permit are necessary to build a financially viable project. Without the requested floor area, height, and other deviations, the project could not be built.

The Zoning Administrator finds that the analysis of the alternative development scenario is reasonable and adequately demonstrates that the development alternatives for a by-right eldercare facility is not viable, and the strict application of the land use regulations on the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations and inconsistent with the City's objective to promote and facilitate needed housing and services for the elderly.

Height, Articulation, and Setbacks

The subject property is zoned [Q]R3-1-O Zone, which permits a maximum height of 45 feet. Ordinance No. 167,335 (effective November 15, 1991) established permanent "Q" Qualified conditions that further regulate development on the property by requiring a minimum building articulation of 5 feet for a distance of 8 feet between any 40-foot continuous width of any exterior wall facing a public street, a minimum 20-foot front yard setback and minimum 8-foot side yard setbacks.

The project seeks to deviate from the maximum height limit by proposing a height of 58 feet, a minimum 10-foot front yard setback, minimum 6-foot side yard setbacks, and having a continuous width of the exterior walls fronting Holt Avenue exceeding 40 feet without the required change in plane.

These deviations are necessary to provide the floor area for both the number of proposed guest rooms and the variety of common area amenities that responds to the practical needs of the elderly residents. The floor plans are designed to allow wider interior hallways and corridors than typical apartments to allow for two-way traffic for those with disabilities or mobility aids. Unlike typical apartments, these hallways provide intermediary seating areas for residents as they move within the facility between the guest rooms and common areas. The distribution of common areas is designed in such a way that would make them widely available to residents, and to create opportunities for a variety of activities. Not granting these deviations would result in a building envelope that cannot accommodate the floor area necessary for a viable facility.

The project has been designed to minimize its height at the rear of the property, immediately adjacent to several two-story duplex residential buildings; changes of plane have been incorporated into the street-facing side

of the building, resulting in changes of plane from 1 foot to 5 feet in depth, but there remains one ground-level portion of the façade which exceeds the 40-foot width minimum before a change in plane.

Therefore, inasmuch as the deviations are directly related to the previously discussed need for additional FAR and guest rooms, the project requests to deviate from the underlying R3 zoning regulations and the “Q” Conditions of Ordinance No. 167,335 are reasonable, and the strict application of these land use regulations on the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.

Long-Term Bicycle Parking

The proposed use as an Eldercare Facility requires the provision of long-term bicycle parking at a ratio of 1 per 5,000 square-feet. Based on the project’s total floor area of 57,680 square feet, 12 long-term bicycle parking spaces are required. The project proposes to provide no long-term bicycle parking spaces; code-required short-term bicycle parking will be provided.

For the purpose of determining the number of long-term bicycle parking spaces required by a proposed project, the Municipal Code does not provide a specific ratio for Eldercare Facilities; rather, the use is considered as an “Institutional” use. The facility’s residents are occupying assisted living or memory care guest rooms. It is reasonable to assume that these residents are not typically physically able to ride bicycles, and therefore do not require long-term bicycle parking spaces. Providing space to maintain long-term bicycle parking within the constraints of the proposed facility would necessitate sacrificing other, more relevant features of the facility, which contribute to the viability of the operation. Therefore, the strict application of these land use regulations on the subject property would result in unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.

While the Zoning Administrator is authorized to grant relief from the zoning regulations, including the Specific Plan regulations, the Zoning Administrator’s authority only applies to relief from the zoning regulations necessary to facilitate the construction of an Eldercare Facility. With respect to the requested deviations, a fully zoning compliant project would not produce a viable facility. Given the nature of the facility, which requires substantially more common areas and on-site amenities than a traditional multi-family residential building, the [Q]R3-1-O Zone contain distinct regulations that make it impractical to provide an efficient layout and functional design for the proposed facility.

In light of the foregoing, the Zoning Administrator concurs that the relief requested, including an increased floor area, guest room density, and height; reduced front and side yards; and waiver of the exterior wall plane articulation and long-term bicycle parking requirements, is necessary to achieve the density and floor area necessary

to maintain the viability of the eldercare facility. In addition, the relief requested is necessary to serve a city- and area-wide demand for assisted living and memory care facilities for an aging population. Without such deviations, the zoning regulations restricting the building envelope would make the construction of the Eldercare Facility on the subject property impractical and infeasible. Thus, as discussed above, the strict application of the land use regulations on the subject property would result in practical difficulties and unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.

2. **The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.**

The proposed project is a new five-story, 58-foot in height, 57,680 square-foot Eldercare Facility containing 62 Assisted Living guest rooms and 18 Alzheimer's/Dementia guest rooms, with two subterranean levels, in the [Q]R3-1-O Zone. In addition, the project will provide a reduced front yard setback of 10 feet, reduced side yard setbacks of 6 feet, a deviation from the maximum 40-foot width articulation requirement, and no long-term bicycle parking.

The project will provide Code-required 36 parking spaces entirely within the second subterranean level. No vehicular parking will be visible from the street. Vehicular access to the project will be directly from Holt Avenue via a single two-way, 24-foot-wide driveway. Existing vehicular access will be consolidated from three existing driveways into a single driveway located on the northern end of the property.

Pedestrian access to the project site would be provided from the existing sidewalk along Holt Avenue, which would provide direct access to the ground-floor lobby. The proposed project provides 6 short-term bicycle spaces as required; no long-term bicycle parking spaces will be provided.

The facility is planned to have two subterranean levels – the first level containing common area amenities, and the second level containing underground parking. The building design maximizes natural light and natural ventilation for the primary common areas below grade by means of two expansive courtyards that daylight out to the sky.

The ground level is proposed to contain a lobby, mail room, bistro, kitchen main dining area, a dining courtyard, restrooms, 10 Assisting Living guest rooms, and offices for the administrative staff. The second level would be reserved for Alzheimer's/Memory Care residents, and contain a small elevator lobby, dining room, living room, a wellness office, restroom, activity area, and 18 guest rooms. The third and fourth levels are proposed identically, featuring a small elevator lobby, restroom, wellness office, and 19 Assisted Living guest rooms. The fifth level is proposed to contain a small elevator lobby, a dining room, restroom, 14 Assisted Living guest rooms, and three separate outdoor patio areas facing the interior and rear of the building.

The Guest Room accommodations include small bar sinks and under counter refrigerators but do not include any cooking. The facility will maintain a central kitchen and common dining areas. Over 29,600 square feet (51% of the project floor area) is dedicated to common area amenities and open space/recreational areas for the project. Amenities include dining (three meals a day), bistro for snacks and refreshments, theater, library, fitness center, multi-purpose activities rooms, lounges and living room areas, beauty salon, outdoor space, including a rooftop deck, and administrative offices.

The focus of the staff in the Assisted Living Care area would be balancing the residents' need for care with their desires to remain independent. The Alzheimer's/Dementia Care area of the facility is designed to answer the needs of residents with varying levels of dementia or other degenerative conditions. Caregiver oversight and supervision would be provided to prevent accidents that may occur otherwise. The Alzheimer's/Dementia Care floor would also include an increased staff-to-resident ratio. Additionally, this area of the project would be more confined and secured as per applicable standards and regulations. The project would provide security features including, but not limited to, controlled access to on-site parking areas and building entries, particularly after regular business hours, video surveillance, and security lighting.

The project site, consisting of three lots, is a level, rectangular-shaped, interior, approximately 18,018 square-foot (0.41 acre) parcel of land with an even width and depth of 150 feet and 120 feet, respectively, and an approximately 150-foot frontage on the west side of Holt Avenue, located between Gregory Way to the north and Chalmers Drive to the south.

Surrounding properties are similarly zoned [Q]R3-1-O and improved with multi-level, multi-family apartment buildings. The north adjoining property is developed with a four-story over one subterranean parking level apartment building containing six dwelling units. The five east adjoining properties, across Holt Avenue, are developed with two-story multi-family buildings containing between two to six units. The south adjoining property is developed with a three-story residential condominium building containing seven dwelling units. The four west and southwest adjoining properties, fronting on Sherbourne Drive, are developed with two-story multi-family buildings containing two and three dwelling units. The northwest adjoining property, fronting on Sherbourne Drive, is developed with a four-story over one subterranean parking level apartment building containing six dwelling units.

Of the 12 properties fronting on the western side of Holt Avenue, seven properties (exclusive of the three subject properties) are developed with two-story residential buildings, one property is developed with a two-story over parking garage residential building (three-story in appearance), and one is developed with a four-story over subterranean parking level residential building. Of the eleven properties fronting on the eastern side of Holt Avenue, eight properties are developed with two-story residential buildings and three properties (developed with a single building) has a three-story residential building.

Holt Avenue, abutting the subject property to the east, is a standard Local Street dedicated a right-of-way width of 60 feet and improved with asphalt roadway, concrete curb and gutter, 4-foot wide concrete sidewalks, and approximately 6-foot wide parkways.

The proposed five-story, 58-foot in height, 57,680 square-foot building will provide a reduced front yard setback of 10 feet, reduced side yard setbacks of 6 feet, a deviation from the maximum 40-foot width articulation requirement, and no long-term bicycle parking.

Eldercare Facilities are a permitted residential use within the R3 Zone. The proposed Eldercare Facility will provide Assisted Living Care and Alzheimer's/Dementia Care services. Pursuant to the State of California's licensing requirement, and as defined by LAMC Section 12.03, Assisted Living Care would provide assistance with two or more non-medical activities of daily living, and full-time medical services are not permitted on-site. Residents of the Alzheimer's/Dementia Care housing may require 24-hour care, which is permitted as defined by LAMC Section 12.03.

The project will contain 80 guest rooms consisting of 62 Assisted Living guest rooms and 18 Alzheimer's/Dementia guest rooms, in lieu of the 36 guest rooms otherwise permitted by the R3 Zone. Given the limited mobility of the residents, the applicant's stated economies of scale necessary to care for these residents, and the citywide need for eldercare facilities, the guest room density is reasonable. Along with the proposed guest room density, a host of secondary issues arise: visitor, staff, and vendor parking and increased traffic; and sirens associated with emergency service calls. The project does not request any deviation from the parking requirement of the Zoning Code. According to the staff report proposing the Eldercare Facility Unified Permit process, prepared by the Department of City Planning and dated May 8, 2003, staff and visitor parking needs are reflected in the parking requirements. Further, "[r]esident vehicles do not contribute measurably to traffic volumes generated by Eldercare Facilities, because most residents, as a result of their age and physical limitations, do not drive. A study by the American Seniors Housing Association concluded that the average number of resident vehicles at an Independent Senior Housing Facility or an Assisted Living Care Facility is 0.05 vehicles per unit. This is extremely low compared to other housing types."

Nevertheless, conditions have been incorporated into this approval which require the applicant to develop an incentive program to encourage staff to utilize public or alternative transportation or to only utilize the available on-site parking; that staffing be staggered to minimize the number of staff on-site at any one time; and that vendor deliveries times be restricted and limited to only occurring within a designated loading zone or within the parking garage. The Department of Transportation has analyzed the parameters of the project and determined that the project results in a less-than-significant impact on vehicles miles traveled. Testimony received indicated that that calls for emergency services at these facilities are much lower than perceived.

The proposed building envelope is larger than most other structures in the immediate area, but it is compatible with development in the immediate neighborhood.

The properties located immediately to the north and northwest of the property are developed with four-story residential buildings, having heights of approximately 45 feet (not including rooftop access structures), and the south adjoining property is developed with a two-story over parking garage residential building, appearing as a three-story building. As proposed, the five-story building would be one story taller than those to the north and northwest, and two stories taller than the southern property. The adjoining properties to the east, across Holt Avenue, and the west, fronting on Bedford Street, are developed with two story buildings.

The project has incorporated a number of features in an effort to minimize the project's height and massing within the surrounding community: it proposes two below-ground levels – one to accommodate required parking, and another to accommodate many of the common areas and services provided by the facility; the rear of the building is broken into two masses, separated by an uncovered 1,400 square-foot outdoor patio located on the ground level; and the fifth floor expands on this separation by the development of uncovered outdoor patio areas, further minimizing the bulk of the height of the building, as it appears from the west. The applicant has submitted a shade/shadow analysis of the project which shows that the proposed building would not have an impact on the eastern and western adjoining buildings.

Along the east-facing frontage of the building, the massing is broken up through the use of changes in plane, with a change in design and material between the ground-level and the upper four levels. Though these changes in plane do not meet the 5-foot depth change for a minimum span of 8 feet standard set by the existing [Q] condition of the zone, but they do offer aesthetic relief in contrast to a single-plane monolithic building façade.

As proposed, the project would observe a reduced front yard setback of 10 feet; the applicant has clarified, with updated plans verifying, that most of the building would observe front yard setbacks of 11 feet to 16 feet, with the 10-foot setback being located around the building entryway, though still less than the 20 feet otherwise required by the [Q] condition of the zone. While most of the development along either side of Holt Avenue appears to observe a uniform front yard setback, most of the properties also appear to have been developed with less than the 20 feet otherwise required; this is observed using the City Planning Department's Zoning Information and Map Access System, and measuring the distance between the buildings as they appear in the 2017 Digital Color Ortho photo and their relationship to the property boundary in that geographic information system. Many properties along the west side of Holt Avenue appear to observe approximately 13-foot front yard setbacks. With this consideration, the requested front yard setback is a reasonable deviation in consideration of the benefit the eldercare facility represents.

The northern adjoining property owner has expressed concern that the 10-foot front yard setback will decrease the safety of vehicles existing his property; the northern adjoining property is developed with a subterranean parking garage, with their descending parking ramp alongside the shared side property line. On closer examination, the project will not result in significantly less safety for the northern property owner. At present, the northern property and the immediately southern adjoining property (representing the northern portion of the project site), share a driveway apron. The project property is presently improved with a one-lane driveway at this location. The proposed project would expand upon this driveway width to create a 24-1/2-foot wide driveway, with accompanying increase in driveway apron width. This, combined with the depth of the existing sidewalk, should provide an increased field of view of on-coming north-bound traffic. Nevertheless, the proposed driveway plan will be reviewed by the Departments of Building and Safety and Transportation to ensure that the proposed development does not conflict with safety regulations for vehicle ingress and egress.

Concerns have been raised about the proposed 6-foot side yards, in lieu of the required 8-foot side yards, and how they are necessary to facilitate emergency personnel access to the sides and rear of the building in case of emergency. While the side yard setbacks are utilized for access to the sides and rear yard areas of a property, the purpose of the setbacks are not for emergency access – they are there to convey a sense of developmental density through the physical separation of buildings on adjoining properties. Though the proposed building will observe reduced side yard setbacks, the building will be constructed to the latest fire and seismic standards, and should pose a lesser threat to failure under such stress than other older buildings in the area. In response to community concern regarding the originally proposed 5-foot side yard setbacks, the applicant has revised their plans to reflect the now considered 6-foot setbacks. With this consideration, the requested side yard setback is a reasonable deviation on balance with the benefit the eldercare facility represents.

The combination of Assisted Living and Alzheimer's/Dementia Care housing and the operation of the facility is generally considered a passive use. Although the project proposes a substantial amount of outdoor open space, it is not anticipated that the facility would result in noises that would be considered a nuisance or inconsistent to the surrounding residential uses. The applicant has submitted a noise analysis for construction-related noise impacts which found no significant adverse impacts.

The project, though exceeding some developmental regulations, is compatible with the surrounding area and reflects the gradual developmental trends occurring within the broader neighborhood, as evidenced by an applicant-submitted survey of building types within several blocks of the project site. As a part of this approval, the Zoning Administrator has imposed conditions on the development and operation of the use to ensure that it remains compatible with its surroundings. As conditioned, it is found that the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

3. **The project shall provide services to the elderly such as housing, medical services, social services, or long-term care to meet citywide demand.**

The proposed facility consists of 80 guest rooms: 62 guest rooms for Assisted Living Care and 18 guest rooms for Alzheimer's/Dementia Care Housing. As designed, the project meets the definition of an "Eldercare Facility," which requires that it is "one functionally operated facility which provides residential housing for persons 62 years and older, and which combines in one facility, two or more of the following types of uses: Senior Independent Housing, Assisted Living Care Housing, Skilled Nursing Care Housing, and/or Alzheimer's/Dementia Care Housing. A minimum of 75 percent of the floor area, exclusive of common areas, shall consist of Senior Independent Housing and/or Assisted Living Care Housing" (LAMC Section 12.03).

The US Census estimates that since 2011, the population of people aged 65 and over in California has grown at a faster rate than the total population of the state. As noted by the City's Housing Element, the senior population in the City of Los Angeles is projected to grow by roughly 45 percent between 2000 and 2020, with seniors expected to account for more than 14 percent of the City's households by 2020. The senior age group is the fastest growing group in the City. The City has established objectives and programs to help provide eldercare facilities for the City's growing senior population. The Eldercare entitlement process embodied within Section 14.3.1 of the LAMC is a process adopted by the City in attempts to streamline the entitlement process for these developments.

Further, one of the Housing Element objectives is to assist in the development of 250 senior units each year; Construct 1,750 Eldercare units; and explore the creation of an affordability component to Eldercare Ordinance.

As the City of Los Angeles responds to market demands for increased senior housing models, the proposed Project seeks to address the growing need for eldercare housing by providing Assisted Living and Alzheimer's/Dementia care options on a site that has historically been used for multifamily residential purposes. On a site originally developed and proposed for apartment units, the project intends to continue the use of the property for residential purposes, now targeted toward an elderly population which will increase in coming years.

The proposed facility is designed to provide housing and services to meet the special needs of elderly residents. Approximately 51% of the project's floor area is devoted to common areas and on-site support services for the residents. The residential common areas would be located within the first subterranean level through the fifth floor, and include wellness rooms, an open lounge, a fitness room, common dining rooms, activity rooms, family/living rooms, and building lobby bistro for snacks and drinks, a salon and theatre room. According to the applicant, the distribution of open space and amenities throughout the project is intended to make the facilities widely available to residents, as well as create opportunities for a wider variety of activities and allow each space to be shared both collectively and by groups of residents for community engagement and interaction. The building would also include a central

kitchen. These on-site uses are intended to provide quality care and amenities and enhance the quality of life of the eldercare facility residents and surrounding community.

The focus of the staff in the Assisted Living Care area would be balancing the residents' need for care with their desires to remain independent. The Alzheimer's/Dementia Care area of the facility is designed to answer the needs of residents with varying levels of dementia or other degenerative conditions. Caregiver oversight and supervision would be provided to prevent accidents that may occur otherwise. The Alzheimer's/Dementia Care second floor would also include an increased staff ratio. Additionally, this area of the project site would be more secured as per applicable standards and regulations. Overall, the project would provide security features including, but not limited to, controlled access to on-site parking areas and building entries, particularly after regular business hours, video surveillance, and security lighting.

The facility will provide varying levels of senior care and housing to ensure a continuum of care and allow residents to age in place, have access to assisted care, which would help alleviate the increasing demand placed on the housing market by seniors. As such, the project provides services to the elderly, including housing, medical services, social services, and long-term care to meet citywide demand.

4. The project shall not create an adverse impact on street access or circulation in the surrounding neighborhood.

Pedestrian access to the project site would be provided from existing sidewalks along Holt Avenue, which would provide direct access to the ground-floor lobby. Six short-term bicycle parking stalls will be provided on-site. Due to the compromised physical and mental state of its residents, residents are unlikely to ride a bicycle and, therefore, the project will not provide long-term bicycle parking.

Vehicle access to the project site would be provided along Holt Avenue at the northeast corner of the project site with one 24-foot-wide driveway for both ingress and egress, consolidating three existing driveways. 36 on-site parking spaces for project will be provided in conformance to the code within a subterranean parking structure.

The elderly population residing on the site either require assistance with at least two activities of daily living or are afflicted with Alzheimer's or dementia; as such, most residents are not able to drive vehicles. The project's internal circulation and parking plan is designed with a driveway for ingress and egress to minimize congestion and back-up onto the street. All circulation would be contained on site with access to the subterranean parking garage. Moreover, the driveway access and circulation would be subject to review and approval by the Department of Transportation at the time of permitting.

A Transportation Study Assessment, conducted by the Department of Transportation, dated August 5, 2020, determined that the project would result in a net increase of

87 daily trips; therefore, the project would not result in a significant transportation impact on Vehicle Miles Traveled (VMT). Based on the VMT thresholds established in LADOT's Transportation Assessment Guidelines, this project does not exceed the 250 daily trip threshold for a significant impact.

Conditions have been made a part of this approval to ensure that operation of the facility will not conflict with the community; as such, the project shall not create an adverse impact on street access or circulation in the surrounding neighborhood.

5. **The project provides for an arrangement of uses, buildings, structures, open spaces and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood.**

The proposed project is a new five-story, 58-foot in height, 57,680 square-foot Eldercare Facility containing 80 guest room consisting of 62 Assisted Living guest rooms and 18 Alzheimer's/Dementia guest rooms, with two subterranean levels, in the [Q]R3-1-O Zone. The project will provide a 10-foot minimum front yard setback, 6-foot side yard setbacks, a 15-foot rear yard setback, a deviation from the maximum 40-foot width frontage façade articulation requirement, and no long-term bicycle parking.

Eldercare Facilities are a permitted residential use within the R3 Zone. The proposed Eldercare Facility will provide Assisted Living Care and Alzheimer's/Dementia Care services. Pursuant to the State of California's licensing requirement, and as defined by LAMC Section 12.03, Assisted Living Care would provide assistance with two or more non-medical activities of daily living, and full-time medical services are not permitted on-site. Residents of the Alzheimer's/Dementia Care housing may require 24-hour care, which is permitted as defined by LAMC Section 12.03.

Surrounding properties are similarly zoned [Q]R3-1-O and improved with multi-level, multi-family apartment buildings. The north adjoining property is developed with a four-story over one subterranean parking level apartment building containing six dwelling units. The five east adjoining properties, across Holt Avenue, are developed with two-story multi-family buildings containing between two to six units. The south adjoining property is developed with a three-story residential condominium building containing seven dwelling units. The four west and southwest adjoining properties, fronting on Sherbourne Drive, are developed with two-story multi-family buildings containing two and three dwelling units. The northwest adjoining property, fronting on Sherbourne Drive, is developed with a four-story over one subterranean parking level apartment building containing six dwelling units.

Of the 12 properties fronting on the western side of Holt Avenue, seven properties (exclusive of the three subject properties) are developed with two-story residential buildings, one property is developed with a two-story over parking garage residential building (three-story in appearance), and one is developed with a four-story over subterranean parking level residential building. Of the eleven properties fronting on the eastern side of Holt Avenue, eight properties are developed with two-story

residential buildings and three properties (developed with a single building) has a three-story residential building.

The proposed building envelope is larger than most other structures in the immediate area, but it is compatible with development in the immediate neighborhood.

The properties located immediately to the north and northwest of the property are developed with four-story residential buildings, having heights of approximately 45 feet (not including rooftop access structures), and the south adjoining property is developed with a two-story over parking garage residential building, appearing as a three-story building. As proposed, the five-story building would be one story taller than those to the north and northwest, and two stories taller than the southern property. The adjoining properties to the east, across Holt Avenue, and the west, fronting on Bedford Street, are developed with two story buildings, and the proposed eldercare facility would observe the code-required 15-foot rear yard setback.

The project has incorporated a number of features in an effort to minimize the project's height and massing within the surrounding community: it proposes two below-ground levels – one to accommodate required parking, and another to accommodate many of the common areas and services provided by the facility; the rear of the building is broken into two masses, separated by an uncovered 1,400 square-foot outdoor patio located on the ground level; and the fifth floor expands on this separation by the development of uncovered outdoor patio areas, further minimizing the bulk of the height of the building, as it appears from the west. The applicant has submitted a shade/shadow analysis of the project which shows that the proposed building would not have a significant effect on the eastern and western adjoining buildings.

Along the east-facing frontage of the building, the massing is broken up through the use of changes in plane, including a change in design and material between the ground-level and the upper four levels. Though these changes in plane, which vary between 1 foot and 5 feet, do not meet the 5-foot depth change for a minimum span of 8 feet standard set by the existing [Q] condition of the zone, they do offer aesthetic relief in contrast to a single-plane monolithic building façade.

As proposed, the project would observe a front yard setback of 10 feet. The applicant has clarified, with updated plans verifying, that most of the building would observe front yard setbacks of 11 feet to 16 feet, with the 10-foot setback being located around the building entryway. While much of the development along either side of Holt Avenue appears to observe a uniform front yard setback, most of the properties also appear to have been developed with less than the 20 feet otherwise required; this is observed using the City Planning Department's Zoning Information and Map Access System, and measuring the distance between the buildings as they appear in the 2017 Digital Color Ortho photo and their relationship to the property boundary in that geographic information system. Many properties along the west side of Holt Avenue appear to observe approximately 13-foot front yard setbacks. With this consideration,

the requested front yard setback is a reasonable deviation in light of the benefit the eldercare facility represents.

The project proposes 6-foot side yard setbacks, in lieu of the 8 feet required by regulations contained within the [Q] Qualified conditions attached to the zone of the property. This is required because the development exceeds 99 feet of frontage along Holt Avenue. Observation of the development in the immediate neighborhood did not reveal any newer buildings that have been constructed since the application of this setback requirement which has a street frontage exceeding 99 feet. Closer observation of the pattern of development along Holt Avenue reveals variations between 5 feet and 3 feet, among buildings constructed on one or two 50-foot wide lots. As such, the proposed side yard setback is consistent with the existing pattern of development within the neighborhood.

An Eldercare Facility use is a generally passive, non-impactful, residential use and any operations associated with the facility including maintenance activity or noise emitted from the site is not expected to expose surrounding residential uses to severe, on-going noise or nuisances.

Although the proposed building requires additional density, floor area, height, and setbacks, among other deviations, the expanded building envelope would accommodate space that will be utilized to provide for on-site services and amenities for residents who are unable to travel to nearby facilities which provide senior services. As such, the project has been designed to the extent feasible to maintain compatibility with the surrounding uses and also to enhance the aesthetics of the surrounding neighborhood, and represents an arrangement of uses, buildings, structures, open spaces and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood.

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

The General Plan is the City's roadmap for future growth and development. The General Plan Elements establish goals, policies, purposes, and programs 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 implemented in the form of Municipal Code requirements. The General Plan is comprised of the Framework Element, seven state-mandated elements, and four additional elements. The Framework Element establishes the broad overall policy and direction for the General Plan.

The Housing Element of the General Plan contains Housing Goals, Policies, Objectives, and Programs, which state the following:

- Goal 1.1** Produce an adequate supply of rental and ownership housing to meet current and projected needs.

Policy 9 Facilitate Housing for Senior and Disabled Persons. ... Explore options to introduce greater accessibility and affordability into the Eldercare process, given the significant zoning benefits provided ...

Objective: Construct 1750 Eldercare units.

The Land Use Element of the General Plan is comprised of 35 Community Plans spanning the City of Los Angeles. The project site is located within the boundaries of the Wilshire Community Plan, which designates the subject property for Medium Residential land uses corresponding to the R3 Zone. The subject property is zoned [Q]R3-1-O and is thus consistent with the existing land use designation. The Community Plan states the following:

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

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 1-4 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.

The project is in close proximity to the following bus stops which are located near the project site along Wilshire Boulevard to the north, La Cienega Boulevard to the east and Olympic Boulevard to the south:

- Metro Local Lines – 105 (0.1 miles); 20 (0.25 miles); and 28 (0.21 miles)
- Metro Rapid Line – 720 (0.25 miles)

La Cienega Community Center (City of Beverly Hills) is located at the southeastern corner of La Cienega Boulevard and Gregory Way (0.15 miles).

The proposed new Eldercare Facility, located within Tier 3 of a Transit-Oriented Community-eligible transit stop, will provide 80 guest rooms for seniors who either need assisted living services or are suffering from Alzheimer's/Dementia. The project would promote greater choice in the type of housing for that vulnerable and fast-growing demographic, and would provide varying levels of care to satisfy a range of

needs, and is close to both public transportation and public recreational opportunities. As described above, the proposed project is in substantial conformance with the purpose, intent and provisions General Plan and applicable Community Plan. The project is not located within any specific plan area and not subject to any specific plan.

SITE PLAN REVIEW FINDINGS

7. **The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and does not conflict with any applicable regulations, standards, and any applicable specific plan.**

The General Plan is the City's roadmap for future growth and development. The General Plan Elements establish goals, policies, purposes, and programs 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 implemented in the form of Municipal Code requirements. The General Plan is comprised of the Framework Element, seven state-mandated elements, and four additional elements. The Framework Element establishes the broad overall policy and direction for the General Plan.

The Housing Element of the General Plan contains Housing Goals, Policies, Objectives, and Programs, which state the following:

Goal 1.1 Produce an adequate supply of rental and ownership housing to meet current and projected needs.

Policy 9 Facilitate Housing for Senior and Disabled Persons. ... Explore options to introduce greater accessibility and affordability into the Eldercare process, given the significant zoning benefits provided ...

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community commercial centers, subway stations and existing bus route stops.

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The proposed new Eldercare Facility, located within Tier 3 of a Transit-Oriented Community-eligible transit stop, will provide 80 guest rooms for seniors who either need assisted living services or are suffering from Alzheimer's/Dementia. The project would promote greater choice in the type of housing for that vulnerable and fast-growing group, and would provide varying levels of care to satisfy a range of needs.

The project is in close proximity to the following bus stops which are located near the project site along Wilshire Boulevard to the north, La Cienega Boulevard to the east and Olympic Boulevard to the south:

- Metro Local Lines – 105 (0.1 miles); 20 (0.25 miles); and 28 (0.21 miles)
- Metro Rapid Line – 720 (0.25 miles)

La Cienega Community Center (City of Beverly Hills) is located at the southeastern corner of La Cienega Boulevard and Gregory Way (0.15 miles).

As described above, the proposed project is in substantial conformance with the purpose, intent and provisions General Plan and applicable Community Plan. The project is not located within any specific plan area and not subject to any specific plan.

8. **That 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 neighboring properties.**

The proposed project is a new five-story, 58-foot in height, 57,680 square-foot Eldercare Facility containing 80 guest room consisting of 62 Assisted Living guest rooms and 18 Alzheimer's/Dementia guest rooms, with two subterranean levels, in the [Q]R3-1-O Zone. The project will provide a 10-foot minimum front yard setback, 6-foot side yard setbacks, a 15-foot rear yard setback, a deviation from the maximum 40-foot width frontage façade articulation requirement, and no long-term bicycle parking.

Eldercare Facilities are a permitted residential use within the R3 Zone. The proposed Eldercare Facility will provide Assisted Living Care and Alzheimer's/Dementia Care services. Pursuant to the State of California's licensing requirement, and as defined by LAMC Section 12.03, Assisted Living Care would provide assistance with two or more non-medical activities of daily living, and full-time medical services are not permitted on-site. Residents of the Alzheimer's/Dementia Care housing may require 24-hour care, which is permitted as defined by LAMC Section 12.03.

Height, Bulk and Setbacks

The proposed building reaches a height of 58 feet with five stories, with an exterior wall width fronting Holt Avenue to exceed 40 feet without a change in plane, 10-foot front yard setback and 6-foot side yard setbacks.

Surrounding properties are similarly zoned [Q]R3-1-O and improved with multi-level, multi-family apartment buildings. The north adjoining property is developed with a four-story over one subterranean parking level apartment building containing six dwelling units. The five east adjoining properties, across Holt Avenue, are developed with two-story multi-family buildings containing between two to six units. The south adjoining property is developed with a three-story residential condominium building containing seven dwelling units. The four west and southwest adjoining properties, fronting on Sherbourne Drive, are developed with two-story multi-family buildings containing two and three dwelling units. The northwest adjoining property, fronting on Sherbourne Drive, is developed with a four-story over one subterranean parking level apartment building containing six dwelling units.

Of the 12 properties fronting on the western side of Holt Avenue, seven properties (exclusive of the three subject properties) are developed with two-story residential buildings, one property is developed with a two-story over parking garage residential building (three-story in appearance), and one is developed with a four-story over subterranean parking level residential building. Of the eleven properties fronting on the eastern side of Holt Avenue, eight properties are developed with two-story residential buildings and three properties (developed with a single building) has a three-story residential building.

The proposed building envelope is larger than most other structures in the immediate area, but it is compatible with existing and future development in the immediate neighborhood.

The properties located immediately to the north and northwest of the property are developed with four-story residential buildings, having heights of approximately 45 feet (not including rooftop access structures), and the south adjoining property is developed with a two-story over parking garage residential building, appearing as a three-story building. As proposed, the five-story building would be one story taller than those to the north and northwest,

and two stories taller than the southern property. The adjoining properties to the east, across Holt Avenue, and the west, fronting on Bedford Street, are developed with two story buildings.

The project has incorporated a number of features in an effort to minimize the project's height and massing within the surrounding community: it proposes two below-ground levels – one to accommodate required parking, and another to accommodate many of the common areas and services provided by the facility; the rear of the building is broken into two masses, separated by an uncovered 1,400 square-foot outdoor patio located on the ground level; and the fifth floor expands on this separation by the development of uncovered outdoor patio areas, further minimizing the bulk of the height of the building, as it appears from the west. The applicant has submitted a shade/shadow analysis of the project which shows that the proposed building would not have an impact on the eastern and western adjoining buildings.

Along the east-facing frontage of the building, the massing is broken up through the use of changes in plane, with a change in design and material between the ground-level and the upper four levels. Though these changes in plane do not meet the 5-foot depth change for a minimum span of 8 feet standard set by the existing [Q] condition of the zone, they do offer aesthetic relief in contrast to a single-plane monolithic building façade.

As proposed, the project would observe a front yard setback of 10 feet. The applicant has clarified, with updated plans verifying, that most of the building would observe front yard setbacks of 11 feet to 16 feet, with the 10-foot setback being located around the building entryway. While much of the development along either side of Holt Avenue appears to observe a uniform front yard setback, most of the properties also appear to have been developed with less than the 20 feet otherwise required; this is observed using the City Planning Department's Zoning Information and Map Access System, and measuring the distance between the buildings as they appear in the 2017 Digital Color Ortho photo and their relationship to the property boundary in that geographic information system. Many properties along the west side of Holt Avenue appear to observe approximately 13-foot front yard setbacks. With this consideration, the requested front yard setback is a reasonable deviation in consideration of the benefit the eldercare facility represents.

The project proposes 6-foot side yard setbacks, in lieu of the 8 feet required by regulations contained within the [Q] Qualified conditions attached to the zone of the property. This is required because the development exceeds 99 feet of frontage along Holt Avenue. Observation of the development in the immediate neighborhood did not reveal any newer buildings that have been constructed since the application of this setback requirement which has a street frontage exceeding 99 feet. Closer observation of the pattern of development along Holt Avenue reveals variations between 5 feet and 3 feet, among buildings constructed on one or two 50-foot wide lots. As such, the

proposed side yard setback is consistent with the existing pattern of development within the neighborhood.

Off-Street Parking Facilities/Loading Areas

The project will provide 36 parking spaces (31 spaces for the Assisted Living guest rooms at a ratio of 0.5 spaces per unit and five spaces for the Alzheimer's/Dementia Guest Rooms at a ratio of 0.2 spaces per bed), which complies with the parking required pursuant to LAMC Section 12.21-A,4(u). On-site parking is provided entirely within a second level subterranean level. No vehicular parking will be visible from the street. Vehicular access to the proposed project will be directly from Holt Avenue via a single two-way, 24-foot-wide driveway. Vehicular access to the three existing duplexes will be consolidated into the single driveway located on the northern end of the property.

