



# DEPARTMENT OF CITY PLANNING

## RECOMMENDATION REPORT

### City Planning Commission

**Date:** April 14, 2016  
**Time:** After 8:30 a.m.  
**Place:** City Hall  
Public Works Board Room  
200 N. Spring Street, Room 350  
Los Angeles, CA 90012

**Public Hearing:** Held January 25, 2016  
**Appeal Status:** Zone Change appealable to City Council by applicant if disapproved in whole or in part by the CPC

**Expiration Date:** May 9, 2016

**Case No.:** CPC-2014-491-VZC  
**CEQA No.:** ENV-2014-492-MND  
**Incidental Cases:** None  
**Related Cases:** None  
**Council No.:** 11 – Bonin  
**Plan Area:** Palms- Mar Vista- Del Rey  
**Certified NC:** Mar Vista  
**GPLU:** High Medium Residential  
**Zone:** (T)(Q)R4-1 & M1-1  
**Applicant:** Richard Lebby, RJL  
Construction and  
Development  
**Representative:** Lee Ambers, California  
Property Consultants

**PROJECT LOCATION:** 3960 – 3966 S Grand View Boulevard

**PROPOSED PROJECT:** The proposed project includes the construction of a five-story, 51-unit Independent Living Senior Citizen Housing Development totaling 43,731 square feet. The proposed five-story building will be approximately 60 feet in height and will include one rooftop penthouse unit, two subterranean levels of parking and one level of ground floor parking to provide up to 67 vehicle parking spaces and 57 bicycle parking spaces. The project will provide a minimum of 8,214 square feet of open space. The project site consists of one vacant parcel that comprises approximately 17,000 square feet and has split zoning of M-1 and (T)(Q)R4-1 with a General Plan Designation of High Medium Residential.

**REQUESTED ACTIONS:**


1. Pursuant to Section 21082.1(c)(3) and 21081.6 of the California Public Resources Code, consideration of the **Mitigated Negative Declaration** (ENV-2014-492-MND) and the Mitigation Monitoring Program (MMP) for ENV-2014-492-MND, for the above referenced project;
2. Pursuant to LAMC Section 12.32.Q, a **Vesting Zone Change** from M1-1 (Limited Industrial Zone) to (T)(Q)R4-1 (Multiple Dwelling Zone) to permit the construction, use and maintenance of a five-story, Independent Living Senior Citizen residential building comprised of 51 dwelling units;

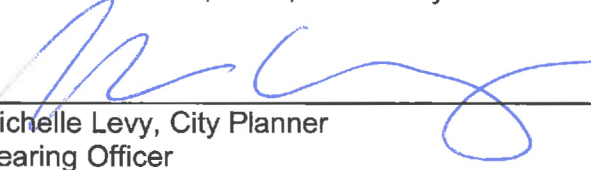
**RECOMMENDED ACTIONS:**


1. **Approve and Recommend** that the City Council Adopt the **Mitigated Negative Declaration** ENV-2014-492-MND and the Mitigation Monitoring Program for the above referenced project.
2. **Approve and Recommend** that the City Council Adopt a **Vesting Zone Change** from the existing M1-1 zone to (T)(Q)R4-1VL zone, subject to the Conditions of Approval.
3. **Adopt** the attached Findings.
4. **Advise** 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.

VINCENT P. BERTONI, AICP  
Director of Planning

  
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## PROJECT ANALYSIS

### PROJECT SUMMARY

This report contains discussions, recommendations, conditions and findings concerning the construction of a five-story, 60-foot tall, 43,731 square foot Independent Living Senior Housing Development consisting of 51 residential units in the Palms- Mar Vista- Del Rey Community Plan. The proposed building would be located on the east side of Grand View Boulevard between Pacific Avenue and Mitchell Avenue. The project site is comprised of one parcel, totaling approximately 17,000 square feet (0.78 acres), and is currently undeveloped.

The project includes 8,214 square feet of open space, consisting of 4,606 square feet of common open space and 3,608 square feet of private open space. A total of 67 automobile parking spaces are proposed within one ground level and two subterranean levels, as well as 57 bicycle parking spaces. Vehicular access will be provided at the southwest (front) of the building and pedestrian access will be provided from the front center (west) of the building, facing Grand View Boulevard.

Senior Citizen Independent Housing refers to residential housing reserved for persons 62 years of age and older and may include common dining areas or other community rooms. Under the Density Bonus Ordinance (LAMC 12.22.A.25), Senior Citizen Housing Developments must be able to reserve a minimum of 35 dwelling units for persons age 62 or older to qualify as a senior citizen housing development. Any dwelling unit exceeding this threshold may be reserved for persons 55 years or older. This project meets the definition of Senior Citizen Independent Housing.

The surrounding and abutting properties are developed with a mix of commercial, multifamily residential, and public facility, and are zoned R3-1, R4-1, C2-1, M1-1, and PF-1XL. The surrounding senior citizen and multifamily residential buildings range from two to four stories, while the commercial buildings and schools range between one and two stories.

### General Plan Land Use

The Palms- Mar Vista- Del Rey Community Plan General Plan Land Use Map designates the site for High Medium Residential land use with corresponding zones of R4 and R4 (PV). The Framework Element locates the project site in a Multifamily Residential Neighborhood, which is intended to provide stability and enhancement by connecting residents to sufficient public infrastructure and services, while also allowing for growth and improvement through well-designed multifamily residential developments. Multifamily Residential Neighborhoods typically range in density from 56 dwelling units up to 109 dwelling units per acre and are generally characterized by two- to five-story multifamily residential structures.

### Zoning, FAR, and Density

The subject property is comprised of one parcel with two zones: (T)(Q)R4-1 and M1-1. A Vesting Zone Change from M1-1 to R4-1 is requested in order to bring the subject site into conformance with the General Plan Land Use designation of High Medium Residential, which has corresponding zones of R4 and R4 (PV). After the enactment of Assembly Bill 283 in 1990, the City adopted a series of zone changes and plan amendments to comply with the state law. The City's AB 283 consistency program was initiated to bring consistency between the adopted general plan and the zoning. As it applies to the subject site, the general plan land use designation was changed to conform with the land use but the zoning remained the same resulting in a general plan and zoning inconsistency. The Vesting Zone Change to (T)(Q)R4-1 will allow for the construction of a 51-unit Independent Living Senior Citizen Housing Development on the subject site.

