

**PLANNING DEPARTMENT TRANSMITTAL
TO THE CITY CLERK'S OFFICE
SUPPLEMENTAL
*CF 17-0537***

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
DIR-2016-304-DB-SPR-1A	ENV-2016-2229-MND	11 TH DISTRICT
PROJECT ADDRESS:		
12440 – 12492 VENICE BOULEVARD		
PLANNER CONTACT INFORMATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:
CONNIE CHAUV	213-978-0016	CONNIE.CHAUV@LACITY.ORG

NOTES / INSTRUCTION(S):	
<p>TRANSMITTAL OF THE CONDITIONS OF APPROVAL AND FINDINGS AS MODIFIED BY THE PLANNING & LAND USE MANAGEMENT COMMITTEE AT ITS MEETING ON AUGUST 22, 2017.</p>	
TRANSMITTED BY:	TRANSMITTAL DATE:
Claudia Rodriguez Council Liaison	08/25/2017

CONDITIONS OF APPROVAL

(As modified by Planning and Land Use Management Committee 8-22-17)

Density Bonus Conditions

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit 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, West/South LA Project Planning 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 or the project conditions.
2. **Residential Density.** The project shall be limited to a maximum density of 77 residential units, including Density Bonus Units.
3. **Affordable Units.** A minimum of 7 units, that is 11 percent of the base 58 dwelling units, shall be reserved as affordable units, as defined by the State Density Bonus Law 65915 (C)(2). No additional affordable units are required per Assembly Bill (AB) 2222 as replacement units as HCIDLA has determined there are currently no affordable units on-site.
4. **Changes in Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units or change parking numbers shall be consistent with LAMC Section 12.22 A.25 (9a-d).
5. **Housing Requirements.** Prior to the 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 7 units available to Very Low Income Households, for sale or rental as determined to be affordable to such households by HCIDLA for a period of 55 years. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with any monitoring requirements established by the HCIDLA. Refer to the Density Bonus Legislation Background section of this determination.
6. **Floor Area.** The project shall be approximately 62,652 square feet of floor area, as shown in Exhibit "A".
7. **Automobile Parking for Residential Uses.** The project qualifies for reduced parking requirements in accordance with AB 744 as a mixed income project within one half mile of a major transit stop to which the project has unobstructed access. Pursuant to AB 744, based upon the number and/or type of dwelling units proposed, a minimum of 46 automobile parking spaces is required for the residential uses of the project. The project proposes 62 one-bedroom units, which require 31 parking spaces, and 15 two-bedroom units, which require 15 parking spaces, at a ratio of 0.5 parking spaces per bedroom. The project is proposing 25 additional vehicular parking spaces, including the 6 commercial parking spaces as stated below, for a total of 77 vehicular parking spaces provided. At least five percent of the total automobile parking spaces shall be installed with EV Charging Stations and a minimum of twenty percent of the total automobile parking spaces shall be capable of supporting future electric vehicle supply equipment (EVSE). EVSE, infrastructure, and all devices related to EV charging shall be installed in accordance with California Electrical Code and to the satisfaction of the Department of Building and Safety.

8. **Automobile Parking for Commercial Uses.** The project site is located within 1,500 feet of a portal of a fixed rail transit station, bus station, or similar transit facility. As such, for the 2,100 square feet of commercial uses, the project shall provide a minimum of 6 automobile parking spaces. This figure includes a thirty percent (2 space) reduction of the required 8 automobile parking spaces, which is a ratio of one space for every 500 square feet of commercial square footage, as required by LAMC Section 12.21 A.4.
9. **Adjustment of Parking.** In the event that the number of Restricted Affordable Units should increase, or the composition of such units should change (i.e. the number of bedrooms, or the number of units made available to Senior Citizens and/or Disabled Persons), or the applicant selects another Parking Option (including Bicycle Parking Ordinance) and no other Condition of Approval or incentive is affected, then no modification of this determination shall be necessary, and the number of parking spaces shall be re-calculated by the Department of Building and Safety based upon the ratios set forth above.
10. **Bicycle Parking.** Bicycle parking shall be provided consistent with LAMC Section 12.21 A.16. Long-term bicycle 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. Short-term and long-term bicycle parking for general retail stores requires one bicycle parking space per 2,000 square feet, with a minimum of two bicycle parking spaces for both long- and short-term bicycle parking. Based upon the number of dwelling units and the permitted replacement of 30 percent (or 2 spaces) of the required commercial automobile parking with 8 bicycle parking spaces per LAMC Section 12.21 A.4, 79 long-term and 10 short-term bicycle parking spaces shall be provided onsite. Both long-term and short-term bicycle parking must be located consistent with LAMC Section 12.21 A.16.

