

**PLANNING DEPARTMENT TRANSMITTAL
TO THE CITY CLERK'S OFFICE**

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
DIR-2013-2966-DRB-SPP-SPPA-1A	ENV-2012-2986-ND ENV-2012-2986-CE	5 TH COUNCIL DISTRICT - KORETZ
PROJECT ADDRESS:		
10390 -10392 WEST ASHTON AVENUE, 1234 SOUTH BEVERLY GLEN BOULEVARD		
APPLICANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
10390 ASHTON, LLC 200 S. BARRINGTON AVE SUITE 492012 LOS ANGELES, CA 90049-6405 <input type="checkbox"/> New/Changed		
APPLICANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
MAJID NAEL, M AND BUILDING DESIGN ASSOCIATES 7056 MACAPA DRIVE LOS ANGELES, CA 90068	(323) 882-6666	MAJIDNAEL@SBCGLOBAL.NET
APPELLANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
NICOLE MINER P.O. BOX 642873 LOS ANGELES, CA	(310) 710-8248	NLBMINER@AOL.COM
APPELLANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
ROB GLUSHON LUNA & GLUSHON 16255 VENTURA BOULEVARD, SUITE 950 ENCINO, CA 91436	(818) 907-8755	RGLUSHON@LUNAGLUSHON.COM
PLANNER CONTACT INFORMATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:
SHEILA GERSHON	(213) 978-1376	SHEILA.GERSHON@LACITY.ORG
ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION		
ON MAY 12, 2017 THE CITY COUNCIL ASSERTED JURISDICTION PURSUANT TO SECTION 245 OF THE LOS ANGELES CITY CHARTER, AND REFERRED THIS MATTER TO THE PLANNING AND LAND USE COMMITTEE FOR ITS CONSIDERATION.		

FINAL ENTITLEMENTS NOT ADVANCING:

ITEMS APPEALED:

ENTIRE DECISION WAS APPEALED BY APPELLANT ON OCTOBER 31, 2016

ATTACHMENTS:	REVISED:	ENVIRONMENTAL CLEARANCE:	REVISED:
<input checked="" type="checkbox"/> Letter of Determination	<input type="checkbox"/>	<input checked="" type="checkbox"/> Categorical Exemption	<input type="checkbox"/>
<input checked="" type="checkbox"/> Findings of Fact	<input type="checkbox"/>	<input checked="" type="checkbox"/> Negative Declaration	<input type="checkbox"/>
<input checked="" type="checkbox"/> Staff Recommendation Report	<input type="checkbox"/>	<input type="checkbox"/> Mitigated Negative Declaration	<input type="checkbox"/>
<input checked="" type="checkbox"/> Conditions of Approval	<input type="checkbox"/>	<input type="checkbox"/> Environmental Impact Report	<input type="checkbox"/>
<input type="checkbox"/> Ordinance	<input type="checkbox"/>	<input type="checkbox"/> Mitigation Monitoring Program	<input type="checkbox"/>
<input type="checkbox"/> Zone Change Map	<input type="checkbox"/>	<input type="checkbox"/> Other _____	<input type="checkbox"/>
<input type="checkbox"/> GPA Resolution	<input type="checkbox"/>		
<input type="checkbox"/> Land Use Map	<input type="checkbox"/>		
<input type="checkbox"/> Exhibit A - Site Plan	<input type="checkbox"/>		
<input checked="" type="checkbox"/> Mailing List	<input type="checkbox"/>		
<input checked="" type="checkbox"/> Land Use	<input type="checkbox"/>		
<input checked="" type="checkbox"/> Other _____	<input type="checkbox"/>		

NOTES / INSTRUCTION(S):

“OTHER” ATTACHMENT: LETTER FROM APPELLANT’S REPRESENTATIVE DATED MAY 1, 2017.

FISCAL IMPACT STATEMENT:

Yes

No

*If determination states administrative costs are recovered through fees, indicate “Yes”.

PLANNING COMMISSION:

City Planning Commission (CPC)

Cultural Heritage Commission (CHC)

Central Area Planning Commission

East LA Area Planning Commission

Harbor Area Planning Commission

North Valley Area Planning Commission

South LA Area Planning Commission

South Valley Area Planning Commission

West LA Area Planning Commission

PLANNING COMMISSION HEARING DATE:	COMMISSION VOTE:
MAY 3, 2017	4-0
LAST DAY TO APPEAL:	APPEALED:
11/02/2016	YES
TRANSMITTED BY:	TRANSMITTAL DATE:
CLAUDIA RODRIGUEZ, COUNCIL LIAISON	05/12/2017



WEST LOS ANGELES AREA PLANNING COMMISSION

200 North Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300

www.planning.lacity.org

LETTER OF DETERMINATION

Mailing Date: MAY 1 1 2017

CASE NO.: DIR-2012-2966-DRB-SPP-SPPA-1A

Council District: 5 - Koretz

CEQA: ENV-2013-2986-ND

Plan Area: Westwood

Project Site: 10390 – 10392 West Ashton Avenue, 1234 South Beverly Glen Boulevard

Applicant: 10390 Ashton, LLC
Representative: Majid Nael, M And Building Design Associates

Appellant: Nicole Miner

At its meeting of **May 3, 2017**, the West Los Angeles Area Planning Commission took the actions below in conjunction with the approval of the following project:

The demolition of a detached garage and the construction of a two-story structure consisting of a dwelling unit over a garage to the rear of an existing two-story apartment building and a 50 square-foot addition to the existing two-story apartment home in the [Q]RD1.5-1XL Zone.

1. **Found**, pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Negative Declaration, No. ENV-2012-2986-ND, (“Negative Declaration”), as circulated on April 6, 2017, and all comments received, there is no substantial evidence that the project will have a significant effect on the environment; **found** the Negative Declaration reflects the independent judgment and analysis of the City; and **adopted** the Negative Declaration;
2. **Determined** based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to CEQA Guidelines, Section 1, Class 3, Category 2, and Class 32, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
3. **Denied** the appeal and **sustained** the Planning Director’s determination to approve a Design Review and a Project Permit Compliance for the project, pursuant to Los Angeles Municipal Code (LAMC) Section 16.50 and 11.5.7-C;
4. **Denied** the appeal and **sustained** the Planning Director’s determination to approve a Project Permit Adjustment with conditions for garage height of 9 feet in lieu of the maximum allowable height of 7 feet required by Section 6.D of the Westwood Community Multi-Family Specific Plan, pursuant to LAMC Section 11.5.7-E; and
5. **Adopted** the attached Conditions of Approval and Findings.