**Site Design**

The building is oriented towards Grand View Boulevard with pedestrian access to the residential lobby of the front facade. Vehicular access is provided by one driveway, from Grand View Boulevard. All five floors will be dedicated to residential units and the rooftop will house one penthouse unit. Residential parking will be housed over one ground level of parking and two below-grade levels of parking.

The building will be built to 60 feet as allowed by Height District 1. The proposed building height is compatible with development along this portion of Grand View Boulevard, and is appropriate, given the four-story residential building to the east (rear) and the three-story senior citizen residential building to the north.

**Open Space**

The proposed Independent Living Senior Citizen residential project is required to provide a minimum of 5,350 square feet of open space pursuant to Section 12.21 G.2 of the Los Angeles Municipal Code. However, more open space is being provided. Some of the common open space will include an interior courtyard, three community rooms, a library/lounge room, an exercise room, and a deck. Private open space will consist of 47 private balconies and five patios throughout the project site. Collectively, these areas account for a total of 8,214 square feet, which is more than the minimum 5,350 square feet required by the LAMC.

**Parking**

Pursuant to LAMC Section 12.21.A4(d), one vehicle parking space is required for each dwelling unit reserved for senior citizen housing. Based on the number of dwelling units proposed, 51 parking spaces are required. The project will be providing 67 parking spaces, of which 16 will be reserved for guest parking and 14 are to be wired for electric vehicles.

**Bicycle Parking**

The project has proposed bicycle parking per the City's Bicycle Ordinance (No. 182386), which became effective on March 13, 2013, to encourage safe and secure bicycle parking and expand the bicycle parking requirements to include residential developments. The project has provided 51 long-term and six short-term bicycle parking spaces per LAMC Section 12.21A.16(a).

**PROJECT SETTING****Surrounding Zones and Uses**

Properties surrounding the site are zoned R3-1, R4-1, M1-1, and PF-1XL. The project site is located directly south of an existing senior citizen housing development comprised of 191 dwelling units within a three-story residential building in the (Q)R4-1 and M1-1 Zone, with a land use designation of High Medium Residential. To the east (rear) and south (side) of the project site, the area is improved with a four-story 57-unit residential building and two-story, 23-unit residential building, both in the R3-1 Zone with a land use designation of Medium Residential. The majority of the buildings along the east side of Grand View Boulevard and along the north side of Mitchell Avenue are multifamily residential ranging between two- and four-stories in height with a land use designation of High Medium Residential or Medium Residential.

West of the project site, across Grand View Boulevard, the area is improved with one elementary school and one K-12 grade private school in the PF-1XL Zone. It is important to note, the project site is approximately 150 feet north of the City of Culver City, and 400 feet south of light industrial uses.

**Streets and Circulation**

The project site has one street frontage, oriented toward Grand View Boulevard. Grand View Boulevard is a designated Collector in the recently adopted 2035 Mobility Element, dedicated with

a right-of-way width of 64 feet, improved with a curb, gutter and 12-foot wide sidewalk. Grand View Boulevard is also designated as a Comprehensive Neighborhood Enhanced Street in the Mobility Element (Map C1), which renders it a candidate for improved bicycle lanes and streetscape improvements in the future.

## **REQUESTED ENTITLEMENTS**

### **Vesting Zone Change**

Pursuant to Section 12.32Q, the project requests a Vesting Zone Change from M1-1 to (T) (Q)R4-1. The term “Vesting” allows for projects to lock in the land use regulations, ordinances, zones and officially adopted policies of the City of Los Angeles enforced at the time the entitlement application is filed and found to be complete. The Zone Change portion of the request will permit a multifamily residential use, a maximum FAR of 3:1, and a project density of one (1) unit per each 400 square feet of lot area pursuant to LAMC Section 12.11. The proposed project requires a Zone Change to bring general plan conformance with the local zoning, and to allow the use and development of a multifamily residential project.

### **Mitigated Negative Declaration**

A Mitigated Negative Declaration, No. ENV-2014-242-MND, was prepared and circulated for public review on November 17, 2015. The comment period ended on December 17, 2015. The MND found that the proposed project would result in potential impacts to aesthetics, noise levels, public services, cumulative impacts, and effects on human remains; however, these potential impacts can be mitigated to a less than significant level with standard mitigation measures and through compliance with regulatory control measures. The mitigation measures are included as conditions no. 22 through 25 of this report.

Under Senate Bill 743, the proposed Independent Living Senior Citizen Housing Development is exempted from CEQA review involving aesthetic impacts, including visual resources, aesthetic character, shade and shadow, light and glare, and scenic vistas or any other aesthetic impact as defined in the City’s CEQA Threshold Guide. The project qualifies for these exemptions because it is an infill project and is located within an area defined as a Transit Priority Area (TPA). Section 21099(a) of the Public Resources Code defines a TPA as an area within one-half mile of a major transit stop that is existing or planned.

The project site is served by LA Metro Bus Line No. 33; the nearest stop at Venice Boulevard and Grand View Boulevard, located less than one-half mile from the project site. The project is also served by several local and regional bus lines within one-half mile along Venice Boulevard (north), Washington Boulevard (south), and Centinela Avenue (west).

## **ISSUES**

The following discusses issues related to the project. These issues were either identified during the design review by the City’s Urban Design Studio Professional Volunteer Program, at the public hearing held on January 25, 2016, or in discussions with the applicant.

### **Building Height**

Speakers at the public hearing expressed concerns that the proposed 60-foot tall structure would cast a shadow over the two elementary schools across the street, along Grand View Boulevard and asked that the building height be reduced to three- or four-stories.

Since the project is located within a Transit Priority Area and is an infill project, the proposed Independent Living Senior Citizen Housing Development is exempted from CEQA review as it pertains to aesthetic impacts, including visual resources, aesthetic character, shade and shadow,

light and glare, and scenic vistas or any other aesthetic impact as defined in the City's CEQA Threshold Guide.

From the street level, the project will be seen as a five-story building (approximately 50 feet in height) as the rooftop deck is setback ten feet and the penthouse is setback more than 58 feet from the front roofline. The project site is a minimum of 165 feet away from any single-family residences, which is buffered by a 57-unit residential building to the east (rear), and a 23-unit residential building to the south across Mitchell Avenue.

