



LOS ANGELES CITY PLANNING COMMISSION

200 N. Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
<http://planning.lacity.org/>

Determination Mailing Date: MAY 20 2015

Case No.: CPC-2013-1739-ZC-DB-SPR
CEQA: ENV-2013-1740-MND

Location: 11421 W. Olympic Boulevard,
2136 - 2144 S. Butler Avenue
Council District: 11 - Bonin
Existing Zones: C2-1 and R2-1

Requests: Zone Change, Density Bonus,
Site Plan Review

Applicant: Daniel Saparzadeh, Hypericum Companies
Representative: Jonathan Lonner, Burns & Bouchard, Inc.

At its meeting on April 23, 2015, the following action was taken by the City Planning Commission:

1. **Approved a Zone Change** from C2-1 and R2-1 to **(T)(Q)C2-1** for the parcels located at 11421 West Olympic Boulevard and 2136-2144 South Butler Avenue.
2. **Approved a Density Bonus** to permit a 35 percent increase in the number of dwelling units from 66 to 77 units, reserving seven units for Very Low Income Households, utilizing Parking Option 1 with the following on-menu development incentives:
 - a. **Yard/Setback.** A 20 percent decrease in the required side yard to allow a seven-foot side yard in lieu of the otherwise required nine feet.
 - b. **Floor Area Ratio.** An allowance for a 2.95:1 FAR in lieu of the maximum 1.5:1 otherwise permitted.
3. **Approved the Site Plan Review** for a project creating more than 50 dwelling units.
4. **Adopted** the attached modified **Conditions of Approval**.
5. **Adopted** the attached **Findings**.
6. **Adopted** the Mitigated Negative Declaration No. **ENV-2013-1740-MND** for the above-referenced project.
7. **Adopted** the Mitigation Monitoring Program for Mitigated Negative Declaration No. ENV-2013-1740-MND.
8. **Advised** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
9. **Advised** the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

RECOMMENDATIONS TO CITY COUNCIL:

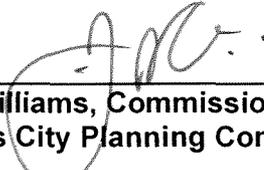
1. **Recommend** that the City Council **adopt a Zone Change** from R2-1 and C2-1 to **(T)(Q)C2-1** to permit the construction of a mixed-use project with a maximum floor area ratio of 2.95 to 1, containing 77 residential units and 6,575 square feet of commercial space.
2. **Recommend** that City Council **adopt** Mitigated Negative Declaration No. **ENV-2013-1740-MND** for the above-referenced project.
3. **Recommend** that the City Council **adopt** the Mitigation Monitoring Program for Mitigated Negative Declaration No. ENV-2013-1740-MND.

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: Ahn
Seconded: Choe
Ayes: Ambroz, Cabildo, Katz, Mack, Dake-Wilson
Absent: Perlman, Segura

Vote: 7 - 0



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

Appeals: This action of the City Planning Commission will be final within 15 days from the mailing date on this determination unless an appeal is filed within that time to the City Council. The Density Bonus and Site Plan Review are appealable to the City Council. The Zone Change is not appealable.

All appeals shall be filed on forms provided at the Planning Department's Public Counters at 201 North Figueroa Street, 4th Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys. Forms are also available on-line at <http://planning.lacity.org/>

Final Appeal Date: JUN 04 2015

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

Attachments: Ordinance, Modified Conditions of Approval, Findings
Planning Associate: Heather Bleemers

FINDINGS

GENERAL PLAN

1. General Plan Land Use Designation

The subject property is located within the West Los Angeles Community Plan, adopted by the City Council on July, 27, 1999. The Plan designates the subject site for General Commercial land use corresponding to the C1.5, C2, CR, C4, RAS3, RAS4, and P Zones. The subject property contains approximately 26,714 square feet and is currently zoned R2-1 and C2-1. The C2-1 Zoned parcels are consistent with the site's land use designation. However, the parcels within the R2-1 Zone are typical of Low Medium Residential land uses and therefore are not within the range of zones that correspond to the site's land use designation. The recommended Zone Change would create a parcel which would be consistent with the Community Plan Map land use designation. The Zone Change request from R2 to C2 Zone would be consistent with the range of zones for the General Commercial 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.

2. General Plan Text

The West Los Angeles Community Plan provides for the development of single or aggregated parcels for mixed-use commercial and residential development. The intent is to provide housing within proximity to jobs to reduce vehicular trips, congestion and air pollution, assure adequate sites for housing, and stimulate pedestrian-oriented areas to enhance the quality of life in the Community Plan area. While the Plan does not mandate multiple family or mixed-use projects in commercial areas, it encourages them in certain areas, such as in pedestrian-oriented areas and in transit-oriented districts, where design controls and other tools can ensure their compatibility with commercial revitalization efforts.

