

ORDINANCE NO. 183316

An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section \_\_. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zone classifications of property shown upon a portion of the Zoning Map incorporated therein and made a part of Article 2, Chapter 1 of the LAMC, so that such portion of the Zoning Map shall conform to the zoning on the map attached hereto and incorporated herein by this reference.

CATALINA ST

EXPOSITION BOULEVARD N/R

EXPOSITION BOULEVARD S/R

E'LY LINE OF BLK A, ALESSANDRO TRACT.

**(T)(Q)C2**

WISCONSIN ST

38TH ST

THE INTENT OF THIS ORDINANCE IS FOR THE BOUNDARIES OF THIS ZONE CHANGE TO COINCIDE WITH THOSE OF RECORDED TR 72558.



90 45 0 90 Feet



CM: 117 B 197

CPC-2013-3340-GPA-ZC-DB-SPR

LH/ed

091614



Area Mapped

**(Q) Qualified Conditions of Approval**

Pursuant to Section 12.32 G of the Municipal code, the following limitations are hereby imposed upon the use of the subject property, subject to the "Q" Qualified classification.

1. **Use.** The use of the subject property shall be limited to the uses as permitted in the C2-1 Zone as defined in LAMC Section 12.14, except as modified by the conditions herein or subsequent action.
2. **Density.** A maximum of 138 residential units restricted for Low Income households and 2 non-restricted managers units.
3. **Housing Requirements.** Prior to the issuance of a building permit for any dwelling unit on the subject property, the applicant shall execute and record a rental covenant agreement running with the land, to the satisfaction of the Los Angeles Housing Department ("LAHD"). The covenant shall bind the applicant and/or any subsequent property owner to reserve 138 of the proposed 140 units for occupancy by Low Income households. These units will be restricted as affordable rental dwelling units, pursuant to California Government Code Section 65915 and Los Angeles Municipal Code Section 12.22 A.25. Applicant must provide an affordable unit dispersal proposal to be approved by LAHD to ensure that affordable units are not segregated or otherwise distinguishable from market rate units.
4. **Recordation of Final Tract Map.** Prior to the issuance of grading or building permits, the applicant shall complete recordation of the Vesting Tentative Tract Map No. VTT-72558-CN-1A.
5. **Floor Area.** The total floor area contained in all the main buildings on the subject property shall not exceed 1.8:1.
6. **Height.** The height of the building on the subject property shall not exceed 72 feet.
7. **Parking.**
  - a. **Restricted Affordable Units.** Provide a minimum of 0.8 on-site parking space per Restricted Affordable Unit.
  - b. **Non-Restricted Managers Units and Commercial Uses.** On-site parking shall be provided in compliance with LAMC Section 12.21-A,4.

**Administrative Conditions**

8. **Approval, 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 Planning Department for placement in the subject file.
9. **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.

10. **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 Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.
11. **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.
12. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
13. **Building Plans.** Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
14. **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.
15. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim, action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
16. **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.

### Conditions of Approval

1. **Site Plan.** The use and development of the subject property shall be in substantial conformance with the site plan labeled Exhibit "I". Prior to the issuance of building permits, detailed development plans including a site plan illustrating elevations, facades, and architectural treatment, and a landscape/irrigation plan shall be submitted for review and approval by the Planning Department. The plans shall comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
2. **Bicycle Parking.** On-site bicycle parking shall be provided in compliance with LAMC Section 12.21-A,16, and as shown and labeled Exhibit "I."
3. **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.
4. **Dust Walls.** Temporary dust walls (e.g., Visqueen plastic screening or other suitable product) not less than 8 feet in height shall be installed and maintained along the property line as necessary to preclude dust dispersion from the project site to adjacent properties. The walls shall be in place during any time period when grading is being conducted within 100 feet of any occupied residence or the school on said adjoining lots.
5. **Specific Plan.** Prior to the issuance of a building permit or grading permit, a Covenant and Agreement shall be recorded to comply with the South Los Angeles Alcohol Sales Specific Plan.

### Environmental Conditions

6. **Aesthetics (Landscape Plan).** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks 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 decision maker.
7. **Aesthetics (Surface Parking).**
  - a. A minimum of one 24-inch box tree (minimum trunk diameter of two inches and a height of eight feet at the time of planting) shall be planted for every four new surface parking spaces.
  - b. The trees shall be dispersed within the parking area so as to shade the surface parking area and shall be protected by a minimum 6-inch high curb, and landscape. An automatic irrigation plan shall be approved by the Department of City Planning
  - c. Palm trees shall not be considered in meeting this requirement.
  - d. The genus or genera of the tree(s) shall provide a minimum crown of 30'- 50'. Please refer to City of Los Angeles Landscape Ordinance (Ord. No.170,978), Guidelines K - Vehicular Use Areas.

8. Aesthetics (Vandalism).
  - a. Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.
  - b. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a street or alley, pursuant to Municipal Code Section 91.8104.15.
9. Aesthetics (Signage on Construction Barriers).
  - a. The applicant shall affix or paint a plainly visible sign, on publically accessible portions of the construction barriers, with the following language: "POST NO BILLS."
  - b. Such language shall appear at intervals of no less than 25 feet along the length of the publically accessible portions of the barrier.
  - c. The applicant shall be responsible for maintaining the visibility of the required signage and for maintaining the construction barrier free and clear of any unauthorized signs within 48 hours of occurrence.
10. Aesthetics (Light). Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.
11. Aesthetics (Glare). The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.
12. Air Pollution (Demolition, Grading, and Construction Activities).
  - a. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
  - b. The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
  - c. All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
  - d. All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
  - e. All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
  - f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

- g. Trucks having no current hauling activity shall not idle but be turned-off.

**13. Habitat Modification (Nesting Native Birds, Non-Hillside or Urban Areas).**

- a. Proposed project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86).
- b. If project activities cannot feasibly avoid the breeding bird season, beginning thirty days prior to the disturbance of suitable nesting habitat, the applicant shall:
- Arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within properties adjacent to the project site, as access to adjacent areas allows. The surveys shall be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work.
  - If a protected native bird is found, the applicant shall delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat for the observed protected bird species until August 31.
  - Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest or as determined by a qualified biological monitor, shall be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. The buffer zone from the nest shall be established in the field with flagging and stakes. Construction personnel shall be instructed on the sensitivity of the area.
  - The applicant shall record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds. Such record shall be submitted and received into the case file for the associated discretionary action permitting the project.

**14. Tree Removal (Non-Protected Trees).**

- a. Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.
- b. All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.

- c. Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division the Department of Public Works, Bureau of Street Services.