### **Potential Traffic Impacts**

The project is located within 15 feet of two elementary schools just west of the project, and surrounded by several multifamily residential buildings north, south and east of the project site. Residents voiced concerns that Grand View Boulevard and surrounding streets are already due to student drop-off and pickup. In addition, speakers at the public hearing also raised concerns about the number of older multifamily residential buildings that are under-parked resulting in limited available off-street parking. Speakers therefore asked that the project provide adequate vehicular parking to resolve these concerns. In consideration of this concern, the applicant will be providing 67 vehicle parking spaces within three levels of parking which exceeds the parking requirement by 11 vehicle parking spaces. The 11 spaces will be reserved for guest parking.

### **Energy Efficiency**

Speakers requested that the project include smart development features and practices such as utilizing natural light from building design and incorporating solar panels on the rooftop. In response, the applicant designed the project to include large tempered glass windows for each unit with an exterior facade and glass doors for all balconies and patios, as well as enlarging the interior courtyard on the ground floor to open the building up for natural sunlight. In addition, 16 vehicle parking spaces will be configured for electric vehicle charging stations.

### **Urban Design Studio - Professional Volunteer Program (PVP)**

The Project was reviewed by the Planning Department's Urban Design Studio Professional Volunteer Program (PVP) for an architectural evaluation. The recommendations were focused on providing pedestrian connections through the use of windows and doors and transparency along common areas; raising the building to the ground level for accessibility; reconfiguring and increasing the size of the interior courtyard on the ground floor; and lastly, improving the building façade with complementary material and color.

In response to the PVP's recommendations, the applicant modified their design to increase transparency by enlarging and replacing the windows of the library/lounge room on the ground level facing Grand View Boulevard with clear tempered glass doors which open onto the outdoor patio. The library/lounge room, the pedestrian entrance and vehicular access were raised to the street level (at-grade level) and a front yard patio was added. Improvements also involve relocating one ground floor unit to the roof level (the penthouse unit) to allow for a larger interior ground floor courtyard.

### **Residential Citywide Design Guidelines**

The design was reviewed according to the General Plan Framework, Residential Citywide Design Guidelines and the Palms- Mar Vista- Del Rey Community Plan Chapter 5, Urban Design Guidelines. These Guidelines provide performance goals for new residential developments. As proposed and conditioned, the project will achieve a significant number of these Guidelines. The incorporation of these Guidelines will achieve improvements to the design of building façade, social connection with future residents and pedestrians, a break in building mass and scale, better form and function of common open space amenities on the ground floor and roof level, and ease of vehicular and pedestrian access.

## CONCLUSION

The Department recommends the approval of the project as conditioned in this report. The Vesting Zone Change to (T)(Q)R4-1 is appropriate given the context of Grand View Boulevard as a designated Multifamily Residential Neighborhood in the City's adopted plans. The project provides for a senior citizen residential project in a multifamily residential community that is diverse in age and households. The proposed project will complement the multifamily residential and pedestrian-oriented character of Grand View Boulevard and, is compatible in scale with multifamily residential uses in the immediate area. The proposed height of 60 feet is appropriate given the 57-unit, four-story residential building located east (rear) of the project and the large 191-unit, three-story senior citizen housing development north of the project site. The project is within walking distance of many neighborhood amenities, including a public library, grocery stores, two houses of worship, several restaurants and cafes, and services.

With the incorporation of the design elements recommended and discussed above, the project advances several General Plan objectives, including creating more mixed-income and mixed-age housing, locating new development near public infrastructure and services, as well as encouraging a connection between residents and pedestrians. The project, at the recommended floor area, height, scale, design and layout, will be a compatible addition to the local neighborhood and will locate additional senior citizen housing within walking distance to Venice Boulevard, a major thoroughfare that is close to a concentration of public services and amenities. The project provides a multifamily residential use in an appropriate multifamily residential zone, consistent with the General Plan, and in conformity with public necessity, convenience, general welfare and good zoning practice.



## (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.

### A. Entitlement Conditions

1. **Site Plan.** The use and development of the property shall be in substantial conformance with the Plot plan and elevations submitted with the application and marked **Exhibit B**, dated **February 23, 2016**, and attached to the administrative file. Prior to the issuance of building permits, revised, detailed development plans that show compliance with all conditions of approval, including complete landscape and irrigation plans, shall be submitted to the City Planning Department for review.
2. **Use.** Use of the subject property shall be limited to Independent Living Senior Citizen Housing permitted as in the R4 Zone. The property shall observe the area restrictions of the R4 Zone.
3. **Height.** The building shall be limited to a height of 60 feet, as defined by Los Angeles Municipal Code (LAMC) Section 12.03 and allowed per LAMC Section 12.21.1.
4. **Floor Area Ratio (FAR).** The total floor area ratio of the structure on the property shall not exceed 2.57:1.
5. **Yards/Setback.** The project shall provide a 15-foot front yard setback along Grand View Boulevard, a 15-foot rear yard setback, and a minimum of eight feet for the required side yards or as provided pursuant to LAMC 12.11.C, whichever is greater.
6. **Residential Density.** The project shall be limited to a maximum density of 51 residential units, which consists of the base number of 42-units and plus the 20 percent Density Bonus or nine additional units.
7. **Senior Housing.** A minimum of thirty-five (35) units will be reserved for individuals who are at least 62 years of age or older. Once this condition is met, the remainder of units may be reserved for individuals 55 years of age or older (units 36 – 51), as defined by the State Density Bonus Law 65915 (C)(2).
8. **Change in Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units or change in parking numbers shall be consistent with LAMC Section 12.22 A.25 (9a-d).
9. **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 thirty-five (35) units available to senior citizens who are at least 62 years of age, for sale or rental as determined to be affordable to such households by HCIDLA for a period of 55 years. Note: After meeting this requirement (a minimum of 35-units reserved for senior citizens aged 62 or older), the remainder of units may be reserved for Households who are 55 years of age or older. 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. The project shall comply with any monitoring requirements established by the HCIDLA. Refer to the Density Bonus Legislation Background section of this determination.

