

# PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

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|--|----------------------------|--|
| <b>CITY PLANNING CASE:</b>   | <b>ENVIRONMENTAL CASE:</b> | <b>COUNCIL DISTRICT:</b>   |
| CPC-2021-4937-CU-DB-SPR-WDI-HCA-1A   | ENV-2021-4938-SCEA         | 11 – Park  |
| <b>COUNCIL FILE NO:</b>  |                            |  |
| ☒ N/A  |                            |  |
| <b>PROJECT ADDRESS / LOCATION:</b>   |                            |  |
| 6501 – 6521 South Sepulveda Boulevard; 6502 – 6520 South Arizona Avenue  |                            |  |
| <b>APPLICANT:</b>  | <b>TELEPHONE NUMBER:</b>   | <b>EMAIL ADDRESS:</b>  |
| FRH Realty, LLC<br>5355 Mira Sorento Pl.<br>San Diego, CA 92121  | (858) 626-8341             | <a href="mailto:emmcoy@ffres.com">emmcoy@ffres.com</a>                   |
| <b>APPLICANT'S REPRESENTATIVE:</b>   | <b>TELEPHONE NUMBER:</b>   | <b>EMAIL ADDRESS:</b>  |
| Jonathan Lonner, Burns & Bouchard, Inc.<br>9619 National Blvd.<br>Los Angeles, CA 90034  | (310) 802-4261             | <a href="mailto:jlonner@burnsbouchard.com">jlonner@burnsbouchard.com</a> |
| <b>APPELLANT:</b>  | <b>TELEPHONE NUMBER:</b>   | <b>EMAIL ADDRESS:</b>  |
| Supporters Alliance for Environmental Responsibility<br>4399 Santa Anita Ave, Suite 2005<br>El Monte, CA 91731                               | (510) 836-4200             | <a href="mailto:richard@lozeaudrury.com">richard@lozeaudrury.com</a>     |
| <b>APPELLANT'S REPRESENTATIVE:</b>   | <b>TELEPHONE NUMBER:</b>   | <b>EMAIL ADDRESS:</b>  |
| Victoria Yundt, Lozeau Drury LLP<br>1939 Harrison Street, Suite 150<br>Oakland, CA 94612   | (510) 836-4200             | <a href="mailto:victoria@lozeaudrury.com">victoria@lozeaudrury.com</a>   |
| <b>PLANNER CONTACT:</b>  | <b>TELEPHONE NUMBER:</b>   | <b>EMAIL ADDRESS:</b>  |
| More Song  | (213) 978-1319             | <a href="mailto:more.song@lacity.org">more.song@lacity.org</a>           |
| <b>ITEMS FOR CITY COUNCIL CONSIDERATION (IE. ENTITLEMENTS, LEGISLATIVE ACTIONS):</b>   |                            |  |
| <b>Site Plan Review (SPR)</b><br><input type="checkbox"/> <i>The preparation of a draft ordinance by the City Attorney will be required.</i> |                            |  |
| <b>FINAL ENTITLMENTS NOT ADVANCING FOR CITY COUNCIL CONSIDERATION:<br/>(UNAPPEALED OR NON-APPEALABLE ITEMS)</b>                              |                            |  |
| <b>Density Bonus (not appealable), Conditional Use (not appealed), WDI (not appealed)</b><br><input type="checkbox"/> N/A                    |                            |  |
| <b>ITEMS APPEALED:</b>   |                            |  |
| <b>Site Plan Review (SPR)</b><br><input type="checkbox"/> N/A  |                            |  |





# LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300  
[www.planning.lacity.org](http://www.planning.lacity.org)

## LETTER OF DETERMINATION

**MAILING DATE: DECEMBER 14, 2022**

**Case No. CPC-2021-4937-CU-DB-SPR-WDI-HCA**

Council District: 11 – Park

CEQA: ENV-2021-4938-SCEA

Plan Area: Westchester – Playa del Rey

**Project Site:** 6501 – 6521 South Sepulveda Boulevard;  
6502 – 6520 South Arizona Avenue

**Applicant:** FRH Realty, LLC  
Representative: Jonathan Lonner, Burns & Bouchard, Inc.

At its meeting of **November 17, 2022**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following Project:

Demolition of an existing commercial shopping center, industrial building, and associated surface parking lots, the maintenance of an existing one-story commercial restaurant building, and the construction, use, and maintenance of a new eight-story mixed-use building with 362 residential units and approximately 3,700 square feet of new commercial space on the ground floor; 41 residential units will be reserved for Very Low Income households. The Project will provide 520 vehicle parking spaces.