15. Cultural Resources (Archaeological).

- a. If any archaeological materials are encountered during the course of the Project development, all further development activity shall halt and:
  - The services of an archaeologist shall then be secured by contacting the South Central Coastal Information Center (657-278-5395) located at California State University Fullerton, or a member of the Society of Professional Archaeologist (SOPA) or a SOPA-qualified archaeologist, who shall assess the discovered material(s) and prepare a survey, study, or report evaluating the impact.
  - The archaeologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
  - The applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study or report.
  - Project development activities may resume once copies of the archaeological survey, study or report are submitted to:

SCCIC Department of Anthropology  
McCarthy Hall 477  
CSU Fullerton  
800 North State College Boulevard  
Fullerton, CA 92834
  - Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, archaeological reports have been submitted, or a statement indicating that no material was discovered.

16. Cultural Resources (Paleontological).

- a. If any paleontological materials are encountered during the course of the Project development, all further development activities shall halt and:
  - The services of a paleontologist shall be secured by contacting the Center for Public Paleontology - USC, UCLA, Cal State Los Angeles, Cal State Long Beach, or the County Natural History Museum – who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.
  - The paleontologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
  - The applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study or report.



- Project development activities may resume once copies of the paleontological survey, study or report are submitted to the Los Angeles County Natural History Museum.
  - b. Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, paleontological reports have been submitted, or a statement indicating that no material was discovered.
17. Cultural Resources (Human Remains).
- a. In the event that human remains are discovered during excavation activities, the following procedure shall be observed:
    - Stop immediately and contact the County Coroner:  
  
1104 N. Mission Road  
Los Angeles, CA 90033  
323-343-0512 (8 a.m. to 5 p.m. Monday through Friday) or  
323-343-0714 (After Hours, Saturday, Sunday, and Holidays)
    - The coroner has two working days to examine human remains after being notified by the responsible person. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission.
    - The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
    - The most likely descendent has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods.
    - If the descendent does not make recommendations within 48 hours the owner shall reinter the remains in an area of the property secure from further disturbance, or;
    - If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission.
    - Discuss and confer means the meaningful and timely discussion careful consideration of the views of each party.
18. Seismic. The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.
19. Geotechnical Report. The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, dated December 17, 2013.
20. Erosion/ Grading/ Short-Term Construction Impacts.
- a. The applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.

b. Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. All grading activities require grading permits from the Department of Building and Safety. Additional provisions are required for grading activities within Hillside areas. The application of BMPs includes but is not limited to the following mitigation measures:

- Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.
- Stockpiles, excavated, and exposed soil shall be covered with secured tarps, plastic sheeting, erosion control fabrics, or treated with a bio-degradable soil stabilizer.

21. Liquefaction Area.

- a. Prior to the issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval. The project shall comply with the Uniform Building Code Chapter 18. Division 1804.5 Liquefaction Potential and Soil Strength Loss. The geotechnical report shall assess potential consequences of any liquefaction and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures.
- b. The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.

22. Greenhouse Gas Emissions.

- a. Install a demand (tankless, recirculating, or instantaneous) water heater system or efficiency central boiler system, sufficient to serve the anticipated needs of the dwellings.
- b. Only low- and non-VOC-containing paints, sealants, adhesives and solvents shall be utilized in the construction of the project.

23. Explosion/Release (Existing Toxic/Hazardous Construction Materials).

- a. (Asbestos) Prior to the issuance of any permit for the demolition or alteration of the existing structure(s), the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant indicating that no Asbestos-Containing Materials (ACM) are present in the building. If ACMs are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other applicable State and Federal rules and regulations.

- b. (Lead Paint) Prior to issuance of any permit for the demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.
  - c. (Polychlorinated Biphenyl) Prior to issuance of a demolition permit, a polychlorinated biphenyl (PCB) abatement contractor shall conduct a survey of the project site to identify and assist with compliance with applicable state and federal rules and regulation governing PCB removal and disposal.
24. Hazardous Materials. Prior to the issuance of any use of land, grading, or building permit, the applicant shall obtain a sign-off from the Fire Department indicating that all on-site hazardous materials, including contamination of the soil and groundwater, have been suitably remediated, or that the proposed project will not impede proposed or on-going remediation measures.
25. Land Use/Planning (Air Quality). An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 11, to the satisfaction of the Department of Building and Safety.
26. Increased Noise Levels (Demolition, Grading, and Construction Activities).
- a. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 163,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
  - b. Construction and demolition shall be restricted to the hours of 7:00 A.M. to 6:00 P.M. Monday through Friday, and 8:00 A.M. to 6:00 P.M. on Saturday.
  - c. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
  - d. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
27. Increase Noise Levels (Mixed-Use Development). Wall and floor-ceiling assemblies separating commercial tenant spaces, residential units, and public places, shall have a Sound Transmission Coefficient (STC) value of at least 50, as determined in accordance with ASTM E90 and ASTM E413.
28. Severe Noise Levels (Railroad).
- a. All exterior windows having a line of sight of a Major or Secondary Highway shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Coefficient (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto.
  - b. The applicant, as an alternative, may retain an acoustical engineer to submit evidence, along with the application for a building permit, any alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.

- c. Wall and roof-ceiling assemblies making up the building envelope shall have an STC of at least 50, and exterior windows shall have a minimum STC of 30, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto.
  - d. The applicant shall verify, through an acoustical engineer, that installed sound insulation is sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.
29. Tenant Displacement. Prior to the issuance of a demolition permit, and pursuant to the provisions of Section 47.07 of the Los Angeles Municipal Code, a tenant relocation plan shall be submitted to the Los Angeles Housing Department for review and approval.
30. Public Services (Fire). The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
31. Public Services (Police – Demolition/Construction Sites). Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.
32. Public Services. The plans shall incorporate the Design Guidelines (defined in the following sentence) relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to “Design Out Crime Guidelines: Crime Prevention Through Environmental Design,” published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1<sup>st</sup> Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.
33. Public Services (Schools). The applicant shall pay school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.
34. Recreation (Increased Demand for Parks or Recreational Facilities). Pursuant to LAMC Section 17.12, the applicant shall pay the applicable Quimby fees for the construction of dwelling units.
35. Increased Vehicle Trips/Congestion.
- a. Implementation measure(s) detailed in the Department of Transportation communication to the Planning Department dated October 4, 2013 and attached shall be complied with.

- b. A construction work site traffic control plan shall be submitted to DOT for review and approval in accordance with the LAMC prior to the start of any construction work. The plans shall show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. All construction related traffic shall be restricted to off-peak hours.