10. **Automobile Parking.** The project shall provide 67 vehicle parking spaces or consistent with LAMC 12.21 A.4a. Of the 67 vehicle parking spaces, 16 spaces shall be configured for electric vehicle charging stations, and 11 spaces reserved for guests.
11. **Adjustment of Parking.** In the event that the number of Restricted Affordable Units should change, 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), and no other Condition of Approval is affected, then no modification of this determination shall be necessary, and the number of parking spaces shall be re-calculated by the Department of Building and Safety based upon the ratios set forth above.
12. **Bicycle Parking.** Bicycle parking shall be provided consistent with LAMC 12.21 A.16. Long-term parking shall be provided at a rate of one per dwelling unit or guest room. Additionally, short-term bicycle parking shall be provided at a rate of one per ten dwelling units or guest rooms, with a minimum of two short-term bicycle parking spaces. Based upon the number of dwelling units, a minimum of 51 long-term and 6 short-term bicycle parking spaces shall be provided onsite, for a total of 57 bicycle parking spaces.
13. **Open Space.** As shown on Exhibit B, the project shall provide 3,608 square feet of private open space and 4,606 square feet of common open space aggregating to 8,214 square feet:
  - a. **Private Open Space.** The project shall provide 47 balconies and five patios.
  - b. **Common Open Space.** The project shall provide an outdoor terrace, an interior courtyard, a roof deck, and community spaces.
14. **Rooftop.** Solar Panel Rooftop areas shall be reserved for solar panels as shown on Sheet A-2.1.6 of Exhibit B.
15. **Landscape Planters.** Landscape planters in the front yard (west) shall be limited in height to 3.5 feet above grade so as not to obscure the architectural features of the building.
16. **Other Landscaping.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning. The landscape plan shall indicate landscape points for the project equivalent to 10% more than otherwise required by LAMC 12.40 and Landscape Ordinance Guidelines "O".
17. **Irrigation Plan.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit an Irrigation Plan for review and approval to the West Los Angeles project planner, West/South Project Planning Division, City Planning.
18. **Building Entrance.** One lobby entrance and one vehicular entrance shall be provided at street levels; along the Grand View Boulevard frontage. Lobby entry doors shall be made of clear, unobstructed, tempered glass.
19. **Building Transparency.** All units with balconies or patios shall maintain tempered glass railings. In addition, all units shall maintain transparent windows and openings as shown on Elevations in Exhibit B.

20. **Mechanical Equipment.** All mechanical equipment on the roof shall be screened from view. Any mechanical equipment placed in the front yard, shall be screened from view with landscaping.

## **B. Environmental Conditions**

21. **Aesthetics (Light)** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way, nor from above.
22. **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.
23. **Increased Noise Levels (Demolition, Grading, and Construction Activities).**
- 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.
  - Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
  - The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
24. **Public Services (Police – Demolition/Construction Sites).**  
Temporary construction fencing shall be placed along the periphery of the active construction areas to screen as much of the construction activity from view at the local street level and to keep unpermitted persons from entering the construction area.
25. **Public Services (Construction Activity Near Schools).**
- The developer and contractors shall maintain ongoing contact with administrator of Grand View Boulevard Elementary School and Wildwood School.
  - 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.
  - The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
  - There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to the school.
  - Due to noise impacts on the schools, no construction vehicles or haul trucks shall be staged or idled on these streets during school hours.

## 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.

Dedication(s) and Improvement(s): Prior to the issuance of any building permits, except demolition, excavation, or foundation permits, public improvements and dedications for streets and other rights of way adjoining the subject property shall be guaranteed to the satisfaction of the Department of Public Works, Bureau of Engineering, Fire Department (and other responsible City, regional, and Federal government agencies, as may be necessary).

1. Responsibilities/Guarantees.
  - a. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.
  - b. Prior to issuance of sign-offs for final site plan approval and/or project permits by the Department of City Planning, the applicant/developer shall provide written verification to the Department of City Planning from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to the project design required by a public agency shall be documented in writing and submitted for review by the Department of City Planning.
2. Transportation Improvements. The applicant shall consult with the Bureau of Engineering (BOE) and the Department of Transportation (DOT) for any required improvements. These requirements must be guaranteed before the issuance of any building permit through the B-permit process of the Bureau of Engineering, department of Public Works. They must be constructed and completed prior to issuance of any Certificate of Occupancy to the satisfaction of DOT and the Bureau of Engineering. Note: Street Improvement requirements are based on BOE's Letter received on March 31, 2016, prior to the adoption of the Mobility Plan 2035. The following street improvements reflect the prior (Transportation Plan's) street designations and standard roadway dimensions.

The improvements shall include the following:

a. **Dedication Required:**

**Grand View Boulevard (Collector Street)** – Dedicate a 3-foot wide strip of land along the property frontage to complete a 33-foot wide half right-of-way in accordance with Collector Street standards.

b. **Improvements Required:**

**Grand View Boulevard** – Reconstruct the existing sidewalk and construct additional concrete sidewalk in the newly dedicated area to provide a full width concrete sidewalk in accordance with Collector Street standards.

Repair all broken, off-grade, or bad order concrete curb and gutter. Close all unused driveways with full height curb, 2-foot gutter, and sidewalk. Upgrade all driveways to comply with ADA requirements. Repair or replace other existing public improvements that may get damaged during construction of the proposed project. These improvements should suitably transition to join the existing improvements.

Install 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. Some tree removal in conjunction with the street improvement project may require Board of Public Works approval. The applicant should contact the Urban Forestry Division for further information (213) 847-3077.

Notes: Street lighting may be required satisfactory to the Bureau of Street Lighting (213) 847-1551.

Refer to the Department of Water and Power regarding power poles (213) 367-2715.

Refer to the Department of Transportation for traffic equipment, signs and parking meters.

Department of Transportation may have additional requirements offsite for dedication and improvements.

- c. Roof drainage and surface run-off from the project shall be collected and treated at the site and directed to the streets via drain systems constructed under the sidewalk and through the curb drains or connections to the catch basins.
- d. Sewers exist in Grand View Boulevard. Extension of the 6-inch house connection laterals to the new property line may be required. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
- e. Remove any encroachments in the existing public right-of-way to the satisfaction of the City Engineer.
- f. An investigation by the Bureau of Engineering West Los Angeles District Office Sewer Counter may be necessary to determine the capacity of the existing public sewers to accommodate the proposed development. Submit a request to the West Los Angeles District Office of the Bureau of Engineering (310) 575-8384.
- g. Submit shoring and lateral support plans to the Bureau of Engineering West Los Angeles District Office Excavation Counter for review and approval prior to excavating adjacent to the right-of-way (310) 575-8388.

- h. Submit a parking area and driveway plan to the West Los Angeles District Office of the Bureau of Engineering and the Department of Transportation for review and approval.