The number/types of guest rooms (and number of guest beds) and the respective requirement for parking as described above follows:

Unit Type	Number of Guest Room/Bed	Ratio	Total Spaces Required	Total Spaces Provided
Assisted Living	62	0.5	31	
Memory Care	22	0.2	5	
Total Spaces Required			36	36

An Eldercare Facility Unified Development is required to provide long-term bicycle parking at a ratio of 1 space per 5,000 square feet and required to provide short-term bicycle parking at a ratio of 1 space per 10,000 square feet, pursuant to LAMC Section 12.21-A,16(a)(2). This would require 12 long-term spaces ($57,680 \text{ SF} / 5,000 = 23$) and 6 short-term spaces ($57,680 \text{ square feet} / 10,000 = 6$) for a total of 18 bicycle parking spaces. Due to the compromised physical state of the facility's residents, the project will not be providing long-term bicycle parking. All required short-term bicycle parking spaces are located in a bicycle storage room on level B1 as illustrated in the project plans.

Lighting

Lighting for the proposed project has been conditioned to be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.

On-Site Landscaping

Various types of vegetation and trees are integrated into the design of the building facades to minimize the visual impact of the maximum 58-foot tall building and buffering from neighboring properties. The proposed project's landscaping creates a pedestrian-friendly ground floor that helps unify and bolster continuity between the neighborhood and the project site as a whole along Holt Avenue. Additionally, perimeter landscaping will provide a privacy buffer and screening between the subject development and the adjoining properties.

Trash Collection

The project will include centralized on-site trash collection for both refuse and recyclable materials, in conformance with the LAMC. All trash and recycling areas are conditioned to be enclosed and not visible to the public. Trash collection will occur within one trash room located on the second and lowest subterranean level. The trash room is not visible from the public right-of-way. Compliance with these regulations will allow the project to be compatible with existing and future development.

As described above, the project consists, of an arrangement of buildings and structures, off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements that will be compatible with existing and future development on adjacent and neighboring properties.

9. **That any residential project provides recreational and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties.**

The proposed project will include 80 guest rooms; 62 for Assisted Living Care and 18 for Alzheimer's/Dementia Care. The project provides a number of indoor and outdoor common area amenities throughout the facility summarized by level below:

Level	Amenities
B1	Theater, Library, Wine Cellar, Salon, Residential Laundry, Restrooms, Fitness Room, Open Lounge, 1,200 square-foot Outdoor Courtyard
1	Bistro, Main Dining Room, 1,400 square-foot Dining Courtyard, Kitchen, Mail Room, two Outdoor Rear Yards totaling 1,400 square feet

2	Restroom, Wellness Office, Kitchen, Dining Room, Living Room, Activity Room, Quiet Room, 300 square-foot Outdoor Patio
3	Restroom, Wellness Room
4	Restroom, Wellness Room
5	Restroom, Kitchen, Dining Room, Living room, Activity Room, three Outdoor Patios totaling 2,400 square feet

The common open space areas of the proposed project account for 26,684 square feet of the project floor area. Included in this is space for staff offices, a staff lounge, and maintenance laundry. Essentially, many services that the facility's residents require are provided on-site; thus minimizing impacts on neighboring properties.

The combination of these various recreational features and design features would provide adequate amenities for the building residents, minimizing impacts on neighboring properties.

ADDITIONAL MANDATORY FINDINGS

10. 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 X, outside the flood zone.

Inquiries regarding this matter should be directed to Alex Truong, Planning Staff for the Expedited Processing Unit at (213) 978-3308.



JONATHAN A. HERSHEY, AICP
Associate Zoning Administrator

JAH:ON:AT:bk

cc: Councilmember Paul Koretz
Fifth District
Adjoining Property Owners
Interested Parties



Sheet Index

Architectural:

- A0.0 Cover Sheet
- A0.1 Vicinity Map
- A1.0 Site Plan
- A1.1 Sun/ Shade Exhibit
- A1.2 Holt Ave. Setback Exhibit
- A2.0 Building Elevations
- A3.0 Building Plans
- A3.1 Building Plans
- A4.0 Building Sections
- A5.0 Unit Plans
- A5.1 Unit Plans
- A6.0 Perspectives
- A6.1 Perspectives



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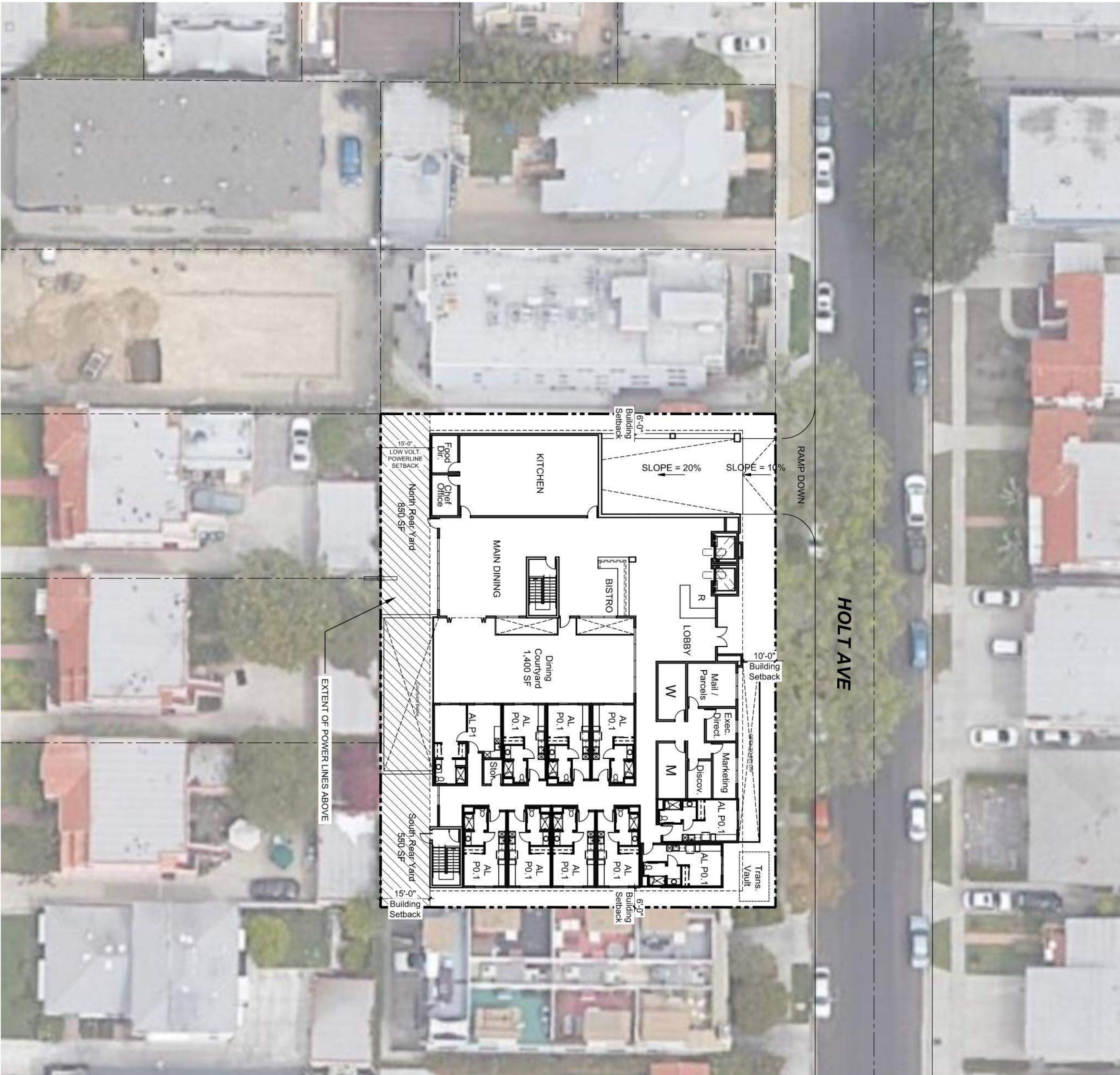
HOLT AVE AL MC
LOS ANGELES, CA # 2020-0010

CONCEPT PHASE
NOVEMBER 30, 2020

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Case No. 24-200-216R-HLD-SR

COVER SHEET
SHEET INDEX

A0.0



PROJECT DATA

SITE SUMMARY:		ADDRESS: 825-827 Holt Avenue		ZONING: [O]R3+1-O Multiple Dwelling	
APN: 4333-024-008		ADDRESS: 829-831 Holt Avenue		ZONING: [O]R3+1-O Multiple Dwelling	
APN: 4333-024-009		ADDRESS: 835-837 Holt Avenue		ZONING: [O]R3+1-O Multiple Dwelling	
APN: 4333-024-010					
SITE AREA		18,003 SF			
BUILDABLE AREA		0.41 AC			
ALLOWED DENSITY		11,390 SF			
PROPOSED DENSITY		36 Guest Rooms			
BUILDING EFFICIENCY		80 Guest Rooms			
FAR (Basement + Lt.-L5)		225 SF/Guest Room			
FAR (Lt.-L5)		54%			
LOT COVERAGE		5.06			
ALLOWABLE HEIGHT		4.30			
PROPOSED HEIGHT		12,940 SF			
REQUIRED OPEN SPACE		45 FT (LAMC 12.21.1)			
		59 FT			
		N/A			

OPEN SPACE SUMMARY	
LEVEL B1 COURTYARD	1,200 SF
LEVEL 1 DINING COURTYARD	1,400 SF
NORTH REAR COURTYARD	550 SF
SOUTH REAR COURTYARD	850 SF
LEVEL 2 MC OPEN PATIO	300 SF
LEVEL 5 PATIO 1	500 SF
LEVEL 5 PATIO 2	500 SF
LEVEL 5 PATIO 3	1,400 SF
TOTAL	6,700 SF

SETBACK SUMMARY (LAMC 12.10.C)	
FRONT (Holt Ave.)	REQUIRED 20 FT PROVIDED 10 FT
NORTH SIDE	8 FT 6 FT
SOUTH SIDE	8 FT 6 FT
REAR	15 FT 15 FT

BUILDING SUMMARY:	
BUILDING AREAS	TOTAL
B1 (Basement)	8,728
L1	8,942
L2	10,351
L3	10,750
L4	10,750
L5	8,159
TOTAL SF	57,680
PROGRAM	TOTAL
MEMORY CARE ROOMS	6,216
ASSISTED LIVING ROOMS	4,135
ASSISTED LIVING COMMON SPACE	24,780
ASSISTED LIVING COMMON SPACE	22,549
INCLUSIVE OF BOM PROGRAM	
TOTAL SF	57,680

ROOM MIX	GSF	BEDS	L1	L2	L3	L4	L5	GUEST ROOMS	TOTAL	GSF
MC P0	346	1	0	2	0	0	0	2	2	696
MC P0.1	329	1	0	12	0	0	0	12	12	3,946
MC P2	393	2	0	4	0	0	0	4	8	1,572
MC TOTAL			0	18	0	0	0	18	22	6,216
20.1% OF TOTAL GUEST ROOM AREA										

AL P0	346	1	0	0	3	3	2	8	2,792
AL P0.1	329	1	9	0	8	8	11	36	11,944
AL P1	433	1	1	0	3	3	1	8	3,464
AL P1.1	668	1	0	0	5	5	0	10	20
AL TOTAL			10	0	19	19	14	62	72
78.9% OF TOTAL GUEST ROOM AREA									
TOTAL	10	18	19	19	14	80	94	30,996	

PARKING SUMMARY:	
REQUIRED (LAMC 12.21 A.4(d)(5))	RATIO QUANTITY TOTAL
MEMORY CARE	0.2 SPACES/ BED 22 5 SPACES
ASSISTED LIVING	0.5 SPACES/ ROOM 62 36 SPACES
TOTAL	36 SPACES
PROVIDED	
SUBTERRANEAN GARAGE	36 SPACES
BIKE PARKING SUMMARY: (LAMC 12.21 A.15(a)(2))	
REQUIRED	TOTAL
Short-term	6 SPACES
Long-term	12 SPACES
Short-term	6 SPACES
Long-term	0 SPACES

LEVEL B1

Guest Rooms	-	SF
Corridor	100	SF
Common Areas		
Lobby	640	SF
Bike Storage	332	SF
Theater	835	SF
Kitchen	164	SF
Shared Living / Library	813	SF
Wine Cellar	103	SF
Salon	365	SF
Staff Lounge	209	SF
Mothers Room	108	SF
AL Coordinator	97	SF
Associate Executive Director	110	SF
Sales	121	SF
Residential Laundry	314	SF
Maintenance / Caregiver Laundry	102	SF
BOM Office	136	SF
Women's	145	SF
Mens	1,493	SF
Fitness / Physical Therapy	203	SF
Fitness Storage	2,208	SF
Activities / Open Lounge		
TOTAL	8,728	SF
Vertical Circulation		
Stair 1	146	SF
Stair 2	146	SF
Elevators	136	SF

LEVEL 2

Guest Rooms	8,216	SF
Corridor	2,000	SF
Common Areas		
Lobby	340	SF
Restroom	102	SF
Storage	36	SF
Wellness Office	122	SF
Serve	74	SF
Kitchen	136	SF
MC Dining	487	SF
MC Living Room	472	SF
MC Activities	304	SF
Quiet Room	62	SF
TOTAL	10,351	SF
Vertical Circulation		
Stair 1	146	SF
Stair 2	146	SF
Elevators	136	SF

LEVEL 1

Guest Rooms	3,394	SF
Corridor	860	SF
Common Areas		
Lobby / Reception	1,087	SF
Bistro	700	SF
Main Dining	758	SF
Kitchen	1,075	SF
Food Director	100	SF
Chef Offices	100	SF
Mail / Parcels	198	SF
Executive Director	93	SF
Marketing	124	SF
Discovery	84	SF
Women's	146	SF
Mens	144	SF
Storage	42	SF
TOTAL	8,946	SF
Vertical Circulation		
Stair 1	146	SF
Stair 2	146	SF
Elevators	136	SF

LEVEL 3

Guest Rooms	8,318	SF
Corridor	1,853	SF
Common Areas		
Lobby	340	SF
Restroom	75	SF
Storage	38	SF
Janitor	22	SF
Wellness Room	50	SF
Storage	42	SF
TOTAL	10,750	SF
Vertical Circulation		
Stair 1	146	SF
Stair 2	146	SF
Elevators	136	SF

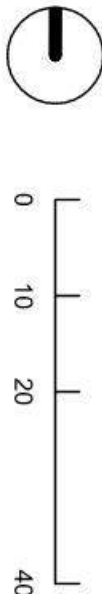
LEVEL 5

Guest Rooms	4,750	SF
Corridor	1,701	SF
Common Areas		
Lobby	340	SF
Restroom	75	SF
Janitor	22	SF
Storage	50	SF
Serve	74	SF
Kitchen	136	SF
AL Dining	562	SF
AL Living Room	205	SF
AL Activities	244	SF
TOTAL	8,159	SF
Vertical Circulation		
Stair 1	146	SF
Stair 2	146	SF
Elevators	136	SF
TOTAL	57,680	SF

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SITE PLAN

CONCEPT PHASE
NOVEMBER 30, 2020



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A1.0



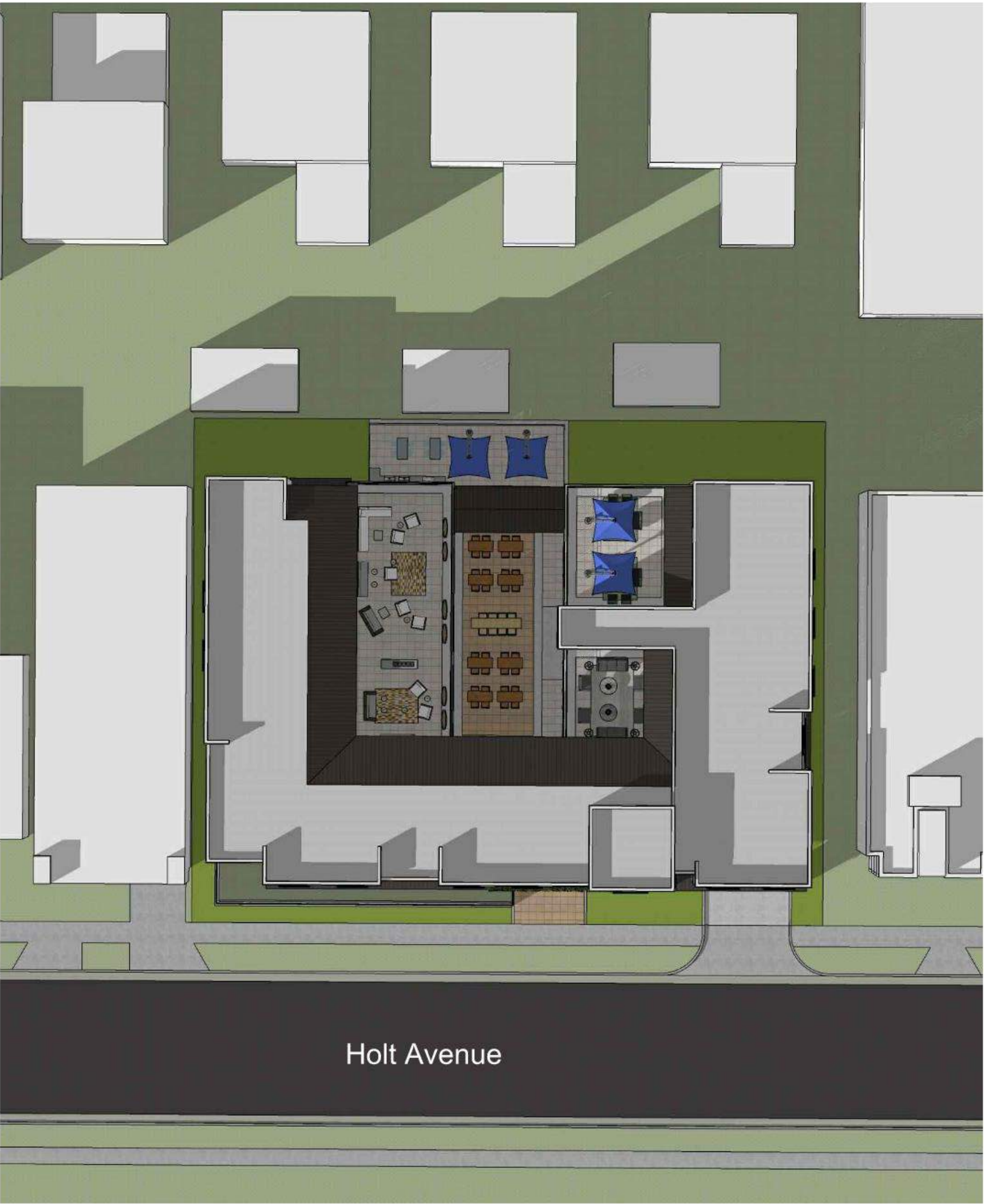
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Summer Solstice (June 20th) - 12:00pm



Summer Solstice (June 20th) - 3:00pm



Winter Solstice (December 21st) - 9:00am



Winter Solstice (December 21st) - 12:00pm



Winter Solstice (December 21st) - 3:00pm



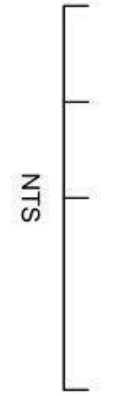
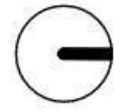
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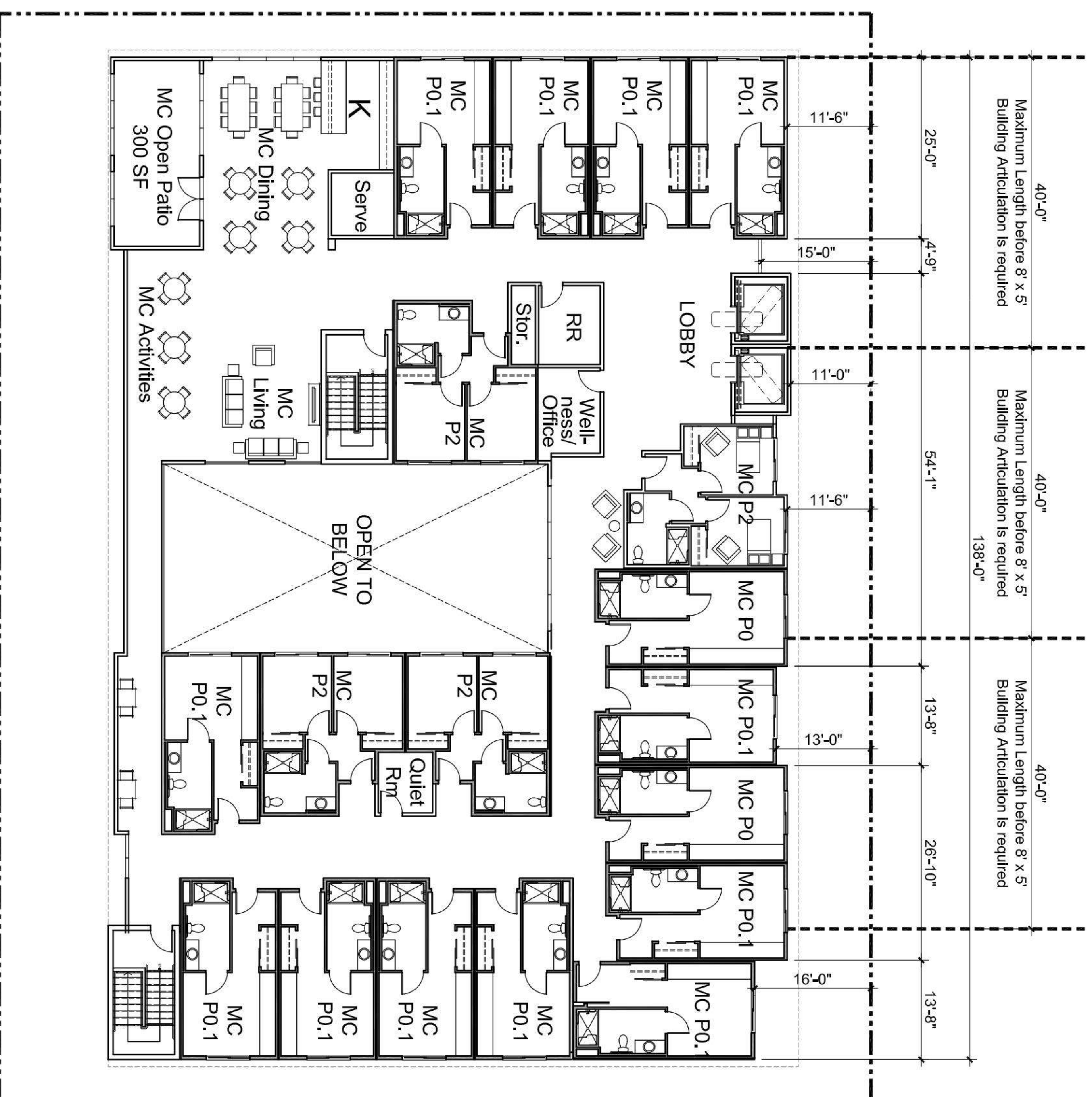
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MARCH 23, 2020



SHADE AND SHADOW ANALYSIS

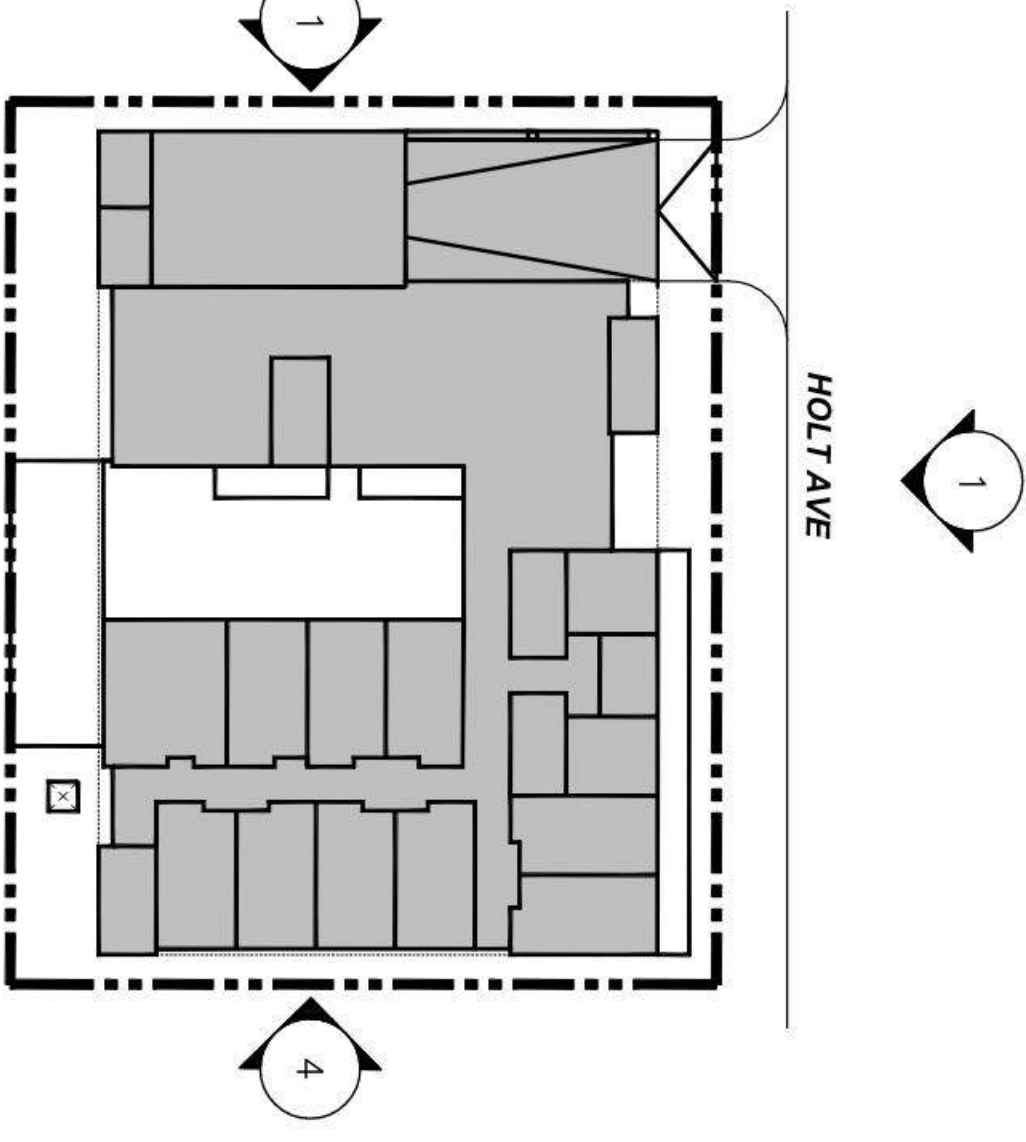
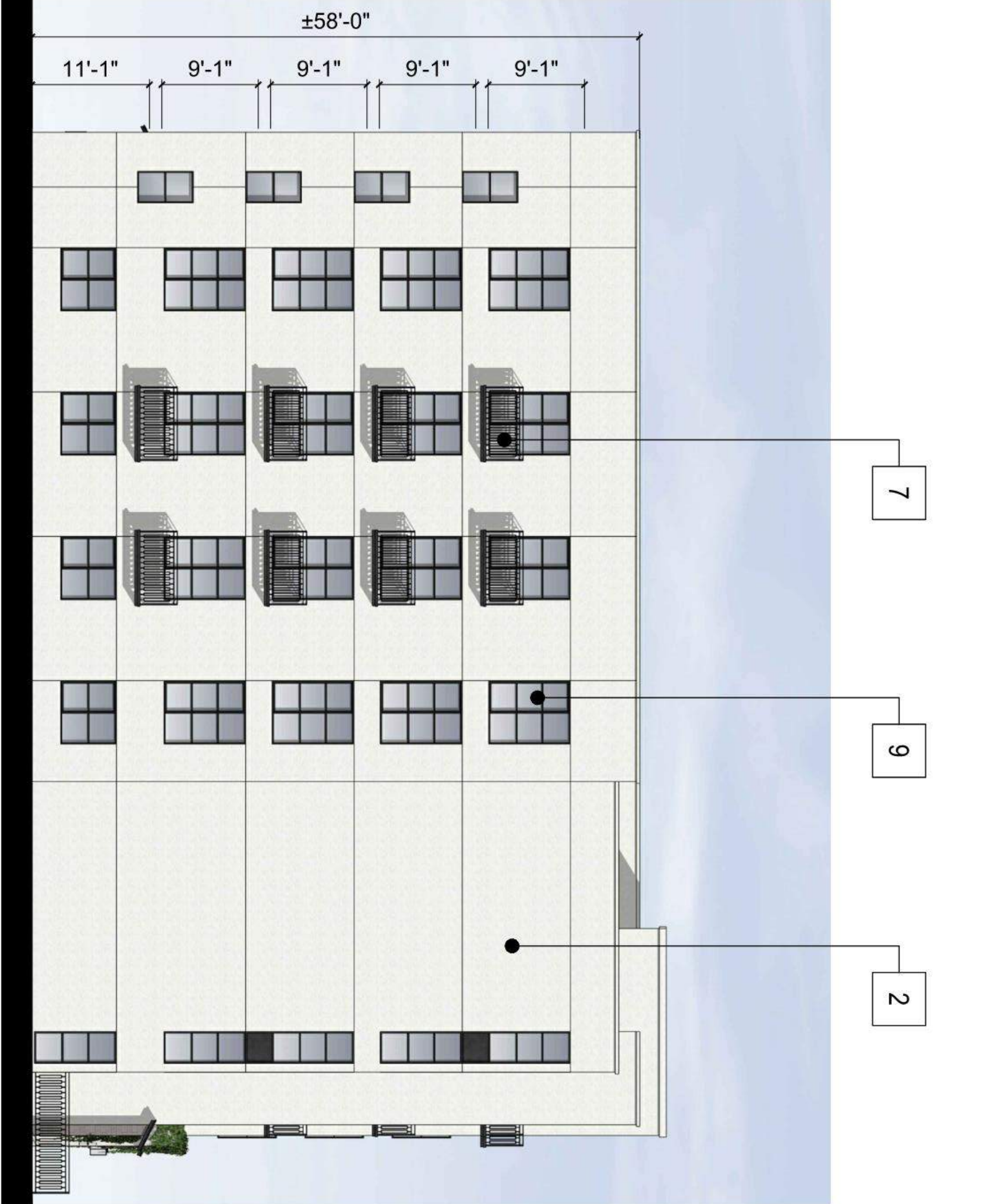
A1.1



LEVEL 2 (TYPICAL LEVEL)



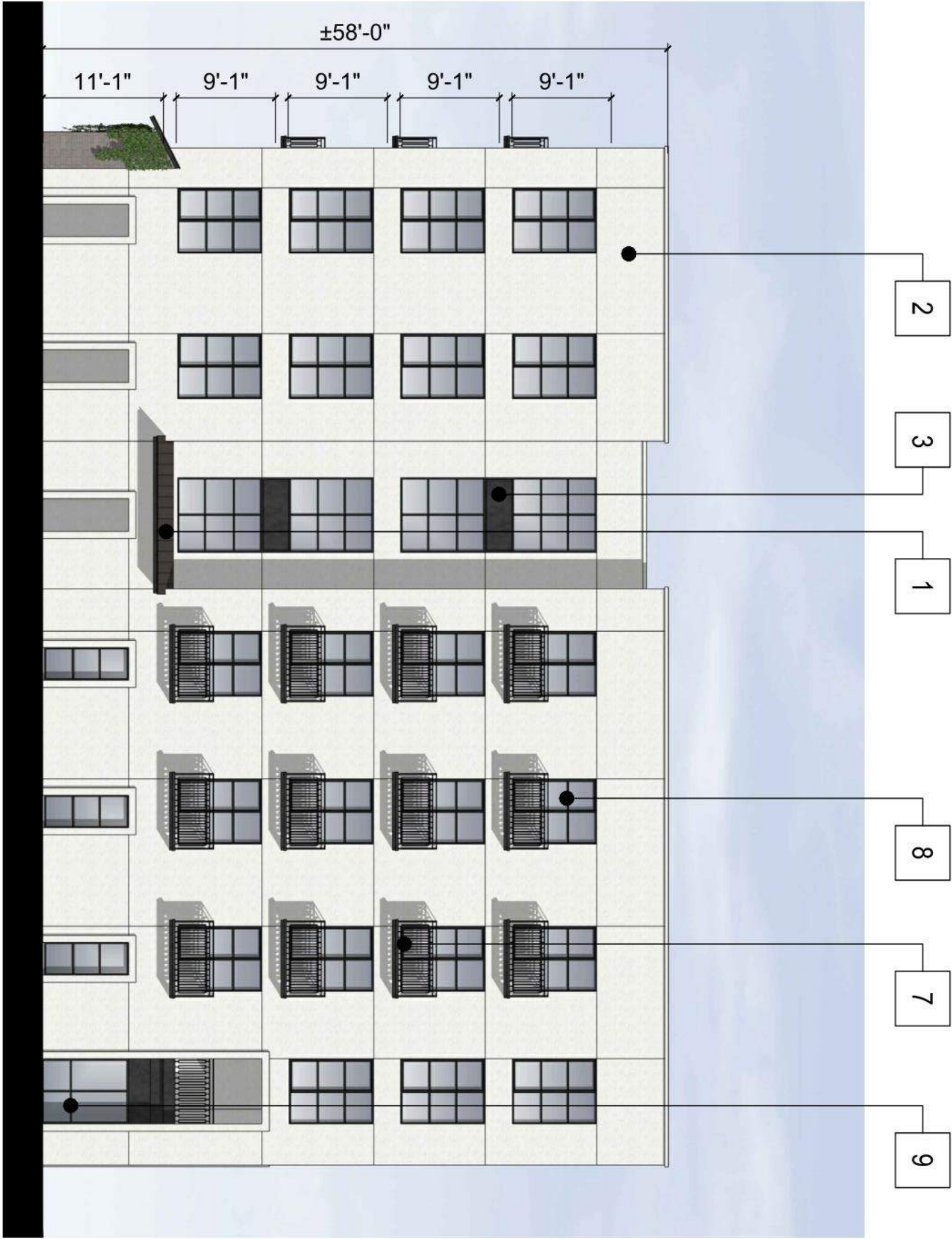
LEVEL 1



- Keymap - n.t.s.**
- Material Legend**
1. Standing Seam Metal Roof
 2. Stucco
 3. Fiber Cement Panel
 4. Stone Veneer
 5. Decorative Tile
 6. Metal Ornamentation
 7. Metal Railing
 8. Vinyl Window
 9. Storefront Glazing
 10. Wall Mounted Light Sconce