36. Transportation (Haul Route).

- a. Projects involving the import/export of 20,000 cubic yards or more of dirt shall obtain haul route approval by the Department of Building and Safety.
- b. Flag persons shall be utilized to direct haul trucks entering and leaving the site to ensure safe turning movements and prevent conflicts with pedestrian and vehicular traffic.

37. Safety Hazards.

- a. The developer shall install traffic signs around the site to ensure pedestrian and vehicle safety.
- b. The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.

38. Transportation/Traffic (Construction Parking). Off-street parking shall be provided for all constructions and construction workers generated by the project. NO employees or subcontractors shall be allowed to park on surrounding residential streets for the duration of all construction activities. There shall be no staging or parking of construction vehicles, including vehicles that transport workers, on any residential street in the immediate area. All construction vehicles shall be stored on-site unless returned to the base of operations.

39. Utilities (Local Water Supplies - Landscaping).

- a. The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g, use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season).
- b. In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:
  - Weather-based irrigation controller with rain shutoff
  - Matched precipitation (flow) rates for sprinkler heads
  - Drip/microspray/subsurface irrigation where appropriate
  - Minimum irrigation system distribution uniformity of 75 percent
  - Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials
  - Use of landscape contouring to minimize precipitation runoff
  - A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for existing and expanded irrigated landscape areas totaling 5,000 sf. and greater.

40. Utilities (Local Water Supplies – All new Construction).
- a. If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
  - b. Install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all commercial restrooms as appropriate.
  - c. Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
  - d. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.
  - e. Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)
41. Utilities (Local Water Supplies – New Commercial). All commercial restroom faucets shall be of a self-closing design.
42. Utilities (Local Water Supplies – New Residential).
- a. Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.
  - b. Install and utilize only high-efficiency clothes washers (water factor of 6.0 or less) in the project, if proposed to be provided in either individual units and/or in a common laundry room(s). If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
  - c. Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
43. Utilities – Solid Waste Recycling.
- a. (Operational) Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.
  - b. (Construction/Demolition) Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract waste disposal services with a company that recycles demolition and/or construction-related wastes.

- c. (Construction/Demolition) To facilitate on-site separation and recycling of demolition- and construction-related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and the contents recycled accordingly as a part of the project's regular solid waste disposal program.

Section \_\_. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that the foregoing ordinance was introduced at the Council of the City of Los Angeles, by a majority vote of all its members, at the meeting of DEC 03 2014.

Holly L. Wolcott, City Clerk

By

Deputy

Approved

12/03/14

Mayor

Pursuant to Section 558 of the City Charter, the City Planning Commission on September 11, 2014 recommended this ordinance be adopted by the City Council.

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

File No.

14-1548



## FINDINGS

### General Plan

- 1. General Plan Land Use Designation.** The subject property is located within the South Los Angeles Community Plan, adopted by the City Council on March 22, 2000. The Plan designates the subject property Medium Residential land use with the corresponding zone of R3. The subject property contains approximately 2.30 net acres and is currently zoned [Q]R3-1, which is consistent with its land use designation. The recommended plan amendment would designate the site as Community Commercial land with corresponding zones of CR, C2, C4, RAS3 and RAS4. The zone change request to C2 Zone would be consistent with the proposed land use designation and is in substantial conformance with the purpose, intent and provisions of the General Plan as reflected in the adopted Community Plan. The General Plan Amendment would allow a mixed-use project that provides affordable housing, in close proximity to a transit station, compatible with the City's vision to create greater density around transit stations and along transit corridors.
- 2. General Plan Text.** The subject property contains approximately 2.30 net acres and is currently zoned [Q]R3-1. The project will provide much need affordable housing to meet the projected population of the Community Plan. The South Los Angeles Community Plan text includes the following relevant goals, objectives and policies:

Goal 1 A safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the community.

Objective 1-1 To provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area to the year 2010.

Policy 1-1.1 Designate specific lands to provide for adequate multi-family residential development.

The project meets the objective by proposing a safe, secure, and high quality mixed-use development, while providing affordable residential units. The project will replace 48 existing residential units with 140 residential units, and will significantly increase the amount of housing available for the community. The project will provide new housing to meet the need for increased housing opportunities in the Plan areas. This will be achieved by granting the General Plan Amendment to designate the property to a Community Commercial land use designation, which is compatible with the C2 zoning located on the adjacent commercial properties and consistent with the land use patterns.

Objective 1-2 To locate new housing in a manner which reduces vehicular trips and makes it accessible to services and facilities.

Policy 1-2.1 Locate higher residential densities near commercial centers, light mass transit stations, and major bus routes where public service facilities, utilities, and topography will accommodate this development.

Policy 1-2.2 Locate senior citizen housing and mixed income housing, when feasible, near commercial centers and transit and public service facilities.

The site is located in close proximity to the intersection of Exposition Boulevard and Vermont Avenue and would encourage pedestrian activity from the project residents, as they will be able to walk to the various commercial and retail uses in the vicinity. The site is also located less than 500 feet from the Expo Line and the MTA Rapid Bus Lines. The transit options offer express service to numerous job centers. As a result, vehicular trips will likely be reduced with the access to transit options.

Objective 1-5 To promote and ensure the provision of adequate housing for all persons regardless of income, age, or ethnic background.

Policy 1-5.1 Promote greater individual choice in type, quality, price, and location of housing.

Policy 1-5.2 Ensure that new housing opportunities minimizes displacement of the residents.

The affordable units will be a high quality development and will be available to persons regardless of age or ethnic background. The increase of housing stock will minimize the displacement of existing residents. The applicant is also committed to a relocation process which includes current qualified tenants to move back into the new project.

Goal 2 A strong and competitive commercial sector which best serves the needs of the community through maximum efficiency and accessibility while preserving the historic commercial and cultural character of the district.

Objective 2-1 To conserve and strengthen viable commercial development.

Policy 2-1.4 Ensure the viability of existing neighborhood stores (i.e, mom-and pop) which support the needs of local residents and are compatible with the neighborhood.

Policy 2-1.5 Require that projects be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development.

The site is located adjacent to commercial properties and with the approval of the General Plan Amendment, would allow a mixed-use development that would revitalize the commercial sector around the Expo Line rail station. The mixed-use project would provide the local residents with new commercial uses, including a medical use. The project will replace an older apartment complex with a high quality new development.

Objectives 2-4 To enhance the identity of distinctive commercial districts and to identify Pedestrian Oriented Areas (POA's).

Policy 2-4.1 Existing Pedestrian Oriented Areas should be preserved.