The requests for approval of the associated entitlements would be consistent with several important goals, objectives, and policies of the West Los Angeles Community Plan that refer to residential development including:

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 1-1.3 Provide for adequate multi-family residential development.

The project meets the above goal, objective, and policy of the Community Plan by proposing a safe, secure, and high-quality mixed-use development, while providing affordable housing. The project will redevelop an underutilized commercial site and will significantly increase the amount of housing available to the community while providing new economic opportunities in the form of ground floor commercial space, without displacing existing housing units. The project will be achieved by granting the recommended Zone Change, which is compatible with the West Los Angeles Community

Plan land use designation for the site. The request is consistent with development patterns on adjacent commercial properties in the Community Plan Area.

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

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

The project meets the above objective and policy as the site is located within proximity to the nearly complete Bundy Expo Line Station and the Sepulveda Expo Line Station which will encourage transit ridership and will connect residents to numerous job centers between Downtown Los Angeles and Santa Monica. In addition, there are bus lines that operate along Olympic Boulevard, and nearby thoroughfares, which allows greater transit options to future residents. As a result, vehicular trips will likely be reduced. The proposed Zone Change from R2 to C2 creates consistency with the adjacent commercially zoning parcels along Olympic Boulevard. The Zone Change would allow for greater residential density that is necessary for a mixed-use project located adjacent to an existing commercial area and in proximity to several public transit options.

Objective 1-4 To promote adequate and affordable housing and increase its accessibility to more segments of the population, especially students and senior citizens.

Policy 1-4.1 Promote greater individual choice in type, quality, price, and location of housing.

Policy 1-4.2 Ensure that new housing opportunities minimizes displacement of the residents.

Policy 1-4.3 Encourage multiple residential development in specified commercial zones.

The project meets the above objective and policies by providing high-quality affordable housing that will be available to persons regardless of age or ethnic background. The site is currently developed with a one-story commercial building and vacant parcels. The proposed project at this location will not displace any existing housing but will increase the housing stock available in West Los Angeles and will provide housing near many job centers and established amenities and services.

Goal 2 A strong and competitive commercial sector promotes economic vitality, serves the needs of the community through well designed, safe, and accessible areas while preserving historic and cultural character.

Objective 2-1 To conserve and strengthen viable commercial development and to provide additional opportunities for new commercial development and services within existing commercial areas.

Policy 2-1.1 New commercial uses shall be located in existing established commercial areas or shopping centers.

Policy 2-1.2 Protect commercially planned/zoned areas from encroachment by residential only development.

The project meets the above goal, objective, and policies by locating a new mixed-use housing development adjacent to commercial properties, along a commercial corridor. The approval of the recommended Zone Change would allow a mixed-use development that would revitalize this portion of Olympic Boulevard by providing new commercial uses to current and future residents. The project will replace a one-story commercial structure and several vacant lots with a new mixed-use residential and commercial development that will include outdoor seating areas, landscaping, and lighting.

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.

Goal 3C Multi-family neighborhoods that enhance the quality of life for the City's existing and future residents.

Objective 3.4 Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.

Policy 3.4.1 Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram.

Objective 3.13 Provide opportunities for the development of mixed-use boulevards where existing or planned major transit facilities are located and which are characterized by low-intensity or marginally viable commercial uses with commercial development and structures that integrate commercial, housing, and/or public service uses.

The proposed project meets the above goals, policies, and objectives of the Framework Element by creating a new mixed-use residential and commercial development that includes much needed affordable housing. The project will provide active and passive spaces for the residents in the form of shared and private open spaces. The commercial component will include an outdoor seating area at the corner of Olympic Boulevard and Butler Avenue which will increase pedestrian activity and help to activate this portion of Olympic Boulevard. The proposed project will not displace any existing housing, rather, it will provide new housing units along a commercial corridor that is within proximity to public transit and near multiple job centers, while providing new commercial opportunities to an underperforming commercial site.

Housing Element.

The 2013-2021 Housing Element estimates that the West Los Angeles Community Plan Area has the capacity to accommodate approximately 10,862 of the required housing units under the Regional Housing Needs Assessment (RHNA). The recommended Zone Change and Density Bonus request would advance the City toward this goal by permitting the construction of the proposed mixed-use 77-unit residential development in an area specially contemplated by the City to help meet the City's housing shortage and comply with the RHNA requirement. Evidence of this intent is proved in the General Plan's 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 proximity to two Expo Line rail stations and to the MTA Rapid Bus Line, allowing easy access to the employment centers between Downtown Los Angeles and Santa Monica.

The approval of the recommended Zone Change, Density Bonus, and Site Plan Review would allow the proposed development to be consistent with the following Housing Element 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 a one-story commercial building and several vacant parcels. The proposed project would provide 77 residential units and 6,575 square feet of new commercial space. Of the 77 units, seven units will be set aside for Very Low Income Households. The site is appropriate for a mixed-use development with higher residential density given that the site is on a commercial corridor and is within proximity to public transit, existing retail and services, and amenities. Residents of this project would be able to access jobs in various employment centers, by walking or biking to the commercial corridor of Olympic Boulevard and Sawtelle Boulevard, or by utilizing the nearby public transit options.

