

PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
CPC-2020-5837-DB-CU-SPR-VHCA-1A	ENV-2020-5838-ND	5 – Koretz
PROJECT ADDRESS:		
9500 – 9530 West Pico Boulevard		
APPLICANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
Reuben Robin, TRG 9500 W. Pico LLC 449 S Beverly Drive Beverly Hills, CA 90212 <input type="checkbox"/> New/Changed	(310) 551-0660	rrobin@robingroup.com
APPLICANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
Jessica Hencier, Craig Lawson & Co., LLC 3221 Hutchison Ave Los Angeles, CA 90034	(310) 838-2400	jessicah@craiglawson.com
APPELLANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
Supporters Alliance for Environmental Responsibility 4399 Santa Anita Avenue, Ste. 2005 El Monte, CA 91731	(510) 836-4200	richard@lozeaudrury.com
APPELLANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
Richard Drury, Lozeau Drury LLP 1939 Harrison Street, Suite 150 Oakland, CA 94612	(510) 836-4200	richard@lozeaudrury.com
PLANNER CONTACT INFORMATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:
More Song	(213) 978-1319	more.song@lacity.org
ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION		
Conditional Use (CU); Site Plan Review (SPR)		

FINAL ENTITLEMENTS NOT ADVANCING:

N/A

ITEMS APPEALED:

Conditional Use (CU); Site Plan Review (SPR)

ATTACHMENTS:

REVISED:

ENVIRONMENTAL CLEARANCE:

REVISED:

- Letter of Determination
- Findings of Fact
- Staff Recommendation Report
- Conditions of Approval
- Ordinance
- Zone Change Map
- GPA Resolution
- Land Use Map
- Exhibit A - Site Plan
- Mailing List
- Land Use
- Other _____

-
-
-
-
-
-
-
-
-
-
-
-
-
-

- Categorical Exemption
- Negative Declaration
- Mitigated Negative Declaration
- Environmental Impact Report
- Mitigation Monitoring Program
- Other _____

-
-
-
-
-
-

NOTES / INSTRUCTION(S):

N/A

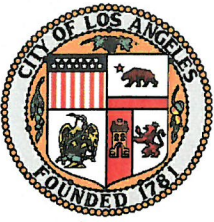
FISCAL IMPACT STATEMENT:

Yes

No

*If determination states administrative costs are recovered through fees, indicate "Yes".

PLANNING COMMISSION:	
<input checked="" type="checkbox"/> City Planning Commission (CPC) <input type="checkbox"/> Cultural Heritage Commission (CHC) <input type="checkbox"/> Central Area Planning Commission <input type="checkbox"/> East LA Area Planning Commission <input type="checkbox"/> Harbor Area Planning Commission	<input type="checkbox"/> North Valley Area Planning Commission <input type="checkbox"/> South LA Area Planning Commission <input type="checkbox"/> South Valley Area Planning Commission <input type="checkbox"/> West LA Area Planning Commission
PLANNING COMMISSION HEARING DATE:	COMMISSION VOTE:
September 9, 2021	7 – 0
LAST DAY TO APPEAL:	APPEALED:
October 20, 2021	Yes, October
TRANSMITTED BY:	TRANSMITTAL DATE:
Cecilia Lamas Commission Executive Assistant	October 25, 2021



LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300

www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: OCT 05 2021

Case No. CPC-2020-5837-DB-CU-SPR-VHCA
CEQA: ENV-2020-5838-ND
Plan Area: West Los Angeles

Council District: 5 – Koretz

Project Site: 9500 – 9530 West Pico Boulevard

Applicant: Reuben Robin, TRG 9500 W PICO, LLC
Representative: Jessica Hencier, Craig Lawson & Co., LLC

At its meeting of **September 9, 2021**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following Project:

Demolition of an existing car wash and office building for the construction of a new six-story mixed-use building with 108 residential units above approximately 3,250 square feet of commercial space on the ground floor. The Project proposes to provide 134 vehicle parking spaces within two subterranean levels and a portion of the ground floor.

1. **Found**, pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Negative Declaration, No. ENV-2020-5838-ND (“Negative Declaration”), and all comments received, there is no substantial evidence that the Project will have a significant effect on the environment; **Found** the Negative Declaration reflects the independent judgment and analysis of the City; and **Adopted** the Negative Declaration;
2. **Approved**, pursuant to Section 12.22 A.25 of the Los Angeles Municipal Code (LAMC), a Density Bonus Compliance Review to permit a housing development project consisting of 108 dwelling units, of which 13 will be set aside for Very Low-Income households, and requesting the following Off-Menu Incentives and Waiver of Development Standards:
 - a. An Off-Menu Incentive to allow a maximum floor area ratio (FAR) of 3.75:1 in lieu of the otherwise permitted 1.5:1 FAR pursuant to LAMC Section 12.21.1 A;
 - b. An Off-Menu Incentive to allow a maximum height of 72 feet and six stories in lieu of the otherwise permitted 45 feet and three stories (with up to 10 additional feet in height permitted for mechanical equipment, stairways, elevator towers, etc. as permitted by LAMC Section 12.21.1 B.3);
 - c. An Off-Menu Incentive to allow residential parking in excess of 54 spaces to be provided as compact-dimension spaces in lieu of the otherwise permitted number of compact-dimension residential vehicle parking spaces pursuant to LAMC Section 12.21 A.5(c); and
 - d. A Waiver of Development Standard to waive the otherwise required commercial loading space pursuant to LAMC Section 12.21 C.6;
3. **Approved**, pursuant to LAMC Section 12.24 U.26, a Conditional Use Permit to allow a Density Bonus for a housing development project in which the density increase is greater than otherwise permitted by LAMC Section 12.22 A.25;
4. **Approved**, pursuant to LAMC Section 16.05, a Site Plan Review for a development creating more than 50 net new residential dwelling units;
5. **Adopted** the attached Conditions of Approval; and
6. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Hornstock
 Second: Dake Wilson
 Ayes: Choe, Leung, López-Ledesma, Mack, Perlman
 Absent: Millman

Vote: 7 - 0

Cecilia Lamas, Commission Executive Assistant
 Los Angeles City Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Effective Date/Appeals: The decision of the Los Angeles City Planning Commission related to the Off-Menu Density Bonus and Waiver of Development Incentives are not appealable. All remaining actions are appealable to City Council within 15 days after the mailing date of this determination letter. Any appeal not filed within the 15-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department’s Development Service Centers located at: 201 North Figueroa Street, Fourth Floor, Los Angeles; 6262 Van Nuys Boulevard, Suite 251, Van Nuys; or 1828 Sawtelle Boulevard, West Los Angeles.

FINAL APPEAL DATE: OCT 20 2021

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable** and the decision is final.

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.