Program: The Plan identifies following as Pedestrian Oriented Areas, subject to boundary determinations: Vermont/Jefferson/Exposition.

Policy 2-4.2 New development should add to and enhance the existing pedestrian street activity.

Policy 2-4.5 Identify pedestrian oriented-areas as preferred locations for mixed-use projects.

Policy 2-4.6 Require that mixed use projects and development in Pedestrian Oriented Areas be designed to achieve a high level of quality, distinctive character, and compatibility with existing uses.

Policy 2-4.7 Require that the first floor street frontage of structures, including mixed use projects and parking structures located in Pedestrian Oriented Areas, incorporate commercial uses.

Policy 2-4.8 Require that mixed use projects be designed to mitigate potential conflicts between the commercial and residential uses (e.g., noise, lighting, security, truck and automobile access, etc.) and provide adequate amenities for residential occupants.

Policy 2-4.9 Require that mixed use projects, where residential and commercial uses are in separate structures, provide adequate access between the residential and commercial uses so that residents can walk conveniently and safely.

Policy 2-4.10 Promote mixed use projects in proximity to transit stations, along transit corridors, and in appropriate commercial areas.

The proposed General Plan Amendment from Medium Density Residential to Community commercial creates a consistency with the adjacent commercial zoning located similarly along an emerging mixed-use boulevard. The adjacent commercial properties have a land use designation of Community Commercial. The corresponding C2 Zone permitted by the Community Commercial land use designation would allow greater residential density that is necessary for a mixed-use project located adjacent to an existing commercial area and in close proximity to several public transit options.

The South Los Angeles Community Plan notes that the majority of the area has been planned for residential purposes, and that "only areas around proposed transit stations and along transit corridors would realize any significant changes in densities." The South Los Angeles Community Plan recognizes that one of the Residential Opportunities states the "potential for residential and mixed use development along some commercial corridors." One of the Commercial Opportunities states to "establish appropriate transitions between commercial (mixed use) and adjoining uses, especially residential." The proposed General Plan Amendment to change the land use designation from Medium Density Residential to Community Commercial recognizes that the development of the mixed-use project with neighborhood-serving uses and affordable units is consistent with the opportunities expressed for both residential and commercial uses. The South Los Angeles Community Plan realizes that areas around transit stations and along transit corridors are appropriate for more intense development.

Framework Element. The Framework Element of the General Plan 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. It 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 Framework Element includes the following provisions, objectives and policies relevant to the current request:

Goal 3A A physically balanced distribution of land uses that contributes towards and facilitates the City's long-term fiscal and economic viability, revitalization of economically depressed areas, conservation of existing residential neighborhoods, equitable distribution of public resources, conservation of natural resources, provision of adequate infrastructure and public services, reduction of traffic congestion and improvement of air quality, enhancement of recreation and open space opportunities, assurance of environmental justice and a healthful living environment, and achievement of the vision for a more livable city.

Objective 3.2 Provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled, and air pollution.

Policy 3.2.1 Provide a pattern of development consisting of distinct districts, centers, boulevards, and neighborhoods that are differentiated by their functional role, scale, and character. This shall be accomplished by considering factors such as the existing concentrations of use, community-oriented activity centers that currently or potentially service adjacent neighborhoods, and existing or potential public transit corridors and stations.

The proposed project includes 140 residential units. The project will provide active and passive areas for the residents. A pedestrian breezeway will connect the Exposition Boulevard commercial strip to a multi-purpose parking area which will extend the commercial uses to the outdoor public space with benches, enhanced paving and landscaping, and pedestrian level lighting. A ground level multi-purpose outdoor area will have direct access by the residents during non-business hours. The spaces will be accessible to residents, the community, and commercial patrons during business hours for public gatherings. In addition, a central open space on the podium level will be available to residents for community activities. The area will have benches, tables and chairs, walking paths, community kitchen, tot-lot, and a community garden. The roof decks will serve as secondary outdoor community rooms, with space for gardening, and providing views of downtown and the surrounding environment.

The project will revitalize the area with commercial uses that will be beneficial to the local residents. The residents will be able to walk to the Expo Line station and bus stops, as well as the commercial uses on Vermont Avenue.

Housing Element. The Housing Element estimates that the South Los Angeles area has the capacity to accommodate approximately 14,500 of these required units. The General Plan Amendment and Zone Change request would advance the City toward this goal by permitting the construction of the proposed mixed-use 140-unit residential development in an area specially contemplated by the City to help meet the City's housing shortage and comply with its Regional Housing Needs Assessment (RHNA) requirement. Evidence of this intent is proved in the General's Plans conclusion that a "strategy to meet this challenge, by directing growth to transit-rich and job-rich centers and supporting the growth with smart, sustainable infill development and infrastructure investments." Well-served by public transit, the project site is located in close proximity to the Expo Line rail station and to the MTA Rapid Bus Line, allowing easy access to the employment centers in downtown Los Angeles and on the Westside.

The approval of the General Plan Amendment and Zone Change would allow the proposed development to be consistent with the following Housing goals, objectives and policies:

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

Policy 1.1.2 Expand affordable rental housing for all income groups that need assistance.

Policy 1.1.4 Expand opportunities for residential development, particularly in designated Centers, Transit Oriented Districts and along Mixed-Use Boulevards.

Policy 1.1.7 Strengthen the capacity of the development community to develop affordable housing.

Objective 1.2 Preserve quality rental and ownership housing for households of all income levels and special needs.

Policy 1.2.3 Rehabilitate and/or replace substandard housing with housing that is decent, safe, healthy and affordable and of appropriate size to meet the City's current and future household needs.

The site is currently improved with 48 apartment units and the proposed project would provide 140 residential units and 8,000 square feet of commercial space. Of the 140 units, 138 units will be set aside for Low Income households. The site is appropriate for a mixed-use development with higher residential density. Residents of this project would be able to access jobs in various employment center, by walking or biking to the commercial corridor of Vermont Avenue, or by utilizing the nearby public transit options.

3. **The Transportation Element** of the General Plan is not likely to be affected by the recommended action herein. Exposition Boulevard is a Secondary Highway with a 46-foot width and a 48-foot width north of the Metro Rail Expo Line, Wisconsin Street is a Local Street with a variable width of 55 feet to 60 feet, and 38<sup>th</sup> Street is a Local Street with a 50-foot width. In accordance with Council action under CF No.13-0175-S1, the Bureau of Engineering has conditioned the project and that a 4-foot and variable width public sidewalk easement be provided along Exposition Boulevard adjoining the tract for public sidewalk purposes, a 2-foot wide strip of land be dedicated along 38<sup>th</sup> Street to complete a 27-foot wide half right-of-way including a 15-foot by 15-foot property line cut corner at the intersection with Wisconsin Street, improve Exposition Park Boulevard adjoining the subdivision by the construction of a 10-foot full-width concrete sidewalk with tree wells including any necessary removal and reconstruction of existing improvements, and improve 38<sup>th</sup> Street by the construction of a 9-foot wide concrete sidewalk with tree wells including any necessary removal and reconstruction of existing improvements.