3. Transportation Element

The Transportation Element of the General Plan is not likely to be affected by the recommended action herein. The residential development proposed by the project is 77 dwelling units, which exceeds the threshold of 40 units for apartments to require a traffic study. Accordingly, the Department of Transportation conducted a Transportation Analysis of the proposed project and determined in a letter dated December 22, 2014 that the impact of trip generation will be less than significant. In addition, the subject property is located within the West Los Angeles Transportation Improvement and Mitigation Specific Plan (WLA TIMP), and will require clearance from the Department of Transportation and the payment of applicable traffic impact fees prior to the issuance of building permits.

4. Sewerage Facilities Element

The Sewerage Facilities Element of the General Plan will not be affected by the recommended action. While 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 local public sewer has insufficient capacity as determined by the Bureau of Sanitation as part of the "B" Permit process, 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.

Entitlement Findings

5. 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 a one-story building that will be demolished as part of the project request. The project includes the construction of a mixed-use housing development that will include 77 residential units, with seven units reserved for Very Low Income Households and 6,575 square feet of ground floor commercial space. The proposed project will be beneficial to the community as it provides new affordable housing and new commercial opportunities along a commercial corridor that is within proximity to public transit and job centers. The Zone Change request from R2 to the C2 is consistent with the Community Plan's General Commercial land use designation for the site and the project is in substantial conformance with the purpose, intent, and provisions of the General Plan as reflected in the adopted Community Plan.

The recommended Zone Change would make the project consistent with the public necessity, convenience, general welfare, and good zoning practices as described below:

Public Necessity

The granting of the proposed 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 Very Low Income Households. The project will also be beneficial to the community by providing new ground floor commercial uses that would serve future tenants as well as the surrounding neighborhood.

Convenience

The recommended Zone Change from R2 to C2, along a commercial corridor, would permit a mixed-use development that appropriately locates much needed residential density within a short distance of the Expo Line and major bus operators that serve employment, educational, and recreational centers throughout the city. The project will provide ground floor commercial uses, along a commercial corridor, to the future residents as well as to the surrounding community. 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 recommended Zone Change would promote general welfare by allowing for the creation of an affordable mixed-use residential and commercial development that would promote both public transportation and pedestrian activity in proximity to other commercial uses along Olympic Boulevard without displacing any existing housing. The project is designed with the commercial component fronting Olympic Boulevard and will encourage more pedestrian activity along this underdeveloped commercial corridor. In addition, the increase of residents at this location will have a positive impact on existing commercial and retail along Olympic Boulevard and

Sawtelle Boulevard. The proposed project will activate a currently vacant site by providing landscaped outdoor seating areas for retail patrons along Olympic Boulevard and will provide much needed housing units in West Los Angeles.

Good Zoning Practice

The location of the proposed mixed-use project on Olympic Boulevard, a major east-west thoroughfare in the West Los Angeles Community Plan area, supports good zoning principles. The site is approximately .6 miles from the Expo Line rail station at the intersection of Exposition Boulevard and Bundy Drive and is approximately .6 miles from the station at the intersection at Exposition Boulevard and Sepulveda Boulevard. The project's proximity to public transit connects future residents to multiple job centers, institutions, amenities, and services. The recommended Zone Change will allow a higher density mixed-use development along a commercial corridor that is near transit while providing affordable housing units to the West Los Angeles community. The recommended Zone Change is compatible with the development pattern in the area and with the Community Plan Map land use designation for the site.

- b. The current action, as recommended, has been made contingent upon compliance with new "T" and "Q" Conditions of Approval and the Project Conditions of Approval imposed herein for the proposed project. Such limitations are necessary to protect the best interests of and to assure a development that is 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.

6. Density Bonus

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

The proposed project would set aside 10 percent of the units for Very Low Income Households which would allow for a 35 percent density bonus and for two on-menu incentives. The Code allows projects that provide the minimum number of set aside units be granted an automatic increase in density and reduced parking requirements. The applicant is utilizing Parking Option 1, which permits one parking space per studio and one-bedroom unit, and two spaces per two- and three-bedroom unit. The proposed project will provide a minimum of 100 residential parking spaces and a minimum of 38 commercial parking spaces for a total of 138 required on-site parking spaces. 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 10 percent of the units for Very Low Income Households qualify for two additional incentives from a specified menu of concessions. In addition to utilizing Parking Option 1, the applicant is requesting two On-Menu Affordable Housing Incentives as follows:

Floor Area Ratio

Pursuant to LAMC Section 12.22-A.25, the project may request an increase in floor area ratio from 1.5:1 to 3:1, provided that the project is located in a commercial zone in Height District No. 1, fronts on a Major Highway, provides the number of units sufficient to qualify for a 35 percent density bonus, at least 50 percent of the parcel is commercially zoned, and is within 1,500 feet of a Transit Stop/Major Employment Center.