## ADMINISTRATIVE CONDITIONS OF APPROVAL

1. **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.
2. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
3. **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.
4. **Building Plans.** All the Conditions of Approval, and any other written modifications, shall be printed on the final building plans / drawings submitted to the Department of City Planning and the Department of Building and Safety.
5. **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.
6. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
7. **Department of Building and Safety.** The granting of this Determination by the Director of Planning does not in any way indicate compliance with applicable provisions of the Los Angeles Municipal Code (LAMC). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect the uses, or any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
8. **Expiration.** In the event that this grant is not utilized within three years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
9. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these Conditions of Approval shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heirs or assigns. Further, 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 must be given to the Department of City Planning for attachment to the subject file.

**10. Indemnification and Reimbursement of Litigation Costs.** Applicant shall do all of the following:

- i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.



For purposes of this condition, the following definitions apply:

“City” shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

“Action” shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

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

## FINDINGS

### GENERAL PLAN FINDINGS

The General Plan defines the foundation for all land use decisions. The City of Los Angeles' General Plan consists of the Framework Element, seven required Elements that are mandated by State law including Land Use, Mobility, Housing, Conservation, Noise, Safety, and Open Space, and optional Elements including Air Quality, Health, and Service Systems. Thirty-five individual community plans comprise the Land Use Element for the City of Los Angeles. This section provides relevant goals, objectives, policies, and programs that are established in the General Plan, which form the basis of the Staff's recommended actions for the proposed project.

#### 1. General Plan Land Use Designation

The subject site is located within the area covered by the Palms- Mar Vista- Del Rey Community Plan updated and adopted by the City Council on September 16, 1997. The Plan Map designates the subject property for High Medium Residential with the corresponding zones of R4 and R4 (PV).

#### 2. General Plan Text

##### General Plan Framework Element

The Citywide General Plan Framework is a guide for communities to implement growth and development policies by providing a comprehensive long-range view of the City as a whole. The General Plan Framework establishes categories of land use, including Single-Family and Multifamily Residential that are broadly described by ranges of intensity/density, heights, and lists of typical uses. The definitions reflect a range of land use possibilities found in the City's already diverse urban, suburban, and rural land use patterns.

The Citywide General Plan Framework defines policies related to growth and includes policies for land use, housing, urban form/neighborhood design, open space/conservation, economic development, transportation, and infrastructure/public services. The proposed project would be in conformance with several goals of the General Plan Framework as described below.

**Policy 1.1.1.** Provide for adequate multifamily residential development.

**Policy 1.1.2.** Protect the quality of residential environment and the appearance of communities with attention to site and building design.

**Policy 1.3.1.** Require architectural compatibility and landscaping for new infill development to protect the character and scale of existing residential neighborhoods.

**Policy 1.4.1.1** Promote greater individual choice in type, quality, price and location of housing.

The project is a new residential development located along Grand View Boulevard, between Pacific Avenue to the north and Mitchell Avenue to the south. The General Plan Framework Long Range Land Use Diagram designates the site as a Multifamily Residential Neighborhood. As described above, the Framework Element describes

Multifamily Residential Neighborhoods as typically ranging in density from 56 dwelling units up to 109 dwelling units per acre and generally characterized by two- to five-story multifamily residential structures. The Independent Living Senior Citizen Housing Development will contribute 51 dwelling units enclosed within a five-story building and a rooftop penthouse; and, it will be consistent with the mass and scale of nearby multifamily residential developments. The building design includes transparency along the ground floor through the use of enlarged windows, open space throughout the project, enlarged windows and glass balcony railings.

The recommended Zone Change to (T)(Q)R4-1 is consistent with the General Plan Land Use Designation of High Medium Residential. The R4 (Multifamily Residential Use) Zone is one of the corresponding zones of the High Medium Residential designation. The proposed project and the proposed Zone Change are not only consistent with the existing planned land use but are also consistent with the surrounding land use development pattern. The block in which the site is located currently has a mix of low- and mid-rise residential uses, ranging from one to five stories in height. Higher density residential development furthers several General Plan objectives, including encouraging in-fill projects, providing housing options for economically diverse populations and senior citizens, and locating higher density development near public transit and shopping, services and employment. The proposed project meets those criteria. There are also many public services and commercial amenities located nearby the site, as well as employment opportunities. Encouraging the location of higher density residential near several bus lines and major arterials, which include Venice Boulevard, Washington Boulevard, (both west-east direction) and Centinela Avenue (north-south direction), promotes another General Plan policy, in that the project will help to reduce vehicle trips, traffic congestion and air pollution.

Lastly, under the General Plan Framework Element, the project is subject to the Residential Citywide Design Guidelines. As designed and conditioned, the project complies with the following relevant Guidelines and is therefore compatible with existing and future development in the area.

*Objective 1: Consider Neighborhood Context & Linkages in Building & Site Design*

- *Promote pedestrian activity by placing entrances at grade level or slightly above, and unobstructed from view from the public right-of-way. Entryways below street level should be avoided.*
- *Ensure that new buildings are compatible in scale, massing, style, and/or architectural materials with existing structures in the surrounding neighborhood. In older neighborhoods, new developments should likewise respect the character of existing buildings with regards to height, scale, style, and architectural materials.*

As designed and conditioned, the project will conform to the Guidelines. As proposed, the project provides a defined pedestrian entrance at the front center facing Grand View Boulevard frontage. The pedestrian entrance was raised to ground level to achieve ease of access and comfort for future residents and guests of all mobility levels. In addition, the community spaces, such as an outdoor patio, a library/lounge room and a business center will be housed in the front of the building at ground level facing Grand View Boulevard. These community rooms will have large, glazed doors, which will open out, onto a front yard patio. These design features will achieve two objectives: a) create a level of transparency between the building façade and the street level; and, b) foster an

environment for social interaction between future residents and pedestrians (i.e. school aged children across the street). Lastly, these design features will integrate well with the adjacent four-story senior citizen residential building to the north. The pedestrian entrance, community spaces, large tempered glass windows, clear doors and landscaped planters will activate the ground floor as well as create a safe walking environment consistent with the goals of the Residential Design Guidelines.