Attachments: Conditions of Approval, Findings, Interim Appeal Filing Procedure

- c: Heather Bleemers, Senior City Planner
- Kevin Golden, City Planner
- More Song, Planning Assistant

CONDITIONS OF APPROVAL

Pursuant to Sections 12.22 A.25, 12.24 U.26, and 16.05 of the LAMC, the following conditions are hereby imposed upon the use of the subject property:

Development Conditions

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the architectural plans, landscape plan, renderings, and materials submitted by the applicant, stamped "Exhibit A", and attached to the subject case file.
2. **Residential Density.** The project shall be limited to a maximum density of 108 dwelling units.
3. **Affordable Units:** A minimum of 13 units, equal to 17 percent of the base density, shall be reserved as Very Low Income units, as defined by the State Density Bonus Law per Government Code Section 65915(c)(2), to meet the requirements of the requests herein. In the event of deviations to the requests that change this number of restricted affordable units, the composition/typology of units, and/or vehicle parking numbers, such changes shall be consistent with LAMC Section 12.22 A.25.
4. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of HCIDLA to make 17 percent of the site's base density units available to Very Low Income households, for sale or rental as determined to be affordable to such households by HCIDLA for a period of 55 years. In the event the applicant reduces the proposed density of the project, the number of required reserved on-site Restricted Units may be adjusted, consistent with LAMC Section 12.22 A.25, to the satisfaction of HCIDLA, and in consideration of the project's AB 2556 Determination Letter, dated June 5, 2020. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by HCIDLA.
5. **Incentives and Waiver of Development Standards:**
 - a. **Floor Area Ratio.** The project is permitted a maximum FAR of 3.75:1 in lieu of the otherwise permitted 1.5:1 FAR.
 - b. **Height.** The project is permitted a maximum building height of 72 feet and six stories in lieu of the otherwise permitted 45 feet and three stories. Up to 10 additional feet in height may be permitted for mechanical equipment, stairways, elevator towers, etc. per LAMC Section 12.21.1 B.3, and to the satisfaction of the Los Angeles Department of Building and Safety.
 - c. **Residential Parking.** Residential vehicle parking in excess of 54 spaces may be provided as compact-dimension spaces.
 - d. **Commercial Loading Space.** The requirement for the project to provide a commercial loading space on-site is waived.
6. **Parking:**

- a. Minimum automobile parking requirements shall be provided consistent with Section 12.22 A.25 of the LAMC.
- b. In the event that the composition of residential units and/or commercial uses (i.e. the number of bedrooms or square footage of certain commercial uses) changes, or the applicant selects a Parking Option as provided by State Density Bonus law and the LAMC and no other Condition of Approval or incentive is affected, then no modification of this determination shall be necessary, and the number of parking spaces shall be re-calculated by the Department of Building and Safety based upon the ratios set forth pursuant to LAMC Section 12.22 A.25.
- c. Bicycle Parking. Residential bicycle parking shall be provided consistent with LAMC 12.21 A.16.
- d. Unbundling. Required parking may be sold or rented separately from the units, with the exception of all Restricted Affordable units which shall include any required parking in the base rent or sales price, as verified by HCIDLA.

Site Plan Review Conditions

7. Design:

- a. The building façades along Pico Boulevard and Beverly Drive shall utilize a minimum of two different materials, as well as feature accent paint colors. Windows, doors, balcony railings, decorative features (such as light fixtures, planters, etc.), and perimeter walls (e.g. walls along a street or alley that are not a part of the building) are excluded from meeting this requirement.
- b. Along the project's ground floor street frontage along Pico Boulevard, there shall be no less than a total of 100 horizontal feet of doors, windows, and/or other transparent glazing. There shall be no less than a total of 20 horizontal feet of doors, windows, and/or other transparent glazing along the project's ground floor street frontage along Beverly Drive. To meet these requirements, glazing shall be a minimum of six feet in height, except where the height of the ground floor above street level grade is less than six feet, glazing may be less than six feet in height and count towards these requirements. Vehicle gates and non-transparent doors shall not count towards meeting these requirements.
- c. Glazing along both of the project's street frontages shall be maintained such that no more than 20 percent of the total width of glazing along any street frontage is covered by any signs or interior walls/shelves when space is active/occupied by a tenant. Blinds, shades, or other similar screening material are permitted in the interior of the commercial and lobby/amenity spaces only and may be drawn during closed hours of operation.
- d. The project shall provide a public plaza of at least 2,000 square feet at the intersection of Pico Boulevard and Beverly Drive, as depicted in the plans in Exhibit A. The project shall provide a minimum of 5,000 square feet of residential amenity spaces within the ground floor, including but not limited to coworking space, fitness center, lounge, and lobby, as depicted in the plans in Exhibit A.

- e. All mechanical equipment on the roof shall be screened from view by any abutting properties. The transformer, if located in the front yard, shall be screened with landscaping on all exposed sides (those not adjacent to a building wall).
8. **Circulation.** The applicant shall submit a parking and driveway plan to the Los Angeles Department of Transportation (LADOT) for approval. The project shall minimize the number of curb cuts on the subject property, to the satisfaction of LADOT.
 9. **Landscaping:**
 - a. All open areas not used for buildings, driveways, parking areas, or walkways shall be attractively landscaped and maintained in accordance with a landscape plan and an automatic irrigation plan, prepared by a licensed Landscape Architect and to the satisfaction of the Department of City Planning.
 - b. The project shall plant a minimum of 27 trees on-site, as depicted on the plans in Exhibit A. The project shall provide a minimum of 11 trees on the ground floor along the project's street frontage along Pico Boulevard and a minimum of 10 trees on the second floor along the alley, as depicted in the plans in Exhibit A.
 - c. The project shall provide a landscaped and planted setback of 13 feet at the second building level along the southern property line, as depicted in the plans in Exhibit A.
 10. **Signage.** On-site signs shall comply with the Municipal Code. Signage rights are not part of this approval.
 11. **Lighting.** Outdoor lighting shall be designed and installed with shielding, such that the light source does not illuminate adjacent residential properties or the public right-of-way, nor the above night skies.
 12. **Trash.** Trash receptacles shall be stored within a fully enclosed portion of the building at all times. Trash/recycling containers shall be locked when not in use and shall not be placed in or block access to required parking.
 13. **Sustainability:**
 - a. A minimum of 15 percent of the total roof area shall be reserved for the installation of solar panels. The solar panels shall be installed prior to the issuance of a certificate of occupancy. The lowest point of any solar panel may not be more than five feet above the roof line.
 - b. The project shall include at least 30 percent of the total number of automobile parking spaces provided as capable of supporting future electric vehicle supply equipment (EVSE). The project shall equip at least 10 percent of the total number of automobile parking spaces provided with electric vehicle charging stations to immediately accommodate electric vehicles within the parking area. Plans shall indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics, and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating capacity. The number of parking spaces shall be rounded up when the application of the 30 percent and the 10 percent results in a

fraction. A label stating "EVCAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.