The proposed project is setting aside seven units, or 10 percent of the units for Very Low Income Households, which qualifies for a 35 percent Density Bonus. The project is within Height District No.1 and with the approval of the Zone Change from R2 to C2, permits the increase of the FAR to 3:1. The applicant is requesting a 2.95:1 FAR resulting in a maximum of 78,772 square feet, in lieu of the maximum 40,071 square feet. This requested FAR is comparable to the typical FAR of 3:1 for many multi-family developments in residential zones. The increase in FAR will help the project to remain economically feasible while providing 10 percent restricted affordable units. It is also appropriate to permit a higher FAR on a commercial corridor that is within walking distance to the Expo Line, multiple bus lines, and the commercial corridors of Olympic Avenue and Sawtelle Boulevard. 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 four intersections studied.

Yard Setback

The project would be required to provide a nine-foot side yard setback along easterly frontage. However, the requested incentive allows for a decrease in yard setbacks of up to 20 percent. The applicant is requesting 20 percent reduction, or a seven-foot, three inch side yard setback along the easterly frontage. The proposed project would provide a five-foot front yard setback along Olympic Boulevard (the proposed building would be set back a total of 17 feet 11 inches from the curb), a 20-foot rear yard setback, and a five-foot setback along the easterly side of the parcel.

As conditioned, the proposed project complies with all applicable provisions of Government Code 65915-65918 and LAMC Section 12.22-A,25.

- 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-2013-1740-MND. The project is subject to specific measures during both construction and operational 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 Mitigation Measures to remedy potentially significant impacts to less than significant or no impact levels.

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 proposed use is consistent with the recommended zoning and land use designation.

Additionally, the project has been conditioned to consult with 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 public 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.

7. Site Plan Review

In order for the site plan review to be granted, all three of the legally mandated findings delineated in Section 16.05-F of the Los Angeles Municipal Code must be made in the affirmative:

- 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 West Los Angeles Community Plan Area, which designates the project site for General Commercial land use. Currently, the rear portion of the site is zoned R2 which is inconsistent with the Community Plan's land use designation. The proposed Zone Change from R2 to C2 is consistent with the General Commercial land use designation. In addition, the project site is located within the West Los Angeles Transportation Improvement and Mitigation Specific Plan and the proposed Exposition Corridor Transit Neighborhood Plan.

With the approval of the recommended Zone Change and On-Menu Affordable Housing Incentives, the proposed project complies with all applicable provisions of the Los Angeles Municipal Code and State Housing laws. The Zone Change request from R2 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.

- 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 surrounding area is generally characterized by mostly level topography with a mix of commercial/retail, institutional, and single- and multi-family residential uses. Properties to the east and west along the north and south side of Olympic Boulevard are mostly developed with office and commercial uses, including corner shopping centers and office buildings ranging from three to 12 stories. The abutting properties to the north are improved with a 12-unit condominium development. The abutting property to the east is improved with a one-story church. Properties to the south, across Olympic Boulevard, are developed with office buildings, auto body shops, and parking structures. Properties to the west, across Butler Avenue, are developed with a fire station and a surface parking lot. The San Diego Freeway (Interstate 405) is located three blocks west of the project site. The future Bundy and Sepulveda Expo Line Stations are located approximately .6 miles from the subject site.

The proposed six-story mixed-use building would be similar in height and scale to other buildings within the same zone in the Community Plan Area. The proposed building would be configured around a central courtyard with one story of ground floor commercial uses and five stories of residential uses, located atop two levels of subterranean parking. The proposed project has been designed to minimize impacts to the surrounding area and will include open space, landscaping, recreation amenities, outdoor seating areas, articulated building elevations, and design features that will reduce the project's massing.

The project has been designed to be compatible with existing and future development on neighboring properties and in compliance with the Citywide Guidelines as discussed below:

Compatibility

The proposed project has been designed to accommodate the existing uses along Olympic Boulevard by including ground floor retail uses with outdoor seating, landscaping, and lighting. The rear of the building, abutting the condominium development, would include step backs ranging from 20 feet at the ground floor and increasing incrementally to 47 feet at the sixth floor in order to reduce massing impacts. The project will also incorporate mitigation measures to ensure neighboring uses are not significantly impacted by the proposed development.

Site Planning

The project site is comprised of four rectangular parcels that total approximately 26,714 square feet, with a 182-foot frontage along Olympic Boulevard and a 184-foot frontage along Butler Avenue. The site is relatively level and is largely vacant with the exception of a small one-story commercial building.

The proposed building would be six stories within a maximum height of 59 feet, 11 inches. The building includes parking on the ground floor, two subterranean levels of parking, one floor of ground floor commercial uses, and five stories of residential uses.

