



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: FEBRUARY 28, 2023

Case No. DIR-2022-4433-TOC-SPR-HCA-1A

Council District: 10 – Hutt

CEQA: ENV-2022-4434-CE

Plan Area: Wilshire

Project Site: 956 – 966 South Vermont Avenue

Applicant: Teh Jing Wang
Representative: Gary Benjamin, Alchemy Planning + Land Use

Appellant: Supporters Alliance for Environmental Responsibility (SAFER)
Representative: Richard Drury, Lozeau Drury LLP

At its meeting of **February 9, 2023**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following Project:

Demolition of two existing two-story commercial buildings for the construction, use, and maintenance of a new six-story approximately 89 feet high mixed-use building with 90 residential units, including nine units reserved for Extremely Low Income households, above approximately 2,915 square feet of commercial space on the ground floor. The Project proposes to provide 85 vehicle parking spaces in two subterranean levels and a portion of the ground floor.

1. **Determined**, that based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Article 19, Section 15332, Class 32, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies;
2. **Denied** the appeal and **sustained** the Planning Director's Determination dated November 14, 2022;
3. Approved with Conditions, pursuant to Section 12.22 A.31 of the Los Angeles Municipal Code (LAMC), a 65 percent increase in density, consistent with the provisions of the Transit Oriented Communities (TOC) Affordable Housing Incentive Program along with the following two incentives for a qualifying Tier 3 project totaling 90 dwelling units, reserving a minimum of nine units for Extremely Low Income (ELI) Household occupancy for a period of 55 years:
 - a. Yards/Setbacks. Utilization of the side yard setback requirements of the RAS3 Zone for a project in a commercial zone; and
 - b. Open Space. A maximum reduction of 25 percent in the required amount of open space;
4. **Approved**, pursuant to LAMC Section 16.05, a Site Plan Review for a development creating 50 or more residential dwelling units;
5. **Adopted** the attached Conditions of Approval; and
6. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Perlman
Second: Choe
Ayes: Leung, Millman, Zamora
Absent: Cabildo, Hornstock, Mack

Vote: 5 – 0



Cecilia Lamas, Commission Executive Assistant II
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 is final and effective upon the mailing of this determination letter and not further appealable.

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. The applicant is advised that any work undertaken while the CEQA clearance is on appeal is at his/her/its own risk and if the appeal is granted, it may result in (1) voiding and rescission of the CEQA clearance, the Determination, and any permits issued in reliance on the Determination and (2) the use by the City of any and all remedies to return the subject property to the condition it was in prior to issuance of the Determination.

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 (CEQA)

c: Heather Bleemers, Senior City Planner
Christina Toy Lee, Associate Zoning Administrator
More Song, City Planner

CONDITIONS OF APPROVAL

Pursuant to Sections 12.22 A.31 and 16.05 of the LAMC, the following conditions are hereby imposed upon the use of the subject property:

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit A," and attached to the subject case file. Minor deviations may be allowed in order to comply with the provisions of the LAMC or the project conditions. Changes beyond minor deviations required by other City Departments or the LAMC may not be made without prior review by the Department of City Planning, Expedited Processing Section, and written approval by the Director of Planning. Each change shall be identified and justified in writing.
2. **On-site Restricted Affordable Units.** Nine units, or equal to a minimum of ten percent of the total number of dwelling units, shall be designated for Extremely Low Income Households, as defined by the Los Angeles Housing Department (LAHD) and California Government Code Section 65915(c)(2).
3. **Changes in On-site Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units or change parking numbers shall be consistent with LAMC Section 12.22 A.31.
4. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of LAHD to make ten percent of the total number of dwelling units available to Extremely 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 set-aside affordable units may be adjusted, consistent with LAMC Section 12.22 A.31, to the satisfaction of LAHD, and in consideration of the project's SB 8 Determination. Enforcement of the terms of said covenant shall be the responsibility of LAHD. 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 the LAHD. Refer to the Density Bonus Legislation Background section of this determination.
5. **Base Incentives:**
 - a. **Residential Density.** The project shall be limited to a maximum density of 90 residential dwelling units (equal to a density increase of 65 percent), including On-site Restricted Affordable Units.
 - b. **Floor Area Ratio (FAR).** The project may be permitted a maximum FAR of 3.75:1.
 - c. **Parking:**
 - i. **Residential Automotive Parking.** Residential automobile parking shall be provided consistent with LAMC Section 12.22 A.31. The proposed development, a Tier 3 project, shall not be required to exceed 0.5 automobile parking spaces per unit to fulfill residential vehicle parking requirements (commercial vehicle parking requirements may apply separately). A greater number may be provided at the applicant's discretion. In the event that the number of On-Site Restricted Affordable Units should increase or