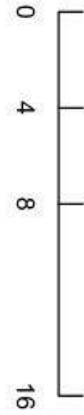
3. REAR - West Elevation

4. LEFT - South Elevation



1. FRONT - East Elevation

2. RIGHT - North Elevation



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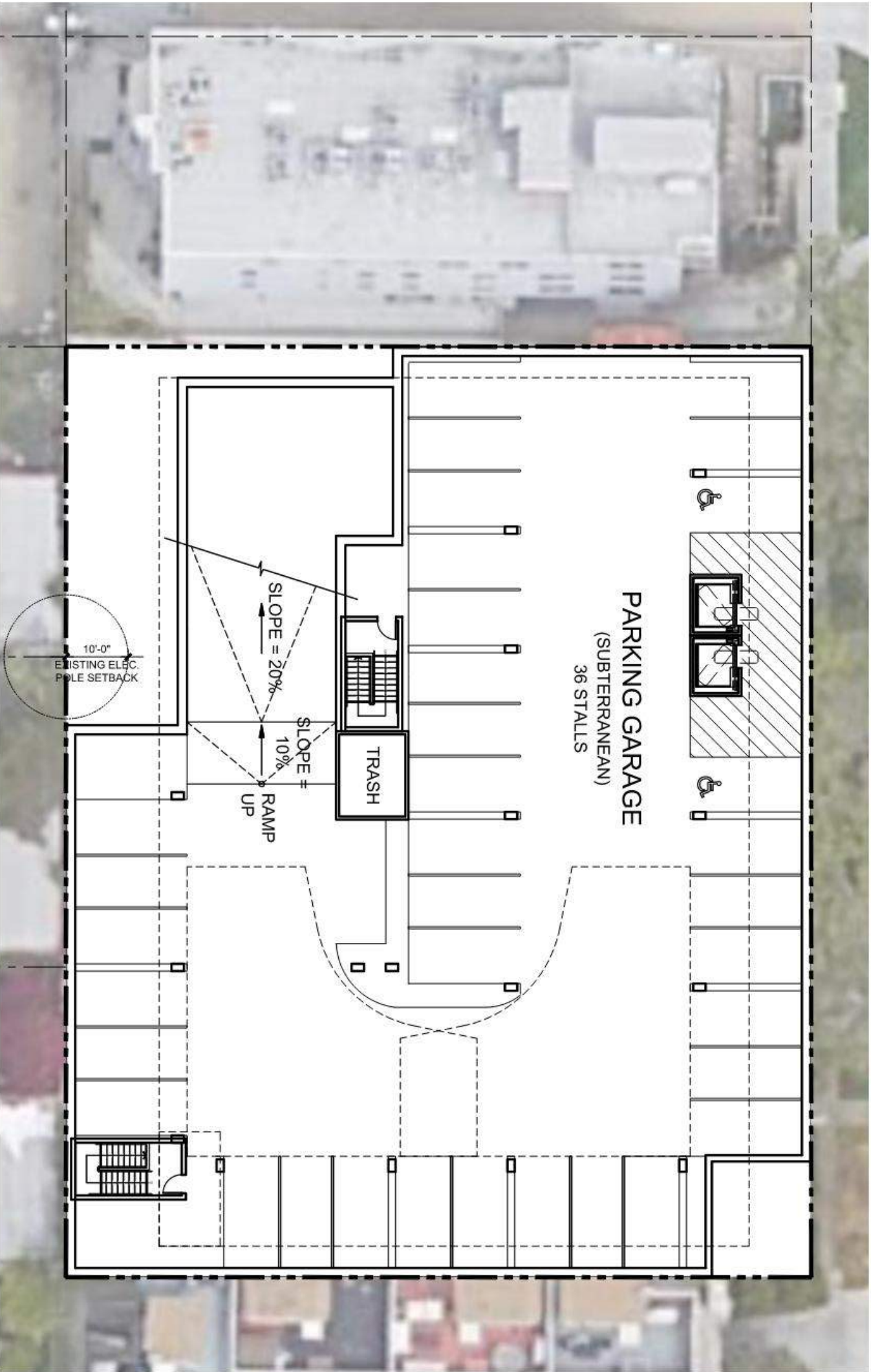
HOLT AVE AL MC
LOS ANGELES, CA # 2020-0010

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NOVEMBER 30, 2020

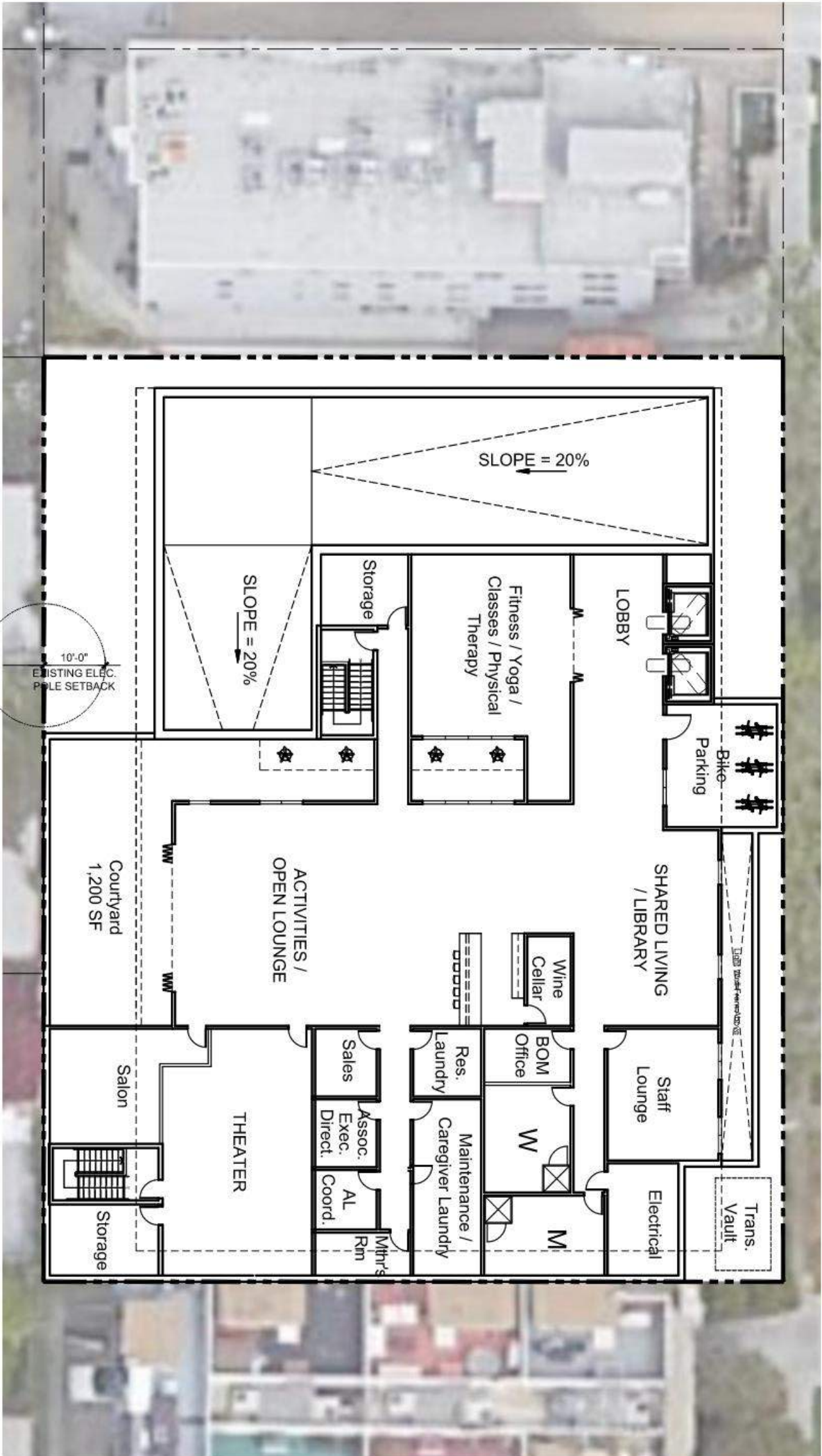
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ELEVATIONS

A2.0



LEVEL B2



LEVEL B1



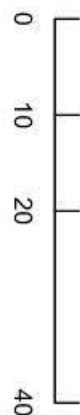
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LOS ANGELES, CA # 2020-0010

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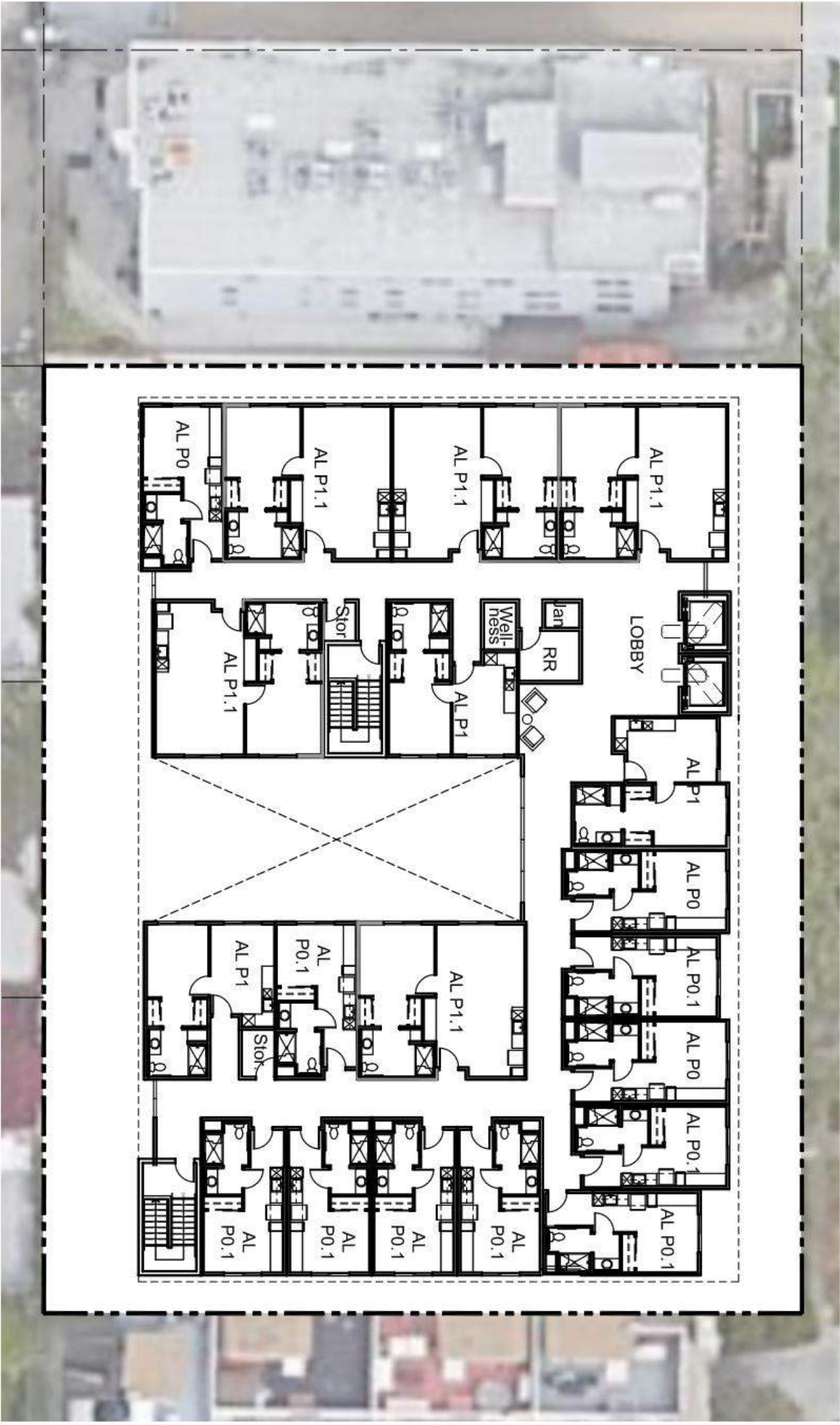


BUILDING PLANS

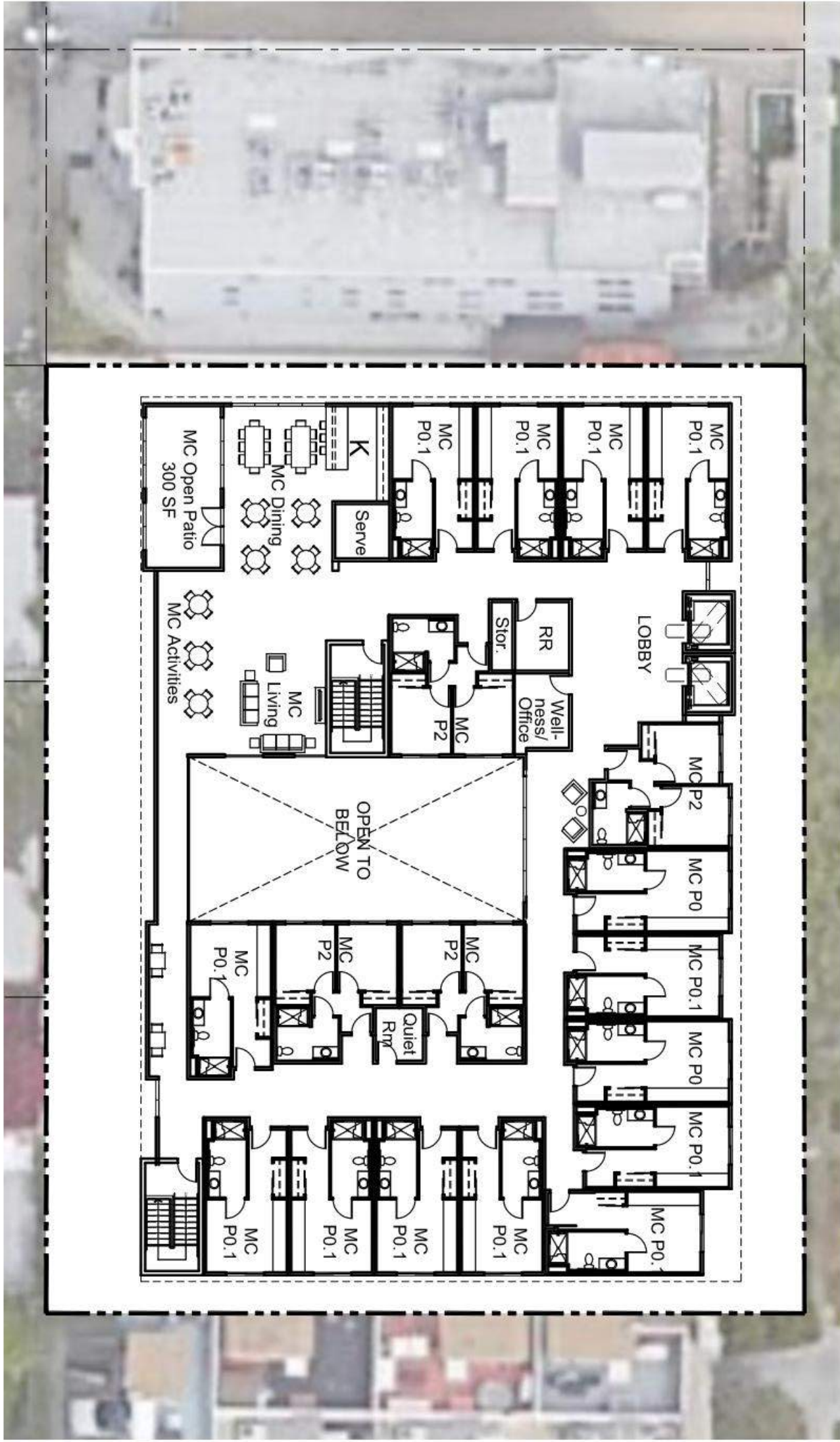
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LEVEL 1



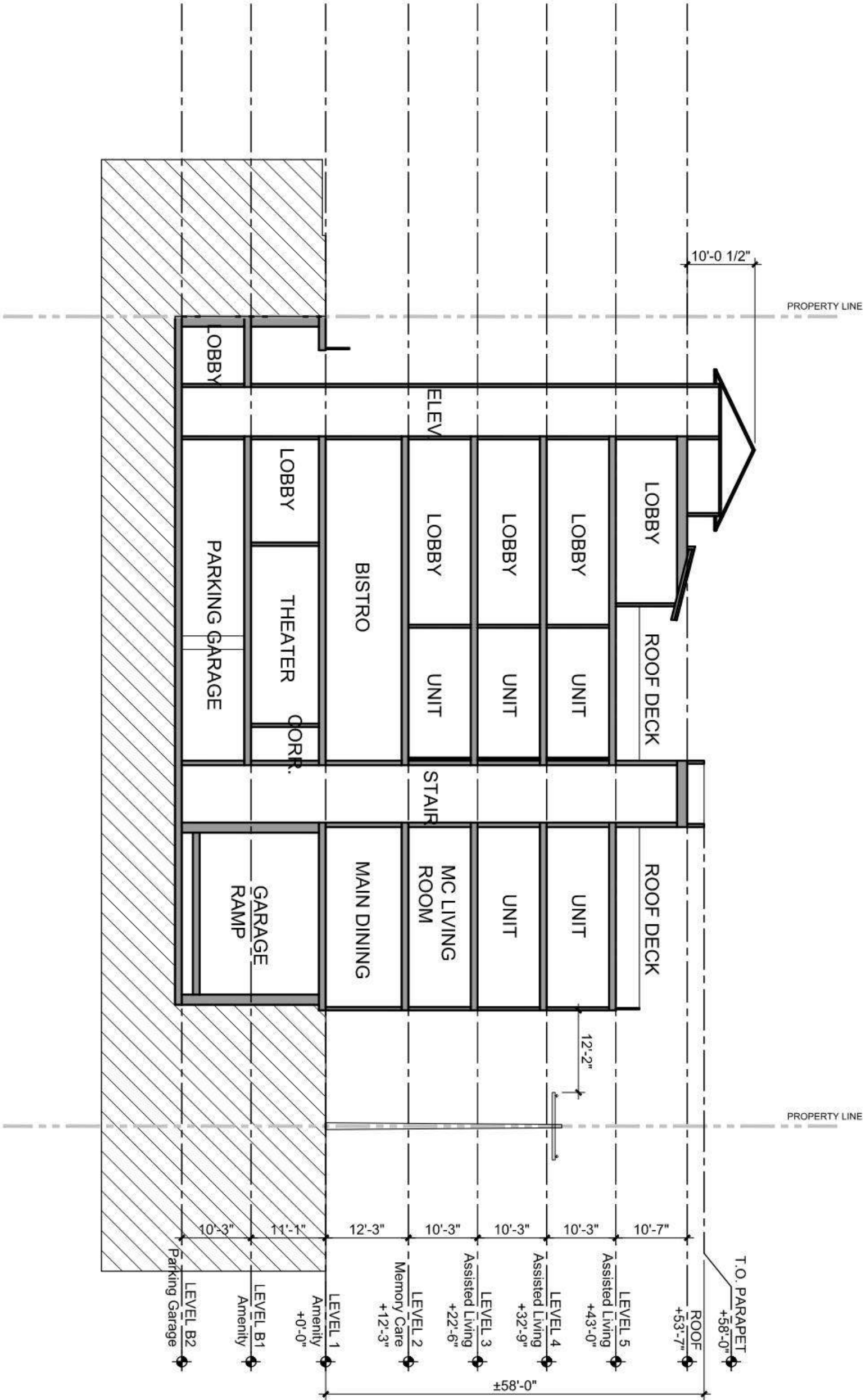
LEVEL 3-4



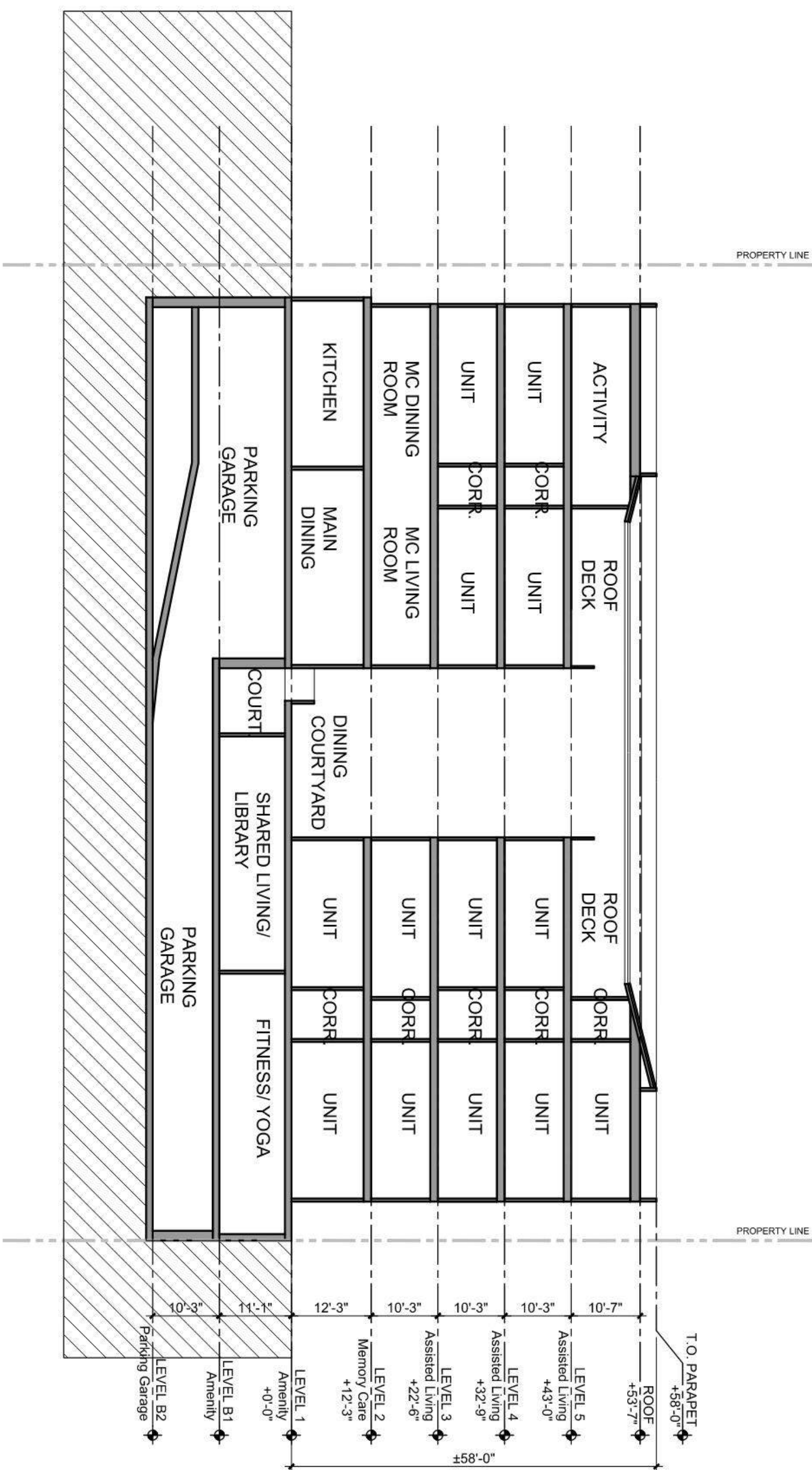
LEVEL 2



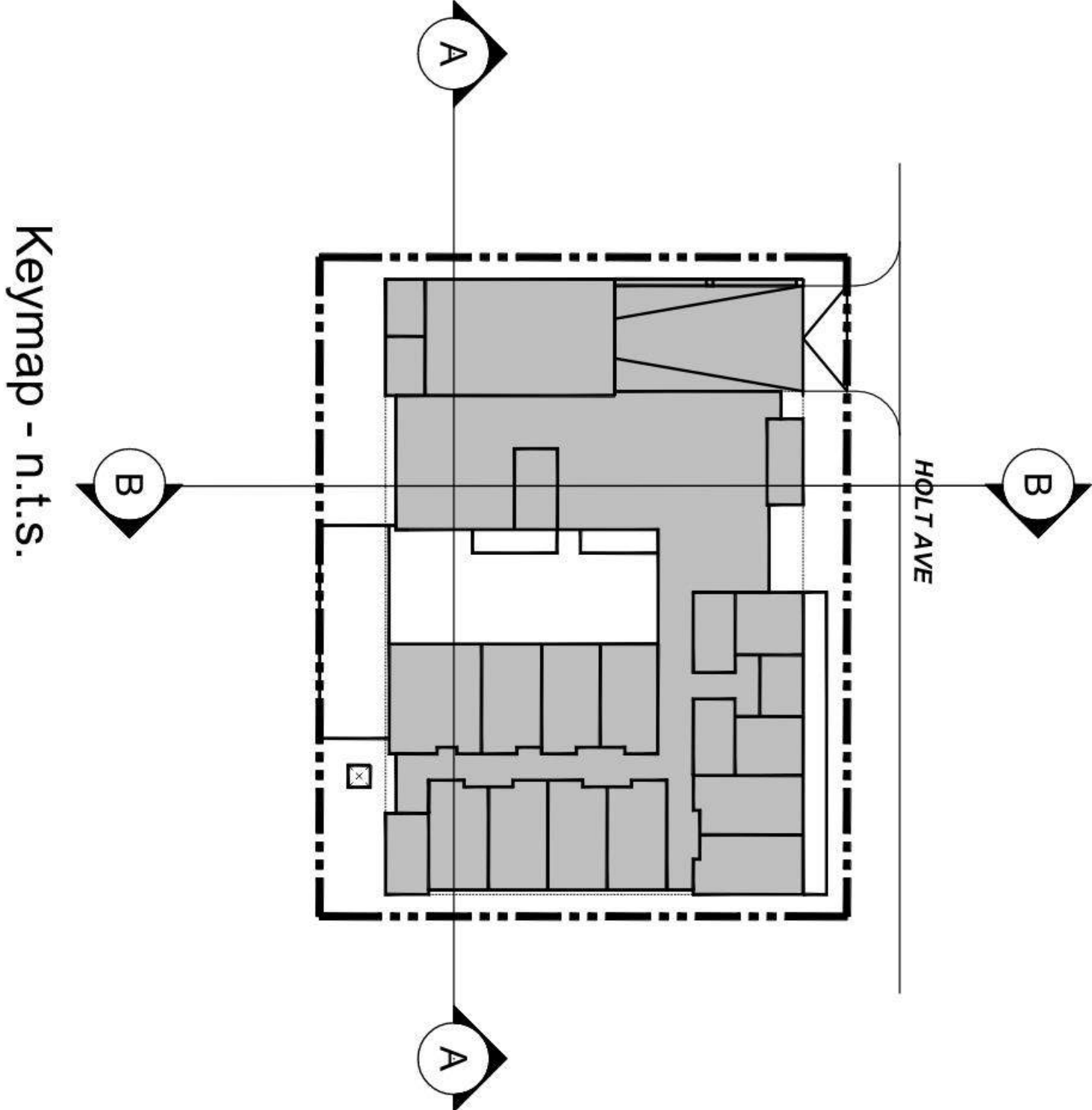
LEVEL 5



SECTION B-B



SECTION A-A



Keymap - n.t.s.



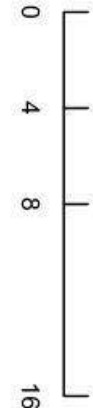
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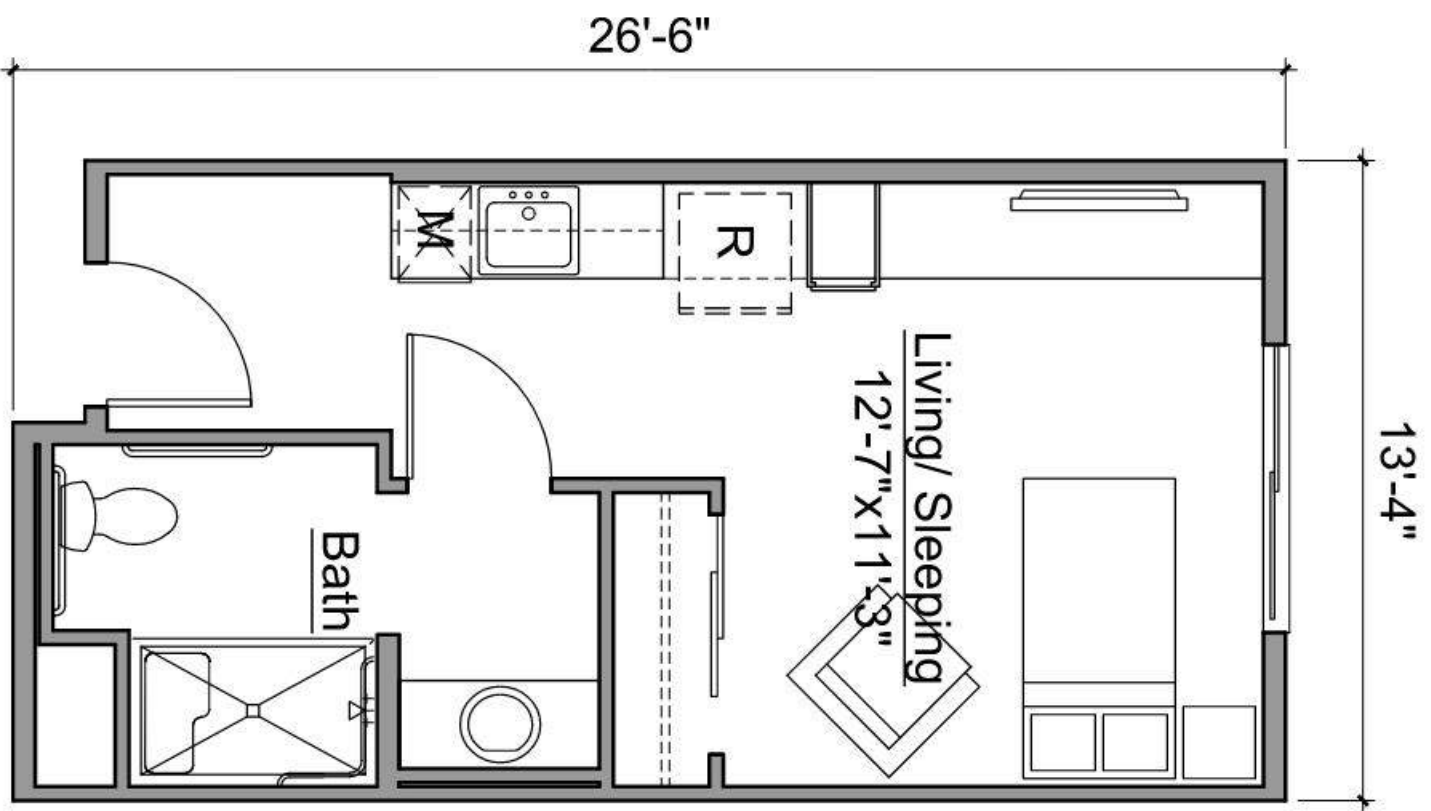
HOLT AVE AL MC
LOS ANGELES, CA # 2020-0010