Design

The scale, massing, and location of the proposed mixed-use building will respond to the rectangular shape and topography of the site and to the commercial and residential context of the properties that are adjacent to the proposed project. The project will consist of two levels of subterranean parking, one ground floor level of commercial uses with five floors of residential uses above. The applicant responded to issues raised by abutting property owners to the north by implementing a tiered design at the rear of the project that will provide massing relief.

The proposed building is one of first redevelopment projects along this stretch of Olympic Boulevard. The building design includes architectural elements that are unique to the community while avoiding unattractive blank walls or stucco box design. The building design enhances the appearance of Olympic Boulevard by including retail storefronts on the ground floor, an outdoor seating area on the corner of Olympic Boulevard and Butler Avenue, landscaped areas, building articulation, diversity in building materials, and varied massing patterns.

The underlying zoning would permit a building with unlimited height. However, the project proposes a maximum height of 59 feet, 11 inches and will include tiered height variations along the northerly portion of the building where the proposed development abuts the existing condominium developments. Building elements include the use of balconies, windows, storefronts, and awnings which serve to break up the project's massing, as seen in the east, and west elevations and a large opening that visually creates two buildings as seen in the west elevation, fronting Butler Avenue. The proposed mixed-use affordable housing development has been designed to minimize impacts to surrounding uses.

Setbacks

Under LAMC Section 12.22.A-18(c) for mixed-use projects in the C2 Zone, setbacks are not required; however, the applicant is providing a five-foot setback from the sidewalk to allow for additional outdoor seating and landscaping activating this stretch of Olympic Boulevard, for a total building setback of almost 18 feet from the curb. In addition, the proposed project will include step backs along the second, third, fourth, fifth, and sixth floors of the northerly portion of the building to reduce the project's overall massing.

Walkability

The project is located within an area characterized by commercial and residential uses. Existing commercial uses along Olympic Boulevard, surrounding the project, include a restaurant, a car wash, a veterinary office, and a printing shop. The existing uses along Olympic Boulevard are not yet conducive to pedestrian activity due to the lack mixed uses along the commercial corridor. The proposed project will activate this stretch of Olympic Boulevard by providing both residential and commercial uses. Future residents will likely walk to the commercial uses along nearby Sawtelle Boulevard. The proposed project is within proximity to two Expo Line Stations and to multiple bus stops.

The proposed project will have retail spaces along Olympic Boulevard that wrap around onto Butler Avenue, thereby activating this stretch of Olympic Boulevard. Additionally, the first floor of the project will include outdoor seating areas, awnings, and distinct building materials to provide a pedestrian-friendly environment.

Landscaping

The project site will provide ample landscaping along all sides of the building and within the private open space provided along the rear of the building and within two internal outdoor courtyards on the first floor. All ground-level transformers will be screened from public view with landscaping. As conditioned herein, 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 proposed for removal will be replaced at a 1:1 ratio with a minimum 24-inch box tree. The applicant has also been conditioned to submit final landscape plans for review and approval by the Department of City Planning for verification of compliance with the Landscape Plan Ordinance. All trees shall be planted in containers or beds that are at least 48 inches in depth.

Circulation and Driveway Access

Vehicular access into and out of the parking garage is proposed to occur from Butler Avenue and will result in the closure of one existing driveway along Olympic Boulevard, thereby reducing associated vehicle and pedestrian conflicts. The applicant will be required to submit a final driveway and parking plan to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety.

Trash

A separate trash and recycling area will be located within an enclosure on the ground floor of the parking garage and will therefore not be visible to the general public. As conditioned, recycling bins will be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

Parking

The project proposes to provide 100 residential on-site parking spaces within a two-level subterranean parking garage and 96 bicycle parking spaces. On-site commercial parking will include 38 vehicle parking spaces and 16 bicycle parking spaces. The project will include a total of 28 vehicle parking stalls that are EV-ready. Vehicular egress and ingress to the onsite residential and commercial parking facilities will be along Butler Avenue. Commercial loading for large trucks will take place along Olympic Boulevard with loading for smaller delivery trucks occurring within the parking garage.

Exposition Corridor Transit Neighborhood Plan

The Department of City Planning is currently preparing an Exposition Corridor Transit Neighborhood Plan. To date, staff has held numerous community workshops and meetings. A preliminary recommendation of proposed changes is expected to be completed over the next several months, which will be followed by additional public meetings, including a public hearing in the community, before consideration by the City Planning Commission and City Council.

Through the community meetings, several goals have been identified relating to potential land use and zone changes, public benefits, urban design standards, streetscape plans, preservation of viable industrial land, and creating healthy and sustainable communities. While the project parcel will not be affected by the proposed zone changes, the applicant has met with the appropriate Department of City Planning staff to ensure that the project will provide design that is consistent with the intent of the proposed plan.

