



LOS ANGELES CITY PLANNING COMMISSION

200 N. Spring Street, Room 272, Los Angeles, California, 90012, (213) 978-1300
www.lacity.org/PLN/index.htm

Determination Mailing Date: OCT 09 2013

CASE NO.: CPC-2012-3436-DB-SPR
CEQA: ENV-2012-3437-MND

Location: 7407 S. La Tijera Boulevard, 7401-7501 S. La Tijera Boulevard & 5630 W. 74th Street)
Council District: 11 – Bonin
Plan Area: Westchester-Playa Del Rey
Zones: C2-1VL & R1-1

Applicant: 7407 LaTijera Nord, LLC
Representative: Jonathan Lonner, Burns & Bouchard, Inc.

At its meeting on September 26, 2013, the following action was taken by the City Planning Commission:

1. **Disapproved a Site Plan Review** for a project creating more than 50 residential dwelling units.
2. **Adopted the attached Amended Findings.**

The City Planning Commission failed to act on the request for a Density Bonus with on- and off-menu incentives and failed to adopt Mitigated Negative Declaration No. ENV-2012-3437-MND. As such, Density Bonus findings have not been included in this letter of determination.

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

This action was taken by the following vote:

Moved: Perlman
Seconded: Lessin
Ayes: Hovaguimian, Segura, Dake Wilson
Absent: Eng
Vacant: Three

Vote: 5 - 0



James K. Williams, Commission Executive Assistant II
City Planning Commission

Appeals: The decision of the City Planning Commission is appealable to the City Council **within 15 days** after the mailing date of this determination. Any aggrieved party may appeal. 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 Public Counters at 201 N. Figueroa Street, Fourth Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys.

Final Appeal Date: OCT 25 2013

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.

AMENDED FINDINGS

Site Plan Review Findings (Disapproval). Pursuant to Section 16.05-F, the development project does not meet all of the following requirements:

- a. **The project is NOT in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan.**

The City Planning Commission found that the proposed project is in conflict with the Westchester – Playa del Rey Community Plan as it relates to preserving land use patterns and providing for a high quality residential environment.

The Plan contains objectives and policies to preserve the integrity of established neighborhood land use patterns and protect existing single-family residential neighborhoods from encroachment by higher density residential uses that are out of scale and character. The project, however, proposes to locate a mixed-use building rising up to 46 feet in height from the ground level and of a scale and massing that surpasses that of the surrounding single-family residential and low rise commercial uses.

The project also proposes to locate 15 residential “atrium” (subterranean) units below the grade level, at the north and east perimeters of the building along 74th Street and La Tijera Boulevard. These subterranean units would receive limited light and ventilation via the use of light wells that will be 10 feet wide and located between 9 and 11 feet below the grade of the adjoining public sidewalk. The City Planning Commission found that the location of the proposed subterranean units raised concerns related to habitability, security, and walkability. The subterranean units will have windows facing the light wells; however, they will not receive any direct sunlight and will resultantly be the only units of the proposed building with limited natural light and air ventilation. Additionally, their location below the street level raises questions of security and protection from passersby. As such, the provision of these subterranean units makes for a building that conflicts with a goal of Westchester – Playa del Rey Community Plan to provide a safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the Westchester – Playa del Rey Community.

It has, therefore, been determined that the project is not in substantial conformance with the purposes, intent, and provisions of the General Plan and the applicable Westchester – Playa del Rey Community Plan.

- b. **The project DOES NOT consist 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 adjacent properties and neighboring properties.**

The City Planning Commission has determined that the proposed mixed-use building consists of a height, bulk, and design that is not compatible with the existing

development pattern for the immediate area as well as the planned development pattern as outlined in the Westchester – Playa del Rey Community Plan.

In addition to determining that the project is out of scale with neighboring properties, the City Planning Commission has found that a major design aspect of locating 15 residential units below the grade level creates issues related to habitability, security, and walkability that are discordant with the quality of surrounding development. The proposed location of these units is incompatible with any existing residential development in the region, as it is the only one that proposes to construct fully subterranean living spaces. The subterranean units would receive limited natural light and air ventilation via the use of light wells, thereby resulting in a substantial reduction in habitability for potential residents. Additionally, while the construction and use of light wells is intended to provide natural light and accessibility for residents, their location around the north and east perimeters of the building has the potential to diminish walkability and public connectivity at the street level, as well as reduce the overall security of the building. As such, the City Planning Commission has found that the project's proposal to construct subterranean units is a model of poor urban design and a planning practice that would be incompatible with future development and would set a negative precedent within the City of Los Angeles.