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MARCH 23, 2020

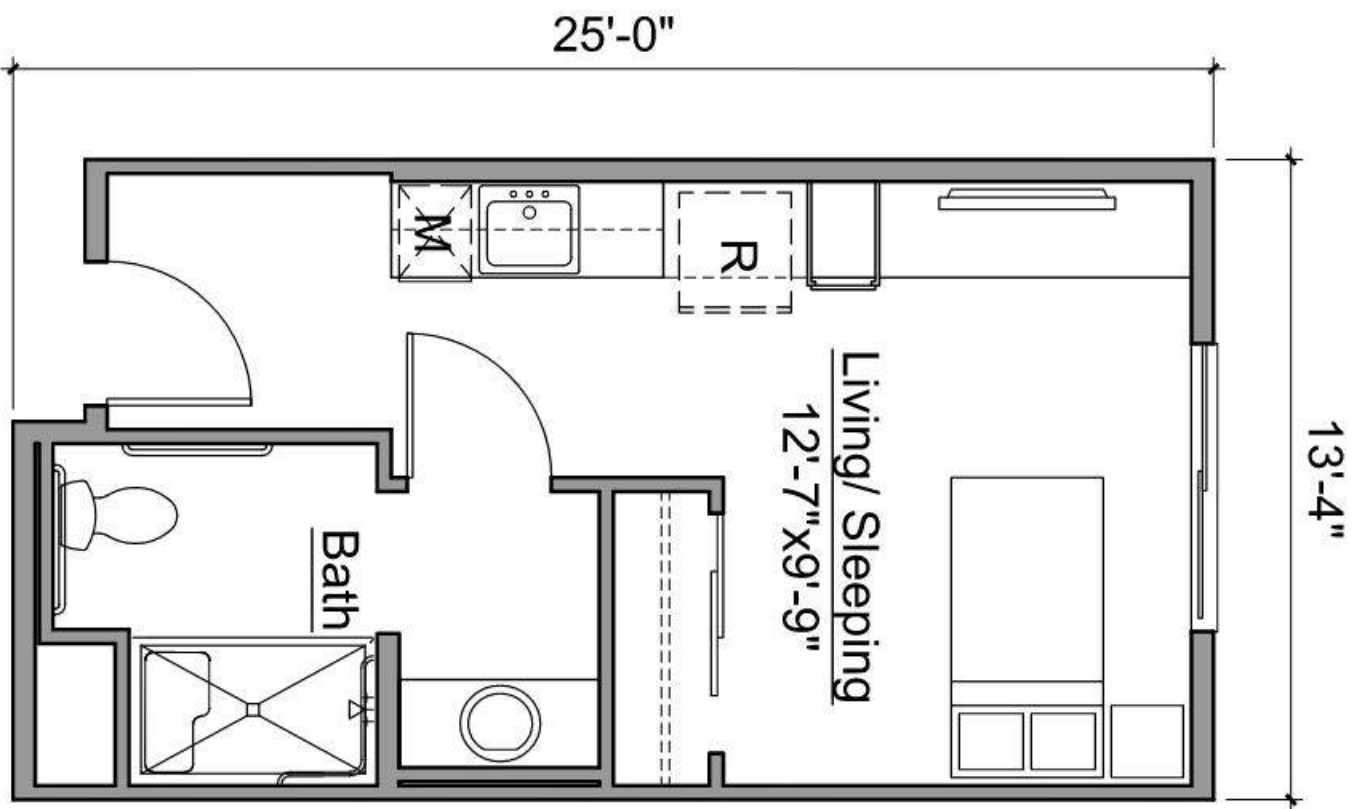


SECTIONS

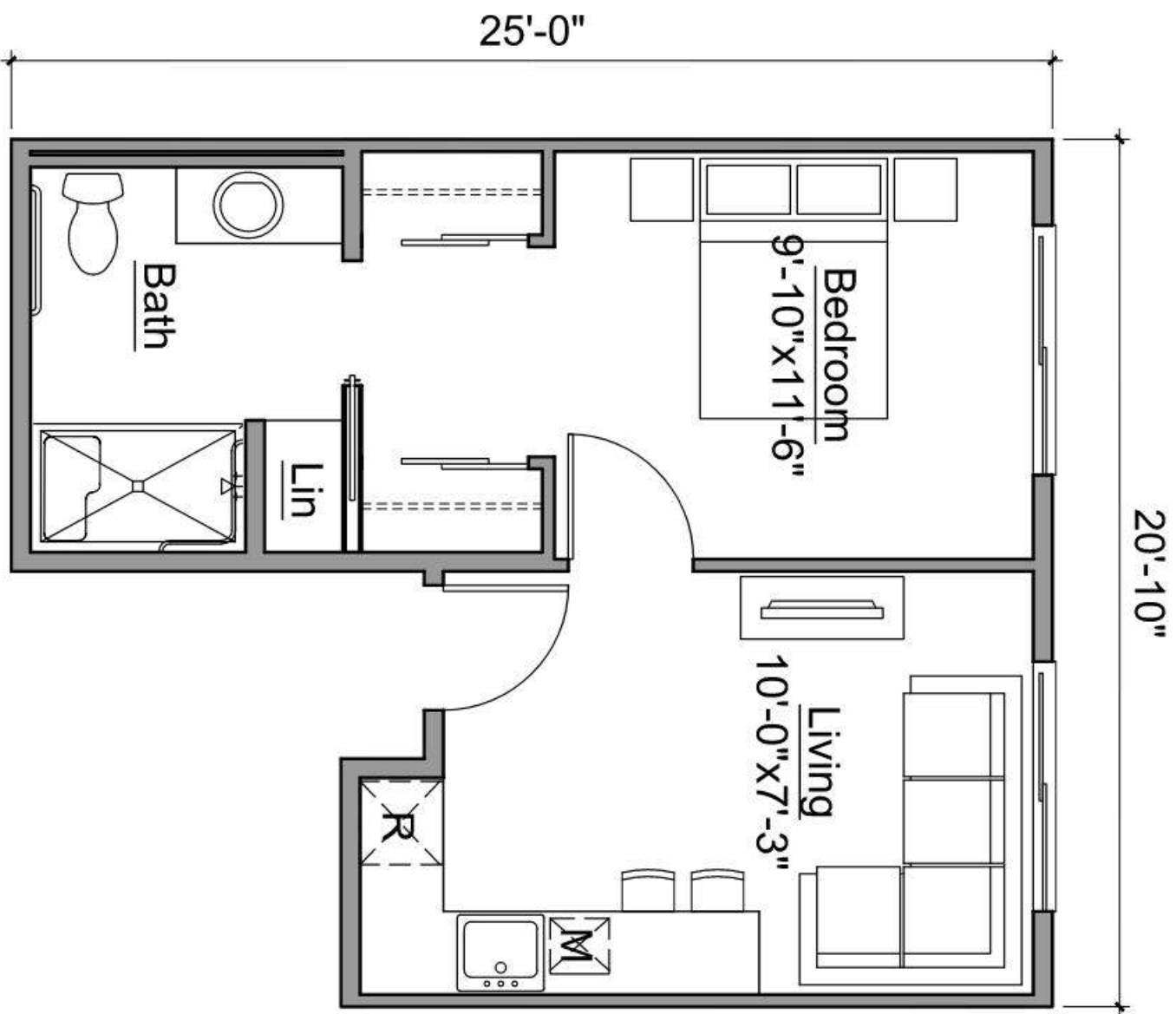
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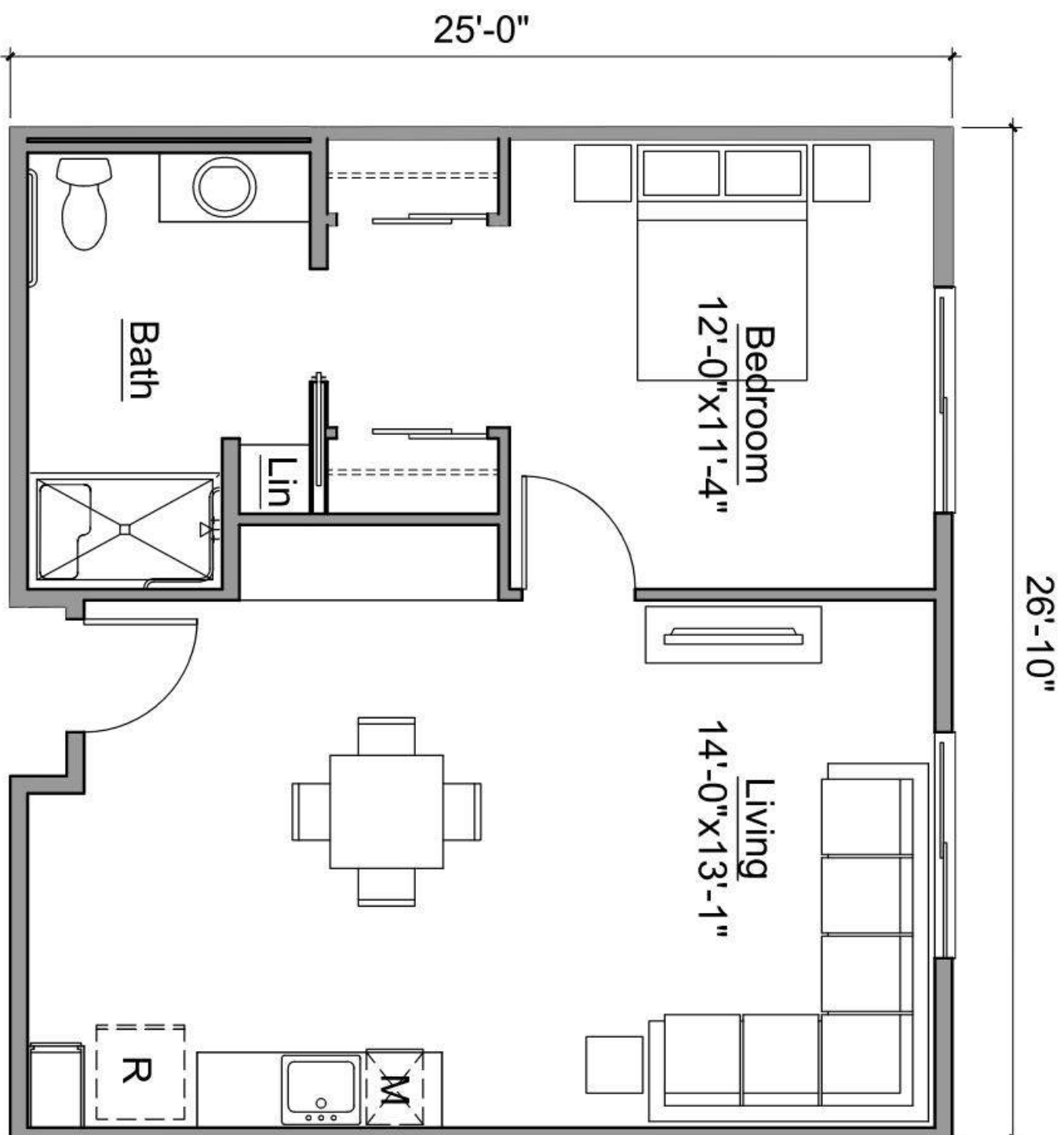
Assisted Living
Unit AL-0
± 349 Gross Sq. Ft.



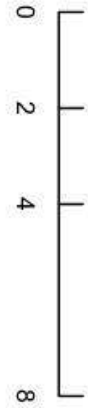
Assisted Living
Unit AL-0.1
± 329 Gross Sq. Ft.

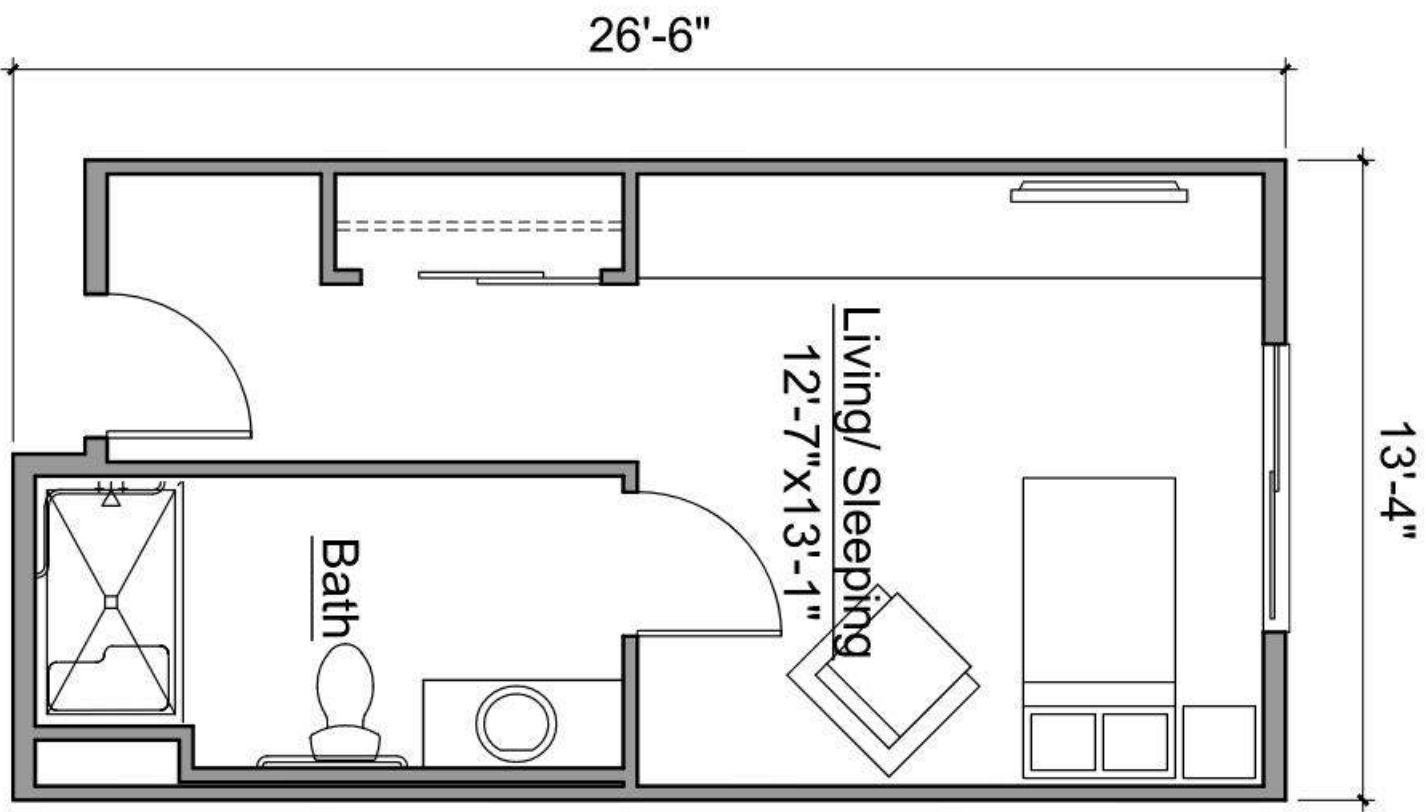


Assisted Living
Unit AL-1
±433 Gross Sq. Ft.

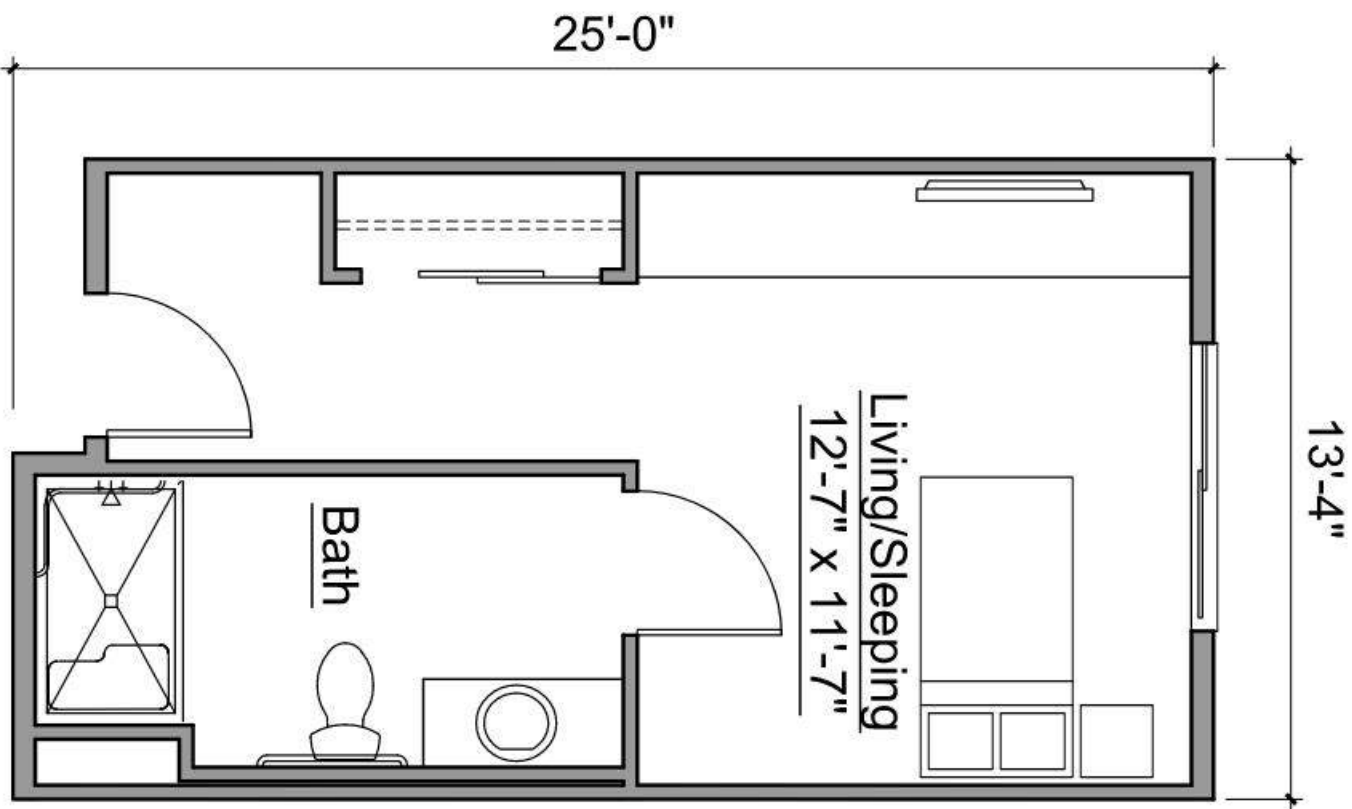


Assisted Living
Unit AL-1.1
±668 Gross Sq. Ft.

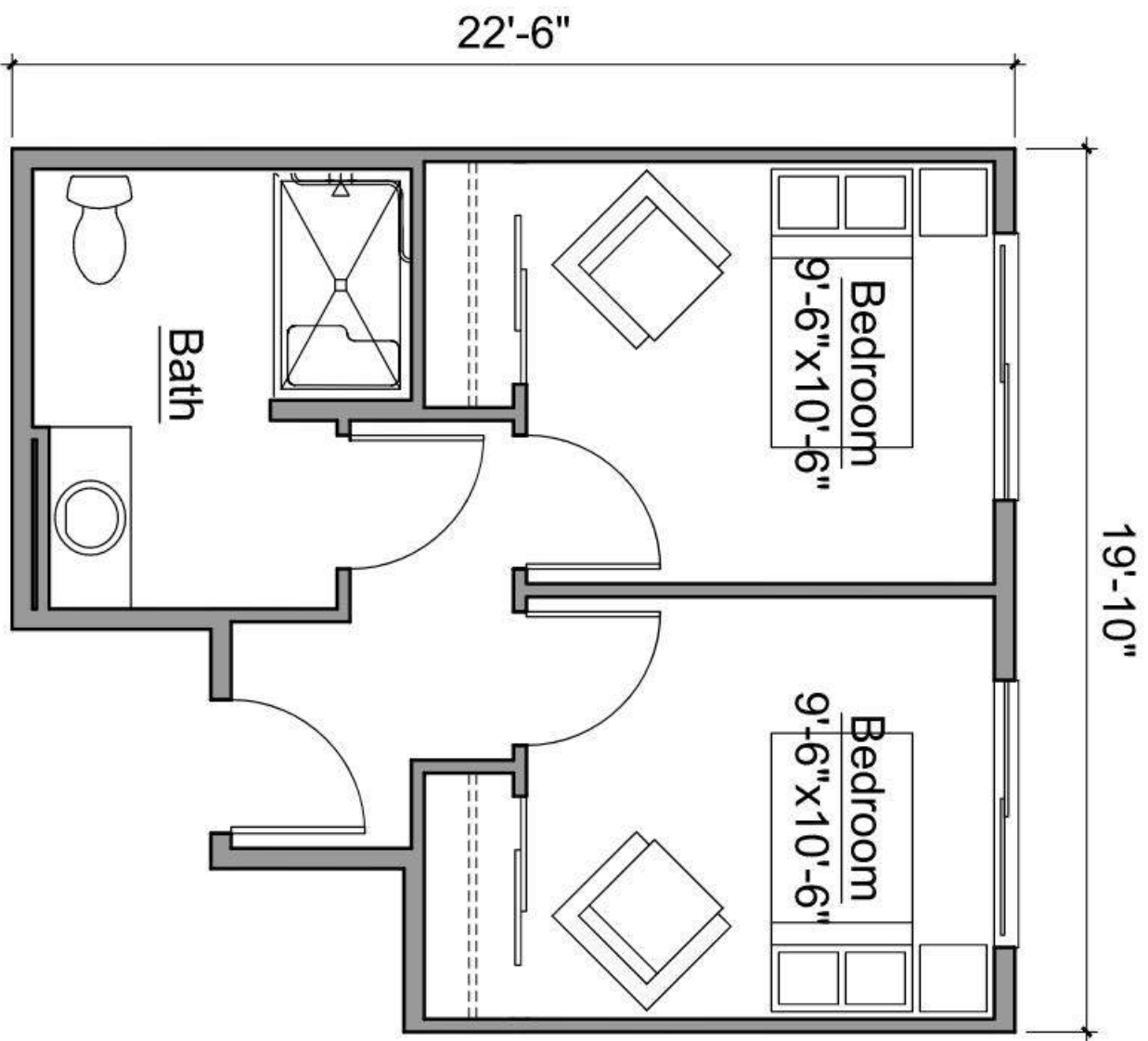




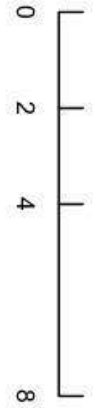
Memory Care
Unit MC-0
± 348 Gross Sq. Ft.

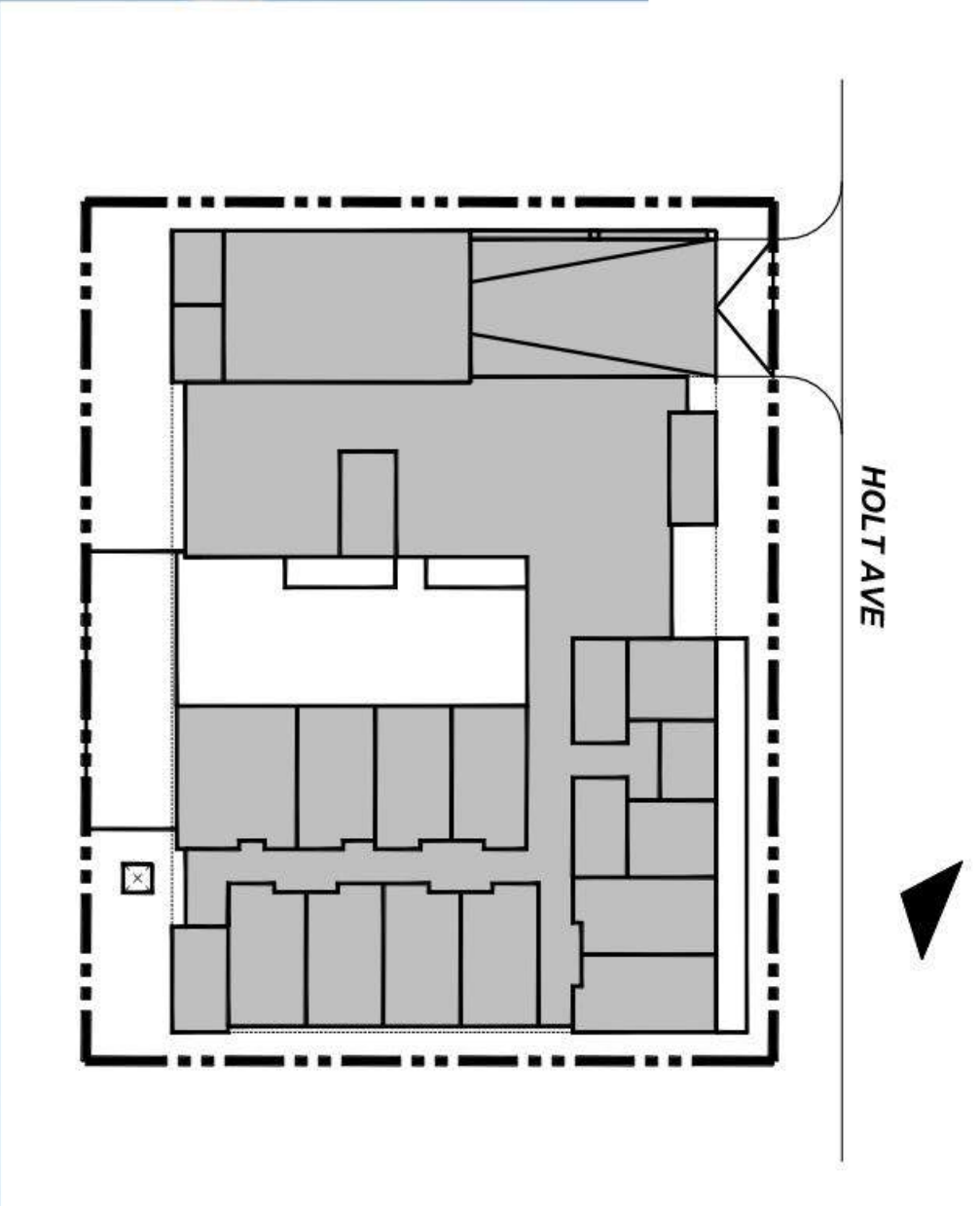


Memory Care
Unit MC-0.1
± 329 Gross Sq. Ft.



Memory Care
Unit MC-2
± 393 Gross Sq. Ft.





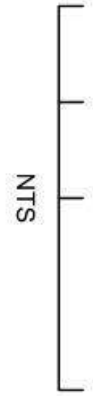
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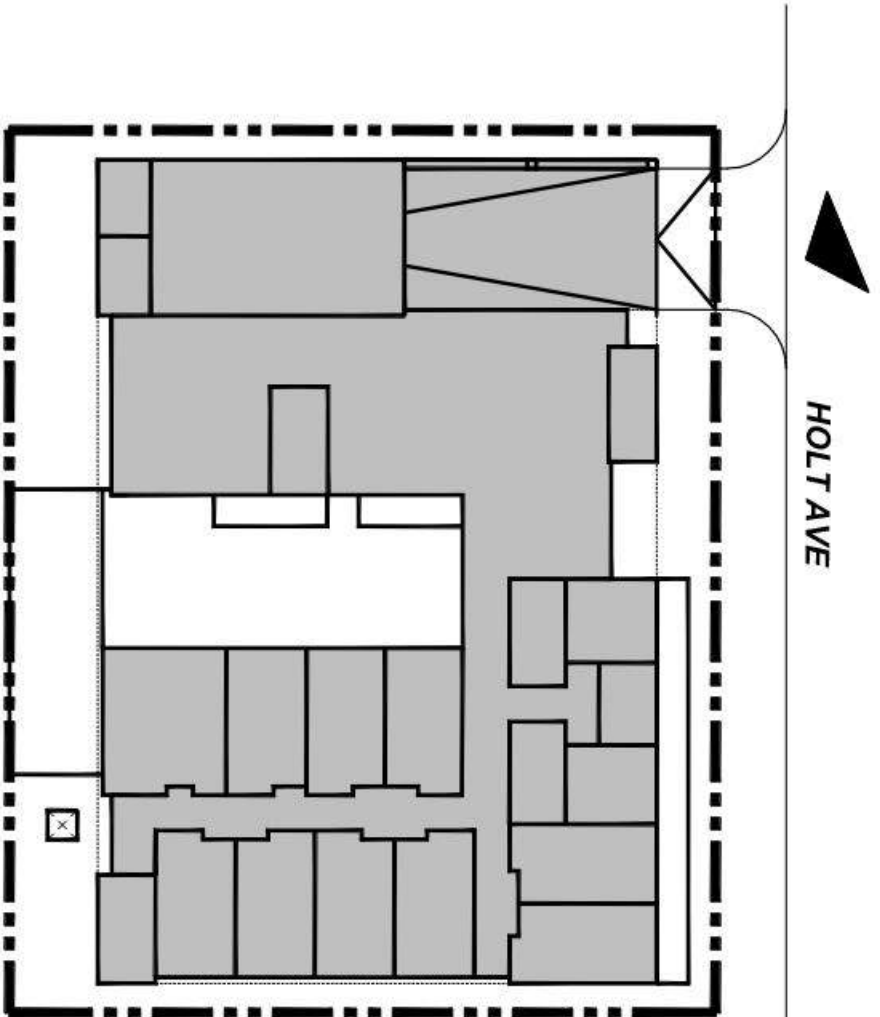
HOLT AVE AL MC
LOS ANGELES, CA # 2020-0010

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NOVEMBER 30, 2020



PERSPECTIVES

A6.0



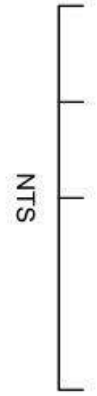
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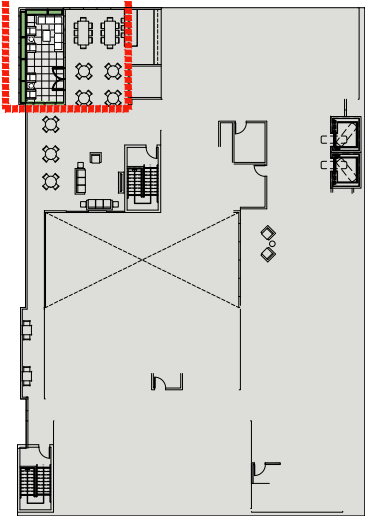
HOLT AVE AL MC
LOS ANGELES, CA # 2020-0010

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PERSPECTIVES

A6.1



KEYMAP - N.T.S.

KEYNOTES



1. RECTANGULAR FIBERGLASS PLANTER

2. 2' X 2' PEDESTAL PAVERS

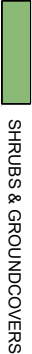
3. SOFA SEATING W/ TABLE

4. SOFA SEATS W/ ROUND TABLES

5. GREEN WALL OPTIONS:



PLANTING LEGEND

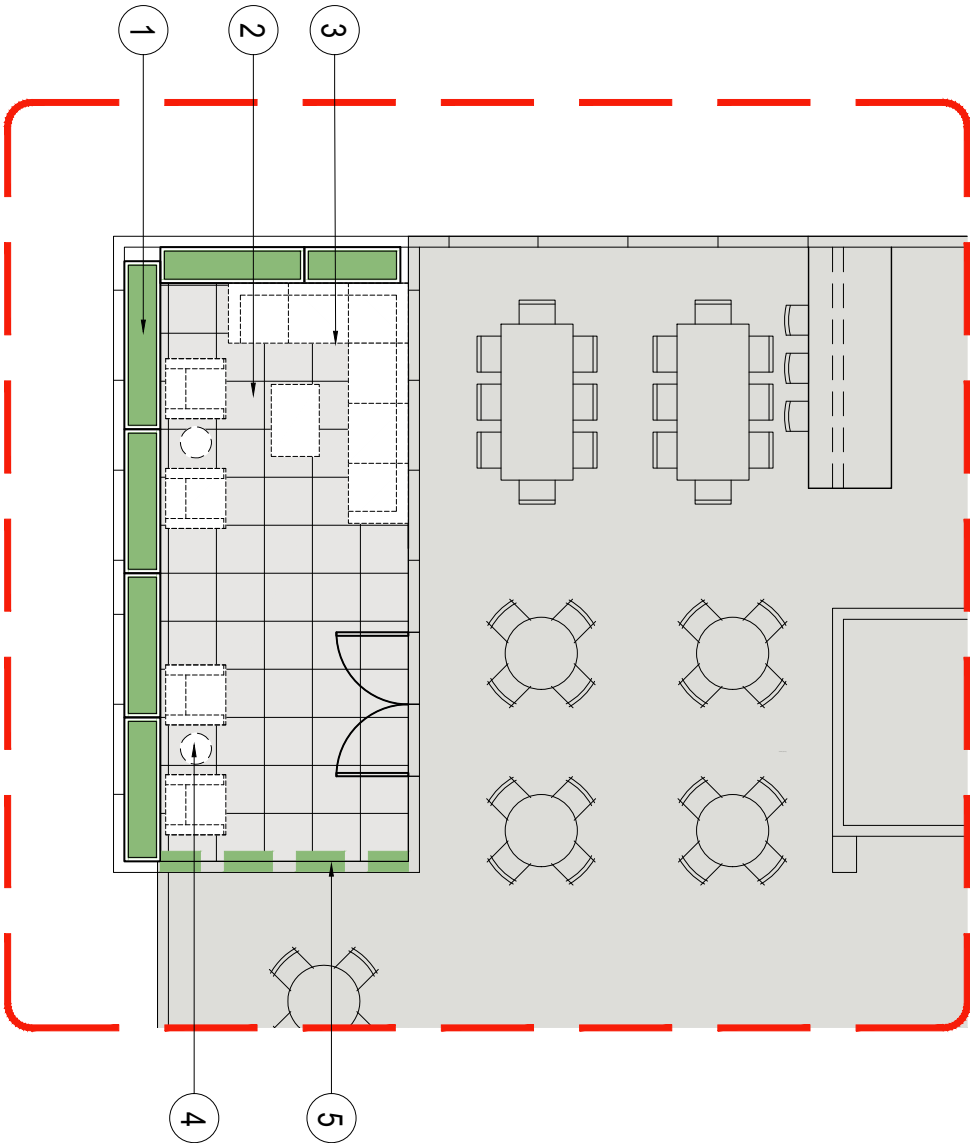


SHRUBS & GROUNDCOVERS

PAVING LEGEND



2' X 2' PEDESTAL PAVERS



1. PRELIMINARY LANDSCAPE PLAN - 2ND LVL MEMORY CARE PATIO N

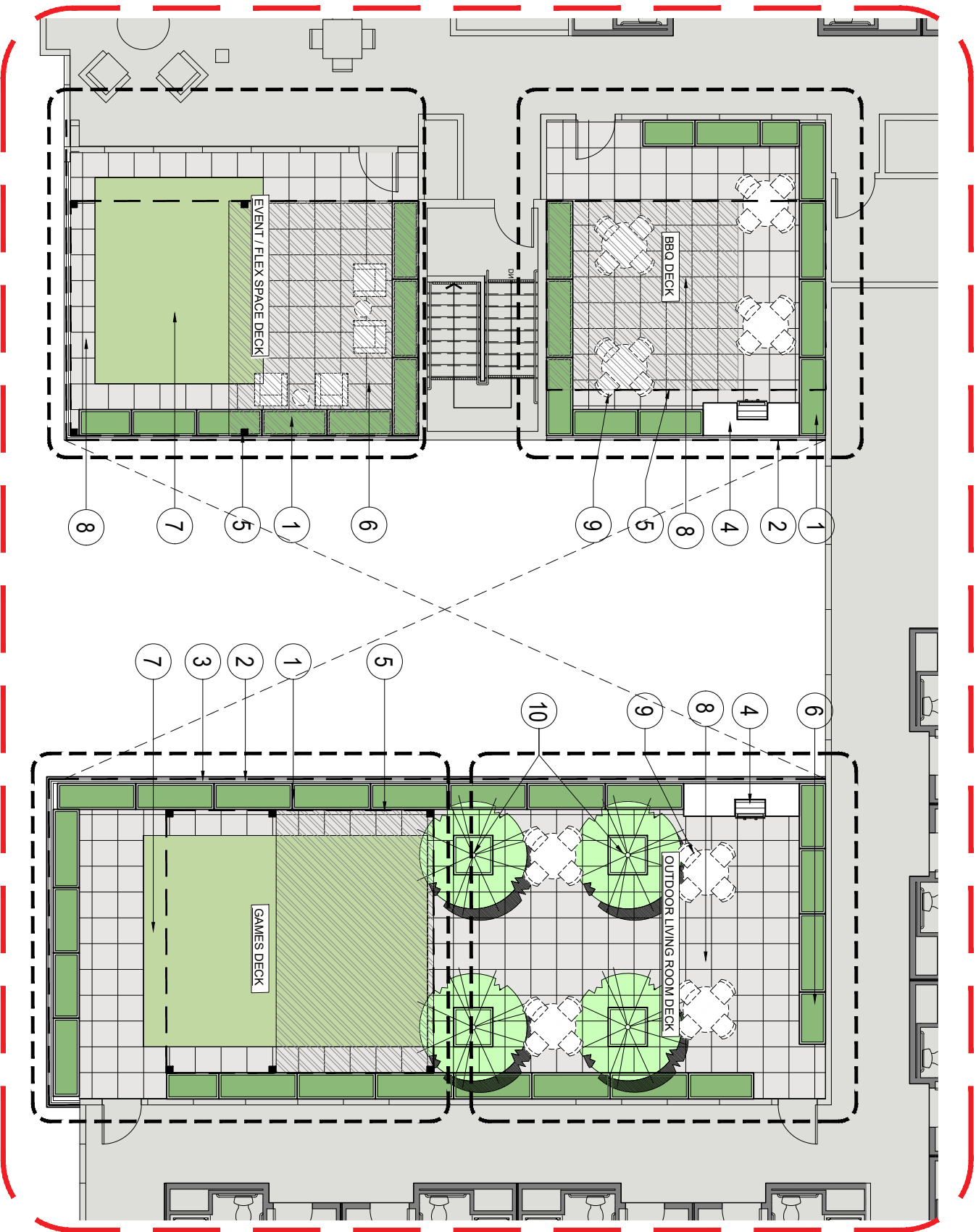


Scale: 1/16" = 1'-0"

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825-837 SOUTH HOLT AVENUE
LOS ANGELES, CA 90035

PROJECT # 22013 10/09/2020

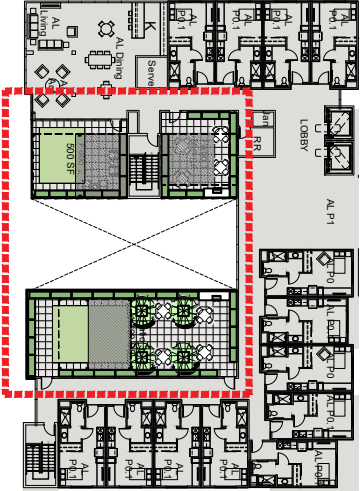


1 PRELIMINARY LANDSCAPE PLAN - 5TH LEVEL
SCALE: 3/32" = 1'-0"



Scale: 3/32" = 1'-0"