1. **Found** pursuant to Public Resources Code (PRC), Section 21155.2, after consideration of the whole of the administrative record, including the SB 375 Sustainable Communities Environmental Assessment, No. ENV-2021-4938-SCEA ("SCEA"), and all comments received, after imposition of all mitigation measures there is no substantial evidence that the project will have a significant effect on the environment; **Found** that the City Council held a hearing on and adopted the SCEA on September 30, 2022 pursuant to PRC Section 21155.2(b)(6); **Found** the project is a "transit priority project" as defined by PRC Section 21155 and the project has incorporated all feasible mitigation measures, performance standards, or criteria set forth in prior EIR(s), including SCAG 2020-2045 RTP/SCS EIR Schedule No. 20199011061; **Found** all potentially significant effects required to be identified in the initial study have been identified and analyzed in the SCEA; **Found** with respect to each significant effect on the environment required to be identified in the initial study for the SCEA, changes or alterations have been required in or incorporated into the project that avoid or mitigate the significant effects to a level of insignificance or those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency; **Found** the SCEA reflects the independent judgment and analysis of the City; **Found** the mitigation measures have been made enforceable conditions on the project; and **Adopted** the SCEA and the Mitigation Monitoring and Reporting Program prepared for the SCEA;
2. **Approved**, pursuant to Section 12.24 U.26 of the Los Angeles Municipal Code (LAMC), a Conditional Use Permit to allow a 50 percent Density Bonus for a housing development project in which the density increase is greater than otherwise permitted by LAMC Section 12.22 A.25;

3. **Approved**, pursuant to LAMC Section 12.22 A.25, a Density Bonus Compliance Review to permit a housing development project consisting of 362 dwelling units, of which 41 will be set aside for Very Low Income households, and with the following Incentives:
  - a. An Off-Menu Incentive to allow a maximum Floor Area Ratio (FAR) of 3.85:1 in lieu of the otherwise permitted 1.5:1;
  - b. An Off-Menu Incentive to allow a 26 percent reduction in the required amount of open space; and
  - c. An Off-Menu Incentive to allow a zero-foot distance between main buildings in lieu of the otherwise required distance;
4. **Approved**, pursuant to LAMC Section 16.05, a Site Plan Review for a development project creating 50 or more residential dwelling units;
5. **Approved**, pursuant to LAMC Section 12.37 I, a Waiver of Dedications and Improvements to waive the otherwise required dedications and improvements along Sepulveda Boulevard;
6. **Adopted** the attached Modified Conditions of Approval; and
7. **Adopted** the attached Findings.

The vote proceeded as follows:

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

**Vote: 6 – 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 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: DECEMBER 29, 2022**

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

c: Heather Bleemers, Senior City Planner  
More Song, City Planner

## CONDITIONS OF APPROVAL

(As Modified by the City Planning Commission at its meeting on November 17, 2022)

Pursuant to Sections 12.24 U.26, 12.22 A.25, 16.05, and 12.37 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 362 dwelling units, including affordable units.
3. **Affordable Units:** A minimum of 41 units, equal to a minimum of 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 LAHD to make 17 percent of the site's base density units, equal to 41 units, available to Very Low Income households, for sale or rental as determined to be affordable to such households by LAHD 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 LAHD, and in consideration of the project's SB 8 Determination Letter, dated April 25, 2022. Enforcement of the terms of said covenant shall be the responsibility of LAHD. The applicant will present a copy of the recorded covenant to Los Angeles 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 LAHD.
5. **Incentives:**
  - a. Floor Area Ratio. The project is permitted a maximum FAR of 3.85:1.
  - b. Open Space. The project is permitted a 26 percent reduction in the required amount of open space.
  - c. Space Between Buildings. The project is permitted to provide zero-foot separation between buildings, in lieu of the otherwise required space pursuant to LAMC Section 12.21 C.2.
6. **Parking:**
  - a. Minimum residential automobile parking shall be provided consistent with the provisions of Section 65915 of the California Government Code and/or the LAMC.