14. **Maintenance.** The subject property, including any trash storage areas, associated parking facilities, sidewalks, driveways, yard areas, parkways, and exterior walls along the property lines, shall be maintained in an attractive condition and shall be kept free of trash and debris.
15. **Inadvertent Discovery.** In the event that any archaeological, paleontological, cultural, or historic resources are encountered during the course of any ground disturbance activities, all such activities shall temporarily cease on the project site and no archaeological and/or associated materials may be collected or moved until the potential resources are properly assessed and addressed by a qualified archaeologist and/or paleontologist pursuant to all applicable regulatory guidelines and procedures, including those set forth in California Public Resources Code Section 21083.2.

Administrative Conditions

16. **Approvals, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approval, plans, etc, as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
17. **Building Plans.** 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 Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
18. **Notations on Plans.** Plans submitted to the Department of Building and Safety for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet and shall include any modifications or notations required herein.
19. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of city Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
20. **Code Compliance.** All area, height and use regulations of the zone classification of the subject property shall be complied with, except wherein these conditions explicitly allow otherwise.
21. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.

22. **Corrective Conditions.** 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 City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
23. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
24. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
25. **Expedited Processing Section.** 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.
26. **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 (ii).
- 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 in paragraph (ii).

- e. If the City determines it necessary to protect the City's interest, 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, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions include 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.

FINDINGS

Density Bonus / Affordable Housing Incentives Findings

1. Pursuant to Section 12.22 A.25(g)(2)(i)(c) of the LAMC and Section 65915(e) of the California Government Code, the Director shall approve a density bonus and requested incentive(s) unless the Director of Planning finds that¹:
 - a. *The Incentive does not result in identifiable and actual cost reductions to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for the affordable units.*

The record does not contain substantial evidence that would allow the Director to make a finding that the requested incentives do not result in identifiable and actual cost reductions to provide for affordable housing costs per State Law. The California Health & Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs for very low, low, and moderate income households. Section 50052.5 addresses owner-occupied housing and Section 50053 addresses rental households. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed 25 percent gross income based on area median income thresholds dependent on affordability levels.

In exchange for reserving at least 15 percent of the base density for Very Low Income households, the applicant is entitled to three Incentives under both Government Code Section 65915 and the LAMC. The project proposes to reserve 17 percent of the base density of 72 units for Very Low Income households; accordingly, the project is entitled to the three requested Off-menu Incentives. These requested Incentives provide cost reductions that provide for affordable housing costs because the incentives by their nature increase the scale of the project, which facilitates the creation of more affordable housing units.

FAR

The subject property is zoned C4-1VL-O; developments in this zone are limited to a maximum FAR of 1.5:1. The project is seeking an increase in FAR to 3.75:1 as an Off-menu Incentive. The project proposes a total of 96,870 square feet of building area, equal to a FAR of 3.75:1. This increase permits the project to expand the building envelope and provide additional building floor area, which enables the provision of additional living space and residential units. The provision of leasable commercial space supports the construction of affordable residential units, while the increase in overall space that is dedicated to residential uses facilitates the creation of more residential units and enables the applicant to reserve more residential units for lower income levels. Therefore, the incentive supports the applicant's decision to set aside 13 dwelling units for Very Low Income households. The requested Incentive provides actual and identifiable cost reductions that provide for affordable housing costs because the incentive by nature increases the building envelope of the project so that additional residential units can be provided.

¹ Pursuant to LAMC Section 12.22 A.25(g)(3), the City Planning Commission is considered the decision-maker for off-menu density bonus requests. The findings referenced in LAMC Section 12.22 A.25(g)(2)(i)(c) apply to off-menu requests.

Height

The subject property is zoned C4-1VL-O; developments in this zone are limited to a maximum height of 45 feet and three stories. The applicant is requesting an increase in building height of 27 feet and three stories, for a maximum building height of 72 feet and six stories. This increase enables the project to expand the building envelope and provide additional floor space and residential building levels, thus enabling the provision of more dwelling units. The additional building height and number of stories enables the provision of leasable commercial space on the ground floor which supports the construction of affordable residential units, while the increase in overall space that is dedicated to residential uses facilitates the creation of more residential units and enables the applicant to reserve more residential units for lower income levels. Therefore, the incentive supports the applicant's decision to set aside 13 dwelling units for Very Low Income households. The requested Incentive provides actual and identifiable cost reductions that provide for affordable housing costs because the incentive by nature increases the building envelope of the project so that additional residential units can be provided.

Vehicle Parking

The project proposes 108 residential units, and per the provisions of the LAMC would therefore be required to provide at least that same number of residential vehicle parking spaces as standard-dimension spaces, while any excess number of spaces may be provided as compact-dimension spaces. The applicant is proposing 120 residential vehicle parking spaces, but with only 54 standard-dimension spaces, with the remainder as compact-dimension spaces. Accordingly, the applicant is requesting an off-menu Incentive to permit residential vehicle parking in excess of 54 spaces to be provided as compact-dimension spaces. The requested reduction in number of standard-dimension vehicle parking spaces decreases the amount of area that would otherwise have to be dedicated to vehicle parking; as a result, the project is able to provide additional space for other more active uses, such as commercial and residential units, as well as save on development costs by not having to construct additional underground vehicle parking areas. Therefore, the requested Incentive facilitates the creation of more residential units and enables the applicant to reserve more residential units for lower income levels, and supports the applicant's decision to set aside 13 dwelling units for Very Low Income households.

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

There is no substantial evidence in the record that the proposed Waiver will have a specific adverse impact upon public health and safety or the physical environment, or any real property that is listed in the California Register of Historical Resources. A "specific adverse impact" is defined as "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22 A.25(b)). The project does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. The property is not located on a substandard street in a Hillside area and is not located in a Liquefaction Zone, a Special Grading Area, a Very High Fire Hazard Severity Zone, or any

other special hazard area. The project is located within a Methane Zone and will comply with any pertinent regulations, and thus will not create any significant direct impacts on public health and safety. Therefore, there is no substantial evidence that the proposed project, and thus the requested Waiver, will have a specific adverse impact on the physical environment, on public health and safety or the physical environment, or on any Historical Resource. Based on the above, there is no basis to deny the requested Waiver.

c. *The Incentives are contrary to State/federal law.*

There is no substantial evidence in the record indicating that the requested Incentives are contrary to any State or federal laws.