This action was taken by the following vote:

Moved: Margulies
Seconded: Halper
Ayes: Newhouse and Waltz Morocco
Absent: Merritt

Vote: 4 - 0



Harold Arrivillaga
Commission Executive Assistant I

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

Effective Date/Appeals: The West Los Angeles Area Planning Commission's actions on this matter are final and effective upon the mailing date, and not further appealable.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Adopted Condition and Findings

c: Notification List
Sheila Gershon, City Planning Associate
Debbie Lawrence, Senior City Planner

The project approval is based upon the attached Findings, and subject to the attached Conditions of Approval:

CONDITIONS OF APPROVAL

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit A," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Plan Implementation Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code, the project conditions, or the project permit authorization.
2. **Height.** The project shall be limited to two-stories and 27.5 feet in height.
3. **Parking.** The project shall provide 7 automobile parking spaces: 4 spaces for the existing three dwelling units on-site and 3 spaces for the new dwelling unit. One of the 7 spaces shall be reserved for guests. The applicant has chosen to replace up to one parking space with (4) bicycle parking spaces. A minimum of 6 vehicle parking spaces shall be provided, with required in-lieu bicycle parking.
4. **Parking Replacement.** Up to one of the required automobile parking spaces may be replaced with bicycle parking at a ratio of one automobile parking space for every four bicycle parking spaces provided pursuant to LAMC Section 12.21.A4. Should the applicant choose to replace any of the required automobile parking with bicycle parking, 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.
5. **Open Space.** The project shall provide at least 1,400 square feet of open space of which 700 square feet shall be landscaped. All required open space shall be located on the ground level. A minimum of 445 square feet shall be provided in the front yard and 1,331 square feet shall be provided in the areas beyond the required front and side yards, as shown on Sheet A2 of Exhibit A.
6. **Garage.** The project shall provide parking within the new garage. The height of the garage shall not extend more than 9 feet above the existing natural grade, measured from the ground elevation to the level immediately above the garage. The project shall enclose and provide mechanical ventilation for all portions above grade, except the driveways.
7. **Yard Requirements.** The project shall landscape at least fifty percent of each required front, side, and rear yard. Grasscrete shall cover the rear yard and a portion of the south side yard, as shown on Sheet A2 of Exhibit A.
8. **Equipment Screening.** All mechanical and electrical equipment shall be enclosed and/or screened from view. Screening shall match the color of the existing building on-site.
9. **Landscape Standards.**

- a. **Existing Landscaping.** The project shall be in substantial conformance with the landscape plan on sheets L1-L3 of Exhibit A. All new planting shall match existing plant types, including 5-gallon Ligustrum (Privet) and 1 or 5 gallon Agapanthus; and, any new lawn installed to replace the existing lawn, shall be marathion two.
- a. **Street Trees.** The project shall provide street trees as permitted by and in accordance with the current standards of the Street Tree Division, Bureau of Street Services, Department of Public Works. The project shall provide a minimum of three street trees along Beverly Glen Boulevard and three street trees along Ashton Boulevard, or to the satisfaction of the Bureau of Street Services.

The street trees shall be a minimum of twelve feet in height and not less than three inches in caliper at the time of planting, or as approved by the Bureau of Street Services.

10. **Design Review.** The project shall provide the following:
 - Windows and doors to be wood, shall match the existing wood windows and doors.
 - The proposed French doors shall be wood 2 lite wide x 6 lite high.
 - The roof on the bay windows shall match the existing standing seam metal.
 - The wood railings on the balcony shall match the proposed photo on Sheet A7.
 - The balcony edge shall have 1 inch x 2 inch molding running horizontally at top of balcony floor fascia.
 - New gutters and downspout shall match existing.

Administrative Conditions

11. **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.
13. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
14. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
15. **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.
16. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety

Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building 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.

17. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
18. **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

The proposed project involves the demolition of a detached one-story garage, for the construction of one new dwelling unit over a new garage located to the rear of an existing three unit apartment home, totaling to four dwelling units. The new garage will replace the existing garage and will be two-stories (one-story dwelling unit over one-story garage) at 27.5 feet, matching the height of the existing apartment home. The new dwelling unit will house three-bedrooms. Six automobile parking spaces and four bicycle parking spaces will be housed within the new garage. Common open space is provided within the front yard and beyond the required yards. The project also includes a minor addition of approximately 55 square feet to the south portion of the existing apartment home which will connect the apartment home to the new structure.

The project request also includes a Project Permit Specific Plan Adjustment to allow a garage height of 9 feet in lieu of the maximum allowable garage height of 7 feet per Section 6.D of the Westwood Community Multi-Family Specific Plan. The subject site is rectangular, approximately 8,694.5 square feet, and zoned [Q]RD1.5-1XL. The project is listed as a non-contributor within the Devon-Ashton Apartment Historic District.

The Devon-Ashton Apartment Historic District is characterized by one- or two-story apartment homes containing between two and eight units each. These homes were designed in the American Colonial Revival, Mid-Century Modern, and Minimal Traditional styles dating from the 1930's to 1940's. The existing apartment home on-site was constructed in 1940 and was designed with an architectural style of Minimal Traditional. As it applies to the site, the existing two-story apartment home will be retained and the project will be limited to the rear (east), not visible from public right-of-way. The new two-story structure will match the architectural style, color, material, and height of the existing apartment home. The project's design, massing, size, and scale are compatible with the existing structure on site and surrounding properties within the District.

1. A recommendation was made by the Westwood Community Design Review Board, pursuant to Los Angeles Municipal Code Section 16.50:

The Design Review Board met on September 21, 2016, and convened a quorum of five Board Members. The vote was unanimous, recommending approval of the project since the project will substantially comply with Section 16.50, Subsection E of the Los Angeles Municipal Code as well as the relevant design guidelines and development provisions of the Specific Plan.

The recommended conditions are:

- a. Windows and doors to be wood to match the existing wood windows and doors.
- b. The proposed French doors are to be wood 2 lite wide x 6 lite high.
- c. The roof on the bay windows shall match the existing standing seam metal.
- d. The wood railings on the balcony to match the proposed photo on Sheet A7.
- e. The balcony edge to have 1 inch x 2 inch molding running horizontally at top of balcony floor fascia.
- f. New gutters and downspout to match existing.
- g. New planting to match existing plant types, including 5-gallon Ligustrum (Privet) and 1 or 5 gallon Agapanthus. Any new lawn installed to replace the existing lawn, shall be marathon two.