- b. Minimum commercial automobile parking shall be provided consistent with the provisions of the LAMC.
- c. 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 different 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 by Section 65915 of the California Government Code and/or LAMC Section 12.22 A.25.
- d. Bicycle Parking. Residential bicycle parking shall be provided consistent with LAMC 12.21 A.16.
- e. 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 LAHD.
- f. All vehicular parking shall provide electric vehicle charging spaces and electric vehicle charging stations in compliance with the regulations outlined in Sections 99.04.106 and 99.05.106 of Article 9, Chapter IX of the LAMC.
- g. All vehicle parking spaces in excess of the minimum amount required by the LAMC shall have electric vehicle chargers installed prior to the issuance of the certificate of occupancy.

### **Site Plan Review Conditions**

#### **7. Design:**

- a. All building façades shall utilize a minimum of two different materials. Windows, doors, balcony railings, decorative features (such as light fixtures, planters, etc.), and perimeter walls (e.g. walls along a street that are not a part of the building) are excluded from meeting this requirement.
- b. Along the project's ground floor street frontage along Sepulveda Boulevard, there shall be no less than a total of 50 horizontal feet of doors, windows, and/or other transparent glazing, excluding the existing Dinah's restaurant building to remain. Along the project's ground floor façade facing Centinela Avenue, there shall be no less than a total of 100 horizontal feet of doors, windows, and/or other transparent glazing. To meet these requirements, glazing shall be a minimum of six feet in height. Vehicle gates and non-transparent doors shall not count towards meeting these requirements.
- c. Outdoor private patios serving individual residential units shall total a minimum of 350 feet in width along the project's ground floor street frontage facing Centinela Avenue.
- d. The project shall provide a central outdoor courtyard of at least 14,000 square feet on the fourth floor and a roof deck of at least 1,000 square feet, 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. **Parking.** With the exception of vehicle and pedestrian entrances and air grilles, any aboveground vehicle parking shall be completely enclosed along all sides of the building.
- 10. **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 91 trees on-site and in the public right-of-way, as depicted on the plans in Exhibit A.
- 11. **Signage.** On-site signs shall comply with the Municipal Code. Signage rights are not part of this approval.
- 12. **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.
- 13. **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.
- 14. **Solar Energy Infrastructure.** The Project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.
- 15. **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.
- 16. **Sustainability.** The project shall be developed to LEED Silver or equivalent rating.

#### **Waiver of Dedications and Improvements Conditions**

- 17. **Dedications and Improvements.** No dedications and associated widening improvements shall be required for the western side of Sepulveda Boulevard along the project's street frontage. The project shall implement all other required dedications and improvements to the satisfaction of the Bureau of Engineering.

#### **Administrative Conditions**

18. **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.
19. **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.
20. **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.
21. **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.
22. **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.
23. **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.
24. **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.
25. **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.
26. **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.

27. **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.

28. **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

### Conditional Use Findings

- 1. 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 eight-story mixed-use building with 362 residential units above approximately 3,700 square feet of commercial space on the ground floor. The project site is currently developed with an existing restaurant building which will be maintained and a commercial mini-mall and industrial building which will be demolished for the development of the proposed project. The project site is located along Sepulveda Boulevard just south of the intersection with Centinela Avenue. With small-scale commercial uses and surface parking areas, 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 heavily urbanized area of the City close to jobs, services, and transit. The project will improve the existing aging site by removing billboards and old unattractive buildings, replacing them with a modern mixed-use building with extensive glazing and varied architectural materials. In particular, the proposed project will feature a ground floor façade with transparent and activated neighborhood-serving and pedestrian-oriented commercial services, as well as a prominent residential lobby, located along the main street frontage. The project will also incorporate new, varied, and attractive building materials along the facades and plant new trees and planters along the street frontages, which will significantly enhance the street frontages and enhance the pedestrian experience. 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.