Density Bonus / Affordable Housing Incentives Findings for Requested Waiver of Development Standards

2. Pursuant to Section 12.22-A,25(g)(3)(ii)(c) of the LAMC and Section 65915(e) of the California Government Code, the Director shall approve a waiver or modification of any development standard(s) unless the Director of Planning finds that²:

a. *The Waiver or Modification of Development Standards will have a Specific Adverse Impact upon public health and safety or the physical environment or any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the Specific Adverse Impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific adverse impact upon the public health or safety.*

A project that provides 15 percent of the base density for Very Low Income households is entitled to three Incentives under both Government Code Section 65915 and the LAMC and may request other “waiver[s] or reduction[s] of development standards that will have the effect of physically precluding the construction of a development meeting the [affordable set-aside percentage] criteria” as outlined by State Density Bonus law. The applicant proposes to set aside 13 units for Very Low Income households, equal to approximately 17 percent of the base density. Accordingly, the requested three off-menu Incentives for increases in FAR and height as well as for compact vehicle parking qualify as Incentives. The additional request to waive the otherwise required on-site commercial loading space is processed as a Waiver of Development Standards. This Waiver is necessary to provide for affordable housing costs because the requirement would inhibit the provision of additional useable building floor area due to the unique dimensions and topography of the subject property; thus, the requested Waiver enables the provision of more residential floor area and facilitates the creation of more affordable housing units.

On-Site Commercial Loading Zone

As a mixed-use residential and commercial development, the project is required to provide a commercial loading zone for the proposed commercial uses. The project proposes to

² Pursuant to LAMC Section 12.22-A,25(g)(3), the City Planning Commission is considered the decision-maker for Off-menu density bonus requests. The findings referenced in LAMC Section 12.22-A,25(g)(2)(i)(c) apply to Off-menu requests.

provide the required commercial loading zone along the Pico Boulevard street frontage in lieu of on-site, as otherwise required by the LAMC. Due to the long and narrow dimensions of the property as well as the slope upwards to the west, providing a commercial loading space on-site, along with the required access and ramp and turn-around dimensions, would require a prohibitive amount of space that could otherwise be utilized for active and residential uses. Therefore, the requested Waiver is necessary to enable the development of the proposed project with the proposed number of affordable units.

There is no substantial evidence in the record that the proposed Waiver will have a specific adverse impact upon public health and safety or the physical environment, or any real property that is listed in the California Register of Historical Resources. A "specific adverse impact" is defined as "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22 A.25(b)). The project does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. The property is not located on a substandard street in a Hillside area and is not located in a Liquefaction Zone, a Special Grading Area, a Very High Fire Hazard Severity Zone, or any other special hazard area. The project is located within a Methane Zone and will comply with any pertinent regulations, and thus will not create any significant direct impacts on public health and safety. Furthermore, LADOT has reviewed and approved the proposed loading zone along Pico Boulevard, to meet their requirements and to their satisfaction. Therefore, there is no substantial evidence that the proposed project, and thus the requested Waiver, will have a specific adverse impact on the physical environment, on public health and safety or the physical environment, or on any Historical Resource. Based on the above, there is no basis to deny the requested Waiver

b. The Waivers are contrary to State/federal law.

There is no substantial evidence in the record indicating that the requested Waiver of Development Standards is contrary to any State or federal laws.

Conditional Use Findings

3. That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.

The proposed project consists of the construction of a new six-story mixed-use building with 108 residential units above approximately 3,250 square feet of commercial space on the ground floor. The project site is currently developed with a car wash, food stand, and office building, all of which will be demolished through the development of the proposed project. The project site occupies an entire city block along Pico Boulevard, between Beverly Drive and Reeves Street. With a car wash and small commercial uses, the project site is a prime location for new housing units and community-oriented commercial services, given its location along a major arterial corridor in a centrally located and heavily urbanized area of the City. The project will improve the existing aging site with a modern and attractive mixed-use building. In particular, the proposed project will feature a ground floor public plaza with transparent and activated neighborhood-serving and pedestrian-oriented commercial services, residential lobby, and amenity spaces all prominently located at the intersection of Pico Boulevard and Beverly Drive. The project will also incorporate new, varied, and attractive building materials along the facades, plant new trees along the street frontages, and remove all existing curb

cuts except for one (to provide vehicle access to the project), which will significantly enhance the street frontages. Therefore, the project will both help alleviate the city's housing shortage while including desirable community-serving uses and enhance the physical environment.

In addition, as a Density Bonus development, the project will both provide much needed housing in general to the area, as well as restricted affordable housing units which will serve the most needy segments of the population from across the region. The requested increase in residential density directly enables and supports the provision of additional restricted affordable housing units. Therefore, the project will provide an essential and beneficial service to the community, City, and entire region.

4. 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.

The proposed project consists of the construction of a new six-story mixed-use building with 108 residential units above approximately 3,250 square feet of commercial space on the ground floor. The project site is currently developed with a car wash, food stand, and office building, all of which will be demolished through the development of the proposed project. The project site occupies an entire city block along Pico Boulevard, between Beverly Drive and Reeves Street. Pico Boulevard is a major arterial corridor in the area, lined primarily with various commercial uses and with primarily multi-family residential neighborhoods off to the sides. The intersection of Pico Boulevard and Beverly Drive in particular is a commercial hub, with several mid- and high-rise commercial office buildings, hotels, and multi-family buildings located at or near the intersection.

With the exception of the requests herein, the proposed project is otherwise entirely consistent with the requirements of the underlying zone. The subject property is designated for Neighborhood Commercial land uses corresponding to the C1, C1.5, C2, C4, RAS3, RAS4, and P Zones. The subject property is zoned C4-1VL-O and is thus consistent with the existing land use designation. As a new mixed-use residential and commercial building, the project will continue to provide neighborhood-serving commercial services, but within a modern and more attractive site which also provides much needed housing for the area. With a relatively small amount of commercial space designed for small-scale commercial services and residential units, the project's proposed uses are appropriate and desirable for its location in a heavily urbanized and centrally located area developed with a variety of other residential and commercial uses.

The project is a desirable use in a location designated for such developments and will be compatible with surrounding properties and the surrounding area. The proposed density, height, and FAR, are permissible by the underlying zone and the provisions of Density Bonus law. The proposed building will be similar in scale to existing developments in the area and represents an appropriate and desirable transition between the taller existing office building and hotel to the north and the three- to four-story residential buildings to the south. The proposed building's active and transparent façade along Pico Boulevard and ground floor plaza will complement the commercial uses and arterial corridor at the main street intersection, while landscaped buffer areas provide additional setbacks and minimize potential impacts on adjacent residences. Therefore, the project's location, size, height, operations, and other significant features will be compatible with and will not adversely affect adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

5. That the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

The project site is located within the West Los Angeles Community Plan, which is one of 35 Community Plans which together form the land use element of the General Plan. The Community Plan designates the site for Neighborhood Commercial land uses corresponding to the C1, C1.5, C2, C4, RAS3, RAS4, and P Zones. The subject property is zoned C4-1VL-O and is thus consistent with the existing land use designation. The project is located in an "O" Oil Drilling Supplemental Use District where the drilling of oil wells or production from oil wells is permitted, pursuant to LAMC Section 13.01, and is thus required to comply with any additional applicable requirements governing development of the site; however, there are no known oil wells on or adjacent to the property, and no drilling uses are proposed. The subject property is not located within the boundaries of and is not subject to any other specific plan or community design overlay.