The Department of Transportation has reviewed the traffic analysis and subsequent revisions, prepared by Overland Traffic Consultants, Inc., dated July 2013. In a memo dated October 4, 2013, DOT concurs that the project will generate an additional 769 daily trips with 59 trips in the a.m. peak hour and 73 trips in the p.m. peak hour, however DOT determined that based on DOT's traffic impact criteria, the proposed project will not result in significant traffic impacts at any of the eight intersections studied.

**4. Charter Findings – City Charter Sections 556 and 558 (General Plan Amendment).**

The proposed General Plan Amendment complies with Sections 556 and 558 in that the plan amendment is consistent with numerous goals, policies and objectives of the Citywide General Plan Framework and the South Los Angeles Community Plan to provide adequate housing for all economic, age and ethnic segments of the community, to locate higher residential densities and encourage mixed-use development near transit stations, and to protect existing residential neighborhoods from incompatible land uses.

The General Plan Amendment promotes an intensity and pattern of development that is consistent with the area's General Plan Framework designation and that enhances the neighborhood character; encourages the development community-serving commercial uses near residential neighborhoods; reduces automobile trips to other areas; improves air quality; and enhances the pedestrian environment. The recommended General Plan Amendment to amend the land use for that portion designated Medium Residential to Community Commercial will further many of the City's land use policies and address the need for housing.

- 5. The Sewerage Facilities Element** of the General Plan will not be affected by the recommended action. A report from the Bureau of Sanitation, Wastewater Engineering Services Division states that the sewer system might be able to accommodate the total flows for the proposed project. Further detailed gauging and evaluation may be needed as part of the permit process to identify a specific sewer connection point. If the public sewer has insufficient capacity then the developer will be required to build sewer lines to a point in the sewer system with sufficient capacity. A final approval for sewer capacity and connection permit will be made at that time. Ultimately, this sewage flow will be conveyed to the Hyperion Treatment Plant, which has sufficient capacity for the project.
- 6. Street Lights.** The project will relocate and upgrade street lights; three (3) on Exposition Boulevard, two (2) on Wisconsin Street, and three (3) on 38<sup>th</sup> Street.

**Entitlement Findings****7. Vesting Zone Change Findings.**

- a. Pursuant to Section 12.32-C of the Municipal Code, and based on these findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.**

The site is currently improved with six two-story buildings with 48 apartment units that will be demolished and the project includes the construction of a mixed-use affordable housing development. With the proposed Vesting Zone Change, the development consisting of 138 affordable residential units, 2 market rate residential units, and 8,000 square feet of commercial floor area will be beneficial to the community as it provides affordable housing next to a rail transit station. The Vesting Zone Change would eliminate the existing "Q" Condition which imposes restrictions on the maximum density that is inconsistent with the City's desire to create Transit Oriented Districts to encourage greater density in areas close proximity to mass transit options. The recommended plan amendment would designate the site as Community Commercial land use with the corresponding zones of CR, C2, C4, RAS3 and RAS4. The zone change request to C2 Zone would be consistent with the proposed land use designation and is in substantial conformance with the purpose, intent and provisions of the General Plan as reflected in the adopted Community Plan. The Vesting Zone

Change makes the project consistent with the public necessity, convenience, general welfare and good zoning practices.

Public Necessity. The granting of the proposed Vesting Zone Change would be in conformance with public necessity as the project would address the City's housing shortage and comply with its Regional Housing Needs Assessment (RHNA) requirement, as well as providing affordable housing for Low Income households. The project will also serve the community by providing medical and commercial uses that would serve the future tenants and surrounding neighborhood.

Convenience. The Vesting Zone Change would permit a mixed-use development that appropriately locates much needed residential density within walking distance to the Expo Line and MTA Rapid Bus Lines. The project will provide a medical service to the future residents as well as to the surrounding community through a major transit corridor. The several mass transit options provide easy access to employment centers, to various public and private facilities, to shopping designations, and other basic services. This transit convenient location will facilitate increased usage of existing transit lines. Establishing a mixed-use residential project epitomizes the "smart growth" urban planning principles embodied in the City's General Plan Framework as well as regional growth plans, by encouraging and facilitating the use of public transportation.

General Welfare. Granting the requested zone change would promote general welfare by an aesthetically appealing development project that would promote both public transportation and pedestrian activity in close proximity to other commercial businesses along Vermont Avenue. The proximity of these uses to the site would bring more people onto the streets and provide more customers for local businesses. In addition, the project is designed with the commercial component fronting Exposition Boulevard and will encourage more pedestrian activity. The project has also been designed for area residents to have access to on-site recreational amenities during regular business hours, resulting in a community gathering place that further enhances pedestrian activity.

Good Zoning Practice.

The location of the proposed mixed-use project on Exposition Boulevard, a major east-west thoroughfare in the South Los Angeles Community Plan area, supports good zoning principles. The site is less than 500 feet from the Expo Line rail station at the intersection of Exposition Boulevard and Vermont Avenue, allowing residents and easy access to public transit that connects to employment centers and to other services need by local residents. The Vesting Zone Change will allow a higher density near transit, as well as providing more affordable housing. The Zone Change is compatible with the development pattern in the area. Further, the elimination of the "Q" condition that restricts the area's potential for greater density and more housing would promote good zoning practices on a site in close proximity to the Expo Line rail station.

- b. The current action, as recommended, has been made contingent upon compliance with new "T" and "Q" conditions of approval imposed herein for the proposed project. Such limitations are necessary to protect the best interests of and to assure a development more compatible with surrounding properties, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

## 8. Density Bonus Findings

### a. The project substantially complies with the applicable regulations, standards and provisions of the State Density Bonus Program.