- 2. 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 eight-story mixed-use building with 362 residential units above approximately 3,700 square feet of commercial space on the ground floor. The project site is currently developed with an existing restaurant building which will be maintained and a commercial mini-mall and industrial building which will be demolished for the development of the proposed project. The project site is located along Sepulveda Boulevard just south of the intersection with Centinela Avenue; both thoroughfares are developed with a variety of mid- and high-rise office, hotel, and residential uses in this area. The intersection of Sepulveda Boulevard and Centinela Avenue in particular includes an eight-story office tower and five-story medical office building across the street from the project site, and two high-rise hotel towers and new multi-story residential complexes nearby. As such, the proposed project is a desirable use and development in this location, as it will be comparable in size and nature to other developments along the major roadways. The project will replace an aging, underutilized, and automobile-oriented development with a new urban

infill mixed-use residential and commercial service development and will complement other development in the area with another multi-story transit-oriented development.

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 General Commercial land uses corresponding to the C1.5, C2, C4, CR, RAS3, and RAS4 Zones. The subject property is zoned C4-1 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 buildings along Sepulveda Boulevard and Centinela Avenue and lower-density single-family residential neighborhoods away from the arterial roadways. The proposed building's active and transparent façade along Sepulveda Boulevard will complement the commercial uses and arterial corridor, while landscaped buffer areas provide additional setbacks and minimize potential impacts on adjacent properties. 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.

**3. 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 Westchester – Playa del Rey 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 General Commercial land uses corresponding to the C1.5, C2, C4, CR, RAS3, and RAS4 Zones. The subject property is currently zoned C4-1 and is thus consistent with the existing land use designation. The project is also located within the Los Angeles Coastal Transportation Corridor Specific Plan, which prescribes transportation improvements and related fees and is thus subject to any such additional requirements. The project site is also a designated Transit Priority Area within the City of Los Angeles. 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 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: "PROVIDE A SAFE, SECURE, AND HIGH QUALITY RESIDENTIAL ENVIRONMENT FOR ALL ECONOMIC, AGE, AND ETHNIC SEGMENTS OF THE WESTCHESTER-PLAYA DEL REY COMMUNITY.."

Objective 1-1: “Provide for the preservation of existing quality housing, and for the development of new housing to meet the diverse economic and physical needs of the existing residents and expected new residents in the Westchester-Playa del Rey Community Plan Area to the year 2025”

Objective 1-2: “Locate housing near commercial centers, public facilities, and bus routes and other transit services, to reduce vehicular trips and congestion and increase access to services and facilities.”

Objective 1-4: “Provide affordable housing and increased accessibility to more population segments, especially students, the disabled and senior citizens.”

GOAL 2: “ENCOURAGE A STRONG AND COMPETITIVE COMMERCIAL SECTOR THAT PROMOTES ECONOMIC VITALITY AND SERVES THE NEEDS OF THE WESTCHESTER-PLAYA DEL REY COMMUNITY THROUGH SAFE, ACCESSIBLE, AND WELL-DESIGNED COMMERCIAL DISTRICTS, WHILE PRESERVING THE HISTORIC AND CULTURAL CHARACTER OF THE COMMUNITY.”

Objective 2-1: “Preserve and strengthen viable commercial development in the community, and provide additional opportunities for new commercial development and services within existing commercial areas.”

Objective 2-3: “Enhance the land use compatibility, visual appearance, design and appeal of commercial development.”

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 Sepulveda 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 Westchester – Playa Del Rey Community Plan).

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:**

**4. 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 362 housing units, with 41 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.

**5. 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 C4-1, 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 96,030 square feet and as such, the permitted base density on the subject property is 241 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.

*Table 1: Density Bonus Percentages*

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

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

The project proposes to develop 362 units, equal to an increase of 121 units and a density bonus of 50 percent based on the base density on 241 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 41 units, for Very Low Income Households. Accordingly, the project proposes to set aside 41 units for Very Low Income Households in exchange for the requested Density Bonus.

**6. 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 commercial mini-mall and industrial building. As the project site was previously entirely developed only with non-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).

**7. 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.

**8. 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. LAHD 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, LAHD monitoring requirements, affordability levels, and procedures for obtaining LAHD sign-offs for building permits.