The review and recommendation of the Westwood Community DRB was based upon conformance with the criteria in the Westwood Community Design Review Board Specific Plan (Section 6.B), as described below.

- a. The proposed structure conforms to provisions within the Westwood Community Plan and the Westwood Community Multi-Family Specific Plan. This includes conforming to the allowable density per the Low Medium II Residential Land Use designation and the corresponding [Q]RD1.5-1XL Zone. With a total lot area of approximately 8,695 square feet and a permitted density of 1,500 square feet of lot area per dwelling unit, the total density of four dwelling units (three existing, plus one new dwelling unit) is less than the allowable maximum of six units on the subject site. The proposed two-story rear structure and approximately 55 square foot addition to the existing apartment home conforms to applicable land use regulations, design standards and landscape standards of the Specific Plan, as described above, including height, parking, open space, yards, screening of roof-top equipment, landscaping and street trees. Lastly, the proposed structure compatible with the existing three-unit apartment home on-site and is consistent with the architectural style, massing, size, and scale of the surrounding homes within the Devon-Ashton Apartment Historic District.
- b. The proposed structure is designed so as not to cast shadows on one-third or more of any adjacent residential structure as projected on plan view for more than two hours between the hour of 9 a.m. and 3 p.m. on December 21. Per the shadow study submitted by the applicant, shadows are generated, but the proposed project does not cast shadows on one-third or more of any adjacent residential buildings for more than two hours.
- c. The proposed project will not result in equipment (such as ventilation, heating, and air conditioning devices) being visible from public view. As depicted in Exhibit A, mechanical and electrical equipment will be enclosed and/or screened from view. The stairwell to the proposed unit will not be visible from the public right-of-way, as it will be housed to the rear.
- d. The proposed building is compatible with the design, massing and architectural integrity of the surrounding buildings. The new two-story structure comprised of one new dwelling unit over a new garage will match the Minimal Traditional architectural style of the existing two-story, three-unit apartment home, as well as match in massing, scale, and building height. The façade is characterized by a simple stucco exterior decorated with Traditional French framed windows and doors, and wood shutters offering a break in the building mass.

The colors and materials will match the existing apartment home reflecting character defining features of Minimal Traditional architectural style. Colors and materials to include: stucco in an off-white finish (“Buttonweed”, Dunn-Edwards DE 3162); gabled roof with dark grey colored asphalt shingles; wooden windows and doors to match the white color; the balcony to match the existing wood railings; and the roof on the bay windows to match the existing standing seam metal. As recommended by the DRB, the French doors will be wood 2 lites wide x 6 lites high and the balcony edge will have 1 inch x 2 inch molding running horizontally at the top of the balcony floor fascia.

The architectural style is Minimal Traditional and is consistent with the surrounding apartment homes in the Devon-Ashton Apartment Historic District. The DRB found the project to be compatible with the architectural style, massing, scale, size, and building height of the existing two-story, three-unit apartment home on-site, and to be in-keeping with the apartment homes in the Historic District. They also found the project – to retain the existing apartment home and limit construction to the rear will maintain architectural integrity to the project site and to the surrounding apartment homes in the Historic District.

- e. The one-story parking garage extends approximately nine feet from grade to the floor elevation of the level immediately above the parking garage, exceeding the seven foot height limit. However, the proposed project includes a Specific Plan Adjustment to allow a garage height of 9 feet in lieu of the maximum allowable garage height of 7 feet (see Findings 3 through 5 below). All parking will be housed by the new garage.
- f. The landscape design is varied as reflected on the detailed Landscape and irrigation plan, included in Exhibit A. Plant material includes trees and shrubs, grass and other ground cover. As recommended by the DRB, any new planting will match existing plant types, including 5-gallon Ligustrum (Privet) and 1 or 5 gallon Agapanthus; and, any new lawn installed to replace the existing lawn, shall be marathon two.
- g. The sizes at maturity of plant materials are identified on the Landscape Plan. All landscaping, including trees, shrubs, and grass is to remain. If landscaping is removed during construction, new planting will match all existing plant types. As recommended by the DRB, any new planting will match existing plant types, including 5-gallon Ligustrum (Privet) and 1 or 5 gallon Agapanthus. Any new lawn installed shall be marathon two.
- h. The proposed project conforms to zoning and land use regulations of the Los Angeles Municipal Code. The proposed project consists of the demolition of an existing detached garage for the construction of a new dwelling unit over a new garage resulting in a four-unit residential building, and an approximately 55 square foot addition to the existing apartment home on-site. The existing use as multi-family residential will remain the same and the height of the proposed new two-story structure will match the height of the existing apartment home of 27.5 feet. Therefore, the subject site with the proposed project, will be in conformance with the Low Medium II Residential Land Use designation and the [Q]RD1.5-1XL Zone. The proposed project also satisfies parking, yard, open space and landscape requirements.

2. Project Permit Compliance

The project substantially complies with the applicable regulations, findings, standards, and provisions of the specific plan.

- a. Section 5.A., Building Height, of the Specific Plan is not applicable because the project site does not abut a R1 or more restrictive zone. The site abuts the R5 Zone to the north (across Ashton Avenue) and R3 to the west (across Beverly Glen Boulevard). Finally to the east and south, the zone is RD1.5. The project consisting

of a two-story structure of one unit over a garage will match the height of the existing residential building on-site at 27.5 feet.