With the exception of the requests herein, which enable the provision of affordable housing units, the proposed project is otherwise consistent with the requirements of the underlying zone. The project proposes a mixed-use residential and commercial development on a site designated for such uses. The requested Incentives and Waiver are permissible by the provisions of Density Bonus law, and the project will comply with all other applicable provisions of the zoning code.

The project is also consistent with the following goal and objectives of the Community Plan:

GOAL 1: "A SAFE, SECURE, AND HIGH QUALITY RESIDENTIAL ENVIRONMENT FOR ALL ECONOMIC, AGE, AND ETHNIC SEGMENTS OF THE COMMUNITY."

Objective 1-1: "To provide for...the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area..."

Objective 1-2: "To reduce vehicular trips and congestion by developing new housing in proximity to adequate services and facilities."

Objective 1-4: "To promote adequate and affordable housing and increase its accessibility to more segments of the population..."

GOAL 2: "A STRONG AND COMPETITIVE COMMERCIAL SECTOR WHICH PROMOTES ECONOMIC VITALITY, SERVES THE NEEDS OF THE COMMUNITY THROUGH WELL DESIGNED, SAFE AND ACCESSIBLE AREAS WHILE PRESERVING HISTORIC AND CULTURAL CHARACTER."

Objective 2-1: "To...provide additional opportunities for new commercial development and services within existing commercial areas."

Objective 2-2: "To promote distinctive commercial districts and pedestrian-oriented areas."

Objective 2-3: "To enhance the appearance of commercial districts."

The project is further consistent with other elements of the General Plan, including the Framework Element, the Housing Element, and the Mobility Element. The Framework Element was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City

of Los Angeles, including the project site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The project supports the following goal and objective of the Framework Element:

GOAL 4A: “AN EQUITABLE DISTRIBUTION OF HOUSING OPPORTUNITIES BY TYPE AND COST ACCESSIBLE TO ALL RESIDENTS OF THE CITY.”

Objective 4.1: “Plan the capacity for and develop incentives to encourage production of an adequate supply of housing units of various types within each City sub-region to meet the projected housing needs by income level of the future population...”

The Housing Element of the General Plan provides land use policies and programs that encourage development of affordable housing across the City. The project also supports the following goals and objectives of the Housing Element:

GOAL 1: “HOUSING PRODUCTION AND PRESERVATION.”

Objective 1.1: “Produce an adequate supply of rental and ownership housing in order to meet current and projected needs.”

GOAL 2: “SAFE, LIVEABLE, AND SUSTAINABLE NEIGHBORHOODS.”

Objective 2.2: “Promote sustainable neighborhoods that have mixed-income housing, jobs, amenities, services and transit.”

Objective 2.5: “Promote a more equitable distribution of affordable housing opportunities throughout the City.”

The Mobility Element of the General Plan, also known as Mobility Plan 2035, provides policies with the ultimate goal of developing a balanced transportation network for all users. The project supports the following policies of the Mobility Element:

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

Policy 5.2: “Support ways to reduce vehicle miles traveled (VMT) per capita.”

Policy 5.4: “Continue to encourage the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure.”

The project proposes a new mixed-use multi-family and commercial development that will provide much-needed housing, including affordable housing, and neighborhood-serving commercial uses. Accordingly, the project fulfills the Community Plan, Framework Element, and Housing Element goals and objectives of providing quality housing for all persons in the community, including those at all income levels. The project utilizes development incentives to provide a higher number of residential units than would otherwise be permitted, thereby facilitating the creation of a higher number of affordable units and addressing the need for affordable housing in the City. Additionally, the project is a Density Bonus development located along Pico Boulevard, a major arterial roadway in the region that is well-served by public transportation. Thus, by locating higher-density development along major transit corridors and by providing commercial services and jobs in proximity to residences, the project will contribute towards the creation of sustainable neighborhoods and a reduction in vehicle

trips and VMT. The project will further promote mobility and sustainable environments by providing active and transparent building facades, public amenities such as a ground floor plaza, and incorporating landscaping, all of which will significantly improve pedestrian movement and the quality of the streetscape in the area. The proposed improvements represent a significant improvement over the existing site conditions and help realize the City's goals, including the creation of attractive streetscapes and mixed-use boulevards (as detailed in the West Los Angeles Community Plan). The project will also implement any dedications and improvements as required by the Bureau of Engineering.

In addition, the project has been conditioned to include automobile parking spaces both ready for immediate use by electric vehicles (e.g. with electric vehicle chargers installed) and capable of supporting electric vehicles in the future. The project has also been conditioned to provide solar infrastructure. Together, these conditions further support applicable policies in the Health and Wellness Element, Air Quality Element, and Mobility Element of the General Plan by reducing the level of pollution/greenhouse gas emissions, ensuring new development is compatible with alternative fuel vehicles, and encouraging the adoption of low emission fuel sources and supporting infrastructure. These conditions also support good planning practice by promoting overall sustainability and providing additional benefits and conveniences for residents, workers, and visitors.

The project contributes to and furthers the relevant goals, objectives, and policies of the plans that govern land use and development in the City. In addition, the project does not substantially conflict with any applicable plan or other regulation. Therefore, the project substantially conforms with the purpose, intent, and provisions of the General Plan, the applicable Community Plan, and the applicable specific plan.

In addition to the above findings set forth in Section 12.24 E of the LAMC, the City Planning Commission shall find that:

6. The project is consistent with and implements the affordable housing provisions of the Housing Element of the General Plan.

The City's Housing Element for 2013-2021 was adopted by the City Council on December 3, 2013 and is the City's blueprint for meeting housing and growth challenges. The Housing Element identifies the City's housing conditions and needs, reiterates goals, objectives, and policies that are the foundation of the City's housing and growth strategy, and provides the array of City programs to create sustainable, mixed-income neighborhoods across the City. The project supports the following goals and objectives of the Housing Element:

GOAL 1: "HOUSING PRODUCTION AND PRESERVATION."

Objective 1.1: "Produce an adequate supply of rental and ownership housing in order to meet current and projected needs."

GOAL 2: "SAFE, LIVEABLE, AND SUSTAINABLE NEIGHBORHOODS."

Objective 2.2: "Promote sustainable neighborhoods that have mixed-income housing, jobs, amenities, services and transit."

Objective 2.5: "Promote a more equitable distribution of affordable housing opportunities throughout the City."