*Objective 2: Employ Distinguishable and Attractive Building Design*

- *Utilize windows and doors as character-defining features to reflect an architectural style or theme consistent with other façade elements. Windows should project or be inset from the exterior building wall and incorporate well-designed trims and details.*
- *Orient windows on street facing units toward public streets, rather than inward, to contribute to neighborhood safety and provide design interest.*

*Objective 3: Provide Pedestrian Connections Within and Around the Project*

- *Utilize pedestrian lighting, seating areas, special paving, or landscaping. Ensure that new developments adjacent to transit stops invest in pedestrians amenities such as trash receptacles and sheltered benches or seating areas for pedestrians that do not intrude into the accessible route.*

The proposed project employs a contemporary aesthetic. The façade is characterized by recessed balcony areas and aluminum framed tempered glass railings at each floor level offering a break in the building mass. In addition, the front patio which fronts the community spaces on the first floor will be defined by special paving arranged in a grid pattern. Planters filled with a variety of shrubs, plants, flowers, and grass will surround the remaining front yard. These design features will frame the semi-public areas and create both a physical and visual connection to the sidewalk.

*Objective 4: Minimize the Appearance of Driveways and Parking Areas*

- *When a driveway in a front yard cannot be avoided, locate the driveway at the edge of the parcel rather than the center. Ensure that the street-facing driveway width is minimized to 20 feet or less.*

The project's site has one street frontage along the east side of Grand View Boulevard. Vehicular access will be located at the southwest edge of the building facing the front of the project site. The driveway will be 20 feet wide for egress and ingress. It should be noted that all parking will not be visible from the public street or sidewalk as it will be fully enclosed at the ground level and two levels below grade.

The vehicular access and pedestrian entryway will be separated by landscaped planters and landscaping to clearly mark and provide a safe path of travel for drivers and pedestrians.

*Objective 5: Utilize Open Areas and Landscape Opportunities to their Full Potential*

- *Design open areas to maintain a balance of landscaping and paved area.*

- *Provide balconies to augment, rather than substitute for actively used common open spaces and recreational areas.*

*Objective 6: Improve the Streetscape Experience by Reducing Visual Clutter*

- *Screen rooftop equipment such as air conditioning units, antennas and communication equipment, mechanical equipment, and vents from the public right-of-way.*

As Conditioned, the project will include mature Umbrella and Strawberry Trees in addition to planters landscaped with a variety of shrubs, plants, and flowers placed in the front yard areas to enhance and architecturally integrate into the building design. In addition, all rooftop and grade level equipment will not be visible from the street or adjacent properties as it will be fully screened or hidden by landscaping, or setback from the roofline.

### **Housing Element**

**Policy 2.1.4.** Enhance livability of neighborhoods by upgrading the quality of development and improving the quality of the public realm, including streets, streetscape and landscaping to provide shade and scale.

The project is a new Independent Living Senior Citizen Housing Development that will include 51 residential units. This project will help to generate pedestrian activity on the more active commercial and industrial blocks of Grand View Boulevard to the north and south. The project is an in-fill development that will complement other multifamily residential and public facility uses on the street. By orienting the community spaces to the front and providing large openings and street level pedestrian access, the project will upgrade the public realm and improve pedestrian comfort and safety. In addition, the large glazing system and orientation of community spaces to the front center of the building will enhance livability by introducing programmed community spaces where none exist today. The proposed project will incorporate a design that is appropriate for the development pattern adjacent to this portion of Grand View Boulevard, while being sensitive to the adjacent moderate density neighborhoods through the architectural design and site layout.

### **Mobility Element**

**Policy 3.1.** Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes- including goods movement – as integral components of the City's transportation system.

**Policy 3.3.** Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.

The proposed housing development will conform to the objectives and policies of the Mobility Element of the General Plan as it applies. The project fronts the east side of Grand View Boulevard, which is classified as a Collector Street and is dedicated to a width of 66 feet. It is two blocks south of Venice Boulevard, classified as a Boulevard I (Major Highway Class I) and dedicated to a width of 136 feet; and two blocks north of Washington Boulevard, classified as a Boulevard II (Major Highway Class II) and dedicated to a width of 100 feet. The Bureau of Engineering is requiring a 2-foot strip of land along the property frontage to complete a 32-foot half right-of-way in accordance with Collector Street standards.

The project is a new Independent Living Senior Citizen Housing Development located two blocks south and two blocks north of major transit and commercial corridors, Venice Boulevard and Washington Boulevard, respectively. The project will provide 51 market-rate housing units for Independent Living Senior Citizens. The project will provide new housing opportunities accessible to nearby neighborhood destinations: commercial businesses, employment centers, amenities, public facilities, and the like. The location of the project to such destinations and availability of bicycle parking will enable residents to pursue alternative modes of travel such as walking, bicycling, and transit-riding instead of driving. The site's convenience to many local amenities will, in turn, reduce the number of vehicle trips otherwise generated by a housing development with 51-units.

### **Palms- Mar Vista- Del Rey Community Plan**

While broader planning issues, goals, objectives and policies are provided by the Citywide General Plan through its Framework, the Palms- Mar Vista- Del Rey Community Plan sets forth planning goals, objectives, policies, and programs that pertain to the Palms- Mar Vista- Del Rey Community. The Community Plans further refine the General Plan, and are intended to promote an arrangement of land uses, streets and services which will encourage and contribute to the economic, social and physical health, safety, welfare and convenience of the people who live and work in the community. The proposed project would be in conformance with several goals of the Palms- Mar Vista- Del Rey Community Plan as indicated below.

**GOAL 1: A SAFE, SECURE, AND HIGH QUALITY RESIDENTIAL ENVIRONMENT FOR ALL ECONOMIC, AGE, AND ETHNIC SEGMENTS OF THE COMMUNITY.**

**Policy 1-1.1.** Provide for adequate multifamily residential development.

**Policy 1-1.2.** Protect the quality of residential environment and the appearance of communities with attention to site and building design.

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

**Policy 1-2.1.** Locate higher residential densities near commercial centers and major bus routes where public service facilities and infrastructure will support this development.

**Objective 1-3.** To preserve and enhance the varied and distinct residential character and integrity of existing residential neighborhoods.

**Policy 1-3.1.** Promote architectural compatibility and landscaping for new Multiple Family residential development to protect the character and scale of existing residential neighborhoods.

**Objective 1-4.** To provide affordable housing and increased accessibility to more population segments, especially students, the handicapped and senior citizens.