Site Plan Review Conditions

11. **Residential Floor Heights.** No residential habitable floor area shall have a floor-to-ceiling height in excess of 8 feet, except as otherwise required by the City of Los Angeles Building Code.
12. **Mezzanine.** Any double-height areas in excess of 8 feet floor-to-ceiling height shall be removed from top floor units containing a mezzanine level.
13. **Underground Parking.** All project parking shall be placed underground.
14. **Mixed Use Project.** In accordance with the Mini-Shopping Center and Commercial Corner Development exemptions of LAMC Section 12.22 A.23 (d)(1), the project shall provide a minimum of 35 percent of the Ground Floor Building Frontage abutting a public commercially zoned street, excluding driveways or pedestrian entrances, for commercial uses to a minimum depth of 25 feet in accordance with LAMC Section 13.09 B.3.
15. **Open Space.** The project shall provide 8,075 square feet of common open space areas. The common open space areas shall be designed with the minimum dimension and landscaping requirements per LAMC Section 12.21 G.2(a).
16. **Ground Floor Façade.** All portions of the ground floor façade shall be landscaped and screened with trees and shrubs.

17. **Streetscape Improvements.** Prior to issuance of building permits, the applicant shall coordinate with the Mayor's Office and the Bureau of Engineering regarding streetscape improvements along Venice Boulevard in accordance with the Great Streets Initiative of Venice Boulevard.
18. **Loading.** Loading and unloading activities shall not interfere with traffic on any public street. Public sidewalks, alleys, and/or other public ways shall not be used for the parking, loading or unloading of vehicles. The location of loading areas shall be clearly identified on the site plan to the satisfaction of the Department of City Planning and the Department of Transportation.
19. **Trellis Wall.** Grade level areas reserved for vehicular circulation shall be screened with a trellis wall in accordance with Sheets A3.03 and A3.02 of Exhibit A. The trellis wall or green screen shall screen vehicular headlights from view.
20. **Mechanical Equipment.** All mechanical equipment on the roof shall be screened from view. The transformer, located on the corner of Wasatch Avenue and the alley.

Environmental Mitigation Conditions

21. **Project Design.** In addition to the required mitigation measures, the Project also includes project design features that prevent any significant impacts from occurring through design. These project design features are included below, and are conditions of the project that must be monitored and enforced as if they were mitigation measures. While these project design features are not required by the code, the City of Los Angeles has required them of the project, and they may not be deleted except by public hearing. These project design features are listed below:
 - a. The Project shall provide a primary residential building lobby, pedestrian-oriented retail or other active uses, streetscape seating, and drought-resistant landscaping to enhance its frontage along Venice Boulevard as shown in Exhibit A.
 - b. All building entrances shall be enhanced with a combination of recesses, architectural treatments, distinctive materials or lighting, entryway awnings, textured paving, or attractive signage.
 - c. Entryway treatments, such as awnings and canopies, shall be designed to be compatible in size, scale, and color, as well as be integral to, the overall building design. Awnings shall be made out of a material consistent with the building design as shown in Exhibit A.
 - d. Each ground-floor façade shall have a minimum of sixty (60) percent clear transparency with non-reflective glass, and shall remain free of opaque materials that obscure ground-floor windows and block visibility from sidewalk areas into the interior of the building.
 - e. The Project shall provide horizontal architectural treatments and/or façade articulations such as cornices, friezes, awnings, pedestrian amenities, or other features for the first thirty (30) feet of building height. The Project shall incorporate varying design to provide definition for each floor, and incorporate high-end finishes and landscaped areas at the ground floor to create a distinct building "base" for pedestrian scale.
 - f. The Project shall provide vertical architectural treatments and/or façade articulations such as columns, pilasters, indentations, storefront bays, windows, landscaping, or other features for at least every twenty-five (25) feet on center.
 - g. The residential portion of the building shall be differentiated from the ground floor commercial by upper level step-backs, changes in color, texture, or materials, recessed balconies, or other changes in the building plane. The uppermost residential level shall be stepped back, in substantial conformance with Exhibit A, to reduce the massing of the building.

- h. Exterior security grilles or permanently affixed security bars, roll-down grilles that conceal storefront windows, and chain link fences that are visible from Venice Boulevard or Wasatch Avenue are prohibited. Stores should use alternatives such as interior security grilles, or vandal-proof glazing which is resistant to impact.
- i. The exterior elevations shall incorporate no more than three complementary building materials and colors each, as shown in Exhibit A.
- j. All exterior lighting shall be low-intensity and shielded to prevent glare or light spillover to pedestrians and adjacent properties.
- k. All areas of a site not occupied by buildings or driveways shall be landscaped at site entrances and along walkways. Landscaping consisting of small trees, planter boxes, or tubs of flowers should be provided, where feasible. Plants shall not obstruct the pedestrian right-of-way nor create inappropriate visual or physical barriers for vehicles or pedestrians. Landscaping shall consist of plant materials, such as trees and shrubs or ground cover, that are native or drought-tolerant. Trees shall be planted in the adjacent public right-of-way at a ratio of one tree for every thirty (30) feet of lot frontage or to the satisfaction of the Urban Forestry Division, Bureau of Street Services, Department of Public Works.
- l. The Project shall locate all vehicular access, loading, and trash off the rear alley as shown in Exhibit A. Trash storage bins shall not be visible from public right-of way or adjacent residences.
- m. All exterior mechanical equipment, including HVAC equipment, satellite dishes, cellular antennas, shall not be visible from public rights-of-way. Equipment shall be enclosed or screened through use of building parapets, masonry walls, or other architectural treatments that are integral to the building's form.
- n. In accordance with LAMC Sec 12.21 A.16, short-term bicycle parking shall be located along Venice Boulevard or Wasatch Avenue to maximize visibility and access from building entrances. Long-term bicycle parking shall be provided within the at-grade parking level, with an entrance from the building lobby for ease of accessibility.
- o. The project shall configure twenty (20) percent of vehicular parking spaces with electric vehicle charging stations, and provide solar-ready roofs.