The project proposes a new mixed-use residential and commercial development with 108 housing units, with 13 units set aside for Very Low Income households. Accordingly, the

project fulfills the Housing Element goal of providing quality housing for all persons in the community. The project utilizes development incentives to provide a higher number of residential units than would otherwise be permitted, thereby facilitating the creation of a higher number of affordable units and addressing the need for affordable housing in the City. By providing housing in general and also affordable housing for Very Low Income households, the project directly supports the goals, objectives, and policies of the Housing Element that relate to the provision of affordable housing. Therefore, the project is consistent with and implements the affordable housing provisions of the Housing Element of the General Plan.

7. The project contains the requisite number of Restricted Affordable Units, based on the number of units permitted by the maximum allowable density on the date of application.

The subject property is zoned C4-1VL-O, which permits residential density at a ratio of one unit per 400 square feet of lot area. The subject property has a total lot area of approximately 28,432 square feet (including half of the rear abutting alley, as permitted by the LAMC for purposes of calculating density), and as such, the permitted base density on the subject property is 72 units.

Pursuant to the LAMC and California Government Code Section 65915, a Housing Development Project that sets aside a certain percentage of units as affordable, either in rental or for-sale units, shall be granted a corresponding density bonus, up to a maximum of 35 percent. While these provisions are limited to 35 percent, Government Code Section 65915(f) states that “the amount of density bonus to which an applicant is entitled shall vary according to the amount by which the percentage of affordable housing units exceeds percentage established.” As such, in instances where a project is seeking a density bonus increase that is more than 35 percent, the amount of required units that are set aside as affordable shall vary depending on the requested amount of density bonus. Therefore, it is appropriate that any project that requests a density bonus increase beyond 35 percent would extend the existing set-aside charts located in Section 12.22 A.25 of the LAMC. LAMC Section 12.24 U.26, which implements this provision of the State law, states that based on the base density, as a Conditional Use a project may be granted additional density increases beyond the 35 percent maximum by providing additional affordable housing units. Per this code section, Table 1 below illustrates how the maximum allowable Density Bonus increases by 2.5 percent for every additional one percent of Very Low Income units provided, based on the base density and the chart prescribed in Section 12.22 A.25 of the LAMC.

~Continued on next page

Table 1: Density Bonus Percentages

Very Low Income Units (Percentage of Base Density)	Maximum Density Bonus Permitted (Based on Base Density)
5 %*	20 %*
6 %*	22.5 %*
7 %*	25 %*
8 %*	27.5 %*
9 %*	30 %*
10 %*	32.5 %*
11 %*	35 %*
12 %	37.5 %
13 %	40 %
14 %	42.5 %
15 %	45 %
16 %	47.5 %
17 %	50 %

*Existing set-aside chart as listed in Section 12.22 A.25 of the LAMC

The project proposes to develop 108 units, equal to an increase of 36 units and a density bonus of 50 percent based on the base density on 72 units. Therefore, in order to obtain a 50 percent density bonus, the proposed project must set aside at least 17 percent of the base density, equal to 13 units, for Very Low Income Households. Accordingly, the project proposes to set aside 13 units for Very Low Income Households in exchange for the requested Density Bonus.

8. The project meets any applicable dwelling unit replacement requirements of the California Government Code Section 65915(c)(3).

The project proposes the demolition of an existing car wash, food stand, and office building. Per the AB 2556 Determination Letter dated June 5, 2020, as the project site was previously entirely developed only with residential uses, there are no applicable replacement dwelling unit requirements. Nonetheless, the project will meet any applicable dwelling unit replacement requirements of the California Government Code Section 65915(c)(3).

9. The project's Restricted Affordable Units are subject to a recorded affordability restriction of 55 years from the issuance of the Certificate of Occupancy, recorded in a covenant acceptable to the Housing and Community Investment Department, and subject to fees as set forth in Section 19.14 of the LAMC.

The proposed project has been conditioned to record a covenant for affordability restriction of a period of 55 years from the issuance of the Certificate of Occupancy, to the satisfaction of the Housing and Community Investment Department, and subject to fees as set forth in Section 19.14 of the LAMC.

10. The project addresses the policies and standards contained in the City Planning Commission's Affordable Housing Incentives Guidelines.

The City Planning Commission approved the Affordable Housing Incentives Guidelines (under Case No. CPC-2005-1101-CA) on June 9, 2005. The Guidelines were subsequently approved by the City Council on February 20, 2008, as a component of the City of Los Angeles Density Bonus Ordinance. The Guidelines describe the density bonus provisions and qualifying criteria, incentives available, design standards, and the procedures through which projects may apply for a density bonus and incentives. HCIDLA utilizes these Guidelines in the preparation of Housing Covenants for Affordable Housing Projects. The Guidelines prescribe that the design and location of affordable units be comparable to the market rate units, the equal distribution of amenities, HCIDLA monitoring requirements, affordability levels, and procedures for obtaining HCIDLA sign-offs for building permits.

The project will result in 108 new dwelling units, with 13 units set aside as affordable units for Very Low Income households. All residents of the proposed project will have access to all common and open space amenities within the building. The restricted units will comply with affordability requirements in the Guidelines set for the by HCIDLA in conformance with US Department of Housing and Urban Development (HUD). Additionally, as part of the building permit process, the applicant will execute a covenant to the satisfaction of HCIDLA who will ensure compliance with the Guidelines. Therefore, the project will address the policies and standards contained in the Guidelines.

Site Plan Review Findings

11. 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 project site is located within the West Los Angeles Community Plan, which is one of 35 Community Plans which together form the land use element of the General Plan. The Community Plan designates the site for Neighborhood Commercial land uses corresponding to the C1, C1.5, C2, C4, RAS3, RAS4, and P Zones. The subject property is zoned C4-1VL-O and is thus consistent with the existing land use designation. The project is located in an "O" Oil Drilling Supplemental Use District where the drilling of oil wells or production from oil wells is permitted, pursuant to LAMC Section 13.01, and is thus required to comply with any additional applicable requirements governing development of the site; however, there are no known oil wells on or adjacent to the property, and no drilling uses are proposed. The subject property is not located within the boundaries of and is not subject to any other specific plan or community design overlay.

With the exception of the requests herein, which enable the provision of affordable housing units, the proposed project is otherwise consistent with the requirements of the underlying zone. The project proposes a mixed-use residential and commercial development on a site designated for such uses. The requested Incentives and Waiver are permissible by the provisions of Density Bonus law, and the project will comply with all other applicable provisions of the zoning code.

The project is also consistent with the following goal and objectives of the Community Plan:

GOAL 1: "A SAFE, SECURE, AND HIGH QUALITY RESIDENTIAL ENVIRONMENT FOR ALL ECONOMIC, AGE, AND ETHNIC SEGMENTS OF THE COMMUNITY."

Objective 1-1: “To provide for...the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area...”