- the composition of such units should change, then no modification of this determination shall be necessary and the number of vehicle parking spaces shall be re-calculated consistent with LAMC Section 12.22 A.31.
- ii. **Commercial Automotive Parking.** Commercial automobile parking shall be provided consistent with LAMC Section 12.21 A.
 - iii. **Bicycle Parking.** Bicycle parking shall be provided consistent with LAMC Section 12.21 A.16. In the event that the number of On-Site Restricted Affordable Units should increase or the composition of such units should change, then no modification of this determination shall be necessary and the number of bicycle parking spaces shall be re-calculated by the Department of Building and Safety consistent with LAMC Section 12.21 A.16.
 - iv. **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.

6. **Additional Incentives:**

- a. **Yards/Setbacks.** The project may be permitted to utilize the side yard setback requirements of the RAS3 Zone for a project in a commercial zone.
- b. **Open Space.** The project may be permitted a maximum reduction of 25 percent in the required amount of open space.

Design Conformance Conditions

7. **Building Facades:**

- a. The project shall utilize a minimum of two different materials on all building facades. Windows, doors, balcony railings, and decorative features (such as light fixtures, planters, etc.) shall not count towards this requirement.
 - b. Along the project's street frontage along Vermont Avenue, the ground level façade shall feature a minimum total of 90 horizontal feet of glazing/windows/doors. To meet this requirement, glazing/windows/doors shall be transparent and a minimum of six feet in height. Gates and driveways shall not count towards this requirement.
8. **Landscaping.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning. The landscape plan shall indicate landscape points for the project equivalent to 10 percent more than otherwise required by LAMC 12.40 and Landscape Ordinance Guidelines.
9. **Parking.** With the exception of vehicle and pedestrian entrances and air grilles, any ground-level vehicle parking shall be completely enclosed along all sides of the building.

Site Plan Review Conditions

10. **Mechanical Equipment.** All mechanical equipment on the roof shall be screened from view. The transformer, if located in the front yard, shall be screened with landscaping on all exposed sides (those not adjacent to a building wall).
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. **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.
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. **Sustainability:**
 - a. The project shall comply with Section 99.05.211.1 of the LAMC regarding solar energy infrastructure.
 - b. All electric vehicle charging spaces (EV Spaces) and electric vehicle charging stations (EVCS) shall comply with the regulations outlined in Sections 99.04.106 and 99.05.106 of the LAMC.

Administrative Conditions

15. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building & Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building & 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 & 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.
16. **Notations on Plans.** Plans submitted to the Department of Building & 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.
17. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
18. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
19. **Department of Building & Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the LAMC, Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building & Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building & Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City

Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.

20. **Department of Water and Power.** Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Rules Governing Water and Electric Service. Any corrections and/or modifications to plans made subsequent to this determination in order to accommodate changes to the project due to the under-grounding of utility lines, that are outside of substantial compliance or that affect any part of the exterior design or appearance of the project as approved by the Director, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
21. **Enforcement.** Compliance with and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
22. **Expiration.** In the event that this grant is not utilized within three years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
23. **Expedited Processing Section Fee.** 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.
24. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- (i) 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.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out, in whole or in part, of 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.
- (iii) 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).
- (iv) 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).