22. Greenhouse Gas.

- a. Low- and non-VOC containing paints, sealants, adhesives, solvents, asphalt primer, and architectural coatings (where used), or pre-fabricated architectural panels shall be used in the construction of the Project to reduce VOC emissions to the maximum extent practicable.
- b. To encourage carpooling and the use of electric vehicles by Project residents and visitors, at least twenty (20) percent of the total code-required parking spaces provided for all types of parking facilities, but in no case less than one location, shall be capable of supporting future electric vehicle supply equipment (EVSE). Plans shall indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating ampacity. Only raceways and related components are required to be installed at the time of construction. When the application of the 20 percent results in a fractional space, round up to the next whole number. A label stating "EVCAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.

23. Increased Noise Levels (Demolition, Grading, and Construction Activities).

- a. 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.
- b. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- c. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

24. Public Services (Fire).

- a. The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

25. Public Services (Police).

- a. 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.

26. Public Services (Police).

- a. The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.

27. Safety Hazards.

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

28. Transportation/Traffic (Pedestrian Safety).

- a. Applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the applicant to maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding, etc) from work

space and vehicular traffic and overhead protection, due to sidewalk closure or blockage, at all times.

- b. Temporary pedestrian facilities shall be adjacent to the project site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.
- c. Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.
- d. The applicant shall keep sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction staging. The sidewalk shall be reopened as soon as reasonably feasible taking construction and construction staging into account.

29. Utilities (Local Water Supplies – All New Construction).

- a. Environmental impacts may result from project implementation due to the cumulative increase in demand on the City's water supplies. However, this potential impact will be mitigated to a less than significant level by the following measures:
- b. If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
- c. Install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.
- d. Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.

30. Utilities (Local Water Supplies – New Residential).

- a. Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.
- b. Install and utilize only high-efficiency clothes washers (water factor of 6.0 or less) in the project, if proposed to be provided in either individual units and/or in a common laundry room(s). If such appliance is to be furnished by tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
- c. Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.

Administrative Conditions

31. 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.

32. 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.

33. **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.
34. **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.
35. **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.
36. **Condition Compliance.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
37. Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file
38. **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.
39. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
40. **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 \$50,000. 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.

DENSITY BONUS/AFFORDABLE HOUSING INCENTIVES COMPLIANCE FINDINGS

(As modified by Planning and Land Use Management Committee 8-22-17)

The project proposes an allowance for a 3:1 Floor Area Ratio (FAR) in lieu of the normally required 1.5:1 FAR. The proposed project qualifies for a Density Bonus FAR increase because it is located within 1,500 feet of several transit stops as defined by LAMC Section 12.22.A.25. The proposed project is located at the intersection of Venice Boulevard and Wasatch Avenue, and is approximately 400 feet away from the major intersection of Venice Boulevard and Centinela Avenue, which contains 2 transit stops. The transit stops within a 1,500 foot radius include Culver City Bus Lines 2 (Inglewood) and 5 (Braddock), Metro Bus Line 33 and 733 (Downtown LA), and Big Blue Bus Line 16 (Wilshire/Bundy – Marina Del Rey) and 14 (Bundy/Centinela).

1. Pursuant to Section 12.22 A.25(c) of the LAMC, the Director shall approve a density bonus and requested incentive(s) unless the director finds that:

- a. *The incentives are not required to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for the affordable units.*

The record does not contain substantial evidence that would allow the Director to make a finding that the requested incentives are not necessary to provide for affordable housing costs per State Law. The California Health & Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs for Very Low, Low, and Moderate Income Households. Section 50052.5 addresses owner-occupied housing and Section 50053 addresses rental households. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed 25 percent gross income based on area median income thresholds dependent on affordability levels.

The list of on-menu incentives in LAMC Section 12.22 A.25 were pre-evaluated at the time the Density Bonus Ordinance was adopted to include types of relief that minimize restrictions on the size of the project. As such, the Director will always arrive at the conclusion that the density bonus on-menu incentives are required to provide for affordable housing costs because the incentives by their nature increase the scale of the project.

The requested incentive, an allowance for a 3:1 Floor Area Ratio (FAR) in lieu of the normally required 1.5:1 Floor Area Ratio, is expressed in the Menu of Incentives per LAMC 12.22 A.25(f) and, as such, permit exceptions to zoning requirements that result in building design or construction efficiencies that provide for affordable housing costs. The requested incentive allows the developer to expand the building envelope so the additional 7 restricted affordable units can be constructed and the overall space dedicated to residential uses is increased. These incentive supports the applicant's decision to set aside 7 Very Low Income dwelling units for 55 years.