- b. The proposed project substantially complies with Section 5.B., Parking Standards, of the Specific Plan which requires 2.25 parking spaces for units with four or fewer habitable rooms and 3.25 parking spaces for larger units. In addition, of these required spaces, one-quarter space per unit shall be guest parking. As depicted in Exhibit A, the new dwelling unit will have five habitable rooms requiring 3.25 parking spaces. The existing three-unit apartment home are serviced by four existing parking spaces which the new garage will provide. A total of seven parking spaces is required, with one designated for guest parking. The location of the guest space is not identified in Exhibit A. The project will provide six automobile parking spaces housed in the new garage. For the seventh required automobile parking space, the applicant has opted to replace it with four bicycle parking spaces pursuant to Los Angeles City Municipal Code Section 12.21.A4. Therefore, the project will meet the parking provisions of the Specific Plan. Condition 3 and 4 ensures that this provision of the Specific Plan will be met.
- c. The proposed project substantially complies with Section 6.A, Open Space, of the Specific Plan which requires 350 square feet of common open space per unit. Of this required open space, at least fifty percent must be landscaped, one-fourth may be above the ground level, and one-half of front and rear required yards may be applied toward the requirement if these yard areas are landscaped. As depicted in Exhibit A, there will be a total of four dwelling units on-site (three existing and one new dwelling unit), therefore requiring 1,400 square feet of open space. This requirement is met within the front and side yards, and areas beyond the required yards. The front yard is 890 square feet and one-half is landscaped, providing a minimum of 445 square feet of landscaped open space in the front yard. There will be 1,331 square feet of open space beyond the required (north) side yard, of which a minimum of 1,156 square feet of it will be landscaped. Lastly, there will be 131 square feet of open space in-between the existing apartment home and the new two-story structure. Therefore, the project will be providing 1,976 square feet of open space exceeding the minimum requirement. Approximately 90 percent of the open space is and will continue to be landscaped. Condition 5 ensures that the required open space will be provided.
- d. Section 6.B., Walkways, is not applicable because the width of the subject site is not 150 feet or more. As depicted in Exhibit A, the width of the site is approximately 50 feet.
- e. Section 6.C., Building Setbacks, is not applicable because the subject site is not directly across the street and within 200 feet of an R1 or more restrictive zone. Per ZIMAS, parcels across Ashton Avenue (north) are zoned R5; parcels across Beverly Glen Boulevard (west) are zoned R3; and properties to the south and to the west are zoned RD1.5.
- f. The proposed project substantially complies with Section 6.D, Garage, of the Specific Plan which allows only one level of a parking garage above the natural existing grade, up to a maximum of seven feet in height, measured to the floor elevation of the level immediately above the parking garage. As depicted in Exhibit A, the new garage will be one-story, built at-grade, and reach nine feet in height.

However, the applicant is requesting a Project Permit Specific Plan Adjustment to allow for the nine feet in lieu of the maximum allowable garage height of 7 feet (see Findings 3 through 5 below). Condition 6 ensures that the garage will not extend more than nine feet above grade.

- g. The proposed project substantially complies with Section 6.E, Yard Requirements, of the Specific Plan which requires that a minimum of fifty percent of each of the required front, rear and side yards be landscaped. As depicted in Exhibit A, the front yard is 890 square feet in area and one-half of this area is 444.5 square feet. However, 822 square feet of the front yard is currently landscaped and will continue to be maintained. The north side yard consists of 575 square feet of area and approximately 95 percent of it currently is and will continue to be landscaped. The south side yard consists of 217.5 square feet of area and approximately 143 square feet of it is currently landscaped. The rear yard is 325 square feet of area and one-half is 162.5 square feet, which will be grasscrete. In addition to the landscaped required yards, a variety of existing trees, shrubs, and grass decorate large open areas beyond the required yards. Any landscaping that is removed during construction, will be replaced to match the existing. Condition 7 ensures that 50 percent of all yards will be landscaped.
- h. Section 6.F., Buffer, is not applicable as the project site does not immediately abut a R1 or more restrictive zone. Per ZIMAS, across Ashton Avenue (north) are zoned R5; parcels across Beverly Glen Boulevard (west) are zoned R3; and properties to the south and to the west are zoned RD1.5.
- i. The proposed project substantially complies with Section 6.G, Screening, of the Specific Plan which requires that structures on the roof be fully screened from view from adjacent properties, as seen from the grade. As depicted in Exhibit A, no mechanical equipment is proposed for the rooftop. However, an electoral panel will be installed on the south side of the building and will be screened from public view. Condition 8 ensures all mechanical and electrical equipment will be screened.
- j. The proposed project substantially complies with Section 7.A., Landscape Standards General Requirements, of the Specific Plan which requires that a Landscape Plan be prepared by a licensed architect or landscape architect and submitted to the Westwood Community Design Review Board (DRB) for review and approval. In addition, the Landscape Plan is required to illustrate details of the plants and plant material (i.e., names, size at maturity, locations, planting schedule, irrigation plan) and to involve a variety of plant materials. As depicted in Exhibit A, the Landscape Plan has been prepared by a licensed architect, and includes: an irrigation plan; a variety of plant material, including grass and other ground cover, shrubs, and trees; and, clear identification of plant material locations, and size at maturity. The DRB reviewed and recommended approval of the Landscape Plan and Irrigation Plan at its regular meeting on September 21, 2016. This included a recommendation that any new planting will match existing plant types, including 5-gallon Ligustrum (Privet) and 1 or 5 gallon Agapanthus. Any new lawn installed to replace the existing lawn, shall be marathons two for substantial conformance with this plan has been conditioned in Condition 9.
- k. The proposed project substantially complies with Section 7.B., Street Trees, of the Specific Plan which requires that street trees be approved by the Bureau of Street Maintenance/Street Tree Division, planted at a minimum ratio of one for every thirty

linear feet of street frontage abutting the project, and be at least twelve feet in height and three inches in caliper at time of planting. There are two existing street trees fronting Ashton Boulevard and two existing street trees fronting Beverly Glen Boulevard. The total linear frontage of the project site is approximately 191 feet, requiring six street trees. If the Bureau of Street Services determines that more street trees can be accommodated in the parkway, the project shall plant up to six street trees per Bureau's standards and per Specific Plan standards. Condition 9 ensures conformance with all of these standards.

3. Project Permit Specific Plan Adjustment

That there are special circumstances applicable to the project or project site which make the strict application of the specific plan regulation(s) impractical.

The original project involved the demolition of an existing two-story, three-unit apartment home and detached one-story garage; for the construction of a three-story, five-unit singular residential building over one level of subterranean parking. However, during the environmental initial study phase of the environmental review, it was learned that the subject site and surrounding properties were being surveyed for a proposed historic district, referred to as the Devon-Ashton Apartment Historic District (characterized by one- or two-story apartment homes containing between two and eight units each architectural style exemplifying American Colonial Revival, Mid-Century Modern, and Minimal Traditional styles dating from the 1930's to 1940's). Subsequently, after meeting stark opposition from local community members, the applicants redesigned their project to retain the existing apartment home and limit the scope of work to the rear of the site, away from public view. The existing detached one-story garage will be demolished and replaced with a new two-story structure consisting of one new dwelling unit over a new garage, which will match the architectural style, color, material, and height of the existing building. The project, as revised, is now consistent with the surrounding properties in the Historic District.