- (v) 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 includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

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

FINDINGS

SITE PLAN REVIEW FINDINGS

- 1. 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 Wilshire 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, RAS3, and RAS4 zones. The subject property is zoned C2-1, and is thus consistent with the land use designation on the site. The project site is also located within the Wilshire Center / Koreatown Redevelopment Project Area, a Transit Priority Area in the City of Los Angeles, and the Los Angeles State Enterprise Zone. The project site is not subject to any other overlay or located within any other special hazard zone, methane zone, liquefaction zone, or flood, landslide, or tsunami inundation zone.

The project site is located within the Wilshire Center / Koreatown Redevelopment Project Area; accordingly, the project has been reviewed for consistency and compliance with the Wilshire Center / Koreatown Redevelopment Plan. The project is consistent with the goals of the Redevelopment Plan, which seeks to enhance the physical appearance of the area and encourage the development and provision of housing, among other goals. The project proposes to redevelop two existing underutilized and unattractive commercial buildings with a new modern mixed-use building with interesting architectural features and materials, thereby enhancing the appearance of a major arterial corridor while providing much-needed new high-quality housing. Therefore, the project is substantially consistent with and will not conflict with the Wilshire Center / Koreatown Redevelopment Plan. There are no specific plans or any other overlays pertaining to the project site.

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 new mixed-use residential and commercial development on a site designated for such uses. The requested Incentives are permissible by the provisions of the TOC program and the project will comply with all other applicable provisions of the zoning code.

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

GOAL 1: "PROVIDE A SAFE, SECURE, AND HIGH QUALITY RESIDENTIAL ENVIRONMENT FOR ALL ECONOMIC, AGE, AND ETHNIC SEGMENTS OF THE WILSHIRE 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 Wilshire Community Plan Area to the year 2010."

Objective 1-2: "Reduce vehicular trips and congestion by developing new housing in close proximity to regional and community commercial centers, subway stations and existing bus route stops."

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

GOAL 2: “ENCOURAGE STRONG AND COMPETITIVE COMMERCIAL SECTORS WHICH PROMOTE ECONOMIC VITALITY AND SERVE THE NEEDS OF THE WILSHIRE COMMUNITY THROUGH WELL-DESIGNED, SAFE AND ACCESSIBLE AREAS, WHILE PRESERVING HISTORIC AND CULTURAL CHARACTER.”

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

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

Objective 2-3: “Enhance the visual appearance and appeal 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 goals and objectives 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 the development of 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.

The project is located on Vermont Avenue, a major arterial roadway designated in the Community Plan as a desired “mixed-use boulevard”; as such, the project fulfills this goal with the exact type of development envisioned and desired for this location. Additionally, the project is located in central Los Angeles in a heavily urbanized and bustling neighborhood developed with extensive jobs, services, and transit, and less than one block from a subway station. 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, amenities such as outdoor open space, and incorporating new and additional 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 which consist of a surface parking lot and help realize the City’s goals. The project will also implement any dedications and improvements as required by the Bureau of Engineering, which will further facilitate and enhance movement of all forms across the neighborhood.

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, as well as to provide solar infrastructure, all in conformance with current building code requirements. 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 redevelopment plan.

2. **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 three existing contiguous lots encompassing a total of approximately 20,568 square feet of lot area. The property is rectangular-shaped and is located midblock along Vermont Avenue, between San Marino Street to the north and Olympic Boulevard to the south. An alleyway abuts the subject property to the east/rear.

The subject property is currently developed with two two-story commercial buildings which will be demolished through development of the proposed project. The proposed project involves the construction of a new six-story, approximately 89 feet-high mixed-use building with 90 residential units above approximately 2,915 square feet of commercial space on the ground floor. The project proposes to provide 85 automobile parking spaces in two subterranean parking levels and on a portion of the ground floor.

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 developed area in close proximity to high-quality transit options. The project will provide much-needed affordable housing 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 approximately 77,130 square feet of total floor area and will rise to a height of approximately 89 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 C2-1 Zone limits the project to a maximum FAR of 1.5:1; although it does not prescribe any building height limits. However, as a TOC development the project is eligible for Incentives to increase the FAR; accordingly, the project is seeking Incentives to permit the maximum FAR as proposed.