Floor Area Ratio Increase: The subject site is zoned C2-1, which allows for 58 units on the 23,134 square foot site, with a maximum 1.5:1 FAR. Height District 1 allows for unlimited height by right. Pursuant to LAMC Section 12.22 A.25, the site qualifies for the Density Bonus FAR increase from 1.5:1 to 3:1 because it is located within 1,500 feet of several transit stops serving Big Blue Bus Lines 14 (Bundy/Centinela) and 16 (Wilshire/Bundy – Marina Del Rey), Culver City Bus Lines 2 (Inglewood) and 5 (Braddock), and Metro Bus Line 33 and 733 (Downtown LA). The FAR Increase incentive permits a percentage increase in the allowable Floor Area Ratio equal to the percentage of Density Bonus for which the Housing Development Project is eligible, not to exceed 35 percent. The proposed project qualifies for a maximum 3:1 FAR and is

providing a maximum floor area of 62,652 square feet. The proposed 3:1 FAR creates 27,951 additional square feet.

FAR by-right	Buildable Lot Area (sf)	Total Floor Area (sf)
1.5:1	23,134 *	23,134 x 1.5 = 34,701

*23,134 sf gross lot area less including half the abutting rear alley and less required yards.

FAR proposed	Buildable Lot Area (sf)	Total Floor Area (sf)	Additional Floor Area (sf)
2.62	23,134	62,652	62,652– 34,701= 27,951

- a. *The Incentive will have a specific adverse impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse Impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.*

There is no evidence that the proposed incentive will have a specific adverse impact. A “specific adverse impact” is defined as, “a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete” (LAMC Section 12.22.A.25(b)). The proposed project and potential impacts were analyzed in accordance with the City’s Environmental Quality Act (CEQA) Guidelines and the City’s L.A. CEQA Thresholds Guide. These two documents establish guidelines and thresholds of significant impact, and provide the data for determining whether or not the impacts of a proposed Project reach or exceed those thresholds. Analysis of the proposed project involved the preparation of a Mitigated Negative Declaration (MND) (ENV-2016-2229-MND), and it was determined that the proposed project may have an impact on the following environmental factors: aesthetics; greenhouse gas emissions; noise; public services (fire, police); transportation/traffic (safety hazards, inadequate emergency access, pedestrian safety); utilities and service systems (water). However, mitigation measures will reduce impacts to less than significant, and are imposed as Conditions of Approval herein (Conditions 21 through 30). Therefore, there is no substantial evidence that the proposed Project will have a specific adverse impact on the physical environment, on public health and safety, and on property listed in the California Register of Historic Resources.

The Mitigated Negative Declaration (MND) prepared by the City Planning Department was circulated for public review on September 22, 2016. The review period ended on October 12, 2016. A summary of the comments is provided in the Environmental Finding section of this report.

The concerns identified during the environmental public comment period were addressed in the Mitigated Negative Declaration (ENV-2016-2229-MND) and in the Mitigation Monitoring Program (MMP) through mitigation measures identified as

Conditions 21 (Project Design), 22 (Greenhouse Gas), and 28 (Transportation/Traffic) in this Determination Letter.

In addition, an Errata to the MND was prepared on August 18, 2017 to analyze an amendment to the project description for consideration by City Council. The subject amendments involve the removal of at-grade parking and the addition of one new subterranean parking level, resulting in a 6-story residential building underlain by a two-level subterranean parking garage.

After review of the IS/MND and preparation of the Errata, it is determined that the changes to the project are not expected to result in new or different significant impacts requiring any new or modified mitigation measures. The changes to the project are not expected to result in any changes to the environment that are different in kind or nature from those identified in the IS/MND. Further analysis and information, including a Geotechnical Update Report prepared by R.T. Frankian & Associates (dated August 18, 2017) is provided in the Errata in the case file.

The Errata does not identify any new, significant effect or mitigation measures or project revisions to reduce an effect to insignificance. No new measures or revisions are required. None of the changes described in this Errata constitute a substantial revision of the MND. Rather, the Errata clarifies, amplifies, and/or makes minor modifications to the circulated IS/MND. Therefore, based on the analysis including herein and pursuant to State CEQA Guidelines §15073.5, recirculation of the MND is not required.

SITE PLAN REVIEW FINDINGS

(As modified by Planning and Land Use Management Committee 8-22-17)

2. The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan.

The proposed project is in substantial conformance with the purposes, intent, and provisions of the General Plan, and the Palms – Mar Vista – Del Rey Community Plan.

The site is located within the adopted Palms – Mar Vista – Del Rey Community Plan area, and is designated for Community Commercial land uses corresponding to the CR, C2, C4, RAS3, RAS4 Zones and Height District 1. The site is zoned C2-1 which allows up to 79 dwelling units on the project site through the Density Bonus Ordinance. Consistent with the Community Plan, the proposed 77-unit mixed-use development, which includes 7 Very Low Income units, adds new multi-family housing and much needed affordable housing to Los Angeles's housing supply, in a neighborhood which is conveniently located to a variety of community services and multi-modal transportation options.

The project would provide a diverse set of uses that (1) facilitate vehicle trip reduction, reduce vehicle miles traveled, and reduce air pollution; (2) accommodate necessary residential growth and provide a mix of apartment sizes and affordability levels, including restricted very low income units; and (3) reinforce an existing community center by providing an array of retail choices, streetscape, and landscaping opportunities, and wide sidewalk that would be inviting to nearby residents and pedestrians along Venice Boulevard.