Objective 1-2: “To reduce vehicular trips and congestion by developing new housing in proximity to adequate services and facilities.”

Objective 1-4: “To promote adequate and affordable housing and increase its accessibility to more segments of the population...”

GOAL 2: “A STRONG AND COMPETITIVE COMMERCIAL SECTOR WHICH PROMOTES ECONOMIC VITALITY, SERVES THE NEEDS OF THE COMMUNITY THROUGH WELL DESIGNED, SAFE AND ACCESSIBLE AREAS WHILE PRESERVING HISTORIC AND CULTURAL CHARACTER.”

Objective 2-1: “To...provide additional opportunities for new commercial development and services within existing commercial areas.”

Objective 2-2: “To promote distinctive commercial districts and pedestrian-oriented areas.”

Objective 2-3: “To enhance the appearance of commercial districts.”

The project is further consistent with other elements of the General Plan, including the Framework Element, the Housing Element, and the Mobility Element. The Framework Element was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The project supports the following goal and objective of the Framework Element:

GOAL 4A: “AN EQUITABLE DISTRIBUTION OF HOUSING OPPORTUNITIES BY TYPE AND COST ACCESSIBLE TO ALL RESIDENTS OF THE CITY.”

Objective 4.1: “Plan the capacity for and develop incentives to encourage production of an adequate supply of housing units of various types within each City sub-region to meet the projected housing needs by income level of the future population...”

The Housing Element of the General Plan provides land use policies and programs that encourage development of affordable housing across the City. The project also supports the following goals and objectives of the Housing Element:

GOAL 1: “HOUSING PRODUCTION AND PRESERVATION.”

Objective 1.1: “Produce an adequate supply of rental and ownership housing in order to meet current and projected needs.”

GOAL 2: “SAFE, LIVEABLE, AND SUSTAINABLE NEIGHBORHOODS.”

Objective 2.2: “Promote sustainable neighborhoods that have mixed-income housing, jobs, amenities, services and transit.”

Objective 2.5: “Promote a more equitable distribution of affordable housing opportunities throughout the City.”

The Mobility Element of the General Plan, also known as Mobility Plan 2035, provides policies with the ultimate goal of developing a balanced transportation network for all users. The project supports the following policies of the Mobility Element:

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

Policy 5.2: “Support ways to reduce vehicle miles traveled (VMT) per capita.”

Policy 5.4: “Continue to encourage the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure.”

The project proposes a new mixed-use multi-family and commercial development that will provide much-needed housing, including affordable housing, and neighborhood-serving commercial uses. Accordingly, the project fulfills the Community Plan, Framework Element, and Housing Element goals and objectives of providing quality housing for all persons in the community, including those at all income levels. The project utilizes development incentives to provide a higher number of residential units than would otherwise be permitted, thereby facilitating the creation of a higher number of affordable units and addressing the need for affordable housing in the City. Additionally, the project is a Density Bonus development located along Pico Boulevard, a major arterial roadway in the region that is well-served by public transportation. Thus, by locating higher-density development along major transit corridors and by providing commercial services and jobs in proximity to residences, the project will contribute towards the creation of sustainable neighborhoods and a reduction in vehicle trips and VMT. The project will further promote mobility and sustainable environments by providing active and transparent building facades, public amenities such as a ground floor plaza, and incorporating landscaping, all of which will significantly improve pedestrian movement and the quality of the streetscape in the area. The proposed improvements represent a significant improvement over the existing site conditions and help realize the City’s goals, including the creation of attractive streetscapes and mixed-use boulevards (as detailed in the West Los Angeles Community Plan). The project will also implement any dedications and improvements as required by the Bureau of Engineering.

In addition, the project has been conditioned to include automobile parking spaces both ready for immediate use by electric vehicles (e.g. with electric vehicle chargers installed) and capable of supporting electric vehicles in the future. The project has also been conditioned to provide solar infrastructure. Together, these conditions further support applicable policies in the Health and Wellness Element, Air Quality Element, and Mobility Element of the General Plan by reducing the level of pollution/greenhouse gas emissions, ensuring new development is compatible with alternative fuel vehicles, and encouraging the adoption of low emission fuel sources and supporting infrastructure. These conditions also support good planning practice by promoting overall sustainability and providing additional benefits and conveniences for residents, workers, and visitors.

The project contributes to and furthers the relevant goals, objectives, and policies of the plans that govern land use and development in the City. In addition, the project does not substantially conflict with any applicable plan or other regulation. Therefore, the project substantially conforms with the purpose, intent, and provisions of the General Plan, the applicable Community Plan, and the applicable specific plan.

12. 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 project site consists of 10 existing contiguous lots encompassing a total of approximately 25,823 square feet of lot area. The mostly-rectangular parcel of land occupies an entire city block along the southern side of Pico Boulevard, between Beverly Drive to the east and Reeves Street to the west. An alley abuts the property to the rear.

The subject property is currently developed with a car wash, food stand, and office building, all of which will be demolished for the development of a new six-story mixed-use building with 108 residential units above approximately 3,250 square feet of commercial space on the ground floor. The project also proposes two subterranean levels of vehicle parking.

The project and all of its pertinent improvements will be compatible with neighboring properties. The project is a desirable mixed-use residential and commercial development in a location and neighborhood zoned and designated for such uses. The project site is located in a heavily urbanized and centrally located area developed with a variety of other similar/compatible uses, including several mid- and high-rise commercial buildings as well as a variety of multi-family residences. The project will improve an existing aging property and will not preclude any future development on the subject property or on any adjacent property. Accordingly, the project has been designed such that its significant features and improvements will be compatible with the surrounding area, as follows:

Height, Bulk, Setbacks

As depicted in Exhibit "A", the proposed project consists of the demolition of all existing improvements on the subject property for the construction of a new six-story mixed-use building. At completion, the building will encompass a total of 96,870 square feet of total floor area and will rise to a maximum height of 72 feet (with limited exceptions for roof structures, per the LAMC).

The City's zoning regulations, specifically those that govern building height, mass, and location on a property, are intended to ensure that a development is compatible with its surroundings and is appropriate for its location. The underlying C4-1VL-O Zone limits the project to a maximum building height of three stories and 45 feet, and a FAR of 1.5:1. However, as a Density Bonus development the project is eligible for Incentives to increase the building height and FAR; accordingly, the project is seeking Incentives to permit the maximum building height, number of stories, and FAR as proposed.