The C2-1 Zone also prescribes front yard setback requirements of zero feet, rear yard setback requirements of 15 feet plus one foot for every additional story above the third level, and side yard setback requirements of zero feet for commercial uses and five feet for residential uses plus one foot for every additional story above the second level. However, the project is able to request to utilize any of the yard requirements of the RAS3 Zone for a development located in a commercial zone, as an additional Incentive under the TOC program. Accordingly, the project is seeking an Incentive to permit side yard setbacks of five feet at the lowest residential level, per the requirements of the RAS3 Zone.

Furthermore, the LAMC permits mixed-use residential and commercial properties abutting a street or alley in a commercial zone to provide rear yard setbacks of zero feet (LAMC Section 12.22 A.18); accordingly, the project is proposing to build to the rear property line.

The proposed building height, mass, and setbacks are all consistent/permissible with all applicable zoning regulations and the TOC Guidelines, and as a result will be compatible with adjacent properties. The project will be similar in scale and density to existing multi-family developments in the area. The proposed building's active and transparent façade along Vermont Avenue will enhance a street that is currently lined with visually unappealing building facades and auto-oriented commercial developments. Additionally, as the project site is located near a Major Transit Stop, the project will enhance and encourage pedestrian mobility and access. The project further varies building mass with interesting architectural features as well as the provision of open space, including a central outdoor courtyard which will both provide valuable outdoor space and minimize potential impacts on adjacent properties as it provides additional variation and setbacks in building mass. The project meets all required setback requirements. 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 commercial tenant space, residential lobby, and an interior amenity space prominently located along the Vermont Avenue street frontage, with an additional interior amenity space proposed at the rear of the ground floor. Vehicle parking will be provided in the remainder of the ground floor to the rear, with an ingress-only driveway off Vermont Avenue and two-way access from the alley to the rear. A separate vehicle ramp to the subterranean parking levels, as well as a loading zone, are all located off of the alley. Trash collection will be entirely enclosed within the building footprint and accessed via the alley as well.

The proposed site layout is thoughtful and will minimize any potential impacts to the project's surroundings. The main street frontage along Vermont Avenue is activated with transparent semi-public and commercial uses and is further enhanced with landscaping and interesting architectural materials; these design elements will enhance the project's surroundings, encourage pedestrian activity along the street, and facilitate movement and access along a major arterial commercial and mixed-use corridor. Additionally, vehicle access is provided primarily via the alley to the rear, providing convenience while minimizing the number of curb cuts along the street.

Short-term bicycle parking is proposed along the street frontage at the ground level, while long-term bicycle parking is stored in dedicated enclosures at the rear of the ground level; both locations maximize convenience and enable residents and guests to safely and easily access an alternative mode of transportation. 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 a roof deck as the primary and most distinctive open space feature, along with a central outdoor courtyard on the second level. These areas will be landscaped with planters and provide valuable outdoor recreation and amenity space. The upper levels of the building are designed around the outdoor courtyard area, resulting in a more open building massing with more access to light and landscaping below. The landscaping provided will also enhance the appearance of the building both internally and from various external angles, and will thus 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.

3. 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 a minimum of 7,219 square feet of open space to meet the requirements of the LAMC and the TOC Guidelines. Proposed recreation and amenity spaces include private balconies, a central outdoor courtyard, multiple indoor recreation and amenity spaces, and a rooftop deck.

The project will provide a wide array of high-quality recreational and service amenities for residents of the development. The central outdoor courtyard on the second floor and the rooftop deck will provide landscaping, seating, casual dining, and other amenities for residents and guests; the courtyard will further provide sunlight and air for the residential units above which have been oriented around this open space. Various indoor fitness center and lounge spaces will provide further unique and valuable amenities for residents and guests. The project will also provide private outdoor spaces in the form of balconies accessible through most individual units, thereby adding quality and value to individual residences. Therefore, the project provides many different recreational and service amenities which will improve habitability for residents, and will minimize impacts on neighboring properties.

FLOOD HAZARD FINDING

- 4.** 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 an area 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