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KEY PLAN

KEYNOTES

1. FIBERGLASS PLANTER



2. 5TH GLASS RAILING

3. 10H SAFETY NET MESH WALL



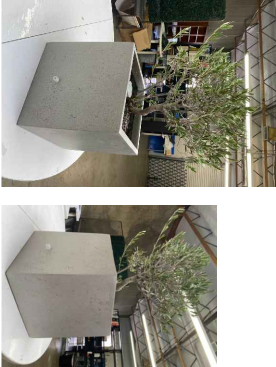
4. BBQ



5. CABLE SLIDE & GLIDE SHADE SYSTEM



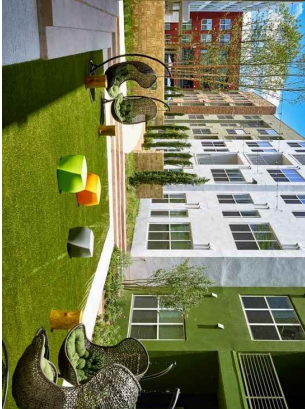
6. COUCH SEATING W/ TABLES



8. CONC. PAVING TILES

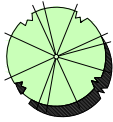
9. ROUND TABLES W/ CHAIRS

10. 3' X 3' MOBILE FIBERGLASS TREE PLANTERS



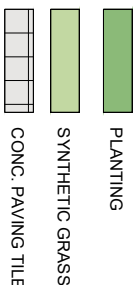
PLANTING LEGEND

TREES



CITRUS LEMON
'MEYER IMPROVED'
MEYER IMPROVE LEMON

PAVING LEGENDS



PLANTING

SYNTHETIC GRASS

CONC. PAVING TILE

825-837 SOUTH HOLT AVENUE
LOS ANGELES, CA 90035

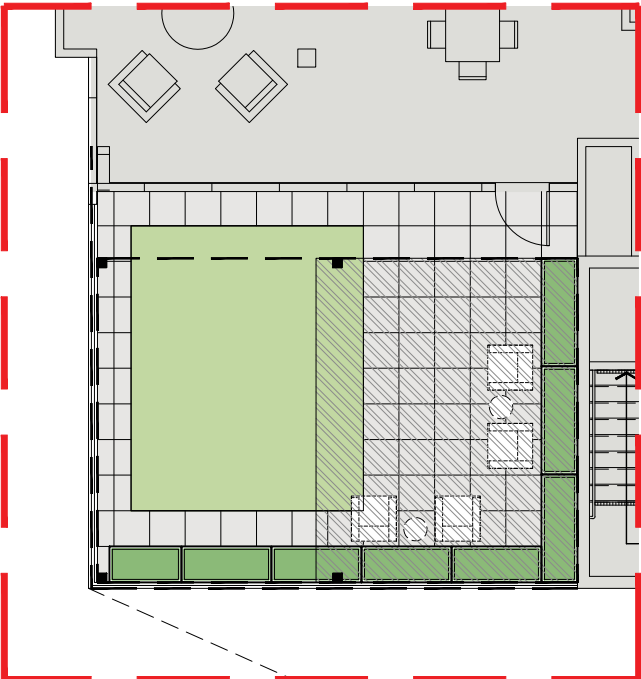
PROJECT # 22013 10/09/2020

SOLLA INC
Landscape Architects

2669 Saturn Street
BREA, CA, 92821
la@sqldinc.com

T. 562-905-0800
F. 562-905-0880
www.sqldinc.com

LP-4



2 EVENT/FLEX SPACE DECK ACTIVITIES

SCALE: 3/32" = 1'-0"



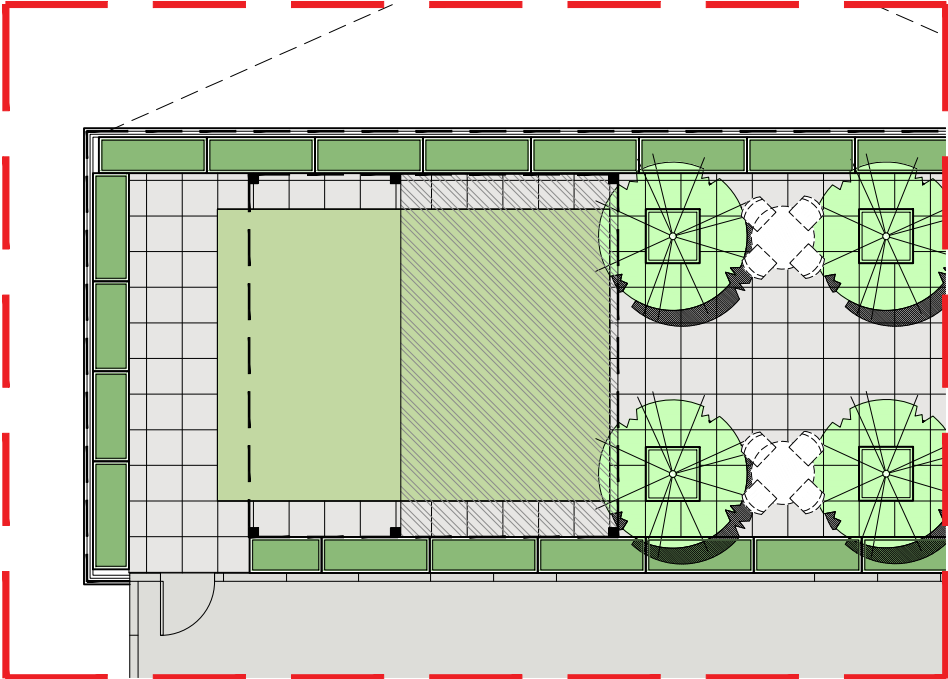
OUTDOOR PAINTING



LIVE MUSIC / ENTERTAINMENT



MEDITATION / STRETCHING EXERCISES



1 GAMES DECK ACTIVITIES

SCALE: 3/32" = 1'-0"



PUTTING GREEN



CIRCUIT WALKS



BOCCIE BALL



GROUP GAMES / ACTIVITIES



CORNHOLE

EXHIBIT "A"
Page No. 17 of 18
Case No. ZA-2020-2164-ELD-SPR

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LOS ANGELES, CA 90035

PROJECT # 22013 10/09/2020

			
PODOCARPUS GRACILLIOR (HEDGE) FERN PINE	ARBUTUS 'MARINA' STRAWBERRY TREE	ACER PALMATUM 'SANGOKAKU' CORAL BARK JAPANESE MAPLE	CITRUS LEMON 'MEYER IMPROVED' IMPROVED MEYER LEMON

1

TREE SELECTIONS.

SCALE: N.T.S

EXHIBIT “A”

Page No. 18 of 18

Case No. ZA-2020-2164-ELD-SPR

825-837 SOUTH HOLT AVENUE
LOS ANGELES, CA 90035

PROJECT # 22013 10/09/2020

COVID-19 UPDATE

Interim Appeal Filing Procedures

Fall 2020



Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, City Planning has implemented new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction.

OPTION 1: Online Appeal Portal

(planning.lacity.org/development-services/appeal-application-online)

Entitlement and CEQA appeals can be submitted online and payment can be made by credit card or e-check. The online appeal portal allows appellants to fill out and submit the appeal application directly to the Development Services Center (DSC). Once the appeal is accepted, the portal allows for appellants to submit a credit card payment, enabling the appeal and payment to be submitted entirely electronically. A 2.7% credit card processing service fee will be charged - there is no charge for paying online by e-check. Appeals should be filed early to ensure DSC staff has adequate time to review and accept the documents, and to allow Appellants time to submit payment. On the final day to file an appeal, the application must be submitted and paid for by 4:30PM (PT). Should the final day fall on a weekend or legal holiday, the time for filing an appeal shall be extended to 4:30PM (PT) on the next succeeding working day. Building and Safety appeals (LAMC Section 12.26K) can only be filed using Option 2 below.

OPTION 2: Drop off at DSC

An appellant may continue to submit an appeal application and payment at any of the three Development Services Center (DSC) locations. City Planning established drop off areas at the DSCs with physical boxes where appellants can drop.

Metro DSC

(213) 482-7077
201 N. Figueroa Street
Los Angeles, CA 90012

Van Nuys DSC

(818) 374-5050
6262 Van Nuys Boulevard
Van Nuys, CA 91401

West Los Angeles DSC

(310) 231-2901
1828 Sawtelle Boulevard
West Los Angeles, CA 90025

City Planning staff will follow up with the Appellant via email and/or phone to:

- Confirm that the appeal package is complete and meets the applicable LAMC provisions
- Provide a receipt for payment

**DEPARTMENT OF
CITY PLANNING
APPLICATION**



APPLICATIONS:

DEPARTMENT OF CITY PLANNING APPLICATION

THIS BOX FOR CITY PLANNING STAFF USE ONLY

Case Number

LZA-2020-2164 - ELD - SPR

Env. Case Number

ENV 2020-2165 - EAF

Application Type

ELDERCARE UNIFIED PERMIT

Case Filed With (Print Name)

J. CHAN

Date Filed

3/31/20

Application includes letter requesting:

☐ Waived hearing☐ Concurrent hearing☐ Hearing not be scheduled on a specific date (e.g. vacation hold)

Related Case Number

Provide all information requested. Missing, incomplete or inconsistent information will cause delays.

All terms in this document are applicable to the singular as well as the plural forms of such terms.

Detailed filing instructions are found on form CP-7810

1. PROJECT LOCATION

Street Address¹ 825-837 Holt Avenue

Unit/Space Number

Legal Description² (Lot, Block, Tract) Lot 40, Lot 41, and Lot 42 of Tract 4666

Assessor Parcel Number 4333-024-008, -009, -010

Total Lot Area 18,003 sq ft

2. PROJECT DESCRIPTION

Present Use Duplex Apartments

Proposed Use Eldercare Facility

Project Name (if applicable) Holt Eldercare

Describe in detail the characteristics, scope and/or operation of the proposed project The proposed eldercare facility will be comprised of 80 guest rooms, 80% dedicated to assisted living and 20% to memory care. There will be two subterranean levels – the first containing common area amenities and the second containing 36 parking spaces.

Additional information attached

☐ YES☒ NO

Complete and check all that apply:

Existing Site Conditions☐ Site is undeveloped or unimproved (i.e. vacant)☐ Site is located within 500 feet of a freeway or railroad☒ Site has existing buildings (provide copies of building permits)☐ Site is located within 500 feet of a sensitive use (e.g. school, park)☐ Site is/was developed with use that could release hazardous materials on soil and/or groundwater (e.g. dry cleaning, gas station, auto repair, industrial)☐ Site has special designation (e.g. National Historic Register, Survey LA)¹ Street Addresses must include all addresses on the subject/application site (as identified in ZIMAS—<http://zimas.lacity.org>)² Legal Description must include all contiguously owned properties (even if they are not a part of the proposed project site)

Proposed Project Information

(Check all that apply or could apply)

- ☒ Demolition of existing buildings/structures
- ☐ Relocation of existing buildings/structures
- ☐ Interior tenant improvement
- ☐ Additions to existing buildings
- ☒ Grading
- ☐ Removal of any on-site tree
- ☐ Removal of any street tree

- ☐ Removal of protected trees on site or in the public right of way
- ☒ New construction: 60,606 sq ft _____ square feet
- ☐ Accessory use (fence, sign, wireless, carport, etc.)
- ☐ Exterior renovation or alteration
- ☐ Change of use and/or hours of operation
- ☒ Haul Route
- ☐ Uses or structures in public right-of-way
- ☐ Phased project

Housing Component Information

Number of Residential Units: Existing 6 – Demolish(ed)³ 6 + Adding 80 = Total 80
Number of Affordable Units⁴ Existing _____ – Demolish(ed) _____ + Adding _____ = Total _____
Number of Market Rate Units Existing _____ – Demolish(ed) _____ + Adding _____ = Total _____
Mixed Use Projects, Amount of Non-Residential Floor Area: _____ square feet

Public Right-of-Way InformationHave you submitted the Planning Case Referral Form to BOE? (required) ☒ YES ☐ NOIs your project required to dedicate land to the public right-of-way? ☐ YES ☒ NO

If so, what is/are your dedication requirement(s)? _____ ft.

If you have dedication requirements on multiple streets, please indicate: _____

3. ACTION(S) REQUESTED

Provide the Los Angeles Municipal Code (LAMC) Section that authorizes the request and (if applicable) the LAMC Section or the Specific Plan/Overlay Section from which relief is sought; follow with a description of the requested action.

Does the project include Multiple Approval Requests per LAMC 12.36? ☐ YES ☒ NOAuthorizing Code Section LAMC Section 14.3.1

Code Section from which relief is requested (if any): _____

Action Requested, Narrative: We are requesting deviations from the density, floor area, height, and setback provisions of the [Q]R3-1-O Zone, as well as relief from specific bike parking requirements.

Authorizing Code Section LAMC Section 16.05E

Code Section from which relief is requested (if any): _____

Action Requested, Narrative: Site Plan Review for a project creating more than 50 guest rooms in the [Q]R3-1-O Zone.

Additional Requests Attached ☐ YES ☒ NO

³ Number of units to be demolished and/or which have been demolished within the last five (5) years.

⁴ As determined by the Housing and Community Investment Department

4. RELATED DEPARTMENT OF CITY PLANNING CASES

Are there previous or pending cases/decisions/environmental clearances on the project site? ☒ YES ☐ NO

If YES, list all case number(s) CPC-2018-3731-GPA-ZC-HD-CDO, ENV-2018-3732-EIR, CPC-1989-146-ZC, ND-90-111-ZC, CPC-19XX-19234, and ZA-1965-17815

If the application/project is directly related to one of the above cases, list the pertinent case numbers below and complete/check all that apply (provide copy).

Case No. _____

Ordinance No.: _____

☐ Condition compliance review

☐ Clarification of Q (Qualified) classification

☐ Modification of conditions

☐ Clarification of D (Development Limitations) classification

☐ Revision of approved plans

☐ Amendment to T (Tentative) classification

☐ Renewal of entitlement

☐ Plan Approval subsequent to Master Conditional Use

For purposes of environmental (CEQA) analysis, is there intent to develop a larger project? ☐ YES ☒ NO

Have you filed, or is there intent to file, a Subdivision with this project? ☐ YES ☒ NO

If YES, to either of the above, describe the other parts of the projects or the larger project below, whether or not currently filed with the City:

5. RELATED DOCUMENTS / REFERRALS

To help assigned staff coordinate with other Departments that may have a role in the proposed project, please provide a copy of any applicable form and reference number if known.

- a. Specialized Requirement Form Eldercare Facility Unified Permit (ELD) + Site Plan Review (SPR)
- b. Geographic Project Planning Referral _____
- c. Citywide Design Guidelines Compliance Review Form _____
- d. Affordable Housing Referral Form _____
- e. Mello Form _____
- f. Unpermitted Dwelling Unit (UDU) Inter-Agency Referral Form _____
- g. HPOZ Authorization Form _____
- h. Management Team Authorization _____
- i. Expedite Fee Agreement Attached - dated March 6, 2020
- j. Department of Transportation (DOT) Referral Form _____
- k. Preliminary Zoning Assessment Referral Form _____
- l. SB330 Preliminary Application _____
- m. Bureau of Engineering (BOE) Planning Case Referral Form (PCRF) Reference No. 202000194
- n. Order to Comply _____
- o. Building Permits and Certificates of Occupancy Attached
- p. Hillside Referral Form (BOE) _____
- q. Low Impact Development (LID) Referral Form (Storm water Mitigation) _____
- r. SB330 Determination Letter from Housing and Community Investment Department _____
- s. Are there any recorded Covenants, affidavits or easements on this property? ☒ YES (provide copy) ☐ NO

PROJECT TEAM INFORMATION (Complete all applicable fields)

Applicant⁵ name Daniel Kianmahd (Owner in Escrow)

Company/Firm The Panorama Group, Inc.

Address: 8665 Wilshire Boulevard Unit/Space Number Suite 208

City Beverly Hills State CA Zip Code: 90211

Telephone (323) 546-4994 E-mail: dk@accesspanorama.com

Are you in escrow to purchase the subject property? ☐ YES ☐ NO

Property Owner of Record ☒ Same as applicant ☐ Different from applicant

Name (if different from applicant) _____

Address _____ Unit/Space Number _____

City _____ State _____ Zip Code: _____

Telephone _____ E-mail: _____

Agent/Representative name Stephen Kia

Company/Firm Urban Concepts

Address: 3731 Wilshire Boulevard Unit/Space Number Suite 670

City Los Angeles State CA Zip: 90010

Telephone (323) 966-2610 E-mail: stephenk@urban-concepts.com

Other (Specify Architect, Engineer, CEQA Consultant etc.) _____

Name _____

Company/Firm _____

Address: _____ Unit/Space Number _____

City _____ State _____ Zip Code: _____

Telephone _____ E-mail: _____

Primary Contact for Project Information
(select only one)

☐ Owner

☐ Applicant

☒ Agent/Representative

☐ Other

To ensure notification of any public hearing as well as decisions on the project, make sure to include an individual mailing label for each member of the project team in both the Property Owners List, and the Abutting Property Owners List.

⁵ An applicant is a person with a lasting interest in the completed project such as the property owner or a lessee/user of a project. An applicant is not someone filing the case on behalf of a client (i.e. usually not the agent/representative).

PROPERTY OWNER

7. **PROPERTY OWNER AFFIDAVIT.** Before the application can be accepted, the owner of each property involved must provide a notarized signature to verify the application is being filed with their knowledge. Staff will confirm ownership based on the records of the City Engineer or County Assessor. In the case of partnerships, corporations, LLCs or trusts the agent for service of process or an officer of the ownership entity so authorized may sign as stipulated below.

- **Ownership Disclosure.** If the property is owned by a partnership, corporation, LLC or trust, a disclosure identifying the agent for service of process or an officer of the ownership entity must be submitted. The disclosure must list the names and addresses of the principal owners (25% interest or greater). The signatory must appear in this list of names. A letter of authorization, as described below, may be submitted provided the signatory of the letter is included in the Ownership Disclosure. Include a copy of the current partnership agreement, corporate articles, or trust document as applicable.
- **Letter of Authorization (LOA).** A LOA from a property owner granting someone else permission to sign the application form may be provided if the property is owned by a partnership, corporation, LLC or trust or in rare circumstances when an individual property owner is unable to sign the application form. To be considered for acceptance, the LOA must indicate the name of the person being authorized the file, their relationship to the owner or project, the site address, a general description of the type of application being filed and must also include the language in items A-D below. In the case of partnerships, corporations, LLCs or trusts the LOA must be signed and notarized by the authorized signatory as shown on the Ownership Disclosure or in the case of private ownership by the property owner. Proof of Ownership for the signatory of the LOA must be submitted with said letter.
- **Grant Deed.** Provide a Copy of the Grant Deed If the ownership of the property does not match City Records and/or if the application is for a Coastal Development Permit. The Deed must correspond exactly with the ownership listed on the application.
- **Multiple Owners.** If the property is owned by more than one individual (e.g. John and Jane Doe or Mary Smith and Mark Jones) notarized signatures are required of all owners.

- a. I hereby certify that I am the owner of record of the herein previously described property located in the City of Los Angeles which is involved in this application or have been empowered to sign as the owner on behalf of a partnership, corporation, LLC or trust as evidenced by the documents attached hereto.
- b. I hereby consent to the filing of this application on my property for processing by the Department of City Planning.
- c. I understand if the application is approved, as a part of the process the City will apply conditions of approval which may be my responsibility to satisfy including, but not limited to, recording the decision and all conditions in the County Deed Records for the property.
- d. By my signature below, I declare under penalty of perjury under the laws of the State of California that the foregoing statements are true and correct.

*Property Owner's signatures must be signed/notarized in the presence of a Notary Public.
The City requires an original signature from the property owner with the "wet" notary stamp.
A Notary Acknowledgement is available for your convenience on following page.*

Signature _____

Date March 30, 2020

Print Name Daniel Kianmahd

Signature _____

Date _____

Print Name _____

Space Below For Notary's Use

California All-Purpose Acknowledgement

Civil Code ' 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Los Angeles

On 3/30/2020 before me, Stephanie Cho (Notary Public)
(Insert Name of Notary Public and Title)

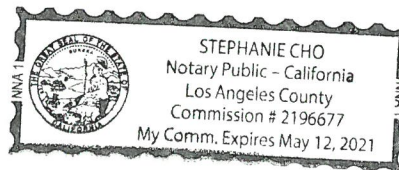
personally appeared Daniel Kianmahd, who
proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within
instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that
by (his/her/their signature(s)) on the instrument the person(s), or the entity upon behalf on which the person(s) acted,
executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and
correct.

WITNESS my hand and official seal.

Stephanie Cho
Signature

(Seal)



APPLICANT

8. **APPLICANT DECLARATION.** A separate signature from the applicant, whether they are the property owner or not, attesting to the following, is required before the application can be accepted.
- I hereby certify that the information provided in this application, including plans and other attachments, is accurate and correct to the best of my knowledge. Furthermore, should the stated information be found false or insufficient to fulfill the requirements of the Department of City Planning, I agree to revise the information as appropriate.
 - I hereby certify that I have fully informed the City of the nature of the project for purposes of the California Environmental Quality Act (CEQA) and have not submitted this application with the intention of segmenting a larger project in violation of CEQA. I understand that should the City determine that the project is part of a larger project for purposes of CEQA, the City may revoke any approvals and/or stay any subsequent entitlements or permits (including certificates of occupancy) until a full and complete CEQA analysis is reviewed and appropriate CEQA clearance is adopted or certified.
 - I understand that the environmental review associated with this application is preliminary, and that after further evaluation, additional reports, studies, applications and/or fees may be required.
 - I understand and agree that any report, study, map or other information submitted to the City in furtherance of this application will be treated by the City as public records which may be reviewed by any person and if requested, that a copy will be provided by the City to any person upon the payment of its direct costs of duplication.
 - I understand that the burden of proof to substantiate the request is the responsibility of the applicant. Additionally, I understand that planning staff are not permitted to assist the applicant or opponents of the project in preparing arguments for or against a request.
 - I understand that there is no guarantee, expressed or implied, that any permit or application will be granted. I understand that each matter must be carefully evaluated and that the resulting recommendation or decision may be contrary to a position taken or implied in any preliminary discussions.
 - I understand that if this application is denied, there is no refund of fees paid.
 - I understand and agree to defend, indemnify, and hold harmless, the City, its officers, agents, employees, and volunteers (collectively "City"), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution (collectively "actions"), arising out of any City process or approval prompted by this Action, either in whole or in part. Such actions include but are not limited to: actions to attack, set aside, void, or otherwise modify, an entitlement approval, environmental review, or subsequent permit decision; actions for personal or property damage; actions based on an allegation of an unlawful pattern and practice; inverse condemnation actions; and civil rights or an action based on the protected status of the petitioner or claimant under state or federal law (e.g. ADA or Unruh Act). I understand and agree to reimburse the City for any and all costs incurred in defense of such actions. This includes, but is not limited to, the payment of all court costs and attorneys' fees, all judgments or awards, damages, and settlement costs. The indemnity language in this paragraph is intended to be interpreted to the broadest extent permitted by law and shall be in addition to any other indemnification language agreed to by the applicant.
 - By my signature below, I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents are true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of license or permit.

The City requires an original signature from the applicant. The applicant's signature below does not need to be notarized.

Signature: _____

Date: _____

Print Name: _____

OPTIONAL
NEIGHBORHOOD CONTACT SHEET

9. **SIGNATURES** of adjoining or neighboring property owners in support of the request are not required but are helpful, especially for projects in single-family residential areas. Signatures may be provided below (attach additional sheets if necessary).

NAME (PRINT)	SIGNATURE	ADDRESS	KEY # ON MAP

REVIEW of the project by the applicable Neighborhood Council is not required, but is helpful. If applicable, describe, below or separately, any contact you have had with the Neighborhood Council or other community groups, business associations and/or officials in the area surrounding the project site (attach additional sheets if necessary).

--

ENVIRONMENTAL REPORT

COUNTY CLERK'S USE

CITY OF LOS ANGELES

OFFICE OF THE CITY CLERK
200 NORTH SPRING STREET, ROOM 395
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

(PRC Section 21152; CEQA Guidelines Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152(b) and CEQA Guidelines Section 15062. Pursuant to Public Resources Code Section 21167 (d), the posting of this notice starts a 35-day statute of limitations on court challenges to reliance on an exemption for the project. Failure to file this notice as provided above, results in the statute of limitations being extended to 180 days.

PARENT CASE NUMBER(S) / REQUESTED ENTITLEMENTS

ZA-2020-2164-ELD-SPR

LEAD CITY AGENCY

City of Los Angeles (Department of City Planning)

CASE NUMBER

ENV-2020-2165-CE

PROJECT TITLE

Holt Eldercare

COUNCIL DISTRICT

13

PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map)

825-837 Holt Avenue

☐ Map attached.

PROJECT DESCRIPTION:

☐ Additional page(s) attached.

The proposed project includes the demolition and removal of the three (3) duplexes; and the construction of an approximately 57,680 square-foot Eldercare Facilities development consisting of both assisted living and Alzheimer's/Dementia uses. The proposed project will contain 80 guest rooms, of which 62 guest rooms will be designated for Assisted Living Care and 18 guest rooms designated for Alzheimer's/Dementia Care. The building is proposed to be 58 feet (at its highest point) built to five (5) stories. The total FAR of the proposed development is 5.06 to 1.

NAME OF APPLICANT / OWNER:

Daniel Kianmahd, The Panorama Group, Inc.

CONTACT PERSON (If different from Applicant/Owner above)

Alex Truong

(AREA CODE) TELEPHONE NUMBER

213-978-3308

EXT.

STATE CEQA STATUTE & GUIDELINES

☐ STATUTORY EXEMPTION(S)

Public Resources Code Section(s) _____

☒ CATEGORICAL EXEMPTION(S) (State CEQA Guidelines Sec. 15301-15333 / Class 1-Class 33)CEQA Guideline Section(s) / Class(es) 15332, Class 32☐ OTHER BASIS FOR EXEMPTION (E.g., CEQA Guidelines Section 15061(b)(3) or (b)(4) or Section 15378(b))

JUSTIFICATION FOR PROJECT EXEMPTION:

☒ Additional page(s) attached☒ None of the exceptions in CEQA Guidelines Section 15300.2 to the categorical exemption(s) apply to the Project.☐ The project is identified in one or more of the list of activities in the City of Los Angeles CEQA Guidelines as cited in the justification.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

If different from the applicant, the identity of the person undertaking the project.

CITY STAFF USE ONLY:

CITY STAFF NAME AND SIGNATURE

Alexander Truong

STAFF TITLE

City Planning Associate

ENTITLEMENTS APPROVED

Eldercare Facility Unified Permit and Site Plan Review

FEE:

RECEIPT NO.

REC'D. BY (DCP DSC STAFF NAME)

DISTRIBUTION: County Clerk, Agency Record

Rev. 3-27-2019

PLOT PLANS



Sheet Index

Architectural:

A0.0	Cover Sheet
A0.1	Vicinity Map
A1.0	Site Plan
A1.1	Sun/ Shade Exhibit
A1.2	Holt Ave. Setback Exhibit
A2.0	Building Elevations
A3.0	Building Plans
A3.1	Building Plans
A4.0	Building Sections
A5.0	Unit Plans
A5.1	Unit Plans
A6.0	Perspectives
A6.1	Perspectives



Architecture + Planning
888.456.5849
ktgy.com



The Panorama Group, Inc.
9171 Wilshire Boulevard, Suite 500
Beverly Hills, CA 90210

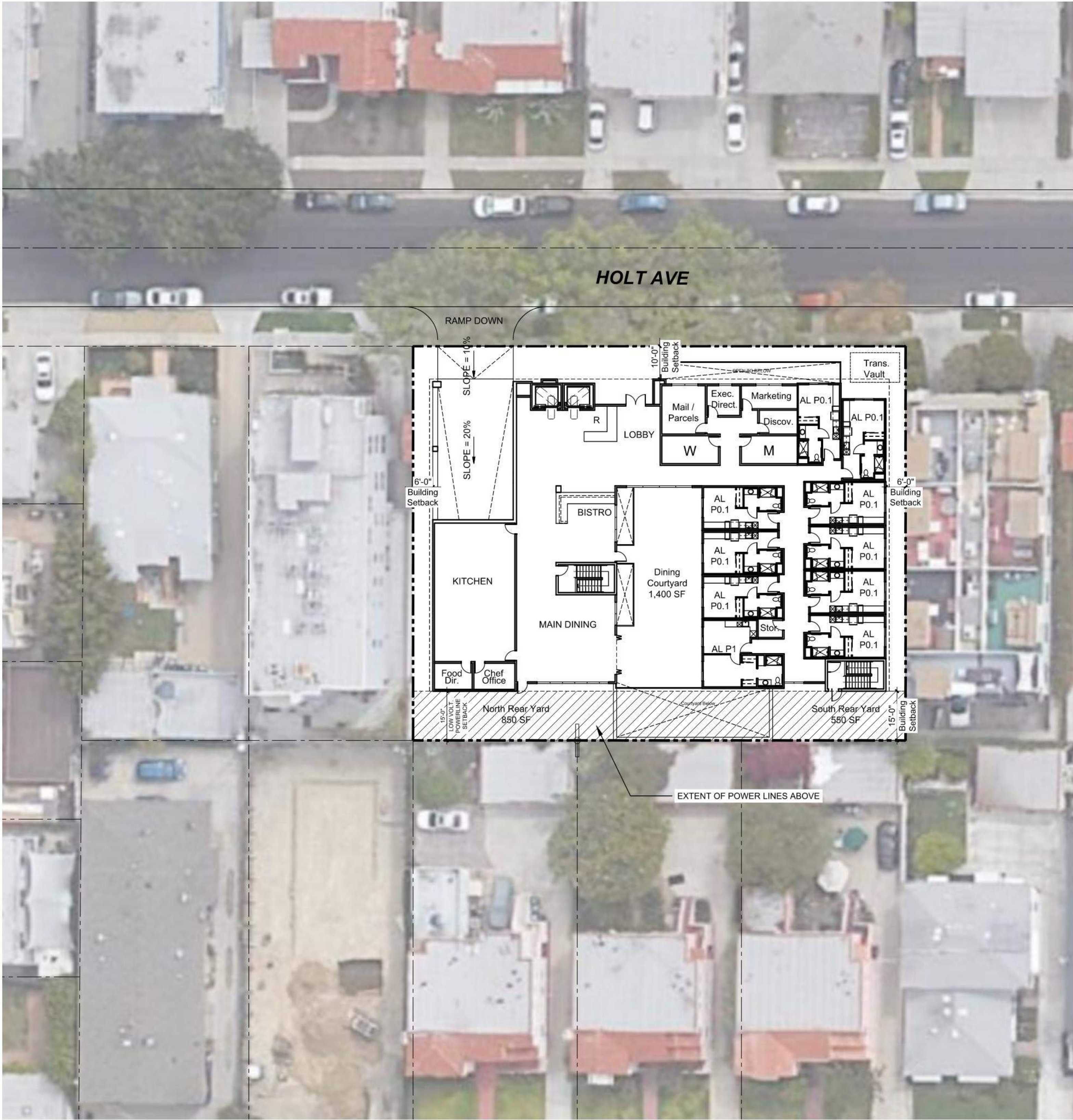
HOLT AVE AL MC
LOS ANGELES, CA # 2020-0010

CONCEPT PHASE
NOVEMBER 30, 2020

EXHIBIT "A"
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COVER SHEET
SHEET INDEX

A0.0



PROJECT DATA

SITE SUMMARY:		
APN: 4333-024-008	ADDRESS: 825-827 Holt Avenue	ZONING: [Q]R3-1-O Multiple Dwelling
APN: 4333-024-009	ADDRESS: 829-831 Holt Avenue	ZONING: [Q]R3-1-O Multiple Dwelling
APN: 4333-024-010	ADDRESS: 835-837 Holt Avenue	ZONING: [Q]R3-1-O Multiple Dwelling
SITE AREA		
18,003 SF		
0.41 AC		
BUILDABLE AREA		
11,390 SF		
ALLOWED DENSITY		
36 Guest Rooms		
PROPOSED DENSITY		
80 Guest Rooms		
225 SF/Guest Room		
BUILDING EFFICIENCY		
54%		
FAR (Basement + L1- L5)		
5.06		
FAR (L1- L5)		
4.30		
LOT COVERAGE		
12,840 SF		
ALLOWABLE HEIGHT		
45 FT (LAMC 12.21.1)		
PROPOSED HEIGHT		
58 FT		
REQUIRED OPEN SPACE		
N/A		

OPEN SPACE SUMMARY

LEVEL B1 COURTYARD	1,200 SF
LEVEL 1 DINING COURTYARD	1,400 SF
NORTH REAR COURTYARD	550 SF
SOUTH REAR COURTYARD	850 SF
LEVEL 2 MC OPEN PATIO	300 SF
LEVEL 5 PATIO 1	500 SF
LEVEL 5 PATIO 2	500 SF
LEVEL 5 PATIO 3	1,400 SF
TOTAL	6,700 SF

SETBACK SUMMARY (LAMC 12.10.C)

	REQUIRED	PROVIDED
FRONT (Holt Ave.)	20 FT	10 FT
NORTH SIDE	8 FT	6 FT
SOUTH SIDE	8 FT	6 FT
REAR	15 FT	15 FT

BUILDING SUMMARY:

BUILDING AREAS	TOTAL	PROGRAM	TOTAL	
B1 (Basement)	8,728	MEMORY CARE ROOMS	6,216	10.8%
L1	8,942	MEMORY CARE COMMON SPACE	4,135	7.2%
L2	10,351	ASSISTED LIVING ROOMS	24,780	43.0%
L3	10,750	ASSISTED LIVING COMMON SPACE	22,549	39.1%
L4	10,750			
L5	8,159			
TOTAL SF	57,680	TOTAL SF	57,680	

ROOM MIX	GSF	BEDS	L1	L2	L3	L4	L5	GUEST ROOMS	TOTAL BEDS	TOTAL GSF
MC P0	348	1	0	2	0	0	0	2	2	696
MC P0.1	329	1	0	12	0	0	0	12	12	3,948
MC P2	393	2	0	4	0	0	0	4	8	1,572
MC TOTAL			0	18	0	0	0	18	22	6,216
20.1% OF TOTAL GUEST ROOM AREA										

AL P0	349	1	0	0	3	3	2	8	8	2,792
AL P0.1	329	1	9	0	8	8	11	36	36	11,844
AL P1	433	1	1	0	3	3	1	8	8	3,464
AL P1.1	668	1	0	0	5	5	0	10	20	6,680
AL TOTAL			10	0	19	19	14	62	72	24,780
79.9% OF TOTAL GUEST ROOM AREA										

TOTAL	10	18	19	19	14	80	94	30,996
-------	----	----	----	----	----	----	----	--------

PARKING SUMMARY:

REQUIRED (LAMC 12.21.A.4(d)(5))	RATIO	QUANTITY	TOTAL
MEMORY CARE	0.2 SPACES/ BED	22	5 SPACES
ASSISTED LIVING	0.5 SPACES/ ROOM	62	31 SPACES
TOTAL			36 SPACES

PROVIDED	SUBTERRANEAN GARAGE	36 SPACES
----------	---------------------	-----------

BIKE PARKING SUMMARY: (LAMC 12.21.A.16(a)(2))

REQUIRED	TOTAL
Short-term	6 SPACES
Long-term	12 SPACES
PROVIDED	
Short-term	6 SPACES
Long-term	0 SPACES

LEVEL B1

Guest Rooms	-	SF
Corridor	100	SF
Common Areas		
Lobby	640	SF
Bike Storage	332	SF
Theater	835	SF
Storage	164	SF
Shared Living / Library	813	SF
Wine Cellar	103	SF
Salon	385	SF
Staff Lounge	209	SF
Mother's Room	108	SF
AL Coordinator	97	SF
Associate Executive Director	110	SF
Sales	110	SF
Residential Laundry	121	SF
Maintenance / Caregiver Laundry	314	SF
BOM Office	102	SF
Women's	136	SF
Men's	145	SF
Fitness / Physical Therapy	1,493	SF
Fitness Storage	203	SF
Activites / Open Lounge	2,208	SF
TOTAL	8,728	SF
Vertical Circulation		
Stair 1	146	SF
Stair 2	146	SF
Elevators	136	SF