The existing garage requires replacement, as it was constructed in 1940 and cannot structurally support a second-story. As a result, the new garage will allow for the construction of a new dwelling unit on top. The height of the existing garage, measured from the floor elevation to the level immediately above the parking garage is nine feet. To be consistent with the existing, the new garage will match this height at nine feet, exceeding the seven foot height limit in Section 6D of the Specific Plan.

This provision was intended for new multifamily developments built over subterranean parking, as well as to limit the view of the garage from the public street allowing for more architectural details to decorate the building façade. However, it was not intended for existing properties to be retained.

Furthermore, the Westwood Community Multifamily Specific Plan was established to provide development standards for new multifamily developments to ensure "orderly, attractive and harmonious, multiple-family residential development in the Westwood community which takes into consideration the architectural character and environmental setting of the community." The project meets this objective, as the project will preserve the existing architectural character and environmental setting of the site and surrounding properties in the Historic District. The additional two feet in height is minimal as it will match the height of the existing garage. For all of the above reasons, there are such circumstances

applicable to the project making the strict application of the specific plan height regulation impractical.

- 4. That in granting the Project Permit Adjustment, the Director has imposed project requirements and/or decided that the proposed project will substantially comply with all applicable specific plan regulations.**

The project as designed substantially complies with all the applicable provisions within the Westwood Community Multifamily Specific Plan with no deviation requests from the City of Los Angeles Municipal Code. In addition, Conditions 1 through 10 will ensure project compliance with these provisions are met. The additional height permitting a garage height of nine feet, in lieu of the maximum permitted height of seven feet, will allow for a project design that is consistent with the Minimal Traditional architectural style of the existing two-story, three-unit apartment building, and it will match the height of the existing detached one-story garage proposed for demolition. Lastly, the project will be consistent with the proposed Devon-Ashton Apartment Historic District.

- 5. That in granting the Project Permit Adjustment, the Director has considered and found no detrimental effects of the adjustment on surrounding properties and public rights-of-way.**

The adjustment permitting a garage height of nine feet in lieu of seven feet will render no detrimental effects on surrounding properties and public rights-of-way. The proposed garage will not be visible from public right-of-way as it will be located to the rear of the site, away from any street frontage. In addition, the total height of the garage, plus the construction of a new dwelling unit above it will be two-stories matching the height of the existing apartment home on-site. More importantly, the height will be consistent with the adjacent properties. The proposed two-story structure will not cast shadows on one-third or more of any adjacent residential structure as projected on a plan view for more than two hours between the hours of 9 a.m. and 3 p.m. on December 21. In addition, the proposed project complies with all the regulations in the Westwood Community Multifamily Specific Plan and the City of Los Angeles Municipal Code. Lastly, the adjustment request is a direct result of preserving the architectural character, mass, and scale of the existing apartment home on-site and the proposed Historic District. Therefore, granting the adjustment will have no detrimental effects on surrounding properties and public rights-of-way.

4. Environmental Review

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 project was issued a Negative Declaration (ENV-2012-2986-ND), and a Categorical Exemption (ENV-2012-2986-CE), prepared by the Department of City Planning in accordance with the City of Los Angeles CEQA Guidelines. As such, it reflects the independent judgment of Department staff as a designee of the Director of Planning.

The Planning Department received a few comment letters from concerned residents regarding the site's relation to the proposed Devon-Ashton Apartment Historic District.

However, these concerns were based on the old project plans to demolish the entire site and construct a new three-story, five-unit apartment building. The project as revised, involves retaining the existing two-story, three-unit apartment home and demolishing the existing detached garage for the replacement and construction of a new garage and one new dwelling unit on top, and an approximately 55 square foot addition to the existing apartment home. The scope of work is limited to the rear of the site and is not visible from the public right-of-way. A Negative Declaration, ENV-2012-2986-ND was issued on April 6, 2017 in accordance with the revised project description.

No comments were received for Negative Declaration, ENV-2012-2986-ND

On the basis of the whole administrative record, including the Negative Declaration, No. ENV-2012-2986-ND, and all comments received, there is no substantial evidence that the project will have a significant effect on the environment. The 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.

A Categorical Exemption, ENV-2012-2986-CE, was also prepared for the proposed project consistent with the provisions of the California Environmental Quality Act and the City CEQA Guidelines. The project as revised, retains the existing two-story apartment home and development is limited to the rear, away from public right-of-way. The project involves demolition of a detached one-story garage, for the construction of one new dwelling unit over a new garage, resulting in a total of four dwelling units on site. The Categorical Exemption prepared for the proposed project is appropriate pursuant to Article III, Section 1, Class 3, Category 2, and Class 32 (CEQA Guidelines Section 15332), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

The Class 3 Category 2 categorical exemption allows for new construction of apartments, duplexes, and similar structures designed for not more than four dwelling units, or not in conjunction with the construction of two or more such structures. The project proposes the demolition of an existing one-story detached garage, for the construction of a detached one-story detached garage with the addition of one dwelling unit above it located to the rear of the site. The existing two-story 3 unit apartment home will be retained, totaling to four units on site. No other structure is proposed.

Therefore, the project is determined to be categorically exempt and does not require mitigation or monitoring measures and no alternatives of the project were evaluated. An appropriate environmental clearance has been granted.

FINDINGS

(As Adopted by the West Los Angeles Area Planning Commission on May 3, 2017)

The proposed project involves the demolition of a detached one-story garage, for the construction of one new dwelling unit over a new garage located to the rear of an existing three unit apartment home, totaling to four dwelling units. The new garage will replace the existing garage and will be two-stories (one-story dwelling unit over one-story garage) at 27.5 feet, matching the height of the existing apartment home. The new dwelling unit will house three-bedrooms. Six automobile parking spaces and four bicycle parking spaces will be housed within the new garage. Common open space is provided within the front yard and beyond the required yards. The project also includes a minor addition of approximately 55 square feet to the south portion of the existing apartment home which will connect the apartment home to the new structure.

The project request also includes a Project Permit Specific Plan Adjustment to allow a garage height of 9 feet in lieu of the maximum allowable garage height of 7 feet per Section 6.D of the Westwood Community Multi-Family Specific Plan. The subject site is rectangular, approximately 8,694.5 square feet, and zoned [Q]RD1.5-1XL. The project is listed as a non-contributor within the Devon-Ashton Apartment Historic District.