The project will result in 362 new dwelling units, with 41 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 LAHD 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 LAHD who will ensure compliance with the Guidelines. Therefore, the project will address the policies and standards contained in the Guidelines.

**Density Bonus / Affordable Housing Incentives Findings**

**9. 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 that<sup>1</sup>:**

**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 at least 15 percent of the base density of 241 units for Very Low Income households; accordingly, the project is entitled to the three requested Off-menu Incentives. These requested Incentives provide

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<sup>1</sup> 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.

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.

#### Floor Area Ratio

The subject property is zoned C4-1; developments in this zone are limited to a maximum FAR of 1.5:1. The project is seeking an increase in FAR to 3.85:1 as an Off-menu Incentive. The project proposes a total of approximately 366,000 square feet of building area, equal to a FAR of 3.85:1. 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 41 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.

#### Open Space

Based on the number and typology of residential units proposed, the project would be required to provide 39,350 square feet of open space. The project proposes to provide approximately 29,140 square feet of open space, and accordingly is requesting an Off-menu Incentive for a 26 percent decrease in the required amount of open space. This reduction enables the project to expand the building envelope by utilizing more space for building floor area and provide additional floor space and residential units, thus enabling the provision of more dwelling units. The larger building footprint facilitates the creation of more residential units of all types, including market-rate units which enable the applicant to subsidize and reserve more residential units for lower income levels. Therefore, the incentive supports the applicant's decision to set aside 41 dwelling units for Very Low Income households as proposed. 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, resulting in additional affordable housing units.

#### Reduction in Space Between Buildings

As the project involves the maintenance of the existing Dinah's restaurant building and the development of a new mixed-use building on the site, the project would be required to provide a space between the separate buildings pursuant to LAMC Section 12.21 C.2. The project proposes to develop the new mixed-use building directly abutting and on top of a portion of the existing restaurant building, and accordingly is requesting an Off-menu Incentive to permit zero-foot passageways between buildings on the site. This reduction enables the project to expand the building envelope by utilizing more space for building floor area and provide additional floor space and residential units, thus enabling the provision of more dwelling units. The larger building footprint facilitates the creation of more residential units of all types, including market-rate units which enable the applicant to subsidize and reserve more residential units for lower income levels. Therefore, the incentive supports the applicant's decision to set aside 41 dwelling units for Very Low Income households as proposed. 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, resulting in additional affordable housing units.

- b. *The Incentive(s) 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 (Government Code Section 65915(d)(1)(B) and 65589.5(d)).***

There is no substantial evidence in the record that the proposed Incentives 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)). Although the existing Dinah's restaurant building is not listed as a City of Los Angeles Historical-Cultural Monument, it is a recognized historic resource that is potentially eligible for listing. In addition, the adjacent industrial neighborhood to the west is a recognized potential historic district, although it is not a designated Historic Preservation Overlay Zone. Potential environmental impacts, including impacts to historic resources, have been fully analyzed in the SCEA prepared for the project; the SCEA, which is fully adopted and final, concluded that the project would not have any significant impacts on historic resources as it will maintain the existing Dinah's restaurant and associated signs and will not impact the industrial neighborhood to the west. 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, a Methane Zone, or any other special hazard area. Therefore, there is no substantial evidence that the proposed project, and thus the requested Incentives, 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 Incentives.

- 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.

### **Site Plan Review Findings**

- 10. 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 Westchester – Playa del Rey 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 General Commercial land uses corresponding to the C1.5, C2, C4, CR, RAS3, and RAS4 Zones. The subject property is currently zoned C4-1 and is thus consistent with the existing land use designation. The project is also located within the Los Angeles Coastal Transportation Corridor Specific Plan, which prescribes transportation improvements and related fees and is thus subject to any such additional requirements. The project site is also a designated Transit Priority Area within the City of Los

Angeles. 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 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: "PROVIDE A SAFE, SECURE, AND HIGH QUALITY RESIDENTIAL ENVIRONMENT FOR ALL ECONOMIC, AGE, AND ETHNIC SEGMENTS OF THE WESTCHESTER-PLAYA DEL REY COMMUNITY.."

