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September 17, 2021

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

Attention: PLUM Committee

Dear Honorable Members:

AN APPEAL FOR A PROPOSED PROJECT AT 1432-1434 SOUTH BEVERLY DRIVE; CASE NO. CPC-2020-595-DB-CU-1A; CF 21-0646

At its meeting of February 25, 2021, the City Planning Commission (CPC) disapproved and denied a Conditional Use to allow a Density Bonus for a Housing Development Project in which the density increase (57.5 percent) is greater than the maximum permitted by Los Angeles Municipal Code (LAMC) Section 12.22 A.25 and approved a Density Bonus for a Housing Development project with a total of 13 units (with two units – 11 percent of the base density set aside for Very Low Income Households) in lieu of the base density of nine (9) units along with On- and Off-Menu Incentives and Waivers of Development Standards. The project involves the demolition of an existing duplex and the construction, use, and maintenance of a new 16,388 square-foot, six-story, 67-foot, 13-unit apartment building with 22 parking spaces between an at-grade and one subterranean level. Following CPC's action, an appeal was filed by a neighboring resident challenging parts of the decision.

The appellant challenges the Off-Menu Incentives and Waivers of Development Standards.

Parts of the appeal concern the approval of the Off-Menu Incentives and Waivers of Development Standards. Pursuant to LAMC Section 12.22 A.25(g)(3)(i)(b), CPC's action relative to these are final and thus not further appealable.

Miscalculation of Restricted Affordable Units

The appellant contends that there is a miscalculation in the minimum number of required Restricted Affordable Units and that there should be a minimum number of three (3) units set aside for Very Low Income Households. The staff report provides a detailed discussion of the calculation based on regulatory standards. To put simply, the report mentions that 20% of the base number of units (9) shall be set aside for Very Low Income Households (20% x 9 = 1.8). Rounding this calculation up results in two (2) units: not three (3).

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Finally, among the approved components of the project, only the On-Menu Incentive for increased Floor Area Ratio (FAR) is appealable to the City Council. Within the appeal, appellant provided no justification substantiating how this incentive was approved in error. This incentive was approved in accordance with applicable regulations.

Sincerely,

VINCENT P. BERTONI, AICP

Director of Planning

A handwritten signature in blue ink, appearing to read "Oliver Netburn". The signature is fluid and cursive, with a large initial "O" and a long, sweeping tail.

Oliver Netburn
City Planner