LEVEL 1

Guest Rooms	3,394	SF
Corridor	860	SF
Common Areas		
Lobby / Reception	1,087	SF
Bistro	700	SF
Main Dining	795	SF
Kitchen	1,075	SF
Food Director	100	SF
Chef Offices	100	SF
Mail / Parcels	198	SF
Executive Director	93	SF
Marketing	124	SF
Discovery	84	SF
Women's	146	SF
Men's	144	SF
Storage	42	SF
TOTAL	8,942	SF
Vertical Circulation		
Stair 1	146	SF
Stair 2	146	SF
Elevators	136	SF

LEVEL 2

Guest Rooms	6,216	SF
Corridor	2,000	SF
Common Areas		
Lobby	340	SF
Restroom	102	SF
Storage	36	SF
Wellness Office	122	SF
Serve	74	SF
Kitchen	136	SF
MC Dining	487	SF
MC Living Room	472	SF
MC Activities	304	SF
Quiet Room	62	SF
TOTAL	10,351	SF
Vertical Circulation		
Stair 1	146	SF
Stair 2	146	SF
Elevators	136	SF

LEVEL 3

Guest Rooms	8,318	SF
Corridor	1,865	SF
Common Areas		
Lobby	340	SF
Restroom	75	SF
Storage	38	SF
Janitor	22	SF
Wellness Room	50	SF
Storage	42	SF
TOTAL	10,750	SF
Vertical Circulation		
Stair 1	146	SF
Stair 2	146	SF
Elevators	136	SF

LEVEL 4

Guest Rooms	8,318	SF
Corridor	1,865	SF
Common Areas		
Lobby	340	SF
Restroom	75	SF
Storage	38	SF
Janitor	22	SF
Wellness Room	50	SF
Storage	42	SF
TOTAL	10,750	SF
Vertical Circulation		
Stair 1	146	SF
Stair 2	146	SF
Elevators	136	SF

LEVEL 5

Guest Rooms	4,750	SF
Corridor	1,701	SF
Common Areas		
Lobby	340	SF
Restroom	75	SF
Storage	22	SF
Janitor	50	SF
Serve	74	SF
Kitchen	136	SF
AL Dining	562	SF
AL Living Room	205	SF
AL Activities	244	SF
TOTAL	8,159	SF
Vertical Circulation		
Stair 1	146	SF
Stair 2	146	SF
Elevators	136	SF

TOTAL	57,680	SF
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EXHIBIT "A"
Page No. 2 of 18
Case No. ZA-2020-2164-ELD-SPR



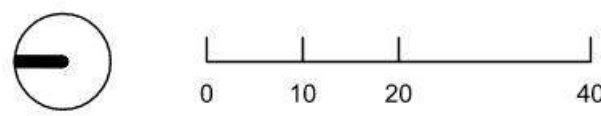
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HOLT AVE AL MC
LOS ANGELES, CA # 2020-0010

CONCEPT PHASE
NOVEMBER 30, 2020



SITE PLAN

A1.0



Summer Solstice (June 20th) - 9:00am



Summer Solstice (June 20th) - 12:00pm



Summer Solstice (June 20th) - 3:00pm



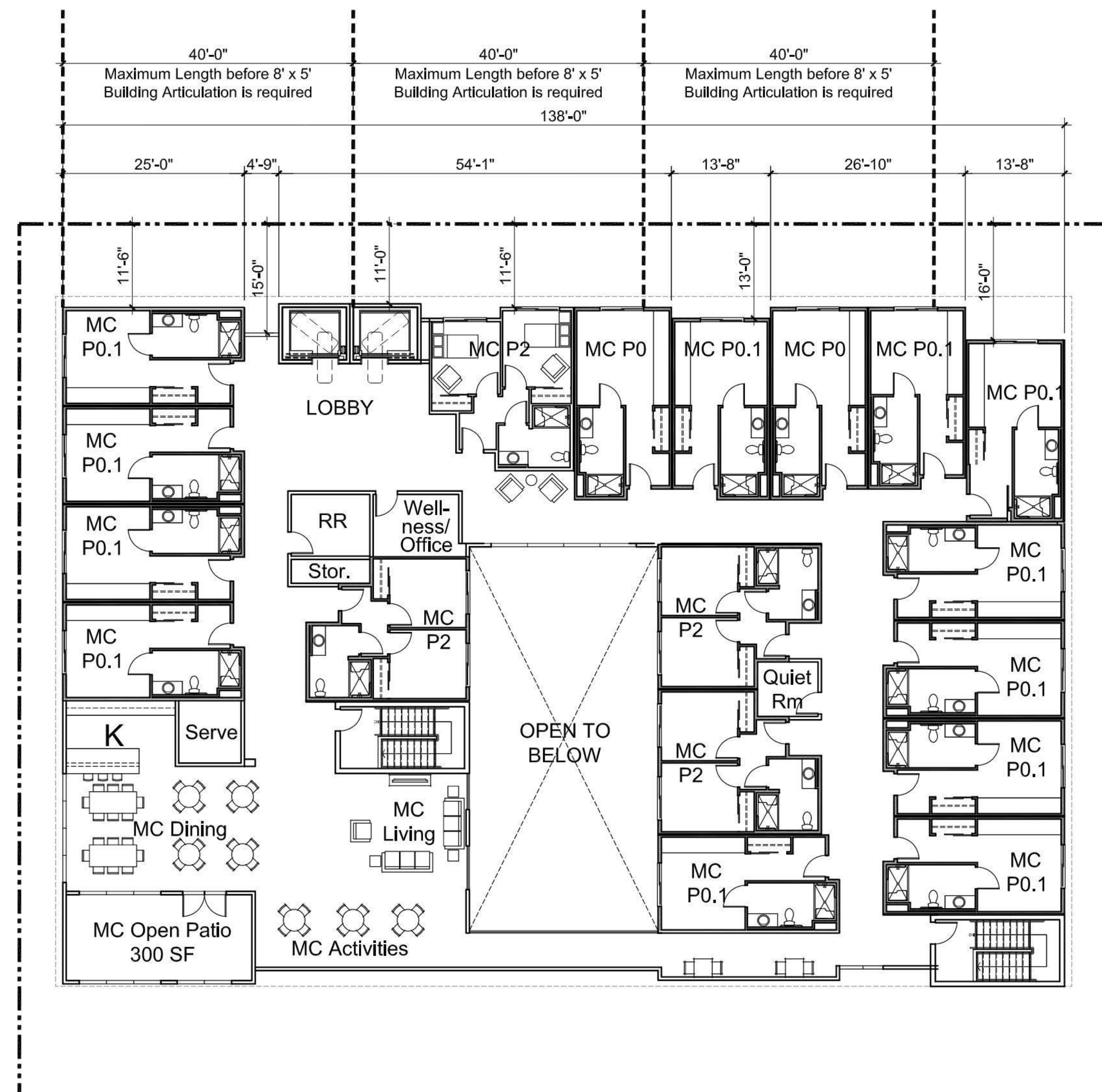
Winter Solstice (December 21st) - 9:00am



Winter Solstice (December 21st) - 12:00pm



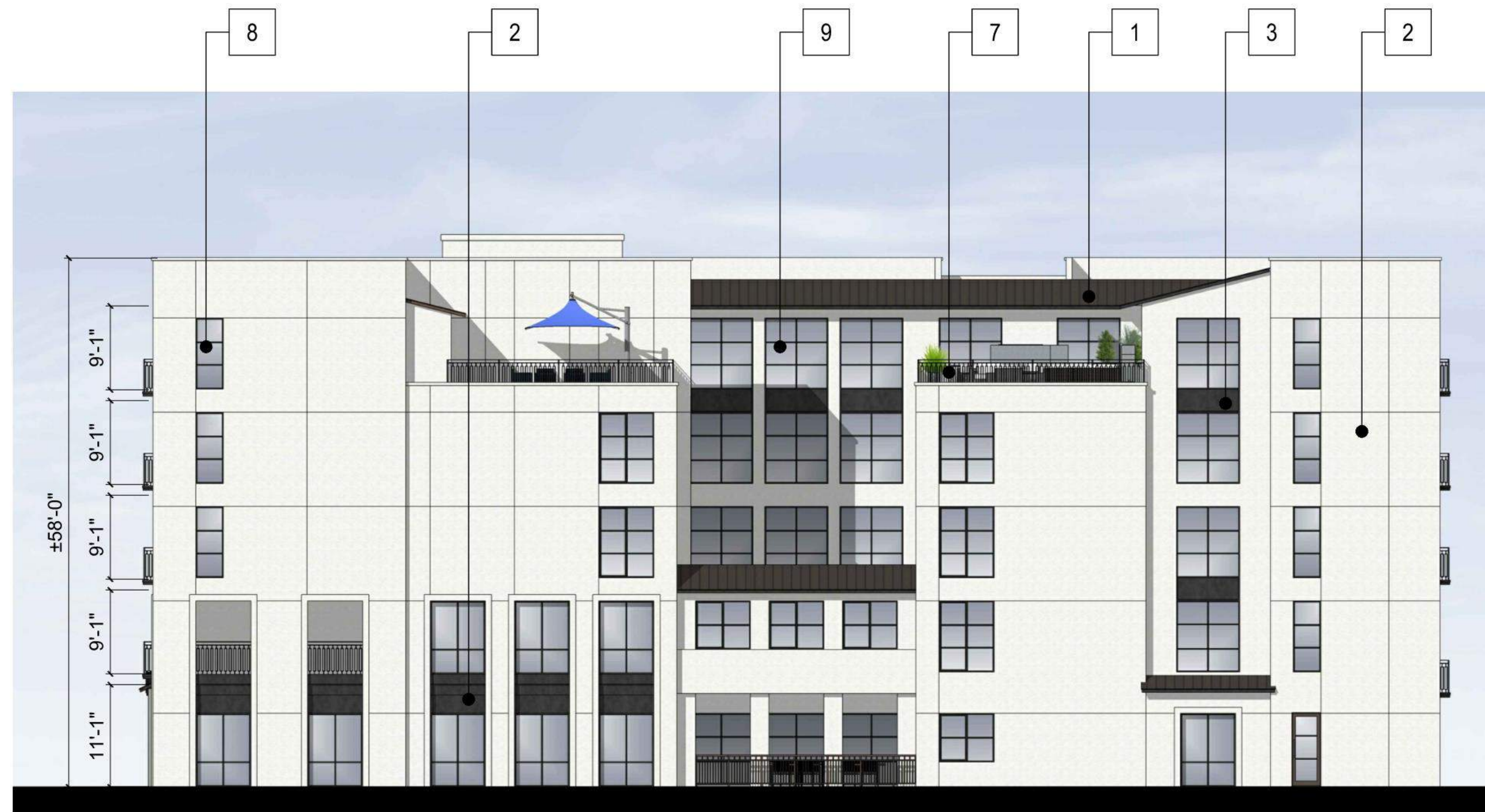
Winter Solstice (December 21st) - 3:00pm



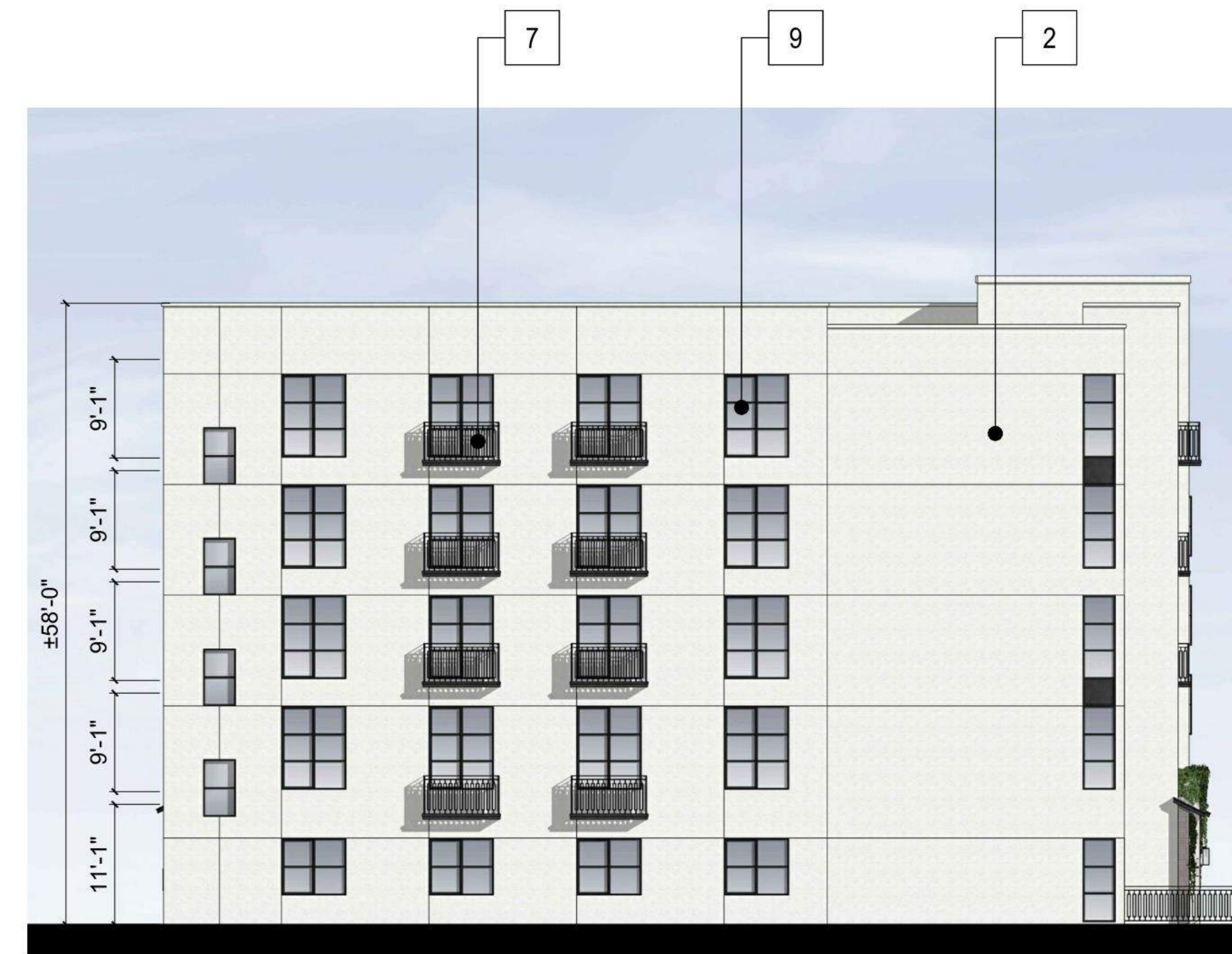
LEVEL 2 (TYPICAL LEVEL)



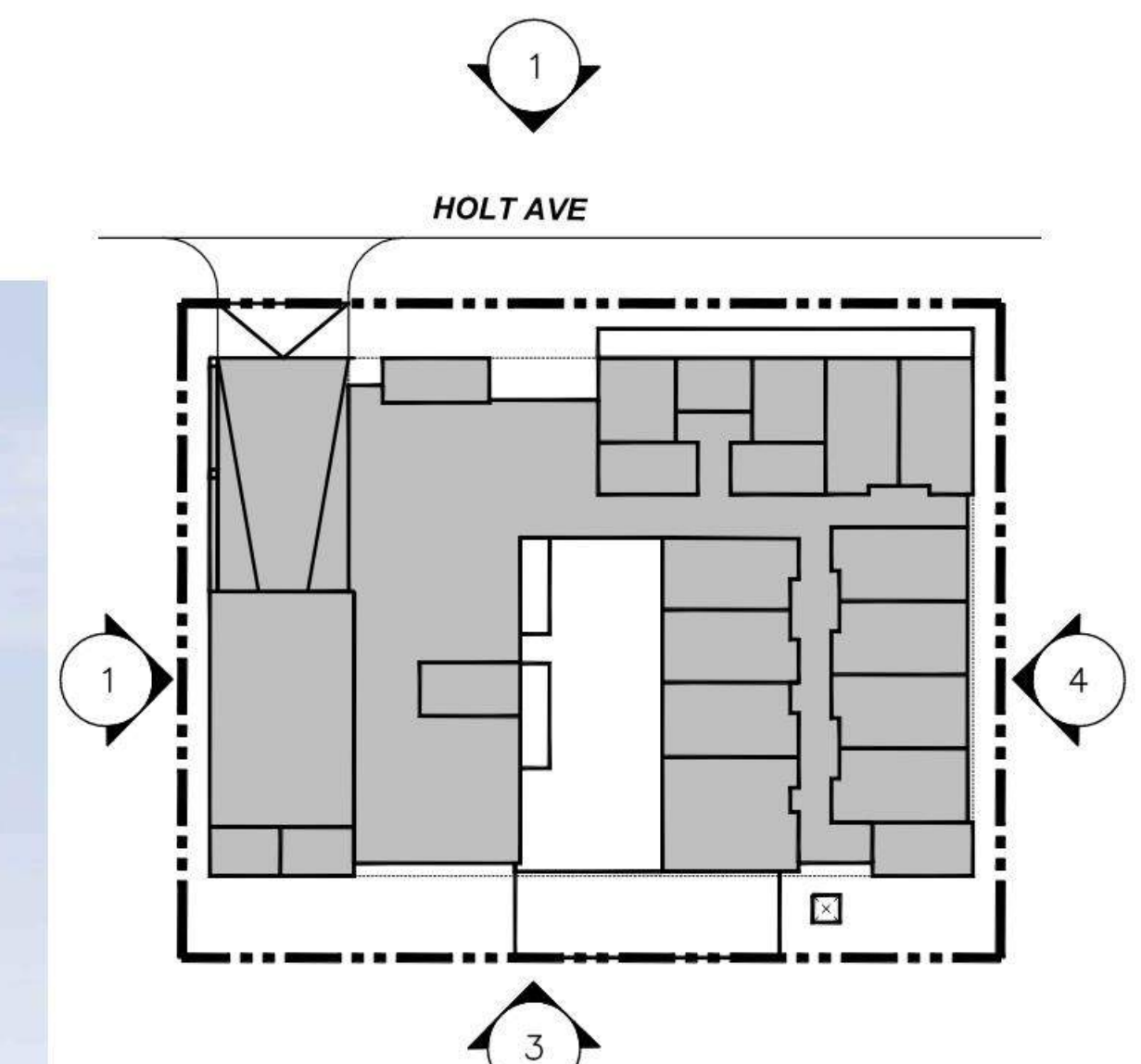
LEVEL 1



3. REAR - West Elevation



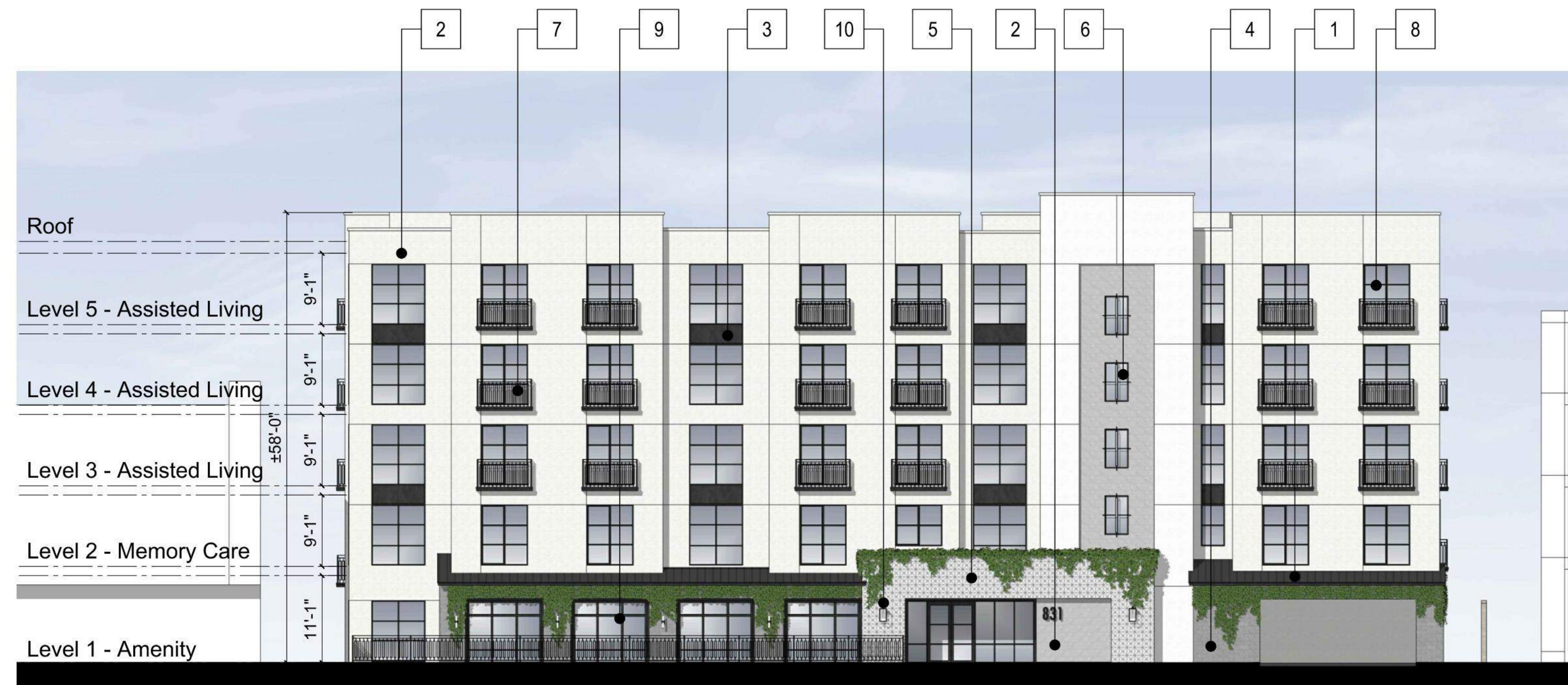
4. LEFT - South Elevation



Keymap - n.t.s.

Material Legend

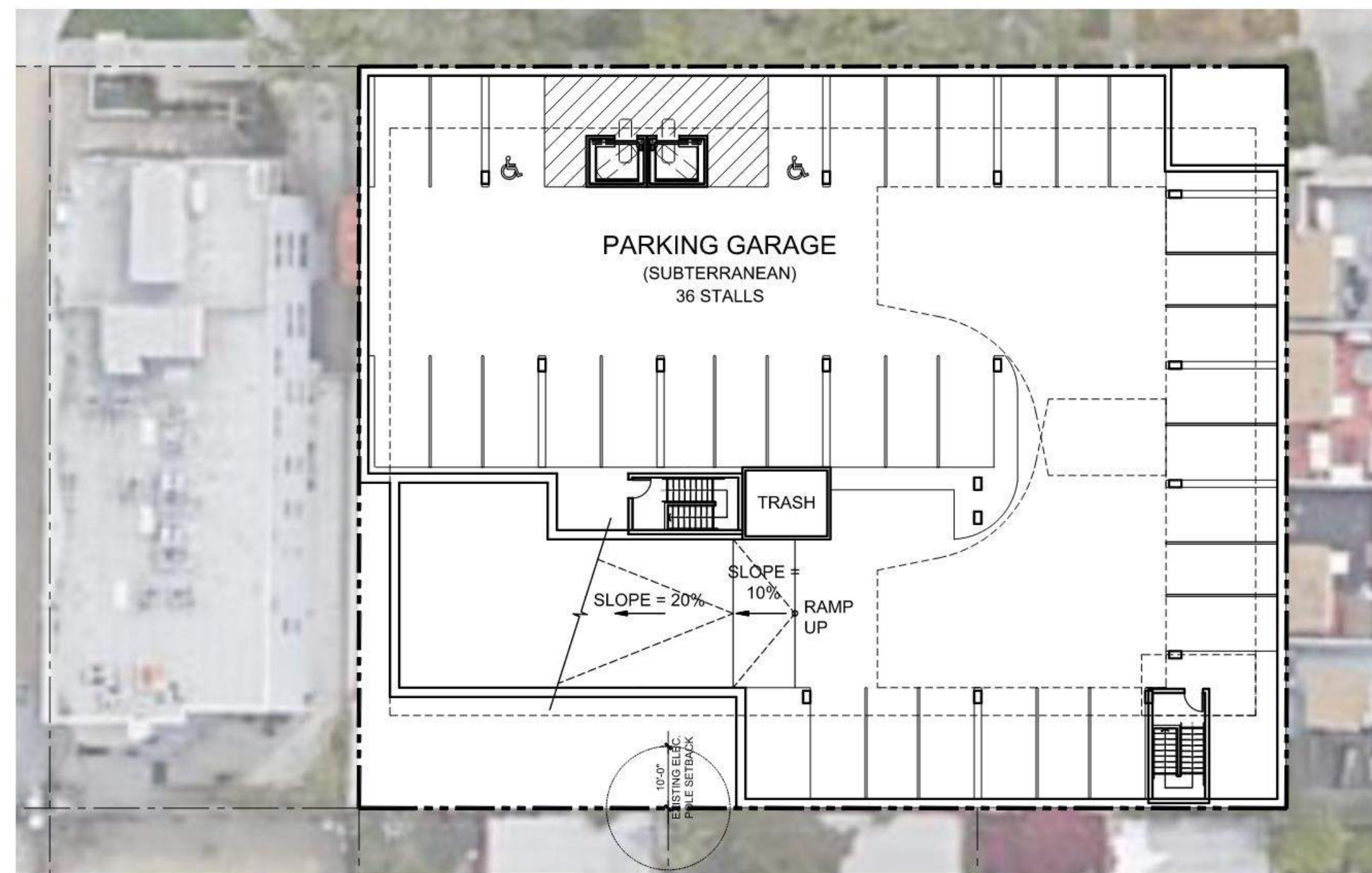
1. Standing Seam Metal Roof
2. Stucco
3. Fiber Cement Panel
4. Stone Veneer
5. Decorative Tile
6. Metal Ornamentation
7. Metal Railing
8. Vinyl Window
9. Storefront Glazing
10. Wall Mounted Light Sconce



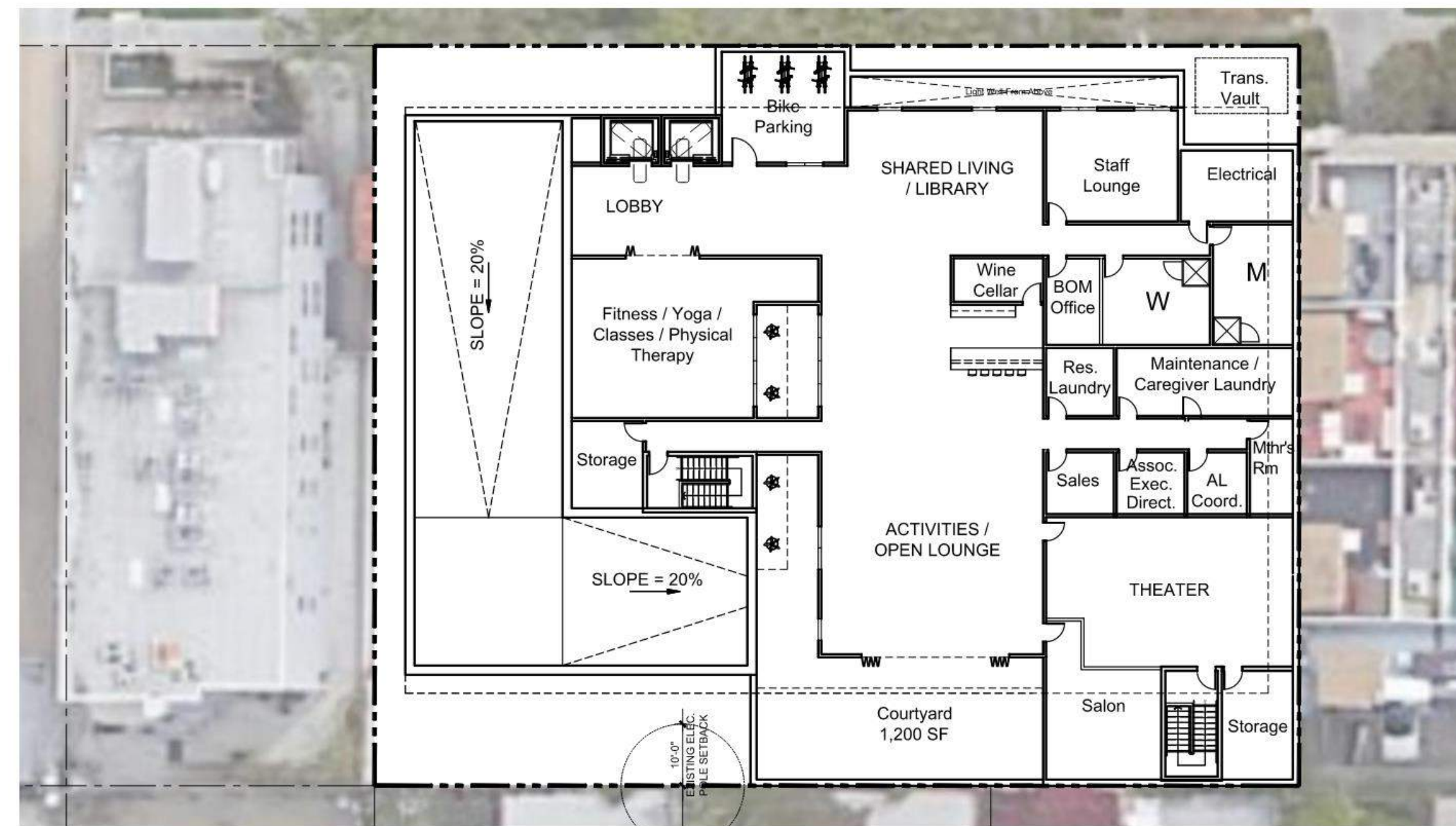
1. FRONT - East Elevation



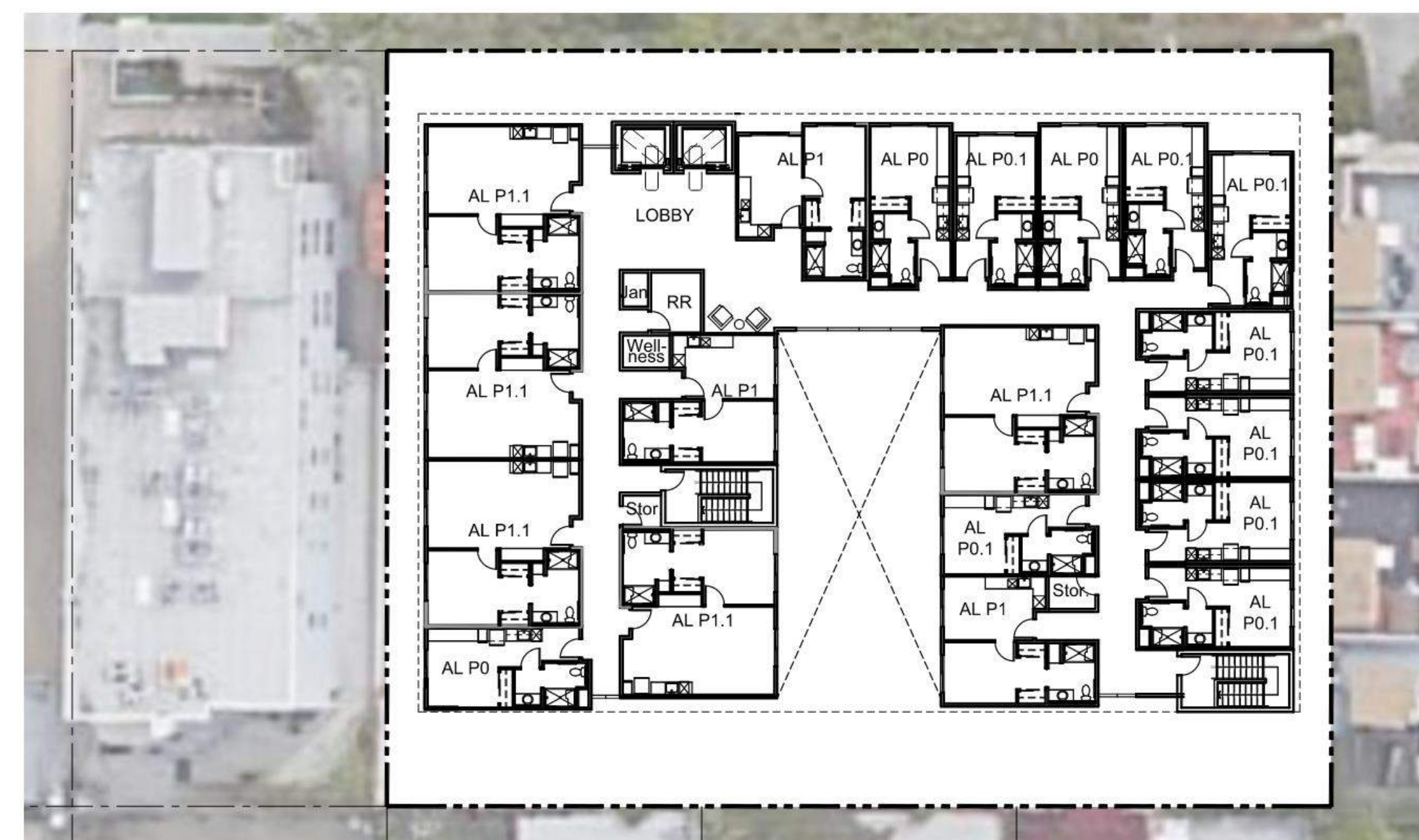
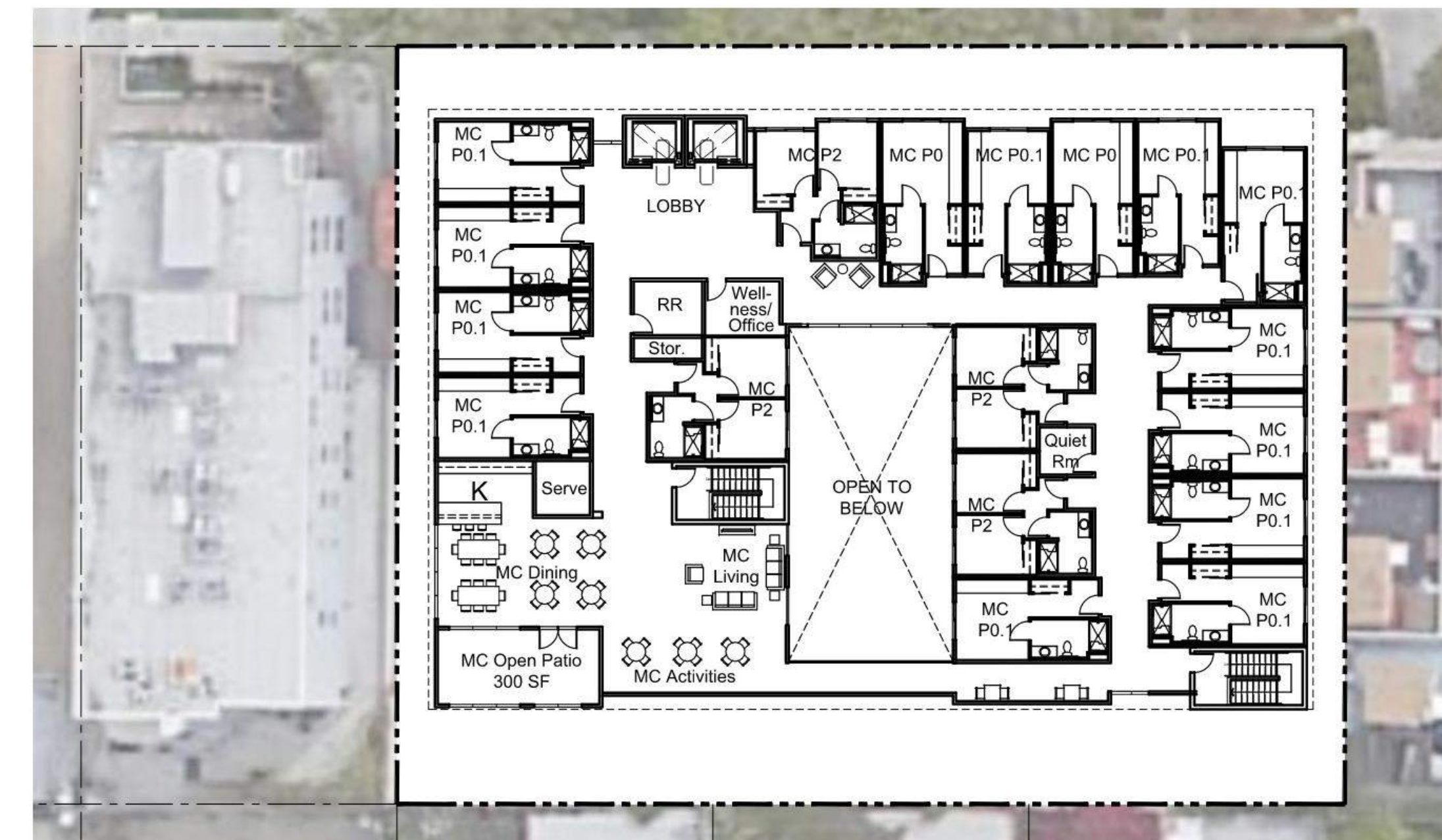
2. RIGHT - North Elevation