The Devon-Ashton Apartment Historic District is characterized by one- or two-story apartment homes containing between two and eight units each. These homes were designed in the American Colonial Revival, Mid-Century Modern, and Minimal Traditional styles dating from the 1930's to 1940's. The existing apartment home on-site was constructed in 1940 and was designed with an architectural style of Minimal Traditional. As it applies to the site, the existing two-story apartment home will be retained and the project will be limited to the rear (east), not visible from public right-of-way. The new two-story structure will match the architectural style, color, material, and height of the existing apartment home. The project's design, massing, size, and scale are compatible with the existing structure on site and surrounding properties within the District.

1. A recommendation was made by the Westwood Community Design Review Board, pursuant to Los Angeles Municipal Code Section 16.50:

The Design Review Board met on September 21, 2016, and convened a quorum of five Board Members. The vote was unanimous, recommending approval of the project since the project will substantially comply with Section 16.50, Subsection E of the Los Angeles Municipal Code as well as the relevant design guidelines and development provisions of the Specific Plan.

The recommended conditions are:

- a. Windows and doors to be wood to match the existing wood windows and doors.
- b. The proposed French doors are to be wood 2 lite wide x 6 lite high.
- c. The roof on the bay windows shall match the existing standing seam metal.
- d. The wood railings on the balcony to match the proposed photo on Sheet A7.
- e. The balcony edge to have 1 inch x 2 inch molding running horizontally at top of balcony floor fascia.
- f. New gutters and downspout to match existing.
- g. New planting to match existing plant types, including 5-gallon Ligustrum (Privet) and 1 or 5 gallon Agapanthus. Any new lawn installed to replace the existing lawn, shall be marathon two.

The review and recommendation of the Westwood Community DRB was based upon conformance with the criteria in the Westwood Community Design Review Board Specific Plan (Section 6.B), as described below.

- a. The proposed structure conforms to provisions within the Westwood Community Plan and the Westwood Community Multi-Family Specific Plan. This includes conforming to the allowable density per the Low Medium II Residential Land Use designation and the corresponding [Q]RD1.5-1XL Zone. With a total lot area of approximately 8,695 square feet and a permitted density of 1,500 square feet of lot area per dwelling unit, the total density of four dwelling units (three existing, plus one new dwelling unit) is less than the allowable maximum of six units on the subject site. The proposed two-story rear structure and approximately 55 square foot addition to the existing apartment home conforms to applicable land use regulations, design standards and landscape standards of the Specific Plan, as described above, including height, parking, open space, yards, screening of roof-top equipment, landscaping and street trees. Lastly, the proposed structure compatible with the existing three-unit apartment home on-site and is consistent with the architectural style, massing, size, and scale of the surrounding homes within the Devon-Ashton Apartment Historic District.
- b. The proposed structure is designed so as not to cast shadows on one-third or more of any adjacent residential structure as projected on plan view for more than two hours between the hour of 9 a.m. and 3 p.m. on December 21. Per the shadow study submitted by the applicant, shadows are generated, but the proposed project does not cast shadows on one-third or more of any adjacent residential buildings for more than two hours.
- c. The proposed project will not result in equipment (such as ventilation, heating, and air conditioning devices) being visible from public view. As depicted in Exhibit A, mechanical and electrical equipment will be enclosed and/or screened from view. The stairwell to the proposed unit will not be visible from the public right-of-way, as it will be housed to the rear.
- d. The proposed building is compatible with the design, massing and architectural integrity of the surrounding buildings. The new two-story structure comprised of one new dwelling unit over a new garage will match the Minimal Traditional architectural style of the existing two-story, three-unit apartment home, as well as match in massing, scale, and building height. The façade is characterized by a simple stucco exterior decorated with Traditional French framed windows and doors, and wood shutters offering a break in the building mass.

The colors and materials will match the existing apartment home reflecting character defining features of Minimal Traditional architectural style. Colors and materials to include: stucco in an off-white finish (“Buttonweed”, Dunn-Edwards DE 3162); gabled roof with dark grey colored asphalt shingles; wooden windows and doors to match the white color; the balcony to match the existing wood railings; and the roof on the bay windows to match the existing standing seam metal. As recommended by the DRB, the French doors will be wood 2 lites wide x 6 lites high and the balcony edge will have 1 inch x 2 inch molding running horizontally at the top of the balcony floor fascia.

The architectural style is Minimal Traditional and is consistent with the surrounding apartment homes in the Devon-Ashton Apartment Historic District. The DRB found the project to be compatible with the architectural style, massing, scale, size, and building height of the existing two-story, three-unit apartment home on-site, and to be in-keeping with the apartment homes in the Historic District. They also found the project – to retain the existing apartment home and limit construction to the rear will maintain architectural integrity to the project site and to the surrounding apartment homes in the Historic District.

- e. The one-story parking garage extends approximately nine feet from grade to the floor elevation of the level immediately above the parking garage, exceeding the seven foot height limit. However, the proposed project includes a Specific Plan Adjustment to allow a garage height of 9 feet in lieu of the maximum allowable garage height of 7 feet (see Findings 3 through 5 below). All parking will be housed by the new garage.
- f. The landscape design is varied as reflected on the detailed Landscape and irrigation plan, included in Exhibit A. Plant material includes trees and shrubs, grass and other ground cover. As recommended by the DRB, any new planting will match existing plant types, including 5-gallon Ligustrum (Privet) and 1 or 5 gallon Agapanthus; and, any new lawn installed to replace the existing lawn, shall be marathon two.
- g. The sizes at maturity of plant materials are identified on the Landscape Plan. All landscaping, including trees, shrubs, and grass is to remain. If landscaping is removed during construction, new planting will match all existing plant types. As recommended by the DRB, any new planting will match existing plant types, including 5-gallon Ligustrum (Privet) and 1 or 5 gallon Agapanthus. Any new lawn installed shall be marathon two.
- h. The proposed project conforms to zoning and land use regulations of the Los Angeles Municipal Code. The proposed project consists of the demolition of an existing detached garage for the construction of a new dwelling unit over a new garage resulting in a four-unit residential building, and an approximately 55 square foot addition to the existing apartment home on-site. The existing use as multi-family residential will remain the same and the height of the proposed new two-story structure will match the height of the existing apartment home of 27.5 feet. Therefore, the subject site with the proposed project, will be in conformance with the Low Medium II Residential Land Use designation and the [Q]RD1.5-1XL Zone. The proposed project also satisfies parking, yard, open space and landscape requirements.

2. Project Permit Compliance

The project substantially complies with the applicable regulations, findings, standards, and provisions of the specific plan.