General Plan – Framework Element

The General Plan designates the subject site with Community Commercial land use designation. Community Commercial areas are intended as pedestrian-oriented, high activity, multi- and mixed-use centers that support and provide identity for Los Angeles's communities. The Community Commercial land use designation corresponds to the C2-1 zone which also allows for R4 uses (High Medium Residential land uses), and estimates 56 to 109 dwelling units per acre.

The General Plan Framework identifies the Venice Boulevard and Centinela Avenue intersection as Community Center. Per the Framework's Long Range Land Use Diagram for the West/Coastal Los Angeles area, a "Community Center" is identified as: "A focal point for surrounding residential neighborhoods and containing a diversity of uses such as small offices and overnight accommodations, cultural and entertainment facilities, schools and libraries, in addition to neighborhood oriented services. Community Centers range from floor area ratios of 1.5:1 to 3:1. Generally, the height of different types of Community Centers will also range from 2- to 6-story buildings, e.g., some will be 2-story Centers, some 4- or 6-story Centers depending on the character of the surrounding area. Community Centers are served by small shuttles, local buses in addition to automobiles and/or may be located along rail transit stops". Also, "a Community Center may start with a low intensity, e.g., floor area ratio of 1.5:1, but permit a bonus density... and higher building heights whenever new development also includes housing".

Land Use Element - Palms – Mar Vista – Del Rey Community Plan

The proposed project also aligns with the intent of the Palms – Mar Vista – Del Rey Community Plan to maintain the community's distinctive character by:

Preserving and enhancing the positive characteristics of existing residential neighborhoods while providing a variety of compatible housing opportunities.

Improving the function, design and economic vitality of the commercial and industrial areas.

Maximizing development opportunities around future transit systems while minimizing any adverse impacts.

Preserving and strengthening commercial and industrial developments to provide a diverse job-producing economic base and through design guidelines and physical improvements enhance the appearance of these areas.

In addition, the proposed project aligns with the Palms – Mar Vista – Del Rey Community Plan policies that aim to provide a safe, secure, and high quality residential environment for all community residents in Mar Vista (Goal 1), a strong and competitive commercial sector which promotes economic vitality, serves the needs of the community through well designed, safe, and accessible areas while preserving the historic, commercial, and cultural character of the community (Goal 2) while meeting the following policies:

Policy 1-1.1: Provide for adequate multi-family residential development.

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.

Policy 1-3.1: Require architectural compatibility and landscaping for new infill development to protect the character and scale of existing residential neighborhoods.

Objective 1-4: To promote the adequacy and affordability of multiple-family housing and increase its accessibility to more segments of the population.

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

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

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

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

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

Policy 2-2.1: Encourage Pedestrian-oriented design in designated areas and in new development.

Policy 2-2.2: Require that mixed-use projects and development in pedestrian-oriented areas are developed according to specific design guidelines to achieve a distinctive character and compatibility with surrounding uses.

Policy 2-2.4: Promote mixed use projects along designated corridors and in appropriate commercial centers.

The project utilizes State Density Bonus Law for the provision of affordable housing units on a site currently only built out with commercial uses. This promotes a wider range of housing units and price points available in the neighborhood. In addition, the project proposes a combination of residential and commercial uses on the commercially-zoned lot, thereby preventing residential-only development along commercial corridors, and also providing a transition between the commercial corridor and adjacent residential uses.

The Urban Design Chapter (Chapter V) of the Palms – Mar Vista – Del Rey Community Plan indicates that new residential projects in Multiple-Family Residential areas should promote architectural design that enhances the quality of life, living conditions, and neighborhood pride of the residents. Specifically, pedestrian-oriented commercial areas should be vibrant, safe, well-designed, and economically viable by incorporating good design with complementary landscaping and streetscape to foster pedestrian activity and economic vitality.

The design of all proposed projects shall be articulated to provide variation and visual interest, enhance the streetscape by providing continuity and avoiding opportunities for graffiti.

Front facades and facades facing rear parking shall maximize the area devoted to transparent building elements, such as windows and doors.

The use of articulations, recesses, surface perforations and other architectural features to break up long, flat building facades.

In a Community Center and in Neighborhood Districts, distinctive architectural style/type should be incorporated with building materials and color suitable for the type and design and should be architecturally harmonious.

Minimizing the number of widths of driveways providing sole access to the rear of commercial lots.

Maximizing retail and commercial service uses along frontages of commercial developments.

Providing front pedestrian entrances for businesses fronting on main commercial streets.

Also, multi-family projects should promote harmony in relationship between new and existing buildings, avoid excessive variety and monotonous repetition and be sensitive to the scale, form, height, and proportion of surrounding development, through:

The use of articulation, recess, or perforations of surfaces to break up long, flat building facades with varying rooflines.

Utilization of complementary building materials, textures and color in building facades.

Incorporating varying design to provide definition to each floor and uniformity of detail, scale and proportions.

Integrating building fixtures, awnings, security gates or wall/fence into the design of the building.

Screening all rooftop equipment and building appurtenances from public view.