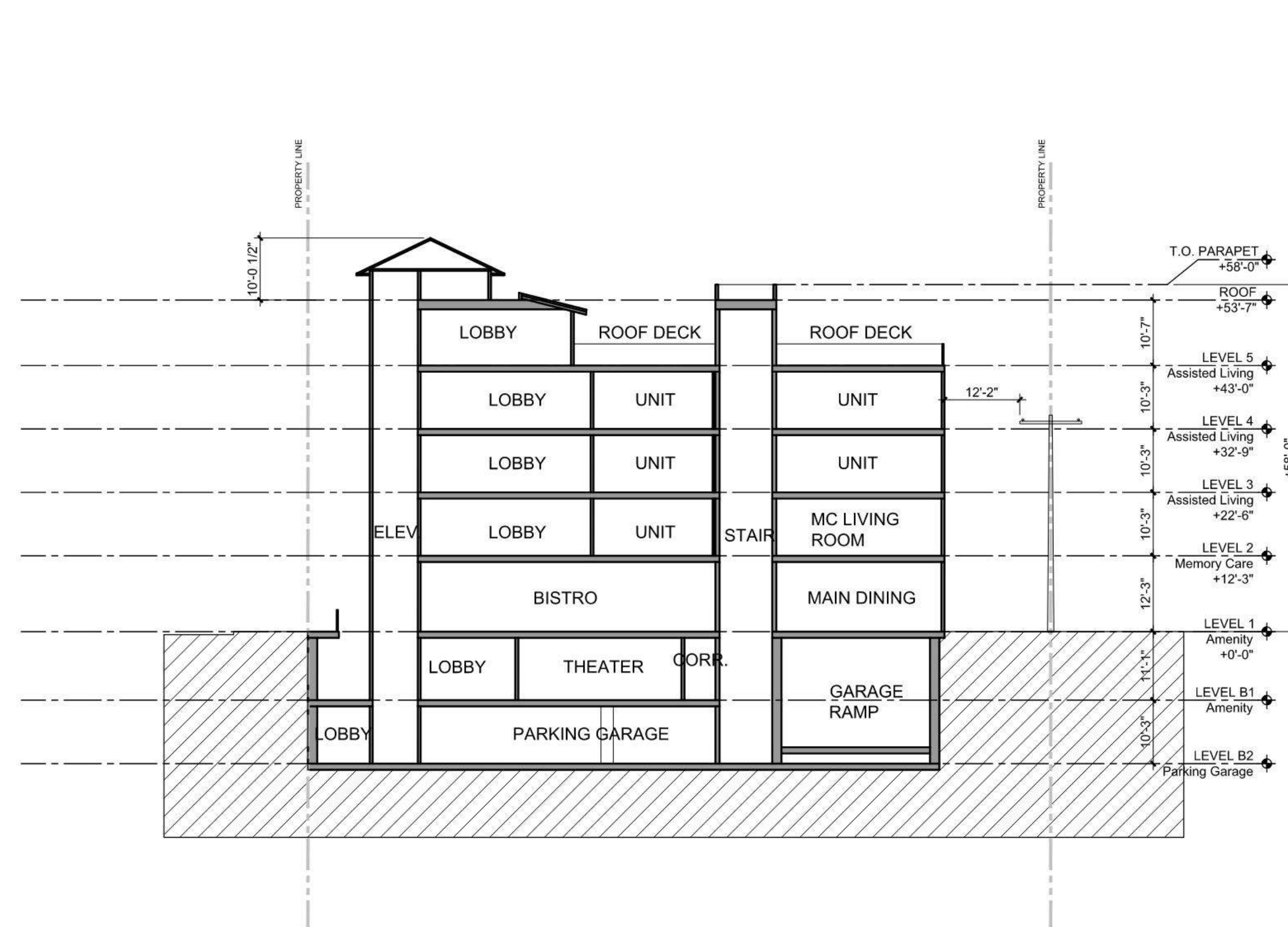


LEVEL B2

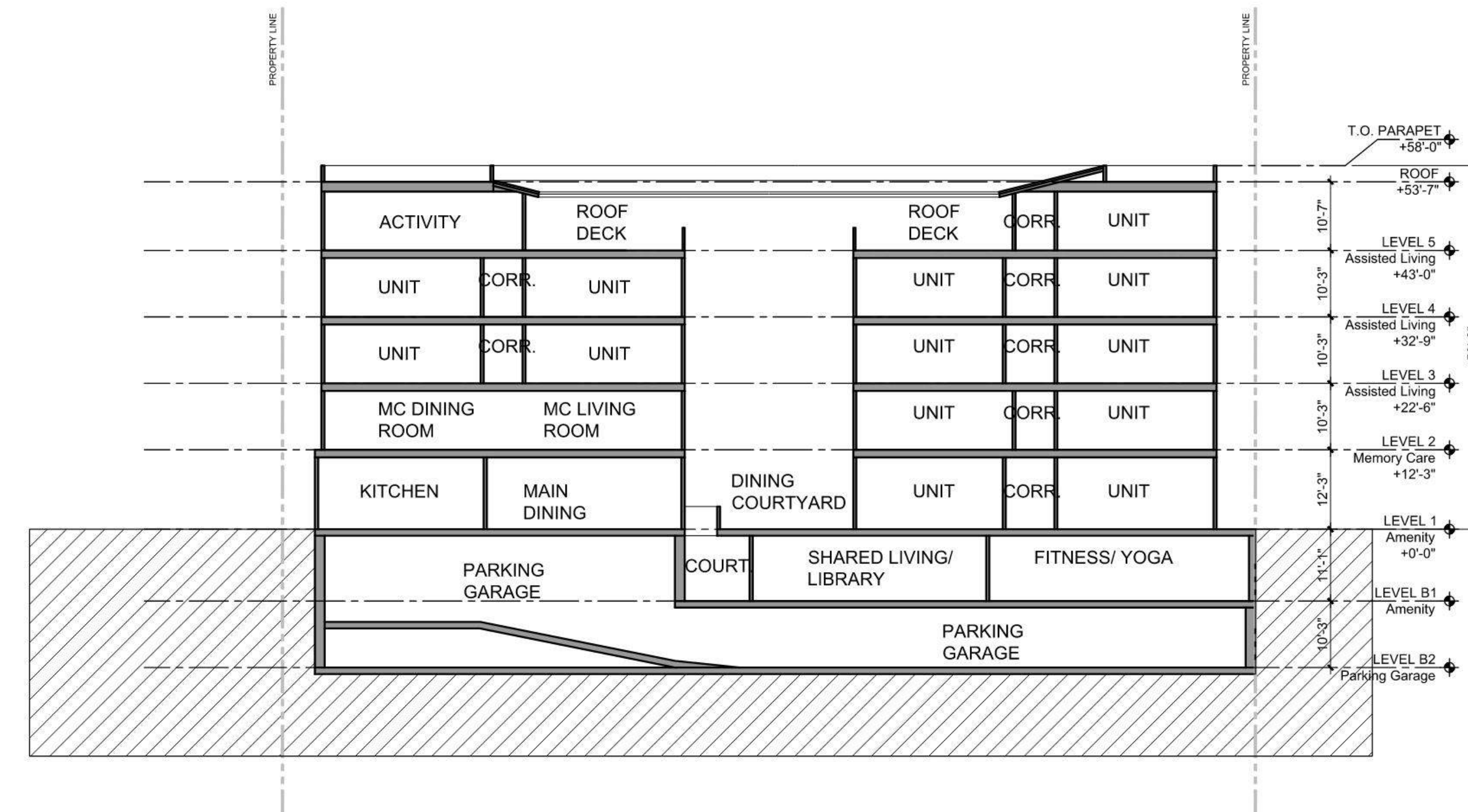


LEVEL B1

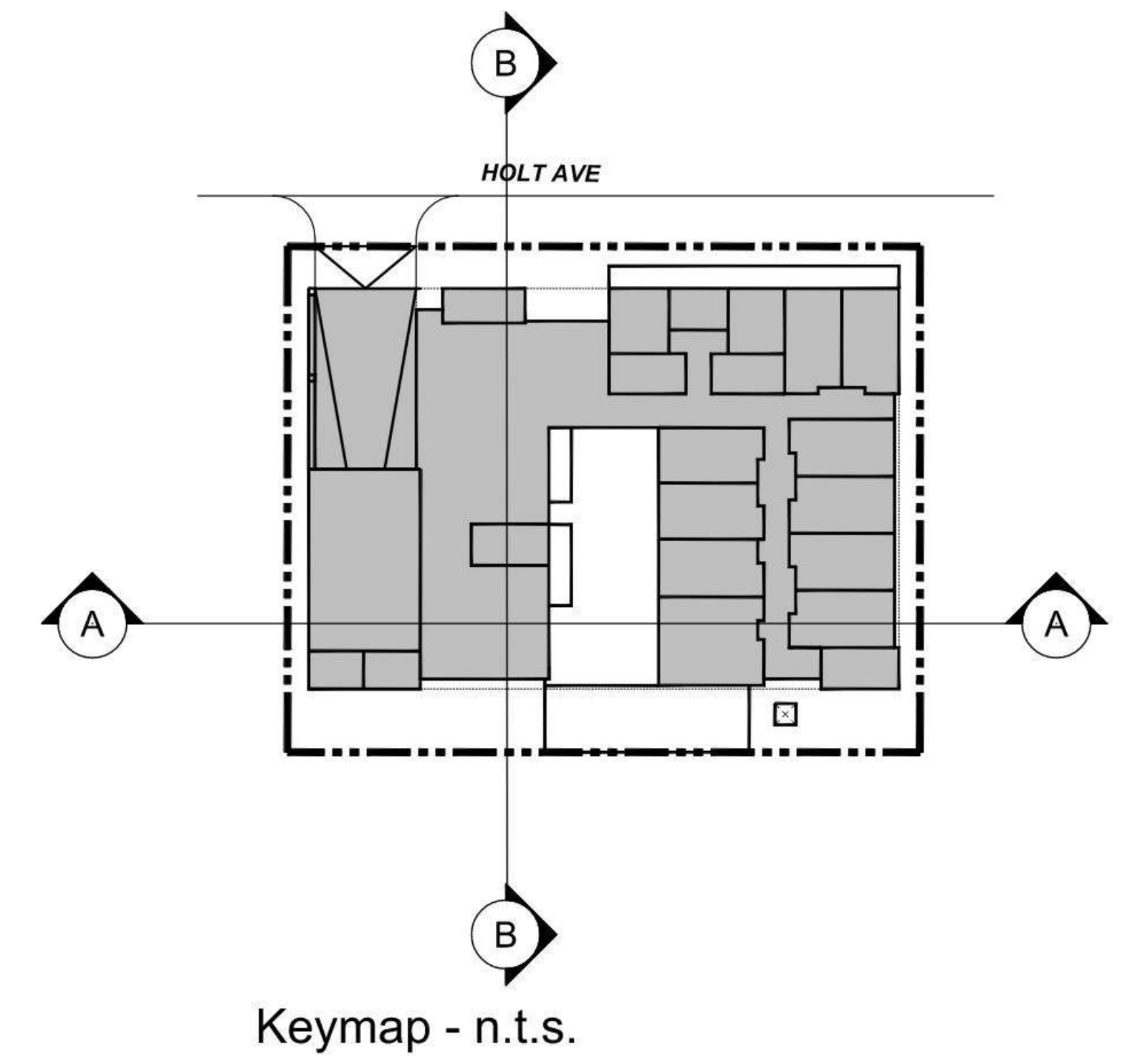




SECTION B-B

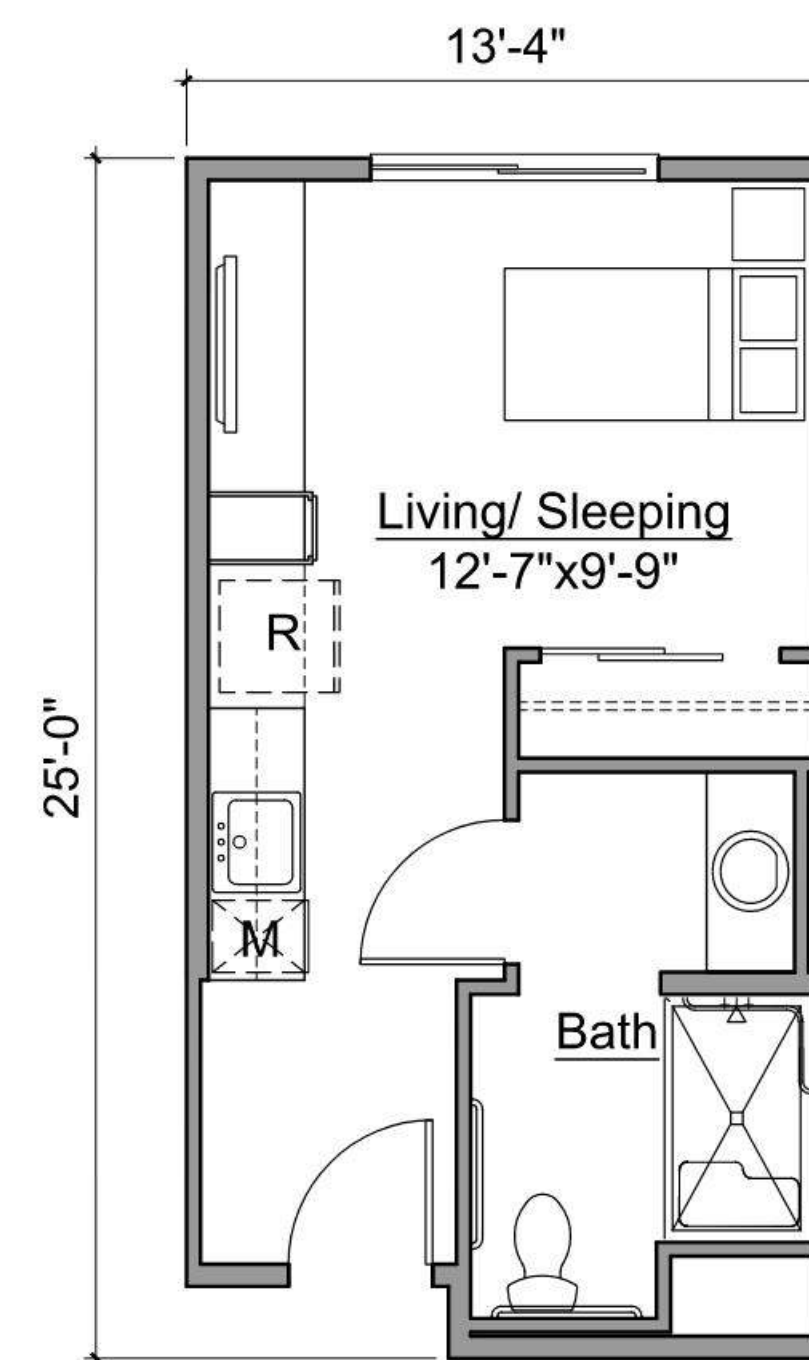


SECTION A-A

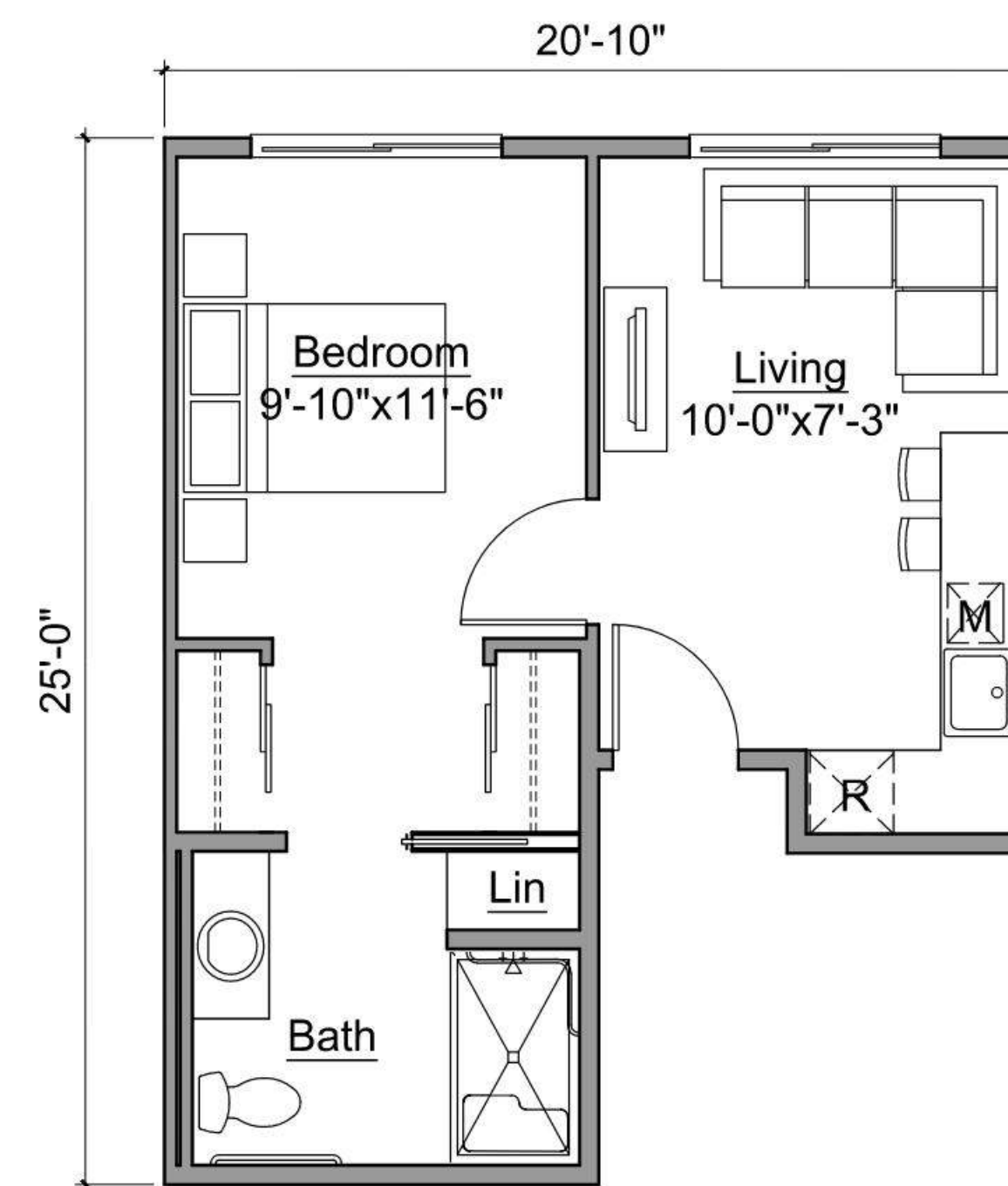




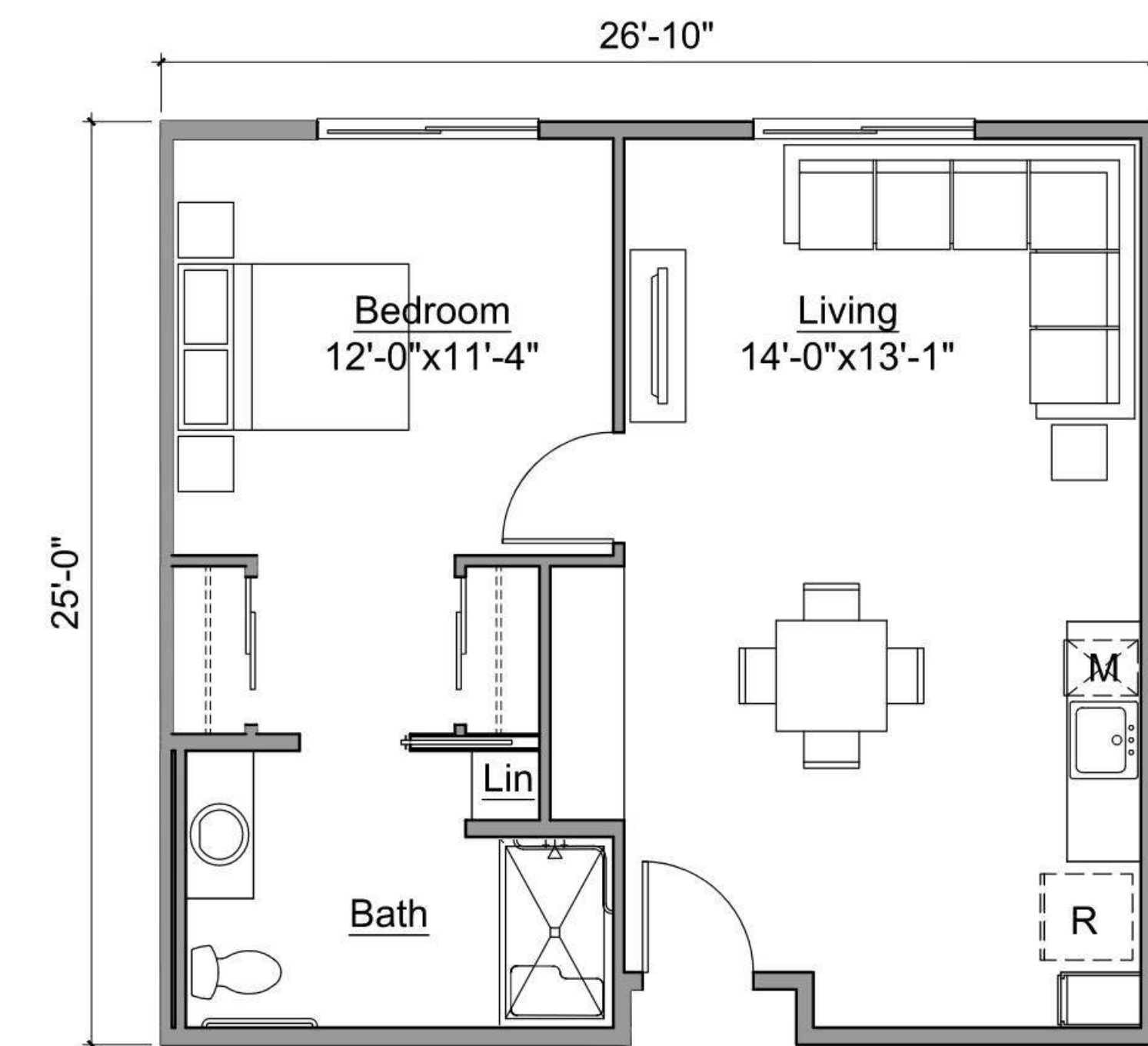
Assisted Living
Unit AL-0
± 349 Gross Sq. Ft.



Assisted Living
Unit AL-0.1
± 329 Gross Sq. Ft.



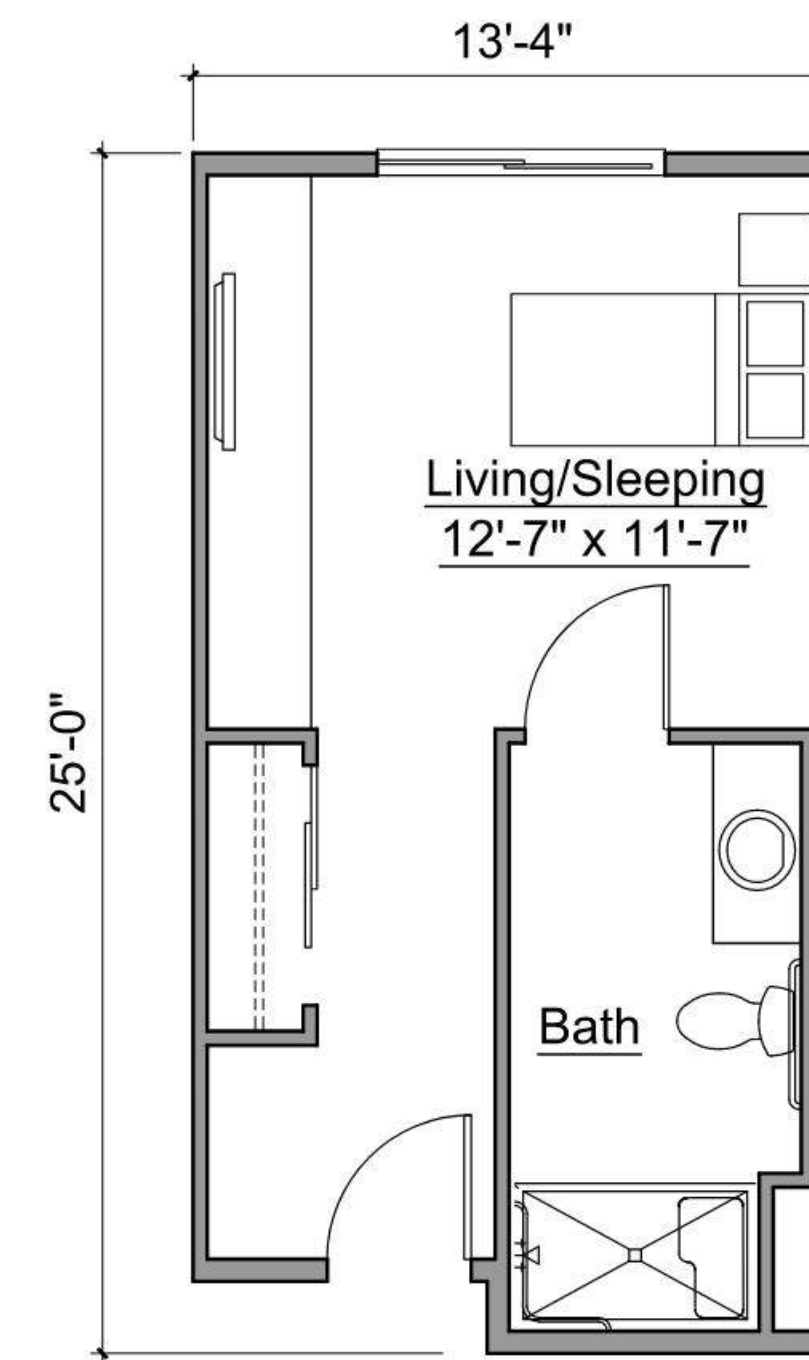
Assisted Living
Unit AL-1
± 433 Gross Sq. Ft.



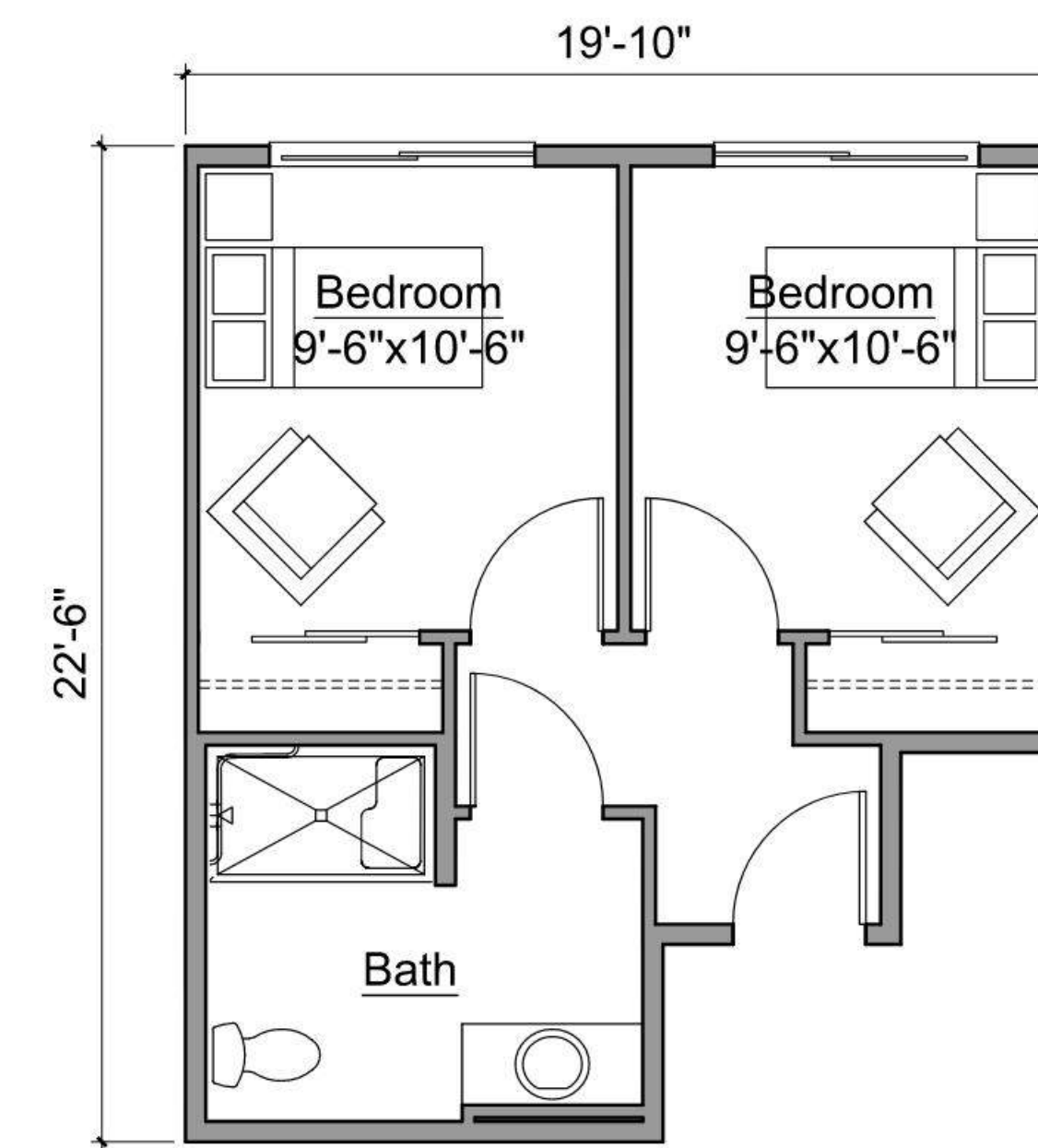
Assisted Living
Unit AL-1.1
± 668 Gross Sq. Ft.



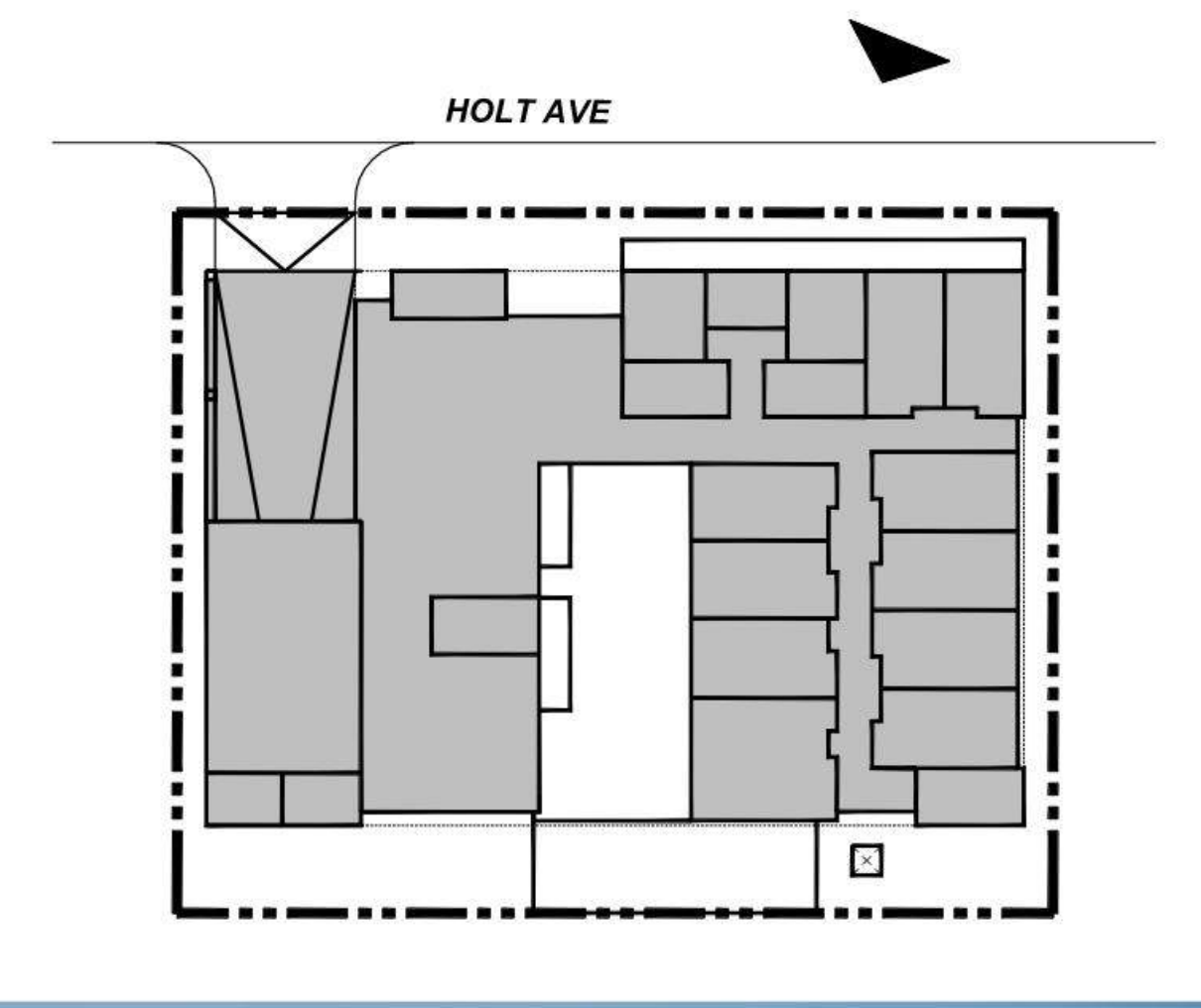
Memory Care
Unit MC-0
± 348 Gross Sq. Ft.