**Policy 1-4.2.** Ensure that new housing opportunities minimize displacement of residents.

The project provides 51 new residential units for Independent Living Senior Citizens, in close proximity to existing services and commercial amenities, as it is located within close proximity (two blocks south) of the Venice Boulevard Corridor and (one block north) of Washington Boulevard Corridor. The above objectives seek to concentrate higher density

development in existing multifamily neighborhoods within walking distance to commercial corridors and in areas that are able to support such development which are in close proximity to rail and bus transit stations. As previously mentioned, this area of the Palms-Mar Vista- Del Rey community is home to several public amenities, such as the Grand View Boulevard Elementary School, the US Post Office, the Mar Vista Branch Library, the Los Angeles Fire Department Station 62, and the Mar Vista Recreational Center. It is also home to several commercial amenities and services. The new development will enhance the local multifamily residential and commercial districts, as it will create new housing opportunities that will inevitably generate additional pedestrian activity in an active commercial district.

There are multiple transportation opportunities in the subject site's immediate area. Currently, the Los Angeles Metropolitan Transportation Authority (Metro) routes a number of transit lines in close proximity to the project site. Five bus lines are available within walking distance to the north on Venice Boulevard, to the west on Centinela Avenue, and to the south on Washington. These buses connect riders to Downtown Culver City, the City of Santa Monica, and Downtown Los Angeles – providing a connection to other Metro bus routes, subway lines, Metrolink and Amtrak train routes. The project's location enables future residents to access an effective transit network within walking distance. Consequently, reduced vehicular trips are anticipated due to the project site's location adjacent to these significant public transportation opportunities.

According to the Palms- Mar Vista- Del Rey Community Plan, new development should provide for adequate multifamily residential development for senior citizens that is in close proximity to commercial centers, public facilities, and public transit. As the project is located near major highway corridors and near major bus lines, it achieves many of the same goals and objectives such as locating economically diverse housing opportunities on a site that is located near a transit corridor. Furthermore, the project will contribute 51 new dwelling units to the City's housing stock without displacement of current residents, as the site is currently undeveloped. Lastly, the project as designed with architectural articulation, and varied colors and materials is compatible with the surrounding multi-family residential buildings and will enhance the aesthetic view along Grand View Boulevard.

## ENTITLEMENT FINDINGS

- 3. Vesting Zone Change Findings.** *Pursuant to Section 12.32 of the Municipal Code, and based on these findings, the recommended action to rezone the property from M1-1 to (T)(Q)R4-1 is deemed consistent with public necessity, convenience, general welfare and good zoning practice.*

### *Public Necessity*

As conditioned, the Independent Living Senior Citizen Housing Development conforms to the requirements of the R4 Multifamily Residential Use Zone. The purpose of the R4 Zone is to provide a mechanism to increase housing opportunities, enhance neighborhoods, revitalize older multifamily residential areas, and provide opportunity to create more affordable housing. The R4 Zone is intended to provide a tool to accommodate projected population growth in multifamily residential projects that is compatible with existing residential neighborhoods.

The rezoning of the site to accommodate the conditioned project will be consistent with public necessity as it will increase the housing opportunities in the Palms- Mar Vista- Del Rey Community of Los Angeles by providing new housing options. There is a growing housing shortage in the City of Los Angeles, particularly for the growing senior demographic. The proposed R4-1 zoning will allow development of a viable and much

needed land use in the neighborhood. In order to provide a range of unit types typical of modern apartment buildings, it is necessary to have a dense multifamily residential use at 3:1 FAR. As conditioned, the compatible design of the senior citizen housing project will enhance the neighborhood and will contribute to the revitalization of the older residential neighborhoods in the Palms- Mar Vista- Del Rey Community Plan area. The Palms- Mar Vista- Del Rey Community Plan encourages more diverse housing options and higher density multifamily residential developments in close proximity to commercial centers and major transit routes/stations where public service facilities and infrastructure will support this demand. Palms- Mar Vista- Del Rey Community Plan Objective 1-1 encourages the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population growth for the Palms- Mar Vista- Del Rey area. This project accomplishes these goals and objectives.

Not only will the project provide necessary housing opportunities for the community, but it will also provide an improved pedestrian experience for the neighborhood. The project site is currently vacant. The project has been designed so that the street frontage and building façade enhance the pedestrian experience with landscaping, and community spaces oriented toward the front of the views into the building.

#### *Convenience*

The objectives of the Palms- Mar Vista- Del Rey Community Plan include providing adequate land for new multiple family residential units while protecting lower density residential uses from incompatible development and designing new development to be compatible with adjacent residential neighborhoods. The project steps back the upper story and buffers the southerly adjacent two-story multifamily residential building with a courtyard to create a transition between the two buildings, while resembling the massing and scale of adjacent development. Changing the existing zone to R4 will allow for the development of a senior citizen residential project that complements the adjoining residential development. The increase in the number of dwelling units in this higher density residential area will encourage the viability of the adjacent Venice and Washington Boulevard, and Centinela Avenue corridors. The public convenience is served by centrally locating residential opportunities near a variety of public and commercial services.

#### *General Welfare*

The proposed project will promote general welfare of the community by the following:

- Helping to meet local housing needs with mixed-income housing
- Enhancing the sense of community in the area by providing a unique, well-designed, attractive development
- Reducing dependency on the automobile by locating new development, particularly housing, near public transit and shopping, services and employment

Allowing for the residential use at R4 density and a 20 percent Density Bonus or nine additional dwelling units for a total of 51-units will allow the developer to provide more units for senior citizens. A smaller project would have a lower development potential, yielding a smaller ratio of dwelling units for senior citizens. At the same time, the project as designed will activate the surrounding area by fostering an environment for social interaction among future residents, neighbors and the schoolchildren across Grand View Boulevard (west of the project), as was intended by the multifamily residential use.



*Good Zoning Practice*

The requested Vesting Zone Change from M1-1 to (T)(Q)R4-1 is in substantial conformance with the purposes, intent and provisions of the General Plan, and is consistent with good zoning practice because it will bring zoning consistency with the General Plan Land Use. It will be able to provide for development of a higher density multifamily residential building that complements the high density character of the surrounding residential neighborhoods and adjacent light industrial and commercial uses. Currently, the subject site's M1-1 zoning is inconsistent with the existing multifamily residential uses along Grand View Boulevard. However, the Vesting Zone Change from M1-1 to R4-1 will bring zoning consistency with the general plan and with the surrounding multifamily residential uses and development pattern. Similar to the subject property, the development to the north is a 191-unit senior housing development, zoned M1-1 and R4-1 with a High Medium Residential Land Use designation. Parcels to the east and south are zoned R3-1 with a Medium Residential Land Use designation. These surrounding uses to the project site include two-, three-, four-story multifamily residential uses. Surrounding uses west and southwest of the project site include two elementary schools in the PF-1XL Zone with a land use designation Public Facilities. The majority of this block on the eastside of Grand View Boulevard is developed with multifamily buildings. The project design provides a land use transition in scale, density and character to the multifamily areas to the north, east, and south of its location, and light industrial and commercial areas to the north and public facilities located to the west of its location.