Mobility Plan 2035

The proposed project also conforms with the following additional policies of the Mobility Plan, including:

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

3.3 – Land Use Access and Mix: 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 project utilizes State Density Bonus Law for the construction of a mixed-use development that provides both housing opportunities and commercial spaces in close proximity to public transit along the Venice corridor. In addition, the project utilizes AB 744 (California Government Code Section 65915 (p)(2)) to decrease the number of required parking spaces by-right, encouraging multi-modal transportation and decreasing vehicle miles traveled in the neighborhood.

In addition, the site is located at the intersection of Venice and Wasatch, approximately 1,000 feet away from the intersection of Venice Boulevard and Centinela Boulevard. According to the Mobility Plan, this section of Venice Boulevard is identified as a “Comprehensive Transit Enhanced Street”, and this section of Centinela is identified as a “Moderate Transit Enhanced Street”. The Transit-Enhanced streets outlined in the Plan strive to:

“provide reliable and frequent transit service that is convenient and safe; increase transit mode share; reduce single-occupancy vehicle trips; and integrate transit infrastructure investments with the identity of the surrounding street”.

Therefore, these corridors are envisioned to receive:

“a number of enhancements to improve line performance and/or the overall user experience for people who walk and take transit. Enhancements may range from streetscape improvements to make walking safer and easier, to transit shelters, or bus lanes”.

The Mobility Plan also identifies Venice Boulevard as a key “Tier 1 Protected Bicycle Lane” street in its Bicycle Enhanced Network, which envisions “fully separated, protected bicycle lanes” along designated corridors.

The project is also within the future Coastal Transportation Corridor Specific Plan (“CTC”) and the future Livable Boulevards Streetscape Plan, both which implement the Mobility Plan. As planned, the CTC identifies a series of multi-modal enhancements to the Venice corridor, including streetscape improvements, cycle tracks, and rapid bus enhancements with increased service frequency and bus stop improvements. The CTC also identifies “Venice Rapid Bus Enhancements” along this portion of Venice Boulevard, which will increase frequency of service, and create a Venice Circulator Shuttle. The project is also consistent with the vision of the future Livable Boulevards Streetscape Plan, in providing pedestrian lights, outdoor seating, and stormwater collection along the project frontage on Venice Boulevard.

Housing Element 2013-2021

The proposed project also conforms with the applicable policies of the Housing Element, including:

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

Policy 1.3.5: Provide sufficient land use and density to accommodate an adequate supply of housing units within the City to meet the projections of housing needs

GOAL 2: A City in which housing helps to create safe, livable and sustainable neighborhoods.

Objective 2.2: Promote sustainable neighborhoods that have mixed-income housing, jobs, amenities, services and transit.

Policy 2.2.1: Provide incentives to encourage the integration of housing with other compatible land uses.

Policy 2.2.2: Provide incentives and flexibility to generate new multi-family housing near transit and centers, in accordance with the General Plan Framework element, as reflected in Map ES.1.

Objective 2.5: Promote a more equitable distribution of affordable housing opportunities throughout the City.

Program 98: In accordance with State law, provide a density bonus up to 35% over the otherwise allowable density as well as reduced parking requirements for all residential developments that include units affordable to very low-, low- and/or moderate-income households. Provide additional incentives and concessions to required development standards in order to provide the buildable area needed for the affordable units and increased density.

The proposed project will result in a net increase of 77 new residential units to the City's housing stock and conforms with the applicable provisions of the Housing Element. Pursuant to Density Bonus requirements, 11 percent of the base density, or 7 units, will be set aside for Very Low Income units. Additionally, this mixed-use development is sited in a Transit Priority Area and is in close proximity to multi-modal transportation options, including major transit stops and within the Venice Boulevard portion included in the Great Streets Initiative Program. The project utilizes State Density Bonus Law to increase the allowable FAR from 1.5:1 to 3:1 and also reduce the parking requirements, thereby allowing the creation of affordable units around transit stops. Locating new housing in this portion of Venice Boulevard will allow residents to have better access to employment centers and places of interest in the Palms-Mar Vista-Del Rey Community Plan area.

The Housing Element states that the Framework Element "directs anticipated growth to high density, mixed use centers and to the neighborhoods around its 80 rail stations", and also that the Community Plan Update process will "coincide with the Framework Element's emphasis on designated centers, such as... along the City's current and proposed light-rail and bus rapid transit lines, where the City has made significant public infrastructure investments". Therefore, the proposed project is consistent with both the Framework Element and Housing Element's vision to target growth near public transit corridors.

In addition, this subject block of Venice Boulevard has been identified on the Housing Element's Inventory and Maps of Parcels Available for Housing by Community Plan Area. The Inventory of Sites for Housing identifies parcels suitable for additional residential development without the need for any discretionary zoning action by the City. Therefore, the project is consistent with the Housing Element's vision of providing housing on these applicable sites.

Citywide Design Guidelines

The project also substantially complies with the objectives and principles of urban design identified in the Residential Citywide Design Guidelines, including the following:

Creates a strong street wall by locating building frontages at the front property line where no setback requirements exist, or at the required setback.

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.

Maintain an active street presence for ground floor retail establishments in mixed-use projects by incorporating at least one usable street-facing entrance with doors unlocked during regular business hours.