- a. Section 5.A., Building Height, of the Specific Plan is not applicable because the project site does not abut a R1 or more restrictive zone. The site abuts the R5 Zone to the north (across Ashton Avenue) and R3 to the west (across Beverly Glen Boulevard). Finally to the east and south, the zone is RD1.5. The project consisting

of a two-story structure of one unit over a garage will match the height of the existing residential building on-site at 27.5 feet.

- b. The proposed project substantially complies with Section 5.B., Parking Standards, of the Specific Plan which requires 2.25 parking spaces for units with four or fewer habitable rooms and 3.25 parking spaces for larger units. In addition, of these required spaces, one-quarter space per unit shall be guest parking. As depicted in Exhibit A, the new dwelling unit will have five habitable rooms requiring 3.25 parking spaces. The existing three-unit apartment home are serviced by four existing parking spaces which the new garage will provide. A total of seven parking spaces is required, with one designated for guest parking. The location of the guest space is not identified in Exhibit A. The project will provide six automobile parking spaces housed in the new garage. For the seventh required automobile parking space, the applicant has opted to replace it with four bicycle parking spaces pursuant to Los Angeles City Municipal Code Section 12.21.A4. Therefore, the project will meet the parking provisions of the Specific Plan. Condition 3 and 4 ensures that this provision of the Specific Plan will be met.
- c. The proposed project substantially complies with Section 6.A, Open Space, of the Specific Plan which requires 350 square feet of common open space per unit. Of this required open space, at least fifty percent must be landscaped, one-fourth may be above the ground level, and one-half of front and rear required yards may be applied toward the requirement if these yard areas are landscaped. As depicted in Exhibit A, there will be a total of four dwelling units on-site (three existing and one new dwelling unit), therefore requiring 1,400 square feet of open space. This requirement is met within the front and side yards, and areas beyond the required yards. The front yard is 890 square feet and one-half is landscaped, providing a minimum of 445 square feet of landscaped open space in the front yard. There will be 1,331 square feet of open space beyond the required (north) side yard, of which a minimum of 1,156 square feet of it will be landscaped. Lastly, there will be 131 square feet of open space in-between the existing apartment home and the new two-story structure. Therefore, the project will be providing 1,976 square feet of open space exceeding the minimum requirement. Approximately 90 percent of the open space is and will continue to be landscaped. Condition 5 ensures that the required open space will be provided.
- d. Section 6.B., Walkways, is not applicable because the width of the subject site is not 150 feet or more. As depicted in Exhibit A, the width of the site is approximately 50 feet.
- e. Section 6.C., Building Setbacks, is not applicable because the subject site is not directly across the street and within 200 feet of an R1 or more restrictive zone. Per ZIMAS, parcels across Ashton Avenue (north) are zoned R5; parcels across Beverly Glen Boulevard (west) are zoned R3; and properties to the south and to the west are zoned RD1.5.
- f. The proposed project substantially complies with Section 6.D, Garage, of the Specific Plan which allows only one level of a parking garage above the natural existing grade, up to a maximum of seven feet in height, measured to the floor elevation of the level immediately above the parking garage. As depicted in Exhibit A, the new garage will be one-story, built at-grade, and reach nine feet in height.

However, the applicant is requesting a Project Permit Specific Plan Adjustment to allow for the nine feet in lieu of the maximum allowable garage height of 7 feet (see Findings 3 through 5 below). Condition 6 ensures that the garage will not extend more than nine feet above grade.

- g. The proposed project substantially complies with Section 6.E, Yard Requirements, of the Specific Plan which requires that a minimum of fifty percent of each of the required front, rear and side yards be landscaped. As depicted in Exhibit A, the front yard is 890 square feet in area and one-half of this area is 444.5 square feet. However, 822 square feet of the front yard is currently landscaped and will continue to be maintained. The north side yard consists of 575 square feet of area and approximately 95 percent of it currently is and will continue to be landscaped. The south side yard consists of 217.5 square feet of area and approximately 143 square feet of it is currently landscaped. The rear yard is 325 square feet of area and one-half is 162.5 square feet, which will be grasscrete. In addition to the landscaped required yards, a variety of existing trees, shrubs, and grass decorate large open areas beyond the required yards. Any landscaping that is removed during construction, will be replaced to match the existing. Condition 7 ensures that 50 percent of all yards will be landscaped.
- h. Section 6.F., Buffer, is not applicable as the project site does not immediately abut a R1 or more restrictive zone. Per ZIMAS, across Ashton Avenue (north) are zoned R5; parcels across Beverly Glen Boulevard (west) are zoned R3; and properties to the south and to the west are zoned RD1.5.
- i. The proposed project substantially complies with Section 6.G, Screening, of the Specific Plan which requires that structures on the roof be fully screened from view from adjacent properties, as seen from the grade. As depicted in Exhibit A, no mechanical equipment is proposed for the rooftop. However, an electoral panel will be installed on the south side of the building and will be screened from public view. Condition 8 ensures all mechanical and electrical equipment will be screened.
- j. The proposed project substantially complies with Section 7.A., Landscape Standards General Requirements, of the Specific Plan which requires that a Landscape Plan be prepared by a licensed architect or landscape architect and submitted to the Westwood Community Design Review Board (DRB) for review and approval. In addition, the Landscape Plan is required to illustrate details of the plants and plant material (i.e., names, size at maturity, locations, planting schedule, irrigation plan) and to involve a variety of plant materials. As depicted in Exhibit A, the Landscape Plan has been prepared by a licensed architect, and includes: an irrigation plan; a variety of plant material, including grass and other ground cover, shrubs, and trees; and, clear identification of plant material locations, and size at maturity. The DRB reviewed and recommended approval of the Landscape Plan and Irrigation Plan at its regular meeting on September 21, 2016. This included a recommendation that any new planting will match existing plant types, including 5-gallon Ligustrum (Privet) and 1 or 5 gallon Agapanthus. Any new lawn installed to replace the existing lawn, shall be marathons two for substantial conformance with this plan has been conditioned in Condition 9.
- k. The proposed project substantially complies with Section 7.B., Street Trees, of the Specific Plan which requires that street trees be approved by the Bureau of Street Maintenance/Street Tree Division, planted at a minimum ratio of one for every thirty

linear feet of street frontage abutting the project, and be at least twelve feet in height and three inches in caliper at time of planting. There are two existing street trees fronting Ashton Boulevard and two existing street trees fronting Beverly Glen Boulevard. The total linear frontage of the project site is approximately 191 feet, requiring six street trees. If the Bureau of Street Services determines that more street trees can be accommodated in the parkway, the project shall plant up to six street trees per Bureau's standards and per Specific Plan standards. Condition 9 ensures conformance with all of these standards.