Given the High Medium Residential land use designation and the surrounding properties and building heights, the requested Zone Change from the current M1-1 zoning on the property to (T)(Q)R4-1 allowing for 60 feet in maximum height would reflect good zoning practices. The density and project size, made possible with the proposed R4 density and 3:1 FAR, are compatible and consistent with the density of the multifamily uses in the area. The proposed Zone Change will enhance the pedestrian experience, meet local housing needs, and provide a development compatible with the neighborhood's character.

**4. CEQA FINDINGS**

A Mitigated Negative Declaration (ENV-2014-492-MND) and corresponding Mitigation Monitoring Program (MMP) were prepared for the proposed project. The Mitigation Monitoring Program (MMP) is a document that is separate from the MND and is prepared and adopted as part of the project's approval. Section 21081.6 of the Public Resources Code requires a Lead Agency to adopt a "reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment." The MND was circulated for public review from November 17 through December 17, 2015 for a 30-day period.

The Planning Department received one comment letter from the Los Angeles Unified School District, dated January 21, 2016, outside of the 30-day comment period. The letter addressed issues related to potential air quality impacts on students and teachers who are considered sensitive receptors to air pollutant impacts; noise from construction activity during the grading, earth moving, hauling and use of heavy equipment; traffic and transportation related to the impact on existing school bus routes; and pedestrian safety during construction activities due to the presence of heavy equipment and increased truck trips to haul materials on and off the project site.

The concerns expressed in the comment letter are addressed in the Initial Study and Mitigated Negative Declaration (ENV-2014-492-MND). Any impacts identified by the Initial Study related to potential air quality impacts during the construction phase would be mitigated to less-than-significant levels through the implementation of the mitigation measures, which are imposed as Conditions of Approval, and existing Regulatory

Compliance Measures (RCMs). In addition to the mitigation measures required of the project and any proposed project design features, the applicant is required to adhere to applicable RCMs required by law.

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 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.

## **DENSITY BONUS LEGISLATION BACKGROUND**

The California State Legislature has declared that "[t]he availability of housing is of vital statewide importance," and has determined that state and local governments have a responsibility to "make adequate provision for the housing needs of all economic segments of the community." Section §65580, subds. (a), (d). Section 65915 further provides that an applicant must agree to, and the municipality must ensure, the "continued affordability of all low and very low income units that qualified the applicant" for the density bonus.

Under Government Code Section § 65915(a), § 65915(d)(2)(C) and § 65915(d)(3) the City of Los Angeles complies with the State Density Bonus law by adopting density bonus regulations and procedures as codified in Section 12.22 A.25 of the Los Angeles Municipal Code. Section 12.22 A.25 creates a procedure to waive or modify zoning code standards which may prevent, preclude or interfere with the effect of the density bonus by which the incentive or concession is granted, including legislative body review. The Ordinance must apply equally to all new residential development. However, this case is not requesting relief from zoning regulations. The process is ministerial and does not require discretionary action.

For the purpose of clarifying the Covenant Subordination Agreement between the City of Los Angeles and the United States Department of Housing and Urban Development (HUD) note that the covenant required in the Conditions of Approval herein shall prevail unless preempted by State or Federal law.

## PUBLIC HEARING AND COMMUNICATIONS

The Public Hearing on this matter was held at the West Los Angeles Municipal Building, 1645 Corinth Avenue, 2<sup>nd</sup> Floor Hearing Room, Los Angeles, CA 90012 on Monday, January 25, 2016 at 10:30 a.m.

### Summary of Public Hearing

1. Present: five people signed in at the public hearing.
2. Public Speakers: two people spoke at the hearing, not inclusive of the applicant team. Two people spoke in opposition to the project.
3. The applicant's representative spoke at the hearing and described the project design and entitlement requests.
4. Public Hearing Testimony Notes

#### *Speaker Comments Opposing the Project*

- Height – The project's height is out of scale with the neighborhood and will block views.
- Shade/Shadow – The project's massing may contribute to the casting of a large shadow and inhibiting sunlight.
- Affordable Housing – The project does not incorporate affordable or low-income housing.
- Energy Efficiency – The project should incorporate energy efficiency measures.
- Traffic – There is already a significant amount of traffic congestion in the area due to the proximity of the project to two elementary schools. The addition of 51-units will only add to the traffic problem.
- Parking – The additional units will increase the demand for parking in the area which is already scarce due to the density, mix of uses, schools, and neighborhood farmers market.

### Summary of Written Comments

1. Five (5) people submitted comments in opposition to the project; one petition against the project with 56 signatures was received. One (1) person submitted a written comment in support of the project.
2. Written Comments

#### *Written Comments Supporting the Project*

- Height – The project's height is not a problem– the height is appropriate to the area.
- Location – The housing project will be a great addition to the neighborhood considering it has been vacant and undeveloped for a long period of time.

- Amenities – The project is well designed and provides many amenities to the senior residents including a computer room, office space, conference room/business center, a rooftop garden, and a dog walk.
- Health and Activity – The project facilitates an active and healthy lifestyle by providing a residence for seniors that is walking distance to the local farmers market and neighborhood retail along Venice Boulevard.
- Parking – The parking lot can be configured to introduce new spaces by incorporating tandem parking.

*Written Comments Opposing the Project*

- Height – The height of the project is out of character with the community.
- Density – The proposed density of 51-units is too much for the area.
- Traffic – The increase in density will increase traffic in an area already congested with traffic due to the proximity to two elementary schools and the busses that run along Grand View Boulevard.
- Parking – It is already difficult to find parking in the area due to the density, mix of uses, schools, and neighborhood farmers market, the project will exacerbate the problem.
- Construction Nuisance – During the construction phase of the project, large trucks may inhibit traffic flow and reduce the availability of parking spaces. Additionally, the trucks may block driveways preventing the vehicle egress of neighboring buildings.