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 Olympic Boulevard;
- The pedestrian entrances are easily accessible from transit stops, within walking distance from Expo Line and Santa Monica's Big Blue Bus system;
- Entrances to the buildings are visible from the street and sidewalk; and
- Direct access to the building's 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 consolidated 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 Olympic Boulevard and Butler Avenue; and
- The project will plant at least four street trees along Olympic Boulevard, at least four street trees along Butler Avenue, and will include trees along the rear yard and easterly side yard.

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; and

- The project will contribute to neighborhood safety by incorporating windows and balconies along Olympic Boulevard and Butler Avenue, and will include outdoor seating for commercial patrons.

The proposed project will be compatible with the surrounding development as it will replace a mostly vacant parcel with a marginally viable office space with a mixture of commercial and residential uses, including affordable units, within proximity public transit. In addition, the proposed mixed-use development will serve as a transitional land use and a buffer between the lower density residential uses to the north and Olympic Boulevard to the south. The commercial portion of the project will serve nearby residents, visitors, and transit passengers and is compatible with other commercial development along Olympic Boulevard.

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.**

The project will provide 8,882 square feet of open space, which exceeds the required 8,425 square feet. The open space includes a 1,997 square-foot recreation room, 2,500 square feet of private balconies, a 2,500 square-foot common outdoor amenity area on the ground floor, and a 1,490 square-foot outdoor gathering area on the first floor. Each unit will include a washer and dryer in the unit. Overall, the project will provide adequate recreational and service amenities for residents and minimize impacts on neighboring properties.

Environmental Findings

- 8. Environmental Finding.** On February 5, 2015, a Mitigated Negative Declaration (ENV-2013-1740-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 there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration 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 Department of City Planning 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.

CONDITIONS OF APPROVAL FOR CPC-2013-1739-ZC-DB-SPR**Density Bonus Conditions**

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit C," and attached to the subject case file. Minor deviations may be allowed in order to comply with the provisions of the Los Angeles Municipal Code or the project conditions.
2. **Residential Density.** The project shall be limited to a maximum density of 77 residential units including Density Bonus Units.
3. **Affordable Units.** A minimum of seven (7) units, that is 10 percent of the base dwelling units, shall be reserved as affordable units for Very Low Income Households, as defined by the State Density Bonus Law 65915 (C)(2).
4. **Changes in Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units or change parking numbers shall be consistent with LAMC Section 12.22 A.25.
5. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make seven (7) units available to Very Low Income Households, for sale or rental as determined to be affordable to such households by HCIDLA for a period of 55 years. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file and to the Council Office and Neighborhood Council. The project shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by the HCIDLA. Refer to the Density Bonus Legislation Background section of this determination.
6. **Adjustment of Parking.** In the event that the number of Restricted Affordable Units should increase, or the composition of such units should change (i.e. the number of bedrooms, or the number of units made available to Senior Citizens and/or Disabled Persons), or the applicant selects another Parking Option (including Bicycle Parking Ordinance) and no other Condition of Approval or incentive is affected, then no modification of this determination shall be necessary, and the number of parking spaces shall be re-calculated by the Department of Building and Safety based upon the following ratios:
 - For each Residential Unit of 0-1 bedroom: 1 on-site parking space
 - For each Residential Unit of 2-3 bedrooms: 2 on-site parking spaces
 - For each Residential Unit of 4 or more bedrooms: 2-1/2 on-site parking spaces.

7. **Landscaping.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system. Prior to issuance of a building permit, the applicant shall submit a final landscape plan prepared by a licensed landscape architect or licensed architect, and submit it for approval to the Department of City Planning in consultation with the Council Office. The landscape plan shall indicate landscape points for the project equivalent to 10 percent more than otherwise required by LAMC 12.40 and Landscape Ordinance Guidelines "O". The applicant shall record a covenant stating that the landscaping will be installed and maintained in accordance with the landscape plan, for the life of the project. The covenant shall include a copy of the final approved landscape plan.
8. **Side Yard Setback.** The easterly side of the building shall observe a minimum seven-foot, three inch side yard setback in lieu of the otherwise required nine feet, as requested under the Density Bonus on-menu incentives.
9. **Floor Area Ratio.** The total floor area shall not exceed 2.95 times the buildable area, as requested under the Density Bonus on-menu incentives.

Site Plan Review Conditions

10. **Open Space.** The project is required to provide no less than 8,425 square feet of useable open space. The project is proposing and conditioned to provide a minimum of 8,882 square feet of useable open space.
11. **Bicycle Parking.** The project shall provide a minimum of 96 bicycle parking spaces for residential uses and a minimum of 16 bicycle parking spaces for commercial uses.
12. **Surface Mechanical Equipment.** All surface or ground mounted mechanical equipment shall be screened from public view and treated to match the materials and colors of the building which they serve, including transformers.
13. **Building Materials.** The building shall be constructed in substantial conformance with the submitted materials board and shall incorporate a range of high-quality materials such as wood, stone, and metal, as shown in "Exhibit C."
14. **Parking Garage Screening.** Areas where the parking lot is open and adjacent to residential uses shall be screened with landscaping. A solid concrete masonry wall shall be installed along the property line that abuts residential zones. The wall shall be eight feet, measured from the lowest adjacent grade, or the maximum permitted by Code.
15. **Electric Vehicle Stalls.** A minimum of 28 electric vehicle stalls shall be provided.
16. **Loading.** The project shall provide a loading space in compliance with LAMC Section 12.21 C.6. All loading areas shall operate between the hours of 7:00 a.m. to 8:00 p.m., Monday through Friday, and 10:00 a.m. to 4:00 p.m. on Saturday and Sunday.
17. **Hours of Operation.** All maintenance and deliveries shall take place between 7:00 a.m. to 8:00 p.m., Monday through Friday, and 10:00 a.m. to 4:00 p.m. on Saturday and Sunday.