Objective 1-1: "Provide for the preservation of existing quality housing, and for the development of new housing to meet the diverse economic and physical needs of the existing residents and expected new residents in the Westchester-Playa del Rey Community Plan Area to the year 2025"

Objective 1-2: "Locate housing near commercial centers, public facilities, and bus routes and other transit services, to reduce vehicular trips and congestion and increase access to services and facilities."

Objective 1-4: "Provide affordable housing and increased accessibility to more population segments, especially students, the disabled and senior citizens."

GOAL 2: "ENCOURAGE A STRONG AND COMPETITIVE COMMERCIAL SECTOR THAT PROMOTES ECONOMIC VITALITY AND SERVES THE NEEDS OF THE WESTCHESTER-PLAYA DEL REY COMMUNITY THROUGH SAFE, ACCESSIBLE, AND WELL-DESIGNED COMMERCIAL DISTRICTS, WHILE PRESERVING THE HISTORIC AND CULTURAL CHARACTER OF THE COMMUNITY."

Objective 2-1: "Preserve and strengthen viable commercial development in the community, and provide additional opportunities for new commercial development and services within existing commercial areas."

Objective 2-3: "Enhance the land use compatibility, visual appearance, design and appeal of commercial development."

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 Sepulveda 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 Westchester – Playa Del Rey Community Plan).

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.

**11. 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 subject property consists of four contiguous lots encompassing a total of approximately 96,000 square feet of lot area (approximately 2.2 acres). The property is located just south of the intersection of Sepulveda Boulevard and Centinela Avenue and has street frontages of approximately 247 feet along the western side of Sepulveda Boulevard and approximately 398 feet along the eastern side of Arizona Avenue. The property is a through-parcel, fronting Sepulveda Boulevard with Arizona Avenue to the rear.

The project site is currently developed with an existing one-story commercial mini-mall, a one-story industrial building, and a one-story detached restaurant building known as Dinah's Family Restaurant, all surrounded by surface vehicle parking. The proposed project involves the maintenance of the existing Dinah's restaurant building, a recognized historic resource, and the demolition of all other existing improvements for the construction, use, and maintenance of a new mixed-use development with 362 residential units above approximately 3,700 square feet of commercial space on the ground floor. The project proposes to provide a total of 520 vehicle parking spaces in one subterranean level and three above-ground levels of parking.

The project and all of its pertinent improvements will be compatible with neighboring properties. The project is a desirable multi-family residential development in a location and neighborhood zoned and designated for such uses. The project site is located in a heavily urbanized area developed with a variety of other similar/compatible uses, including a variety of multi-family residences and high-rise commercial towers. 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 maintenance of the existing Dinah's restaurant building and the demolition of the remaining improvements on the subject property for the construction of a new mixed-use multi-family residential and commercial

building with 362 units above approximately 3,700 square feet of new commercial space on the ground floor. At completion, the new building will rise to a maximum height of eight stories and 96 feet (with limited exceptions for roof structures, per the LAMC) and will result in a total FAR of approximately 3.85:1.

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 C4-1 Zone on the subject property limits the project to a maximum FAR of 1.5:1 with no limit on building height. However, as a Density Bonus development the project is eligible for Incentives to increase the FAR; accordingly, the project is seeking an Incentive to permit the maximum FAR as proposed.

The proposed building mass is 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 further proposes to meet or exceed all other zoning development standards, such as building height and setbacks. 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 buildings along Sepulveda Boulevard and Centinela Avenue and lower-density single-family residential neighborhoods away from the arterial roadways. The proposed building's active and transparent façade along Sepulveda Boulevard will complement the commercial uses and arterial corridor, while landscaped buffer areas provide additional setbacks and minimize potential impacts on adjacent properties. 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 to accommodate the existing Dinah's restaurant building to remain as well as the provision of open space, including an outdoor central courtyard on the fourth floor. Additionally, the project includes landscaped open space areas and/or planters and trees throughout the property 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 both the existing commercial use to remain and new commercial space, street-facing townhouse-style residential units, and a prominent residential lobby fronting the main street, with vehicle parking located to the rear. Vehicle parking will be provided in one subterranean level, on the ground floor, and on a portion of the second and third floors. Trash collection will be provided on the ground floor in the parking area, behind the proposed new commercial space and just off of the driveway on Sepulveda Boulevard.