In mixed-use projects, ensure that ground floor uses maintain a high degree of transparency and maximize a visual connection to the street by providing clear and unobstructed windows, free of reflective glass coatings, exterior mounted gates, or security grills.

Alternate different textures, colors, materials, and distinctive architectural treatments to add visual interest while avoiding dull and repetitive facades.

Prioritize pedestrian access first and automobile access second. Orient parking and driveways toward the rear or side of buildings and away from the public right-of-way. On corner lots, parking should be oriented as far from the corner as possible.

Maintain continuity of the sidewalk by minimizing the number of curb cuts for driveways and utilizing alleys for access and egress.

Mitigate the impact of parking visible to the street with the use of planting and landscape walls tall enough to screen headlights.

As shown in the project plans stamped as Exhibit "A", the proposed project would include design features and landscaping improvements to enhance the visual quality of the area. All design elements, including off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements have been designed to be compatible with existing and future development on adjacent properties and neighboring properties. The proposed project will provide pedestrian-oriented retail, streetscape seating, off-street parking, bicycle parking and drought-resistant landscaping to enhance this area of Venice Boulevard. The proposed project creates a strong street wall with pedestrian-oriented retail and a residential lobby along Venice Boulevard. The building incorporates a modulated façade, varied rooflines, a variety of building materials, textures, colors to add architectural interest to the building. High-end finishes and landscaped areas separate the ground floor retail from the residences above to create a distinct "base" for pedestrian scale. Therefore, the proposed project is consistent with the purposes, intent and provisions of the General Plan, Palms – Mar Vista – Del Rey Community Plan, Housing Element, and the Residential Citywide Design Guidelines.

Walkability Checklist

The project would be consistent with the City's Walkability Checklist in that it would redevelop and enhance a key site along the Venice corridor, which is envisioned as a Great Street, Transit-Enhanced corridor, and Bicycle-Enhanced corridor, and is central to the downtown Mar Vista neighborhood. The project will replace the existing two-story, 16,420 square-foot L-shaped commercial shopping center that is primarily vehicular-oriented. The existing shopping center locates the buildings towards the rear corner of the site, with its surface parking lot towards the street frontage at the corner of Venice and Wasatch, and poses conflicts to pedestrian activity and walkability.

As shown in the project plans, the proposed project would include a combination of streetscape and building design features to enhance the visual quality of the area and the walkability of the project site along Venice Boulevard. Furthermore, as conditioned, the project shall incorporate streetscape improvements in accordance with the Great Streets

Initiative of Venice Boulevard (Condition No. 17). Specifically, the project will provide pedestrian-oriented retail, streetscape seating, off-street parking, bicycle parking and drought-resistant landscaping to enhance this area of Venice Boulevard; create a strong street wall with pedestrian-oriented retail and a residential lobby along Venice Boulevard; and create a distinct “base” for pedestrian scale through high-end finishes and landscaped areas to separate the ground floor retail from the residences above. All design elements, including off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements have been designed to be compatible with existing and future development on adjacent properties and neighboring properties, and better assist the walkability of the site.

SCAG 2016 RTP/SCS

The project is consistent with the policies and projections of the Southern California Association of Governments (SCAG). For instance, the site is within a “High Quality Transit Area” as defined by the Southern California Association of Governments (SCAG). The project is within SCAG’s 2020 population projections for the City in their 2016 Regional Transportation Plan¹. The types and amounts of development would be within the range anticipated in applicable policies and growth projections, including in the General Plan Framework, Palms-Mar Vista-Del Rey Community Plan, General Plan Housing Element, and regional/SCAG policies.

City Planning Commission Directives

The project would be consistent with the City Planning Commission directives including Do Real Planning, the Advisory Notice Relative to Above-Grade Parking, and policies regarding electric vehicle parking, solar panels, nighttime lighting, and place-making strategies.

The project would be consistent with applicable sections of the Planning Commission’s Do Real Planning Document and objectives related to walkability, density around transit, housing opportunities for every income, green buildings, landscaping, and smarter parking requirements.

The project will comply with the City Planning Commission Advisory Notice Relative to Above-Grade Parking. The project will replace the existing surface parking lot with a mixed-use development that locates all parking spaces underground.

The project will configure twenty percent of the required parking as electric vehicle charging stations, and provide a photovoltaic space set-aside on the roof for future installation of solar-ready roofs. All exterior lighting shall be low-intensity and shielded to prevent glare or light spillover to pedestrians and adjacent properties. In addition, the project will incorporate place-making strategies that will contribute to the Great Streets Initiative of Venice Boulevard, including pedestrian-oriented retail, streetscape seating, off-street parking, bicycle parking and drought-resistant landscaping, trellis walls, and public art features.

- 3. The project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements that is or will**

¹ Southern California Association of Governments, 2016-2040 Regional Transportation Program, <http://scagrtpscsc.net/Pages/default.aspx>

be compatible with existing and future development on adjacent properties and neighboring properties.

The project proposes the construction of a 6-story with a mezzanine level, mixed-use building totaling 62,652 square feet with 77 dwelling units. The proposed project's FAR is 3:1, which is allowed by State Density Bonus Law. As conditioned, development of the proposed mixed-use development will be compatible with the existing and future development of the neighborhood.