As conditioned by this approval, the subject project complies with all applicable provisions of Government Code 65915-65918 and LAMC Section 12.22-A.25. The applicant is setting aside 98% of the units for Low Income households and qualifies for a 35% density bonus. Although the applicant is setting aside 98% of the units for Low Income households, a density bonus is not requested. The set aside units automatically allow the applicant to qualify for an increase in the FAR requirements. Per LAMC Section 12.22-A.25, projects that set aside a minimum of 30% of its units for Low Income households, qualify for three additional incentives from a specified menu of concessions, or can make a request for an incentive not specifically listed in the menu. In this instance, the applicant is requesting one On-Menu Affordable Housing Incentive and three Off-Menu Affordable Housing Incentives as follows:

Incentives/Concessions:

- (i). Floor Area Ratio. Pursuant to LAMC Section 12.22-A.25, the project may request an increase in floor area from 1.5:1 FAR to 3:1, provided that the project is located in a commercial zone in Height District No. 1 and that a project with at least 80% of a rental project are Restricted Affordable Units is exempt from the requirement to front on a Major Highway. The project is setting aside 98% of the units for Low Income households, in Height District No.1, and with the approval of the Zone Change Medium Residential to Community Commercial land use, permits the increase of the FAR to 3:1. The applicant is requesting a 1.8:1 FAR resulting in a maximum of 180,825 square feet, in lieu of the maximum 150,680 square feet. This requested FAR is comparable to the typical FAR of 3:1 for many multiple-residential developments in residential zones. The increase in FAR will help the project to remain economically feasible while providing 98% restricted affordable units. It is also appropriate to permit a higher FAR on a major thoroughfare, within walking distance from the Expo Line, Metro Bus lines, and the commercial corridor of Vermont Avenue. Further, the Department of Transportation has reviewed the traffic analysis prepared for the project and has been determined that the project will not result in a significant traffic impacts at any of the eight intersections studied.

### **Waivers and Modifications to Development Standards (“Off-Menu” Affordable Housing Incentives).**

- i. Parking. The applicant is requesting to permit 0.8 parking spaces for each restricted affordable unit. Pursuant LAMC Section 12.22-A.25, the number of set aside units automatically allow the applicant to utilize Parking Option 2, which permits one parking space for each restricted affordable unit. The site is located within walking distance from the Expo Line, Metro Rapid Bus lines, and the DASH and City policies encourage the development of mixed-use projects in the vicinity of fixed rail stations, bus stations or similar transit facilities in order to reduce vehicle miles traveled, thereby reducing vehicle trips. The applicant proposes to provide two ZipCar car sharing parking spaces for the use of residents. The applicant submitted a Parking Demand Study, prepared by Walker Parking Consultants, dated September 24, 2013, and the study



concluded that based on the data and trends observed, a 0.8 is a reasonable peak parking demand calculation for residential units for the proposed project.

- ii. **Height.** The applicant is requesting to permit a maximum building height of 72 feet in lieu of the required Commercial Corner Development 45-foot height limit. Relief from building height limits is allowable to help alleviate the costs of providing affordable housing. The maximum height of the building will reach 72 feet within its 5-stories which consists of residential levels over a podium. However, this maximum building height is only achieved over approximately 1% of the site. The majority, or 99%, of the project will be 62 feet or less. The entire portion of the residential building fronting 38<sup>th</sup> Street, and its residential uses, is stepped down to 44 feet and 3 stories as is a portion of the structure fronting on Exposition Boulevard to respond to the lower residential scale. At a distance of 39 feet 3 inches from the property line along 38<sup>th</sup> Street, the residential building achieves a height of 62 feet and 4 stories over podium. The residential portion of the building fronting on Wisconsin Street, and its commercial zoning, will have a maximum a height of 62 feet, with portion of the building recessed to achieve articulation. The maximum height of 72 feet is created by two stairwells connecting to the roof. The commercial portion of the project, fronting on Exposition Boulevard, reaches a height of 20 feet in a one-story structure. The residential portion of the building fronting on Wisconsin Street, and its commercial zoning, will have a maximum a height of 62 feet, with portion of the building recessed to achieve articulation.

The site is within walking distance from the Expo Line and Metro Rapid Bus lines and the increased height and density are within the City Policies of Transit Oriented Developments.

- iii. **Landscape.** The applicant is requesting to permit zero feet of landscaping along the commercial building frontage of Exposition Boulevard in lieu of the Commercial Corner Development standard of a minimum five-foot width of landscaping along a street frontage which abuts a residential zone or use. A majority of the commercial building portion is proposed to be constructed on the property line of Exposition Boulevard, however landscaping is achieved at the corner of Wisconsin Street and within a 15-foot setback along Wisconsin Street. The setback affects the size of building that can be built, and the zero-foot of landscape in front of the commercial building on Exposition Boulevard is therefore necessary to permit a building of sufficient size to make the project economically feasible with the restricted affordable units.

**b. The project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project to the extent physically feasible.**

In compliance with requirements of the California Environmental Quality Act (CEQA), the Department of City Planning issued Mitigated Negative Declaration No. ENV-2014-3341-MND. The project is subject to various specific measures during both construction and operation phases of the project. The MND identified potential adverse impacts as far as earth, air, water, and risk of upset are concerned. Any impacts that have been identified as "Potentially Significant Unless Mitigation Incorporated" in the Mitigated Negative Declaration have attached Mitigation Measures to remedy potentially significant impacts to less than significant or no impact levels. Conditions are imposed as mitigation

measures for said environmental impacts pursuant to this grant. All of the project's impacts have been mitigated to a less than significant level.

The proposed project will not be constructed over a designated hazardous materials site, landslide area, liquefaction zone, tsunami-prone area, Hillside Grading Area, Fire Hazard area, flood-prone area, Methane Gas Zone, or high wind velocity area. The project would not place any occupants or residents near a hazardous materials site or involve the regular use or transport of hazardous materials or substances. The site is across from the Expo Line, but this is addressed by Mitigation Measures in the conditions of approval. The proposed use is consistent with the recommended zoning and land use designation.

Additionally, the project has been conditioned to confer with various City agencies, including the Department of Transportation, Public Works, Fire Department, and Police Department, among others, to ensure adequate vehicular access and parking, fire safety and emergency access, and for the provision of street trees as well as improvements to the right-of-way. The proposed project will be connected to the public sewer system and therefore would not violate the California Water Code. As presented, the design of the proposed project materially conforms to the CEQA Statute and all other applicable policies and regulations of the Affordable Housing – Density Bonus Program and the Los Angeles Municipal Code.

## 9. Site Plan Review Findings

- a. **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 subject property is within the South Los Angeles Community Plan, which with the approval of the recommended General Plan Amendment will designate the site for Community Commercial land use with the corresponding zones of CR, C2, C4, RAS3 and RAS4. The proposed are consistent with the Community Commercial designation and permitted within its underlying zones.