18. **No Blank Walls.** A consistent use of architectural and building materials shall be applied throughout all exterior facades of the building to avoid creating a “backside” to the site (“Exhibit C”).
19. **Lighting.** Pedestrian-level lighting (lighting approximately three-foot and six-inch (3'-6") in height) shall be provided along all pedestrian paths of travel.
20. **Landscaping.** All planters containing trees shall be constructed at a minimum depth of 48 inches.

Environmental Conditions

21. 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.

22. Aesthetics (Signage)

- a. On-site signs shall be limited to the maximum allowable under the Municipal Code.
- b. Multiple temporary signs in store windows and along building walls are not permitted.

23. 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”. Such language shall appear at intervals of no less than 25 feet along the length of the publically accessible portions of the barrier.
- b. 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.

24. **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.

25. **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.

26. 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.

27. Air Quality (Air Filtration). 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.

28. Objectionable Odors (Commercial Trash Receptacles)

- a. Open trash receptacles shall be located a minimum of 50 feet from the property line of any residential zone or use.
- b. Trash receptacles located within an enclosed building or structure shall not be required to observe this minimum buffer.

29. Cultural Resources (Archaeological) If any archaeological materials are encountered during the course of project development, all further development activity shall halt in the areas of archaeological sensitivity (excavation or disturbance may continue in other areas of the Project Site that are not reasonably suspected to overlie adjacent archaeological resources), and:

- a. 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.
- b. The archaeologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.

- c. The applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study or report.
- d. 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
- e. 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.
- f. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

30. Cultural Resources (Paleontological)

- a. If any paleontological materials are encountered during the course of project development, all further development activities shall halt and:
 - i. The services of a paleontologist shall then be secured by contacting the Center for Public Paleontology - USC, UCLA, California State University Los Angeles, California State University Long Beach, or the Los Angeles County Natural History Museum - who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.
 - ii. The paleontologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
 - iii. The applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study or report.
 - iv. 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.
- c. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

31. Cultural Resources (Human Remains). In the event that human remains are discovered during excavation activities, the following procedure shall be observed:

- a. 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).
- b. 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.

- c. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
- d. 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.
- e. 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;
- f. If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission.
- g. Discuss and confer means the meaningful and timely discussion careful consideration of the views of each party.

32. **Seismic**

- a. 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.
- b. The project shall implement the recommendations for construction methods and building design features of the Geotechnical Engineering Investigation dated September 30, 2011, and as may be subsequently amended.

33. **Green House Gas Emissions.** Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.

34. **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 – Commercial and Industrial Buildings)** 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.

35. **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 161,574, 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 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm 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.
36. **Increased 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.
37. **Severe Noise Levels (Residential Fronting on Major or Secondary Highway, or adjacent to a Freeway).**
- 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. All windows on the residential units abutting the eastern alley shall follow the same standards of this measure.
38. **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.
39. **Public Services (Police – Demolition/Construction Sites).** Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.

40. **Public Services (Police).** The plans shall incorporate the design guidelines 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. 1st 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.
41. **Public Service (Police – Construction Activity Near Schools)**
 - a. The developer and contractors shall maintain ongoing contact with the administrator of Brawerman Elementary School West. The administrative offices shall be contacted when demolition, grading, and construction activity begin on the project site so that students and their parents will know when such activities are to occur. The developer shall obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (323) 342-1400 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.
 - b. The developer shall install appropriate traffic signs around the construction site to ensure pedestrian and vehicle safety.
 - c. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to the school.
 - d. Due to noise impacts on the schools, no construction vehicles or haul trucks shall be staged or idled on these streets during school hours.
42. **Public Services (Schools affected by Haul Route)**
 - a. LADBS shall assign specific haul route hours of operation based upon Brawerman Elementary School West's hours of operation.
 - b. Haul route scheduling shall be sequenced to minimize conflicts with pedestrians, school buses, and cars at the arrival and dismissal times of the school day. Haul route trucks shall not be routed past the school during periods when school is in session especially when students are arriving or departing from the campus.
43. **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.
44. **Safety Hazards**
 - a. The developer shall install appropriate 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.