The C4-1VL-O Zone also prescribes no setback requirements for commercial developments, although residential uses are subject to the side and rear yard setback requirements of the R4 Zone at the lowest residential story. However, LAMC Section 12.22 A.18(c) states that for mixed-use commercial and residential buildings, "no yard requirements shall apply to the residential portions of buildings located on lots in the CR, C1, C1.5, C2, C4, and C5 Zones used for combined commercial and residential uses, if such portions are used exclusively for residential uses, abut a street, private street or alley, and the first floor of such buildings at ground level is used for commercial uses or for access to the residential portions of such buildings". The project meets all of these criteria and, accordingly, would not be required to provide any setbacks, as the subject property is bounded by Pico Boulevard, Beverly Drive, an alley, and Reeves Street to the north, east, south, and west, respectively. Nonetheless, the project proposes to provide a 13-foot setback above the second floor to the south, which exceeds the requirement, to minimize potential impacts on adjacent residences.

The proposed building height, mass, and setbacks are all consistent/permissible with all applicable zoning regulations and State and City Density Bonus law, and as a result will be compatible with adjacent properties. The project will be similar in scale to existing developments in the area and represents an appropriate and desirable transition between taller commercial buildings to the north at the intersection of Pico Boulevard and Beverly Drive and the three- to four-story residences in the residential neighborhoods to the south. The proposed building's active and transparent façade along Pico Boulevard and ground floor plaza will complement the commercial uses and arterial corridor at the main street intersection, while landscaped buffer areas provide additional setbacks and minimize potential impacts on adjacent residences; therefore, the project is an appropriate development in this location and will be compatible with developments in the surrounding area. The project further varies building mass with interesting architectural features as well as the provision of open space, including an outdoor courtyard/stairwell. Additionally, the project meets or exceeds all required setback requirements and incorporates thoughtful features to further minimize potential impacts; for example, the building features a landscaped setback at the second story along the south/alley which will provide attractive and functional buffering to adjacent properties. Therefore, the project's height, mass, and setbacks will be compatible with adjacent properties.

Site Layout – Parking, Trash Collection, Landscaping, and Lighting

At the ground floor, the project proposes approximately 3,250 square feet of commercial space fronting Pico Boulevard and Beverly Drive, with a prominent residential lobby and various residential amenity spaces occupying the remainder of the ground floor along Pico Boulevard. The project also proposes a public plaza at the intersection of Pico Boulevard and Beverly Drive, in front of the commercial space. Vehicle parking will be provided in a portion of the ground floor to the rear/south and in two subterranean levels, with access provided via a ramp off of Beverly Drive and parallel to the rear alley. Trash collection will be provided on the ground floor to the rear as well, along the vehicle ramp.

The proposed site layout is thoughtful and will minimize any potential impacts to the project's surroundings. Commercial uses are concentrated along the greater thoroughfare (Pico Boulevard) and at the street corner. The project has been designed and conditioned to provide extensive transparency and glazing along the primary street frontages, which will enhance the project's surroundings and encourage pedestrian activity along the streetscapes. Additionally, vehicle access is provided via Beverly Drive due to the unique property dimensions and slope of the site. This layout enables the provision of transparent and active uses along the entirety of the Pico Boulevard frontage while locating the vehicle driveway as far away from the street intersection as possible, and maintains an existing curb cut while closing all other curb cuts. These same considerations also make it impractical to situate a commercial loading space on-site; however, the applicant has come to an agreement with LADOT to provide a curbside commercial loading space (yellow curb) of 40 feet along Pico Boulevard in front of the property. As every existing curb cut along Pico Boulevard will be closed, the project will be able to maintain the same number of existing vehicle parking spaces along Pico Boulevard, while providing this loading space. Thus, the proposed layout is both practically feasible and most beneficial.

Short-term bicycle parking is proposed in multiple locations at the ground level and along the project's street frontages, thereby facilitating access, while long-term bicycle parking is primarily stored in dedicated enclosures in the subterranean parking levels. The proposed trash collection location is also easily accessible yet fully enclosed within the building footprint, thereby shielding the trash enclosures from view by adjacent properties.

The project includes several distinct outdoor open space areas, including a ground floor plaza, an open courtyard/stairwell, a landscaped setback area at the second floor along the southern property line, and a rooftop patio and pool deck. Not only will these areas be landscaped with planters and provide outdoor recreation and amenity spaces, but they will provide buffering and shielding, especially along the southern property line which abuts adjacent residences. The project proposes further landscaping along parts of the alley to provide additional buffering. As the existing car wash property has no such landscaping at all, the project will significantly enhance the physical appearance of the property as well as the relationship of the subject property to adjacent properties. The street-facing commercial uses and plaza will complement the existing dense commercial development at the intersection of Pico Boulevard and Beverly Drive, while landscaping and the setback area to the rear will minimize potential impacts on adjacent residences. All of the proposed recreation spaces and landscaping will enhance both the project and the greater neighborhood as a whole, and as a result the project will be cohesive and integrate well with the surrounding community. Accordingly, all of the proposed open spaces and landscaping will enhance the property and will be compatible with other improvements on the subject property and abutting properties.

Furthermore, appropriate lighting and additional landscaping have been conditioned and will be provided in accordance with the requirements of the LAMC. The project has been designed to provide adequate lighting for operation and safety and to meet all regulations while limiting potential impacts. Additional landscaping such as street trees will be provided throughout the property per the requirements of the applicable City agencies. Therefore, for all of these reasons, the project will significantly improve the physical appearance of the property and will be compatible with existing and future development on the subject property and on surrounding properties.

13. Any residential project provides recreational and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties.

The project proposes 12,600 square feet of useable common open space to meet the requirements of the LAMC, although the project will provide a larger amount of total useable open space (with the excess amount not included in zoning requirements, per the LAMC). Proposed recreation and amenity spaces include an outdoor plaza at the street intersection of Pico Boulevard and Beverly Drive; semi-public lounge, co-working, fitness center, and lobby spaces on the ground floor; an open outdoor courtyard and stairwell; a rooftop landscaped pool and patio deck; and various private balconies.

The project will provide a wide array of high-quality recreational and service amenities for both residents and the community alike. The outdoor plaza at the ground floor will provide shade, seating, casual dining, and other amenities for patrons of the ground floor commercial spaces. The private outdoor open spaces and interior common rooms will offer residents and guests a wide variety of amenities; in particular, the multiple interior common rooms can be configured for the provision of many different services, such as a movie screening room, lounge, library, or conference room/work space. In addition, all of the outdoor spaces will be landscaped and planted with a variety of trees and other plants, which will provide shade and greenery for residents and patrons of the project, enhance the physical environment, and reduce potential impacts on adjacent properties. Therefore, the project provides many different recreational and service amenities which will improve habitability for residents and the community alike, and will minimize impacts on neighboring properties.

Environmental Findings

- 14. Environmental Finding.** On July 15, 2021, a Negative Declaration (ENV-2020-5838-ND) was prepared and published for the proposed project. On the basis of the whole of the record

before the lead agency including any comments received, the lead agency finds that there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Department of City Planning in Room 763, 200 North Spring Street.

- 15. Flood Insurance.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas outside of a flood zone.

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