The proposed site layout is thoughtful and will minimize any potential impacts to the project's surroundings. 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 or the public right-of-way. 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 parking levels.

The project includes several distinct open space areas, including an open outdoor fourth-floor courtyard and pool deck, a rooftop deck, and various indoor recreation rooms and amenity spaces. Not only will the outdoor areas be landscaped with planters and provide outdoor recreation and amenity spaces, but they will provide building mass relief and allow light and air to flow to interior units. The project will also notably improve the northern property line, by developing public-facing townhouse-style residential units with patios, light fencing, and

planters where there is currently a blank building wall and unimproved landscaping. As the existing site conditions consist of unattractive buildings and surface parking, the project will significantly enhance the physical appearance of the property as well as the relationship of the subject property to adjacent properties. 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. In addition, the project has been designed and conditioned to provide extensive transparency and glazing along the primary street frontages, which will further enhance the project's surroundings and promote the project's compatibility with the surrounding neighborhood.

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.

**12. 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 approximately 29,000 square feet of open space. Proposed common open spaces include a main outdoor central courtyard and pool deck, various indoor amenity spaces on the fourth, fifth, and eighth levels, and a rooftop deck. Proposed private open space consists of patios for the residential units on the ground floor facing Centinela Avenue, and balconies at various residential units on the ground floor and fourth through eighth levels. All outdoor common areas will be landscaped with planters and trees. The project proposes to provide at least 91 trees, including both on-site and street trees in the public right-of-way. The project also proposes landscaped buffer/setback areas along the northern property line (abutting a thin property in the City of Culver City separating the project site and Centinela Avenue) and the southern property line (abutting an adjacent hotel property), although these areas are not useable. Additional landscaping including tree/planter/parkway improvements are proposed for the sidewalk along Arizona Avenue abutting the project site.

The project will provide a wide array of high-quality recreational and service amenities for residents and guests. The courtyard/pool deck, rooftop deck, and private patios and balconies will provide landscaping and outdoor space. The 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.

**Waiver of Dedication and Improvement Findings**

**13. The dedication or improvement requirement is physically impractical.**

The subject property consists of four contiguous lots encompassing a total of approximately 96,000 square feet of lot area (approximately 2.2 acres). The property is located just south of the intersection of Sepulveda Boulevard and Centinela Avenue and has street frontages of approximately 247 feet along the western side of Sepulveda Boulevard and approximately 398 feet along the eastern side of Arizona Avenue. The property is a through-parcel, fronting Sepulveda Boulevard with Arizona Avenue to the rear.

Sepulveda Boulevard is a designated Boulevard I, which requires a designated right-of-way width of 136 feet. In order to comply with the applicable Mobility Plan 2035 standards, per the BOE, the project would be required to dedicate and improve 18 feet along Sepulveda Boulevard. However, such dedication and widening would be impractical in this case. The existing Dinah's restaurant building is a recognized historic resource which the project proposes to maintain, in order to prevent any significant environmental impacts with regards to historic resources. This building is currently built to the front property line along Sepulveda Boulevard; as such, any required dedication and improvement along Sepulveda Boulevard would preclude the maintenance of the building and result in the destruction of a historic resource. Accordingly, it would be physically impractical to require the dedication and improvement along Sepulveda Boulevard in this location. Therefore, the waiver of the otherwise required dedication and improvements along Sepulveda Boulevard is appropriate for the request herein.

### **Environmental Findings**

- 14. SCEA.** Pursuant to Public Resources Code (PRC) Section 21155.2, the City Council found, after consideration of the whole of the administrative record, including the SB 375 Sustainable Communities Environmental Assessment, No. ENV-2021-4938-SCEA ("SCEA"), and all comments received, after imposition of all mitigation measures there is no substantial evidence that the Project will have a significant effect on the environment. On September 30, 2022, the City Council adopted the SCEA, Mitigation Measures, Mitigation Monitoring and Reporting Program, and related environmental findings prepared for the SCEA.
- 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 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](https://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