3. Project Permit Specific Plan Adjustment

That there are special circumstances applicable to the project or project site which make the strict application of the specific plan regulation(s) impractical.

The original project involved the demolition of an existing two-story, three-unit apartment home and detached one-story garage; for the construction of a three-story, five-unit singular residential building over one level of subterranean parking. However, during the environmental initial study phase of the environmental review, it was learned that the subject site and surrounding properties were being surveyed for a proposed historic district, referred to as the Devon-Ashton Apartment Historic District (characterized by one- or two-story apartment homes containing between two and eight units each architectural style exemplifying American Colonial Revival, Mid-Century Modern, and Minimal Traditional styles dating from the 1930's to 1940's). Subsequently, after meeting stark opposition from local community members, the applicants redesigned their project to retain the existing apartment home and limit the scope of work to the rear of the site, away from public view. The existing detached one-story garage will be demolished and replaced with a new two-story structure consisting of one new dwelling unit over a new garage, which will match the architectural style, color, material, and height of the existing building. The project, as revised, is now consistent with the surrounding properties in the Historic District.

The existing garage requires replacement, as it was constructed in 1940 and cannot structurally support a second-story. As a result, the new garage will allow for the construction of a new dwelling unit on top. The height of the existing garage, measured from the floor elevation to the level immediately above the parking garage is nine feet. To be consistent with the existing, the new garage will match this height at nine feet, exceeding the seven foot height limit in Section 6D of the Specific Plan.

This provision was intended for new multifamily developments built over subterranean parking, as well as to limit the view of the garage from the public street allowing for more architectural details to decorate the building façade. However, it was not intended for existing properties to be retained.

Furthermore, the Westwood Community Multifamily Specific Plan was established to provide development standards for new multifamily developments to ensure "orderly, attractive and harmonious, multiple-family residential development in the Westwood community which takes into consideration the architectural character and environmental setting of the community." The project meets this objective, as the project will preserve the existing architectural character and environmental setting of the site and surrounding properties in the Historic District. The additional two feet in height is minimal as it will match the height of the existing garage. For all of the above reasons, there are such circumstances

applicable to the project making the strict application of the specific plan height regulation impractical.

4. **That in granting the Project Permit Adjustment, the Director has imposed project requirements and/or decided that the proposed project will substantially comply with all applicable specific plan regulations.**

The project as designed substantially complies with all the applicable provisions within the Westwood Community Multifamily Specific Plan with no deviation requests from the City of Los Angeles Municipal Code. In addition, Conditions 1 through 10 will ensure project compliance with these provisions are met. The additional height permitting a garage height of nine feet, in lieu of the maximum permitted height of seven feet, will allow for a project design that is consistent with the Minimal Traditional architectural style of the existing two-story, three-unit apartment building, and it will match the height of the existing detached one-story garage proposed for demolition. Lastly, the project will be consistent with the proposed Devon-Ashton Apartment Historic District.

5. **That in granting the Project Permit Adjustment, the Director has considered and found no detrimental effects of the adjustment on surrounding properties and public rights-of-way.**

The adjustment permitting a garage height of nine feet in lieu of seven feet will render no detrimental effects on surrounding properties and public rights-of-way. The proposed garage will not be visible from public right-of-way as it will be located to the rear of the site, away from any street frontage. In addition, the total height of the garage, plus the construction of a new dwelling unit above it will be two-stories matching the height of the existing apartment home on-site. More importantly, the height will be consistent with the adjacent properties. The proposed two-story structure will not cast shadows on one-third or more of any adjacent residential structure as projected on a plan view for more than two hours between the hours of 9 a.m. and 3 p.m. on December 21. In addition, the proposed project complies with all the regulations in the Westwood Community Multifamily Specific Plan and the City of Los Angeles Municipal Code. Lastly, the adjustment request is a direct result of preserving the architectural character, mass, and scale of the existing apartment home on-site and the proposed Historic District. Therefore, granting the adjustment will have no detrimental effects on surrounding properties and public rights-of-way.

4. **Environmental Review**

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 project was issued a Negative Declaration (ENV-2012-2986-ND), and a Categorical Exemption (ENV-2012-2986-CE), prepared by the Department of City Planning in accordance with the City of Los Angeles CEQA Guidelines. As such, it reflects the independent judgment of Department staff as a designee of the Director of Planning.

The Planning Department received a few comment letters from concerned residents regarding the site's relation to the proposed Devon-Ashton Apartment Historic District.

However, these concerns were based on the old project plans to demolish the entire site and construct a new three-story, five-unit apartment building. The project as revised, involves retaining the existing two-story, three-unit apartment home and demolishing the existing detached garage for the replacement and construction of a new garage and one new dwelling unit on top, and an approximately 55 square foot addition to the existing apartment home. The scope of work is limited to the rear of the site and is not visible from the public right-of-way. A Negative Declaration, ENV-2012-2986-ND was issued on April 6, 2017 in accordance with the revised project description.

No comments were received for Negative Declaration, ENV-2012-2986-ND

On the basis of the whole administrative record, including the Negative Declaration, No. ENV-2012-2986-ND, and all comments received, there is no substantial evidence that the project will have a significant effect on the environment. The 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.

A Categorical Exemption, ENV-2012-2986-CE, was also prepared for the proposed project consistent with the provisions of the California Environmental Quality Act and the City CEQA Guidelines. The project as revised, retains the existing two-story apartment home and development is limited to the rear, away from public right-of-way. The project involves demolition of a detached one-story garage, for the construction of one new dwelling unit over a new garage, resulting in a total of four dwelling units on site. The Categorical Exemption prepared for the proposed project is appropriate pursuant to Article III, Section 1, Class 3, Category 2, and Class 32 (CEQA Guidelines Section 15332), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

The Class 3 Category 2 categorical exemption allows for new construction of apartments, duplexes, and similar structures designed for not more than four dwelling units, or not in conjunction with the construction of two or more such structures. The project proposes the demolition of an existing one-story detached garage, for the construction of a detached one-story detached garage with the addition of one dwelling unit above it located to the rear of the site. The existing two-story 3 unit apartment home will be retained, totaling to four units on site. No other structure is proposed.

Therefore, the project is determined to be categorically exempt and does not require mitigation or monitoring measures and no alternatives of the project were evaluated. An appropriate environmental clearance has been granted.