45. **Inadequate Emergency Access.** The applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that provides code-required emergency access.
46. **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:
 - i. Weather-based irrigation controller with rain shutoff,
 - ii. Matched precipitation (flow) rates for sprinkler heads,
 - iii. Drip/microspray/subsurface irrigation where appropriate,
 - iv. Minimum irrigation system distribution uniformity of 75 percent,
 - v. Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials,
 - vi. Use of landscape contouring to minimize precipitation runoff; and
 - vii. 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.
47. **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 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.)

48. 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.

49. Utilities (Local Water Supplies - Restaurant, Bar, or Nightclub)

- a. Install/retrofit 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 restrooms as appropriate.
- b. Install/retrofit restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- c. Install/retrofit and utilize only restroom faucets of a self-closing design.
- d. 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.
- 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.)

50. 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 for 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.

Administrative Conditions of Approval

50. **Use.** The project as proposed is for a maximum of 78,772 square-foot mixed-use building with a maximum height of 59 feet 11 inches. A density of 77 units is permitted with seven (7) units set aside for Very Low Income Households, having 6,575 square feet of ground floor commercial space.
51. **Parking.** The project shall comply with Parking Option 1 in calculating required residential parking. The project will comply with the Code required 38 commercial parking spaces.
52. **Approval, Verification, and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
53. **Code Compliance.** Area, height, and use regulations of the C2-1 Zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
54. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
55. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
56. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
57. **Expiration/Termination.** The subject (T)(Q)C2-1 Zone and the Project Conditions of Approval shall become null and void, and the rezoning proceeding shall be terminated, (a) if the applicant fails to remove the T Tentative classification within the six year time period provided in LAMC Section 12.32-G,h, including any extension or (b) upon applicant's delivering to the Director of City Planning of written notice terminating the (T)(Q)C2-1 rezoning.
58. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.

59. **Corrective Conditions.** The authorized use shall be conducted at all time with due regards to 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.
60. **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.
61. **Expediting Processing Section.** Prior to the clearance of any conditions, the applicant shall show that all fees have been paid to the Department of City Planning Expedited Processing Section.

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

Pursuant to Section 12.32 G of the Municipal Code, the (T) OR [T] Tentative Classification shall be removed by the recordation of a final parcel or tract map or by posting of guarantees through the B-permit process of the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approval or guarantees provided to the Department of City Planning for attachment to the subject planning case file.

A. BUREAU OF ENGINEERING CONDITIONS

1. Dedications Required:

The applicant will be required to dedicate a 20-foot radius property line return at the intersection with Olympic Boulevard and Butler Avenue. No dedications will be required along Butler Avenue.

2. Improvements Required:

- a. The applicant will be required to reconstruct the sidewalk along the Olympic Boulevard property frontage to provide a new 12-foot wide concrete sidewalk and repair any broken, off-grade adjacent curb, driveway, concrete and asphalt pavement. In addition, a new minimum 30-foot curb radius and access ramp at the intersection with Butler Avenue and Olympic Boulevard must be constructed to comply with ADA requirements and any unused driveways will have to be closed.
- b. The Bureau of Engineering is requiring the removal of existing curb and sidewalk along the Butler Avenue property frontage along with the reconstruction of a new concrete curb, a two-foot gutter and a 10-foot full width concrete sidewalk and repair any broken, off-grade driveway and pavement. All unused driveways along Butler Avenue, within the project site, must be closed.
- c. The applicant will install new tree wells with root barriers and plant street trees satisfactory to the City Engineer and the Urban Forestry Division of the Bureau of Street Services. The applicant should contact the Urban Forestry Division for further information at (213) 847-3077.

B. BUREAU OF STREET LIGHTING CONDITIONS

The project will require the construction of two (2) new lights on Olympic Boulevard and one (1) new light on Butler Avenue.

C. URBAN FORESTRY

1. The applicant shall submit a tree report and a landscape plan prepared by a protected Tree Expert as designated by LAMC Ordinance No. 177,404, for approval by the Department of City Planning and the Urban Forestry Division of the Bureau of Street Services. The Tree Report shall provide species, health, and condition of all trees with tree locations on a site survey. The plan shall contain the Tree Expert's recommendations for the preservation of as many desirable (eight inches diameter or greater) trees as possible. An on-site 1:1 tree replacement shall be required for the unavoidable loss of any desirable on-site trees. Note: All protected tree removals must be approved by the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077.

2. Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Services. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree plantings, the contractor shall notify the Urban Forestry Division (213-847-3077) upon completion of construction to expedite tree planting.

D. RECREATION AND PARKS DEDICATION

Per Section 12.33 of the Los Angeles Municipal Code, the applicant shall dedicate land for park or recreational purposes or pay the applicable Quimby fees for the construction of condominiums, or Recreation and Park fees for enactment of a zone change for residential purposes.

**DETERMINATION LETTER
CPC-2013-1739-ZC-DB-SPR
MAILING DATE: 05/20/15**

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