With the approval of the recommended General Plan Amendment, Zone Change, and On- and Off-Menu Affordable Housing Incentives, the proposed project complies with all applicable provisions of the LAMC. The project meets a number of goals, objectives, and policies that are outlined in the South Los Angeles Community Plan as noted in the above findings.

- b. **That 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, a mixed-use affordable housing development, has been designed to minimize impacts to the surrounding area. The maximum height of the building will reach 72 feet within its 5-stories which consists of residential levels over a podium. However, this maximum building height is only achieved over approximately 1% of the site. The majority, or 99%, of the project will be 62 feet or less. The entire portion of the residential building fronting 38<sup>th</sup> Street, and its residential uses, is stepped down

to 44 feet and 3 stories of residential above the podium as is a portion of the structure fronting on Exposition Boulevard to respond to the lower residential scale. At a distance of 39 feet 3 inches from the property line along 38<sup>th</sup> Street, the residential building achieves a height of 62 feet and 4 stories over podium. The residential portion of the building fronting on Wisconsin Street, and its commercial zoning, will have a maximum a height of 62 feet, with portion of the building recessed to achieve articulation. The maximum height of 72 feet are created by two stairwells connecting to the roof. The commercial portion of the project, fronting on Exposition Boulevard, reaches a height of 20 feet in a one-story structure. The residential portion of the building fronting on Wisconsin Street, and its commercial zoning, will have a maximum a height of 62 feet, with portion of the building recessed to achieve articulation.

The project will provide 23,587 square feet of common open space, which exceeds the required 4,312 square feet. The open space includes 15,613 square feet of podium deck and 7,974 square feet is provided on the roof decks. A central open space on the podium level will be available to residents for community activities. The area will have benches, tables and chairs, walking paths, community kitchen, tot-lot, and a community garden. The roof decks will serve as secondary outdoor community rooms, with space for gardening, and providing views of downtown and the surrounding environment. In addition, a pedestrian breezeway will connect the Exposition Boulevard commercial strip to a multi-purpose parking area which will extend the commercial uses to the outdoor public space with benches, enhanced paving and landscaping, and pedestrian level lighting. The ground level multi-purpose outdoor area will have direct access by the residents during non-business hours.

The project will provide a minimum 8-foot residential setback along Exposition Boulevard, an 8-foot setback along 38<sup>th</sup> Street, a 15-foot setback along Wisconsin Street, and a 17-foot setback between the adjacent property to the west. The commercial portion on Exposition will have a 0-foot setback, though portions of the building will be recessed, particularly at the corner of Wisconsin Street and Exposition Boulevard, to achieve articulation. A breezeway bisects the commercial building to create a sense of openness and articulation.

Multiple rooflines are established to activate and add visual interest to the overall design. Primary façade materials, including stucco, concrete finishes, and corrugated metal panels. Building elements include the use of balconies, windows, storefront, openings in the walls, and awnings.

The project proposes to provide 132 parking spaces within the site, 110 parking spaces for the affordable units, 4 parking spaces for the 2 managers units, 16 parking spaces for the commercial use, and 2 Zipcar spaces,. The applicant is proposing 166 bicycle parking spaces. Vehicular egress and ingress to the commercial parking component will be accessed through the easterly portion of the site along Wisconsin Street. The residential parking will be accessed at the south portion of the site along 38<sup>th</sup> Street.

On the first level, a trash enclosure is located at the rear of the commercial uses and an enclosed trash room is located within the residential parking area. Enclosed trash rooms are located on each floor (level 2-5) for the residential units.

Citywide Design Guidelines. "The Citywide Design Guidelines have been created to carry out the common design objectives that maintain neighborhood form and character while promoting design excellence and creative infill development solutions." The Guidelines are intended as a tool in evaluating project applications along with relevant policies from the General Plan Framework and Community Plans. Incorporating the guidelines into a project's design encourages compatible architecture, attractive multi-family residential districts, pedestrian activity, context-sensitive design, and place-making. The project has been designed in observance of many of the Residential Citywide Design Guidelines goals. The project complies with the following Citywide Design Guideline Objectives and incorporates several design principles as discussed below.

Objective 1 Consider Neighborhood Context and Linkages In Building and Site Design. A pedestrian breezeway will connect the Exposition Boulevard commercial strip to a multi-purpose parking area which will extend the commercial uses to the outdoor public space with benches, enhanced paving and landscaping, and pedestrian level lighting. The breezeway also bisects the commercial building to create a sense of openness and articulation. The residential building fronting 38<sup>th</sup> Street and Exposition Boulevard are stepped down to respond to the lower residential scale, with portions of the building recessed to achieve articulation. The commercial portion of the buildings are proposed at the property line to create a strong street wall. An outdoor public space with tables and seating located at the corner of Exposition Boulevard and Wisconsin Street, directly at the entrance of the corner retail us to promote pedestrian activity.

Objective 2 Employ Distinguishable and Attractive Building Design.

Variation in materials and planes are used to articulate all facades facing residential uses. The building steps down one-story along 38<sup>th</sup> Street in response to the lower residential scale and multiple rooflines are established to activate and add visual interest to the overall design. Building elements such as balconies, fenestration, awnings, and featured materials establish its rhythms and provide further articulation. Primary façade materials include stucco, concrete finishes, and corrugated metal panels relate to the contemporary urban residential character of more recent multi-family buildings in the neighborhood. Multiple rooflines are established to activate and add visual interest to the overall design. Primary façade materials, including stucco, concrete finishes, and corrugated metal panels. Building elements include the use of balconies, windows, storefront, openings in the walls, and awnings.

Objective 3 Provide Pedestrian Connections Within and Around the Project

The street frontages are improved with straight sidewalks. Street trees are proposed on Exposition Boulevard and Wisconsin Street, creating a buffer between the street and pedestrians on the sidewalks. The sidewalks will be unobstructed and continuous with any unused driveways to be enclosed with curbs. A pedestrian breezeway will connect the Exposition Boulevard commercial strip to a multi-purpose parking area which will extend the commercial uses to the outdoor public space with benches, enhanced paving and landscaping, and pedestrian level lighting. The site incorporates walking paths.

#### Objective 4 Minimize the Appearance of Driveways and Parking Areas

Vehicular egress and ingress to the commercial parking component will be accessed through the easterly portion of the site along Wisconsin Street. The residential parking will be accessed at the south portion of the site along 38<sup>th</sup> Street. The project is also conditioned to submit a parking area and driveway plan to the Department of Transportation for approval prior to submittal of building permit plans for plan check.