Memory Care
Unit MC-0.1
± 329 Gross Sq. Ft.



Memory Care
Unit MC-2
± 393 Gross Sq. Ft.



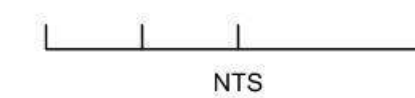
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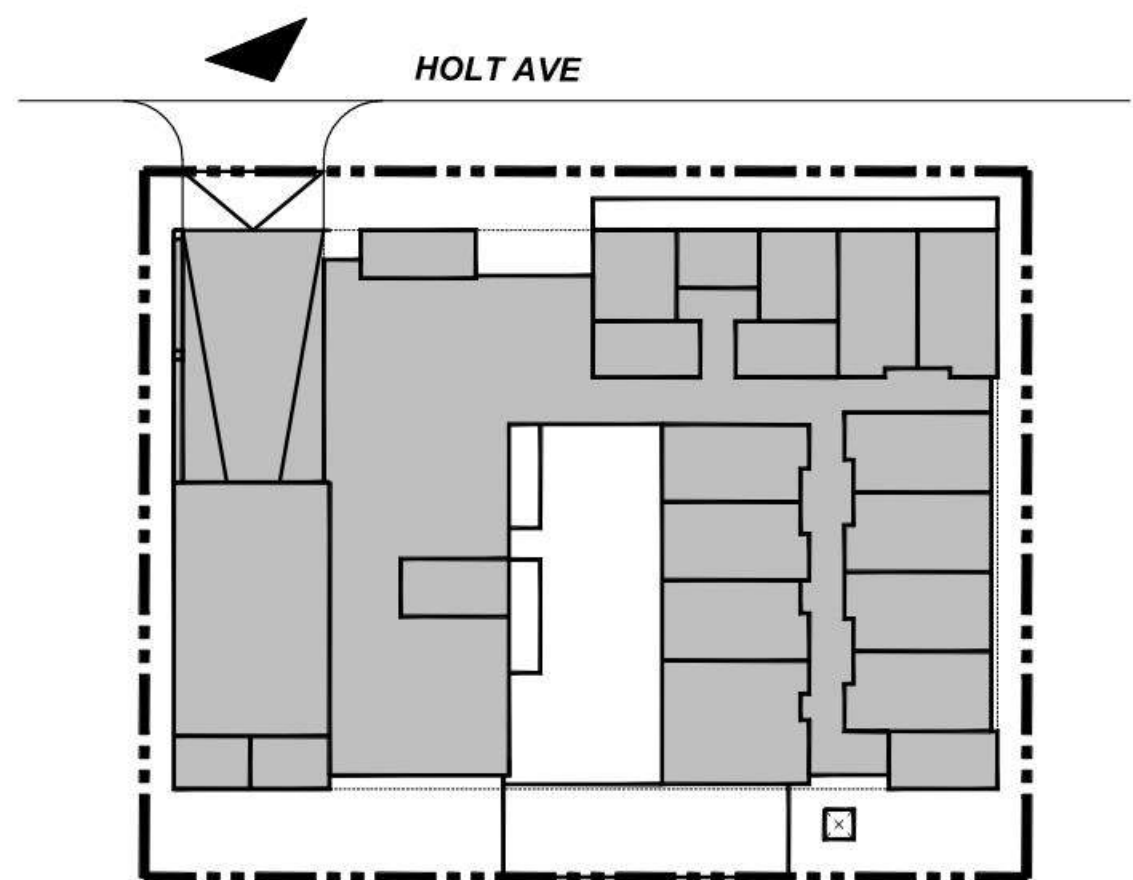
HOLT AVE AL MC
LOS ANGELES, CA # 2020-0010

CONCEPT PHASE
NOVEMBER 30, 2020



PERSPECTIVES

A6.0



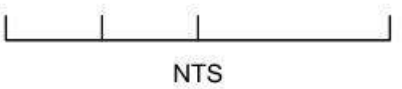
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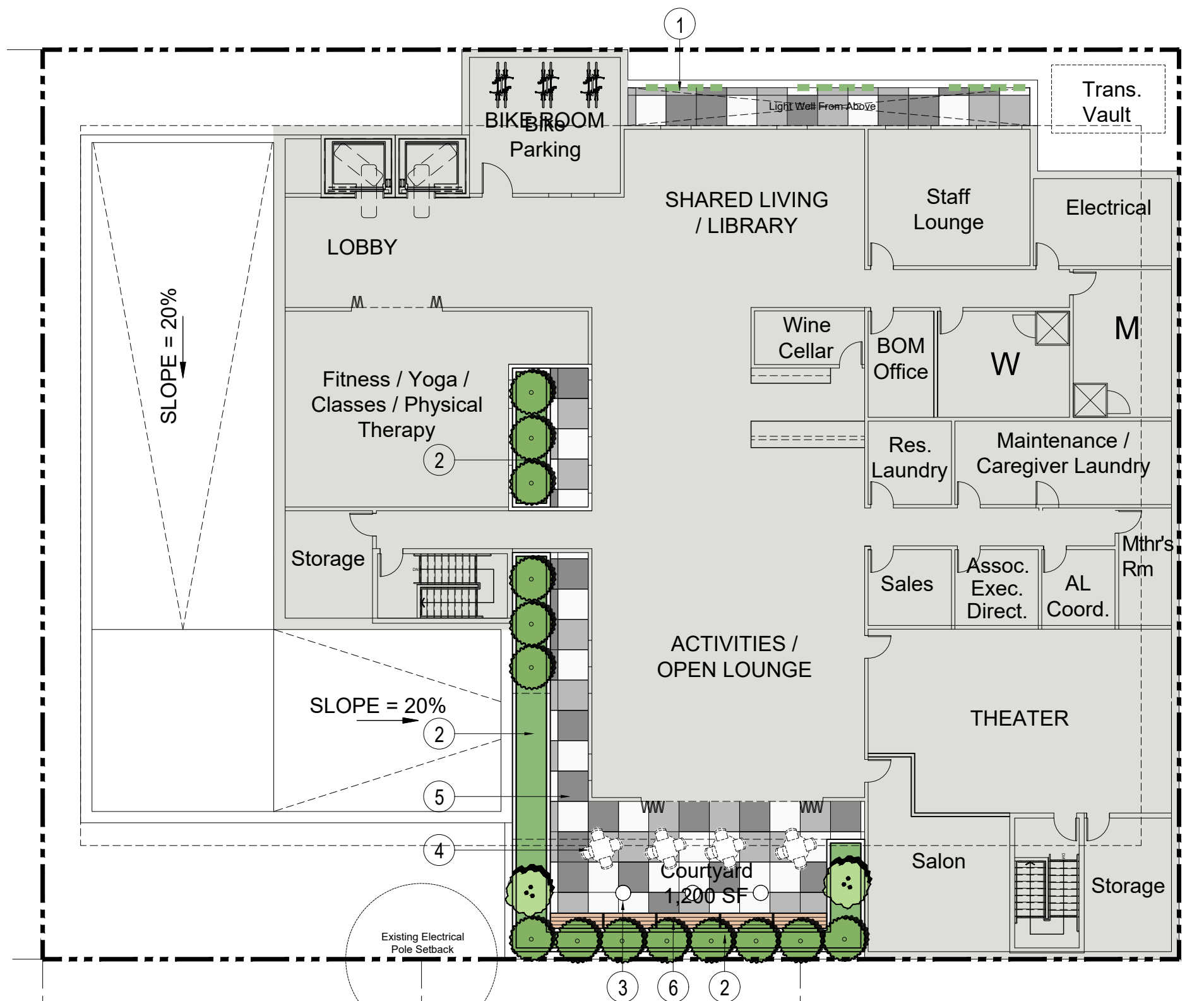
HOLT AVE AL MC
LOS ANGELES, CA # 2020-0010

CONCEPT PHASE
NOVEMBER 30, 2020



PERSPECTIVES

A6.1

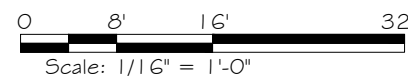


TOTAL LANDSCAPE / HARDSCAPE BREAKDOWN

	LANDSCAPE SF	HARDSCAPE SF
BASEMENT LVL:	540.5 SF	1,157.17 SF
LEVEL 1:	1,631.3 SF	3,568.5 SF
LEVEL 2 MEMORY CARE PATIO:	52.5 SF	248.86 SF
LEVEL 5 ROOF DECKS:	400.2 SF	2,000.3 SF
TOTAL:	2,624.5 SF	6,974.83 SF

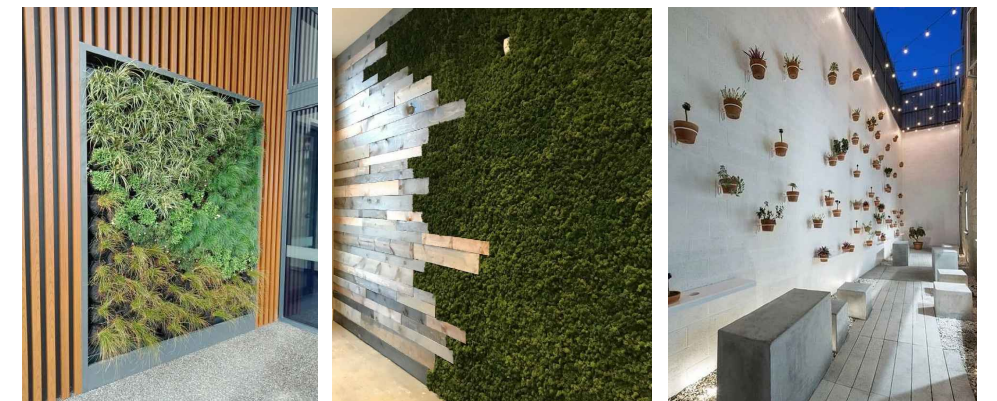
1 PRELIMINARY LANDSCAPE PLAN-BASEMENT LEVEL

SCALE: 1/16" = 1'-0"



KEYNOTES

1. REALISTIC ARTIFICIAL WALLSCAPE / GREEN WALL OPTIONS:



2. BUILT-IN PLANTER

3. COFFEE TABLE

4. READING TABLE

5. STAINED CONC. PAVING



6. BUILT-IN WOOD BENCH W/ ARM REST & SLOPING BACK CUSHION



PLANTING LEGEND

- MARINA STRAWBERRY TREE
ARBUTUS 'MARINA'
- FERN PINE (HEDGE)
PODOCARPUS GRACILIOR
- FIDDLE LEAF FIG
FICUS LYRATA
- SHRUBS & GROUNDCOVERS

PAVING LEGEND

- STAINED CONC. PAVING

EXHIBIT "A"

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Case No. ZA-2020-2164-ELD-SPR

825-837 SOUTH HOLT AVENUE
LOS ANGELES, CA 90035

PROJECT # 22013 10/09/2020

SQLA INC
Landscape Architects

2669 Saturn Street
BREDA, CA, 92821
la@sqlainc.com

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F. 562-905-0880
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LP-1



1 PRELIMINARY LANDSCAPE PLAN-1ST LEVEL N
SCALE: 1/16" = 1'-0"

0 8' 16' 32'
Scale: 1/16" = 1'-0"

KEYNOTES

1. BUILT-IN PLANTER
2. BENCH W/ ARM REST



3. CON. STAINED PAVING



4. CABLE WIRING FOR VINE PLANTING



5. TABLE W/ CHAIRS

6. CUSTOM RUNNEL WATER FEATURE



7. SYNTHETIC GRASS LOUNGE AREA



8. BUILT-IN BBQ
9. FIBERGLASS PLANTER
10. OUTDOOR SOFA SEATING W/ TABLES
11. FIREPIT W/ SOFA SEATING



12. RAISED BED VEGETABLE GARDEN



13. STONE VENEER BLOCK WALL

PLANTING LEGEND

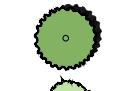
TREES



ACER PALMATUM
'SANGOKAKU'
ACORAL BARK JAPANESE MAPLE



ARBUTUS MARINA
STRAWBERRY TREE



PODOCARPUS GRACILLIOR
FERN PINE (HEDGE)



FIDDLE LEAF FIG
FICUS LYRATA



EXISTING STREET TREE
TO REMAIN

PAVING LEGENDS

— VINE CABLE PLANTING

— PLANTING

EXHIBIT "A"

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Case No. ZA-2020-2164-ELD-SPR

825-837 SOUTH HOLT AVENUE
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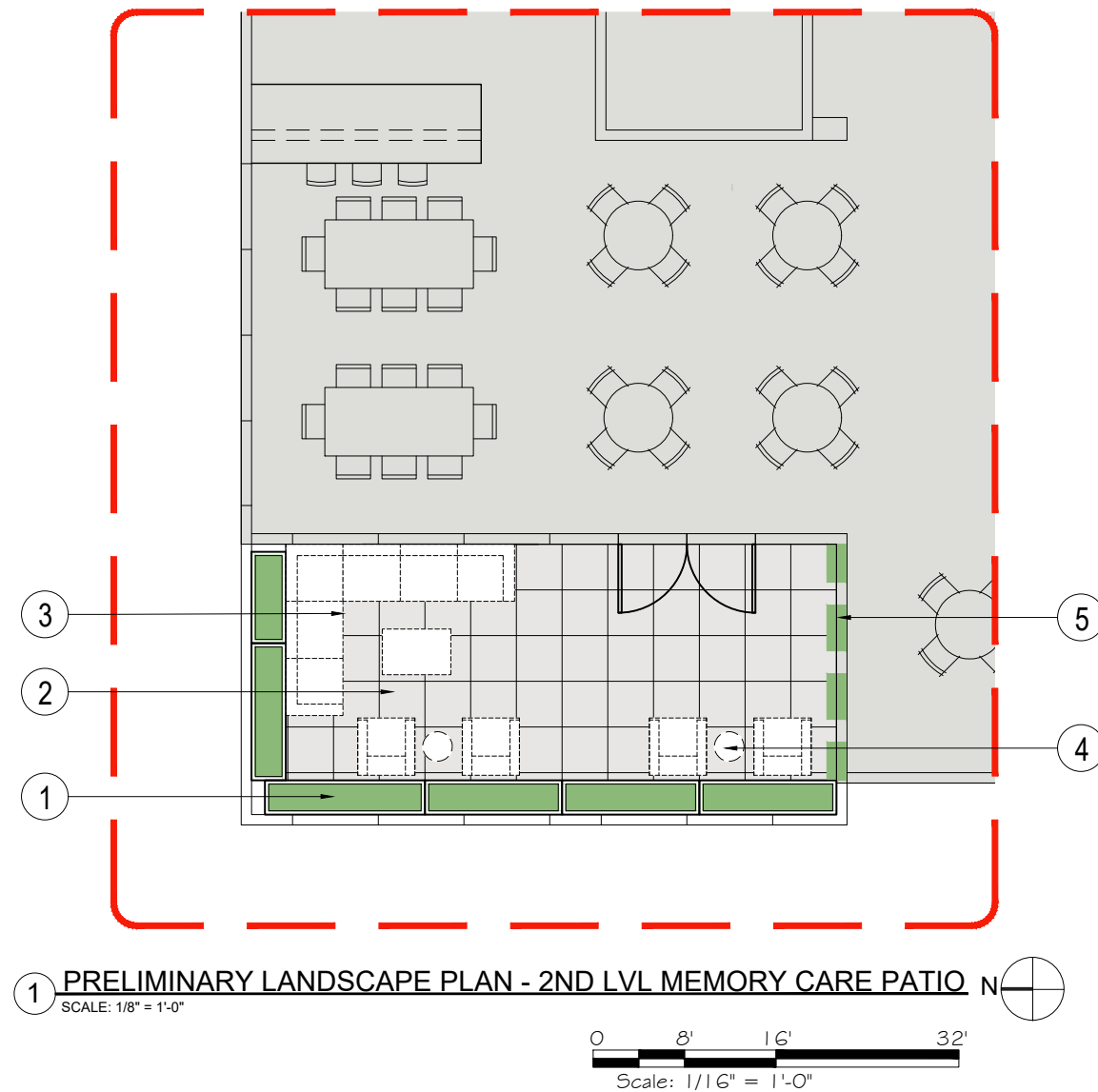
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LP-2



KEYNOTES

1. RECTANGULAR FIBERGLASS PLANTER

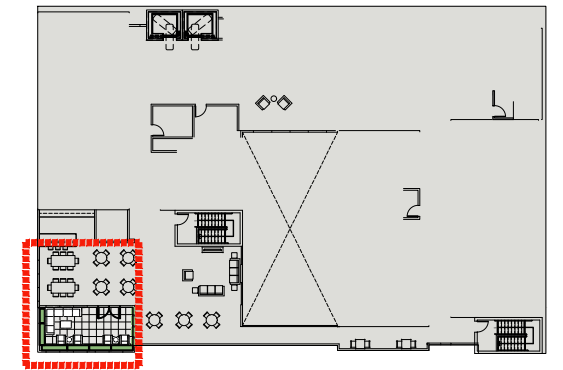
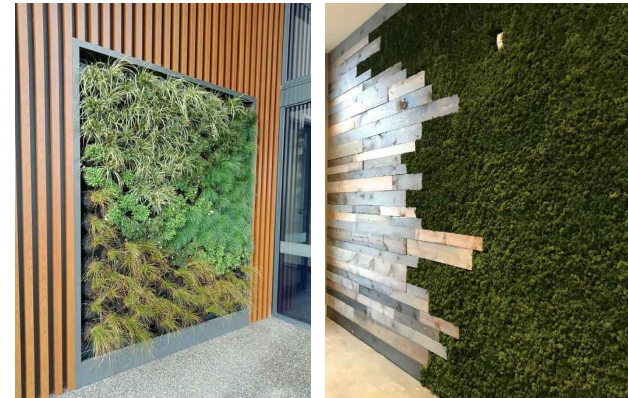


2. 2' X 2' PEDESTAL PAVERS

3. SOFA SEATING W/ TABLE

4. SOFA SEATS W/ ROUND TABLES

5. GREEN WALL OPTIONS:



KEYMAP - N.T.S.

PLANTING LEGEND

SHRUBS & GROUNDCOVERS

PAVING LEGEND

2' X 2' PEDESTAL PAVERS

EXHIBIT "A"

Page No. 15 of 18

Case No. ZA-2020-2164-ELD-SPR

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LOS ANGELES, CA 90035

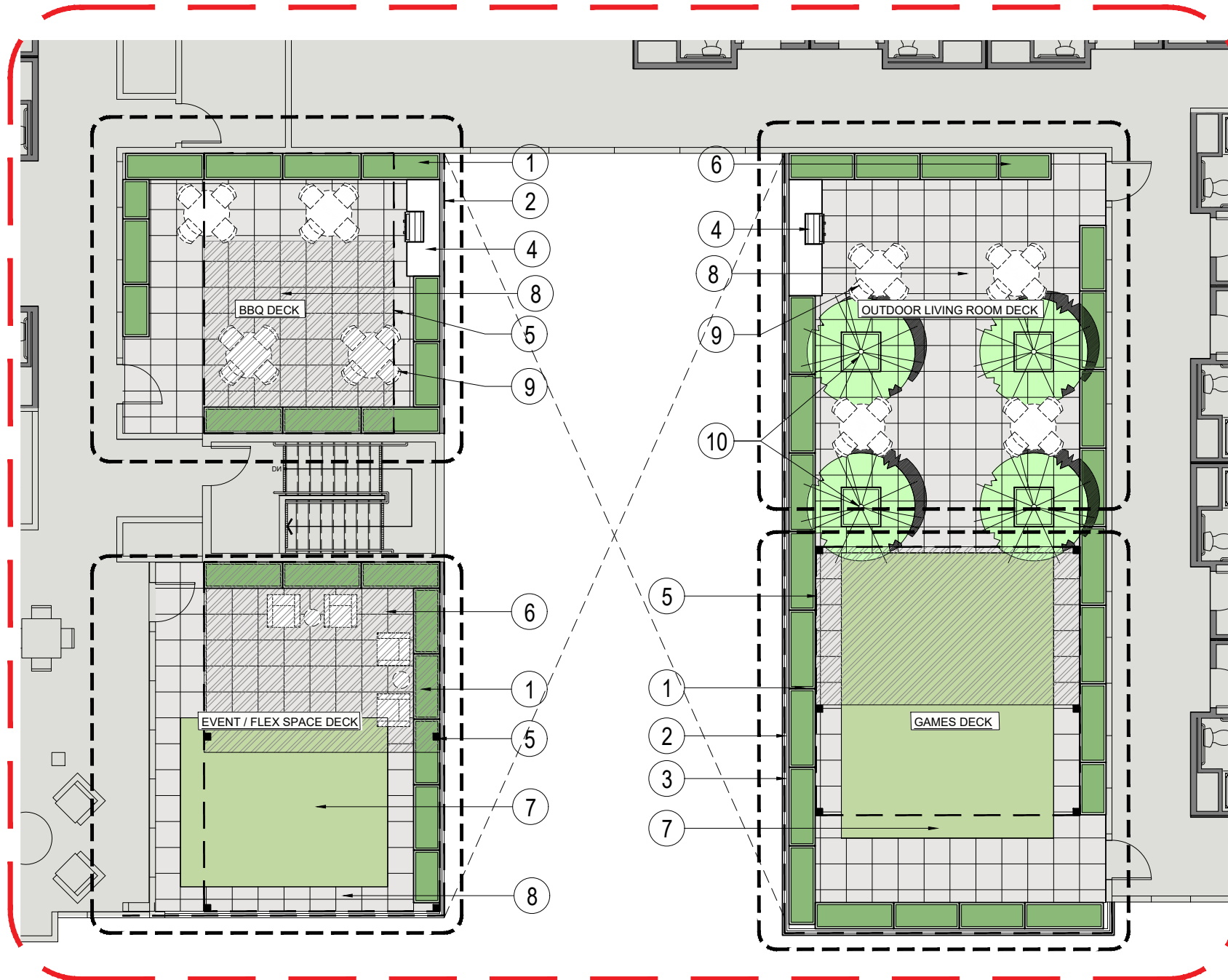
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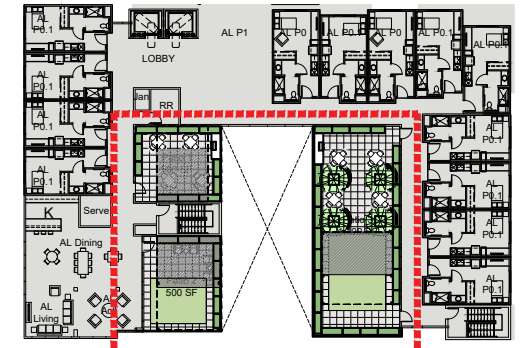
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LP-3



1 PRELIMINARY LANDSCAPE PLAN - 5TH LEVEL
SCALE: 3/32" = 1'-0"

0 8' 16' 24'
Scale: 3/32" = 1'-0"



KEY PLAN

KEYNOTES

1. FIBERGLASS PLANTER



2. 5'H GLASS RAILING
3. 10'H SAFETY NET MESH WALL



4. BBQ

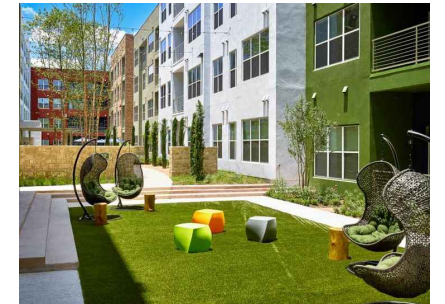


5. CABLE SLIDE & GLIDE SHADE SYSTEM



6. COUCH SEATING W/ TABLES

7. OPEN SYNTHETIC GRASS AREA

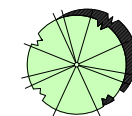


8. CONC. PAVING TILES
9. ROUND TABLES W/ CHAIRS
10. 3' X 3' MOBILE FIBERGLASS TREE PLANTERS



PLANTING LEGEND

TREES



CITRUS LEMON
'MEYER IMPROVED'
MEYER IMPROVE LEMON

PAVING LEGENDS



PLANTING



SYNTHETIC GRASS



CONC. PAVING TILE

EXHIBIT "A"

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Case No. ZA-2020-2164-ELD-SPR

825-837 SOUTH HOLT AVENUE
LOS ANGELES, CA 90035

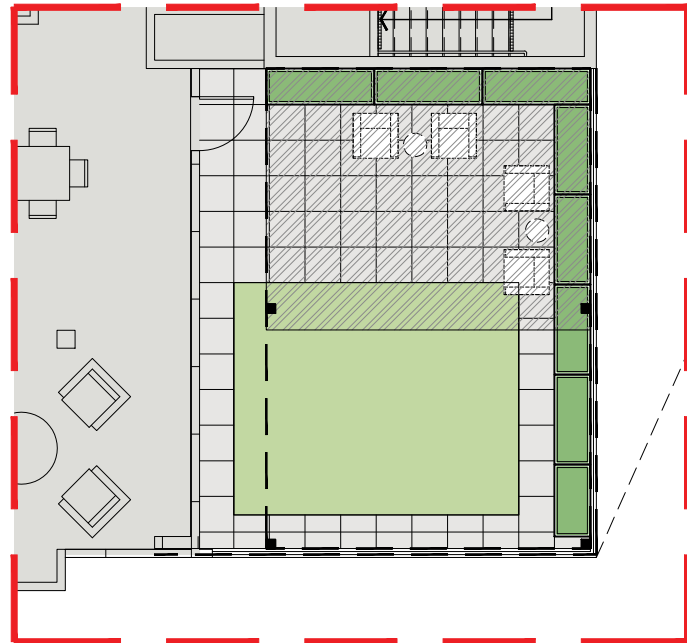
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LP-4



② EVENT/FLEX SPACE DECK ACTIVITIES
SCALE: 3/32" = 1'-0"



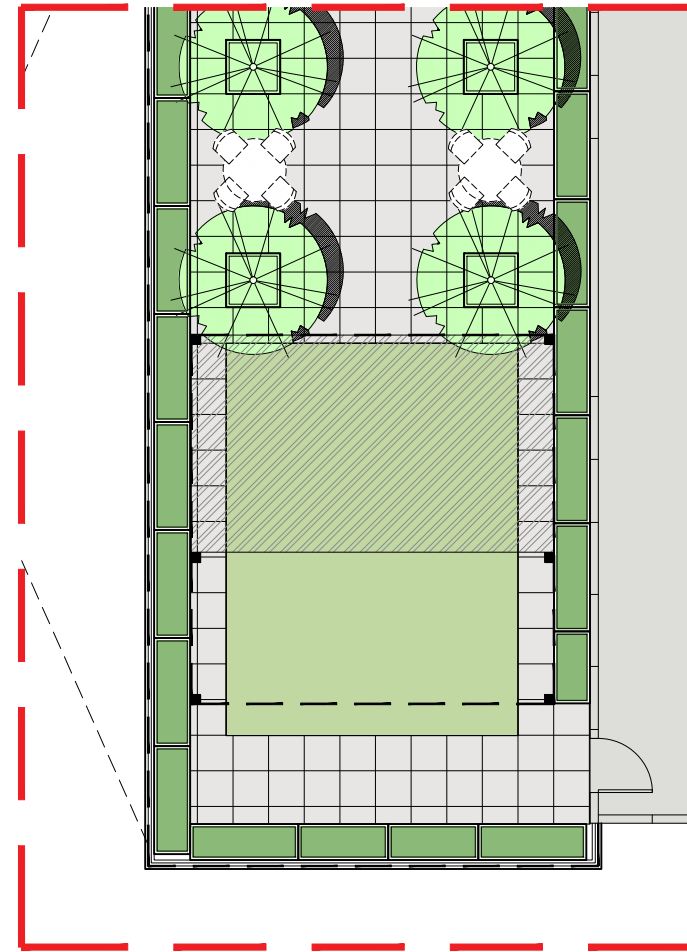
OUTDOOR PAINTING



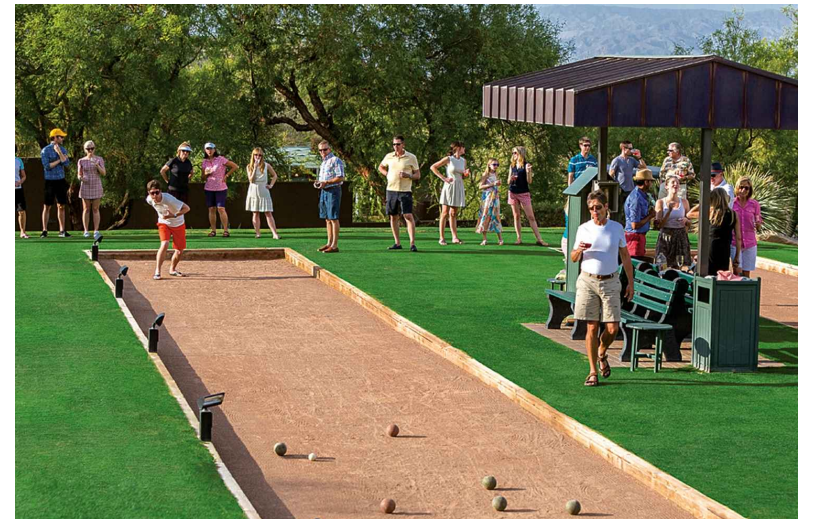
LIVE MUSIC / ENTERTAINMENT



MEDITATION / STRETCHING EXERCISES



① GAMES DECK ACTIVITIES
SCALE: 3/32" = 1'-0"



BOCCE BALL



GROUP GAMES / ACTIVITIES



PUTTING GREEN



CIRCUIT WALKS



CORNHOLE

825-837 SOUTH HOLT AVENUE
LOS ANGELES, CA 90035

PROJECT # 22013 10/09/2020

EXHIBIT "A"

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Case No. ZA-2020-2164-ELD-SPR

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LP-4A

			
PODOCARPUS GRACILLIOR (HEDGE) FERN PINE	ARBUTUS 'MARINA' STRAWBERRY TREE	ACER PALMATUM 'SANGOKAKU' CORAL BARK JAPANESE MAPLE	CITRUS LEMON 'MEYER IMPROVED' IMPROVED MEYER LEMON

1

TREE SELECTIONS

SCALE: N.T.S

EXHIBIT “A”

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of

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Case No.

ZA-2020-2164-ELD-SPR

825-837 SOUTH HOLT AVENUE

LOS ANGELES, CA 90035

PROJECT # 22013

10/09/2020

SQLA

INC

Landscape Architects

2669 Saturn Street

BREA, CA, 92821

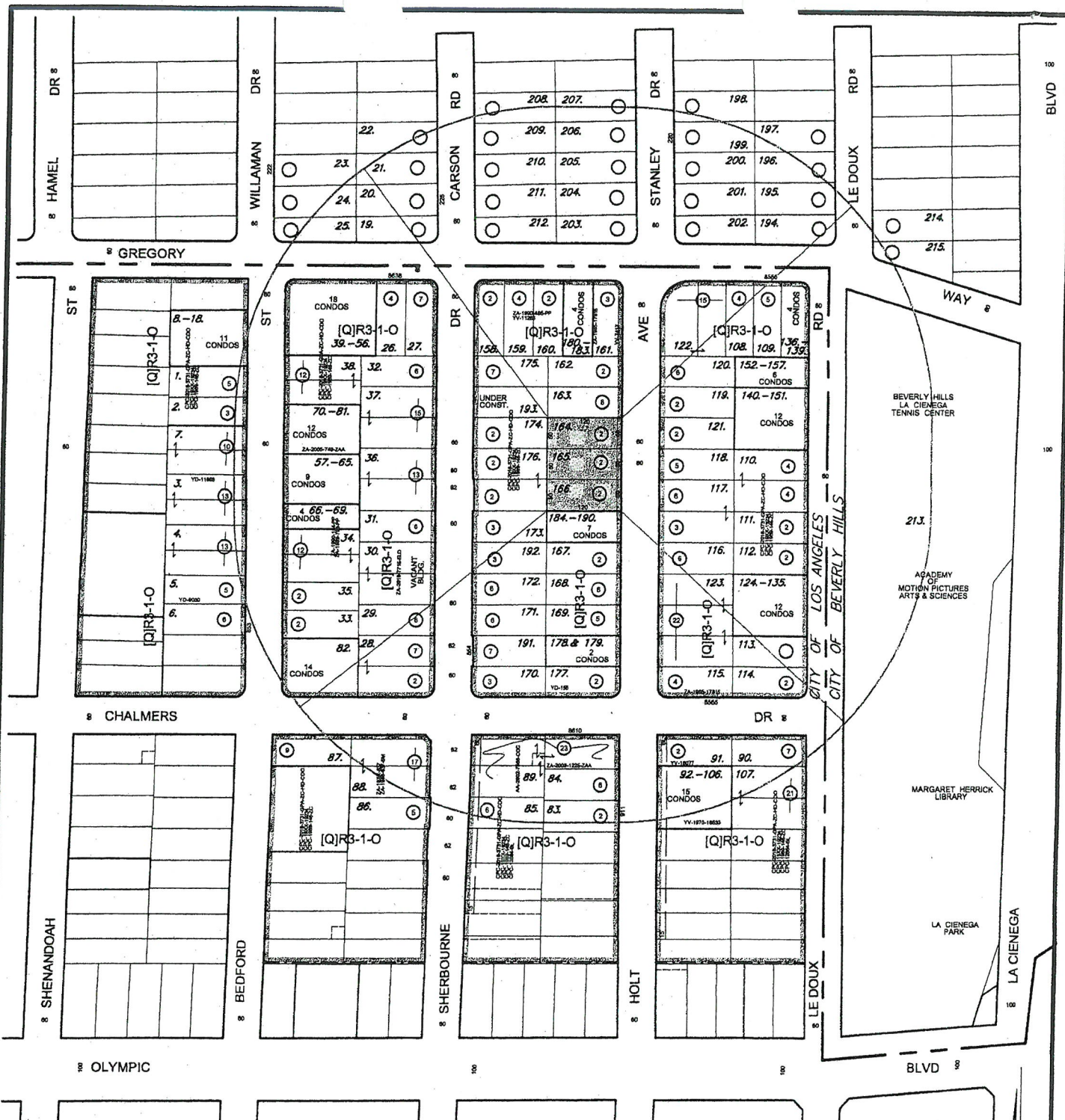
la@sqlainc.com

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RADIUS MAP



LEGAL: LOTS 40 TO 42, TRACT NO. 4666

ELDERCARE FACILITY UNIFIED PERMIT

C.D. 5
C.T. 2164.02
P.A. WILSHIRE

GC MAPPING SERVICE, INC.

3055 WEST VALLEY BOULEVARD
ALHAMBRA CA 91803
(626) 441-1080 FAX (626) 441-8850
GCMAPPING@RADIUSMAPS.COM

SITE ADDRESS:
825-837 HOLT AVE.

CASE NO.
DATE: 03-12-2020
SCALE: 1" = 100'
USES FIELD
D.M. 132 B 173
T.B. PAGE: 632 GRID: J-3

0.14 NET AC.