#### Objective 5 Utilize Open Areas and Landscaping Opportunities to their Full Potential

The project will provide 23,587 square feet of common open space. The open space includes 15,613 square feet of podium deck and 7,974 square feet is provided on the roof decks. A ground level multi-purpose outdoor area will have direct access by the residents during non-business hours. The spaces will be accessible to residents, the community, and commercial patrons during business hours for public gatherings. In addition, a central open space on the podium level will be available to residents for community activities. The area will have benches, tables and chairs, walking paths, community kitchen, tot-lot, and a community garden. The roof decks will serve as secondary outdoor community rooms, with space for gardening, and providing views of downtown and the surrounding environment.

The project is conditioned to comply with the Water Management Ordinance No. 170,978 and in addition to the Landscape Ordinance, the project is conditioned to have a landscape plan that incorporates weather-based irrigation controller with rain shutoff, matched precipitation (flow) rates for sprinkler heads; drip/microspray/subsurface irrigation where appropriate; minimum irrigation system distribution uniformity of 75 percent; proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials; use of landscape contouring to minimize precipitation runoff; and a separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for existing and expanded irrigated landscape areas totaling 5,000 sf. and greater.

#### Objective 6 Improve the Streetscape Experience by Reducing Visual Clutter

At this time, no signage is being proposed in conjunction with the proposed project. The project has been designed to reduce the visual appearance of utilities. A mechanical room is proposed within the parking garage. On the first level, a trash enclosure is located at the rear of the commercial uses and an enclosed trash room is located within the residential parking area. Enclosed trash rooms are located on each floors (level 2-5) for the residential units.

Walkability Checklist. The Walkability Checklist is a tool used to evaluate projects to ensure pedestrian movement, access, comfort, and safety, further contributing to the walkability of the City. "The Walkability Checklist provides a list of recommended strategies that projects should employ to improve the pedestrian environment in the public right-of-way and on private property." The Checklist also provides a guide for consistency relating with the policies contained in the General Plan Framework. The project incorporates the following Walkability elements.

### Sidewalks

- The project will provide continuous and straight sidewalks;
- The sidewalks will provide a buffer between pedestrians and moving vehicles by the use of landscaping and street trees;
- The width of the sidewalk will accommodate pedestrian flow and activity without being wider than necessary; and
- Parkways will be planted with ground cover and low-growing vegetation that will accommodate pedestrian movement.

### Building Orientation

- The building is designed with grade level entrances from the public right-of-way for pedestrians along Exposition Boulevard, Wisconsin Street and 38<sup>th</sup> Street;
- The pedestrian entrances are easily accessible from transit stops, within walking distance from Expo Line, Metro Rapid Bus Lines, and the Dash;
- Entrances to the buildings are visible from the street and sidewalk;
- Direct access to the building entrances are available from the sidewalks and streets.

### Off-Street Parking and Driveways

- The project maintains continuity of the sidewalk;
- There will be no parking areas within the front yards;
- The project is designed with few vehicle access to and from the site; and
- Any abandoned driveways will be reconstructed as sidewalks.

### On-Site Landscaping

- The project will provide canopy trees in the planting areas and in the public right-of-way;
- The project will provide planting that complements pedestrian movement or views along Exposition Boulevard, Wisconsin Street and 38<sup>th</sup> Street; and
- The project will plant street trees along Wisconsin Street that match the existing street trees Wisconsin Street, complementing the character of the built environment.

### Building Façade

- The building façades have been designed to incorporate different textures, colors, materials, and distinctive architectural features that add visual interest;
- The building façades incorporate articulated massing by adding scale and interest;
- The building façades reinforce the existing facade rhythm along the street with architectural elements;
- The project's architectural features use enhanced materials, fenestration, and planting will contribute to a more pedestrian friendly streetscape;
- The project will contribute to neighborhood safety by incorporating windows and balconies at the street that act as "eyes on the street."

The project has been conditioned, herein, to ensure that the proposed arrangement of buildings, off-street parking facilities, and other such pertinent improvements will be compatible with existing and future development on neighboring properties

- c. That any residential project provides recreational and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties.**

Many tenant amenities have been integrated into the project design. The project will provide 23,587 square feet of common open space, which exceeds the required 4,312 square feet. The open space includes 15,613 square feet of podium deck and 7,974 square feet is provided on the roof decks. A pedestrian breezeway will connect the Exposition Boulevard commercial strip to a multi-purpose parking area which will extend the commercial uses to the outdoor public space with benches, enhanced paving and landscaping, and pedestrian level lighting. A ground level multi-purpose outdoor area will have direct access by the residents during non-business hours. The spaces will be accessible to residents, the community, and commercial patrons during business hours for public gatherings. In addition, a central open space on the podium level will be available to residents for community activities. The area will have benches, tables and chairs, walking paths, community kitchen, tot-lot, and a community garden. The roof decks will serve as secondary outdoor community rooms, with space for gardening, and providing views of downtown and the surrounding environment. All residential floors will have shared laundry rooms. The commercial component will include a medical use for the benefit of the residents as well as the surrounding community.

- 8. Environmental Finding.** On May 21, 2014, a Mitigated Negative Declaration (ENV-2013-3341-MND) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND, there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration and Addendum (Reconsideration) reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street.
- 9. 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.

## DECLARATION OF POSTING ORDINANCE

I, MARIA VIZCARRA, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

**Ordinance No. 183316 – General Plan Amendment and Zone Change for property at 1060-1094**

**West Exposition Boulevard, 3779-3785 South Wisconsin Street and 1061-1095 West 38<sup>th</sup> Street**

**– CPC-2013-3340-GPA-ZC-DB-SPR** - a copy of which is hereto attached, was finally adopted by the

Los Angeles City Council on **December 3, 2014**, and under the direction of said City Council and the

City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No.

172959, on **December 11, 2014** I posted a true copy of said ordinance at each of the three public

places located in the City of Los Angeles, California, as follows: 1) one copy on the bulletin board

located at the Main Street entrance to the Los Angeles City Hall; 2) one copy on the bulletin board

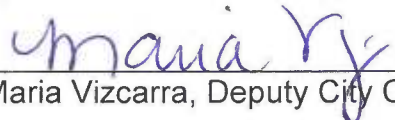
located at the Main Street entrance to the Los Angeles City Hall East; 3) one copy on the bulletin

board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Copies of said ordinance were posted conspicuously beginning on **December 11, 2014** and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this **11th** day of **December, 2014** at Los Angeles, California.

  
\_\_\_\_\_  
Maria Vizcarra, Deputy City Clerk

Ordinance Effective Date: **January 20, 2015**

Council File No. **14-1548**