The project area along the Venice Corridor near the Centinela Avenue intersection is comprised of a mix of low-rise and mid-rise residential buildings and commercial buildings, ranging from two- to five-stories in height. Although the project will replace a two-story commercial structure, the proposed six-story building will provide a variation in height to the neighborhood. Adjacent properties on Venice Boulevard zoned C2 are located in the same Height District 1 as the subject property, which has an unlimited building height, by right. While the proposed project's massing exceeds the existing prevailing development pattern, the overall height is allowed by the Los Angeles Municipal Code and State Density Bonus Law, as described below. Furthermore, given that the several blocks surrounding the project site along Venice Boulevard have the same land uses designations and zoning, it can be anticipated that those surrounding sites can also be developed to the same scale under State Density Bonus Law.

In addition, design strategies have been incorporated to ensure the project is compatible with existing and future development on adjacent and neighboring properties as well as along the Venice Corridor. Further compliance with the Citywide Design Guidelines for residential development will be incorporated to ensure the existing visual character of the site is not substantially degraded.

The proposed project would include design features and landscaping improvements to enhance the visual quality of the area. All design elements, including off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements have been designed to be compatible with existing and future development on adjacent properties and neighboring properties. The proposed project will provide pedestrian-oriented retail, streetscape seating, off-street parking, bicycle parking and drought-resistant landscaping to enhance this area of Venice Boulevard. The project creates a strong street wall with pedestrian-oriented retail and a residential lobby along Venice Boulevard. The building incorporates a modulated façade, varied rooflines, a variety of building materials, textures, colors to add architectural interest to the building. High-end finishes and landscaped areas separate the ground floor retail from the residences above to create a distinct "base" for pedestrian scale.

Height

The proposed project consists of a building that is six stories in height with a mezzanine level, and will be limited to approximately 66 feet in height, with residential floor-to-ceiling heights limited to 8 feet as required by Condition No. 11. The subject property is zoned C2 and is located within Height District 1, which allows unlimited height by right. In addition, the site is within a Transit Priority Area, as defined by PRC Section 21099 (d)(1) and Zoning Information ("ZI") File 2452, as shown in Exhibit G; therefore, the project's aesthetic impacts (including height) shall not be considered a significant impact on the environment for CEQA purposes.

The project area along the Venice Corridor near the Centinela Avenue intersection is comprised of a mix of low-rise and mid-rise residential buildings and commercial buildings, ranging from one- to five-stories in height. While the proposed building height exceeds the

existing prevailing development pattern, there are several buildings within the project's vicinity and greater community that are similar in massing and height. For instance, the proposed project located at 3822-3842 S. Dunn Drive is a much larger development at 85 feet tall, with 86 dwelling units. Other examples are 12311 Pacific Avenue and 3540 Centinela Avenue, two existing 5-story residential buildings. In addition, there are several other comparable projects that have been filed or recently approved, as provided in the case file.

As provided in Exhibit F, the building code requires a minimum ceiling height of 7 feet 6 inches for residential uses with habitable spaces, and a minimum ceiling height of 7 feet for bathrooms, kitchens, storage rooms, and laundry rooms, etc. Condition No. 11 is imposed to ensure that the project bulk and height will be compatible with the existing and future development on neighboring properties. The restriction of floor-to-ceiling heights for habitable residential floor area (to not exceed 8 feet in height) will have a net effect of lowering the overall building height by approximately 17 feet total, thus bringing the overall building height to a maximum of 66 feet, without reducing the total number of units proposed by the applicant. Therefore, the proposed height is allowed by Code and State Law, and will be compatible with the existing and future development on neighboring properties along the Venice Corridor.

Bulk/Massing

The proposed mixed-use development abuts two streets, with the street-fronting facades measuring approximately 150 feet along both Venice Boulevard and Wasatch Avenue. While the proposed project massing exceeds the existing prevailing development pattern, the overall height is allowed by Code and State Law as described above. The overall mass and scale of the structure is compatible with the existing and potential future build-out of similar sites on adjacent and neighboring properties, as conditioned. In accordance with the Citywide Design Guidelines, the building incorporates a modulated façade, varied rooflines, a variety of building materials, textures, colors to break down the mass and scale of the building meanwhile adding architectural interest to the building. High-end finishes and landscaped areas separate the ground floor retail from the residences above to create a distinct "base" for pedestrian scale. In addition, Condition No. 12 will eliminate double-height areas at top floor units containing a mezzanine, therefore reducing the height and massing of the building as visible from the public right-of-way or neighboring properties.

Building Materials

The primary building materials include smooth plaster, polished metal siding, low iron high efficiency window glazing and balcony guards, modular art wall, trellis wall, and clear high-efficiency storefront windows and doors. The building materials will be in muted and natural colors, with green trellis work and planters to enhance the streetscape of the project. In accordance with the Citywide Design Guidelines, changes in building materials are applied purposefully to modulate the building façade; for instance, the building is designed into three distinct components at the pedestrian level, middle level, and upper levels, each of which are treated in a different building material. In addition, the project will utilize UV sensitive windows to increase natural light and decrease heat transfer for a more sustainable building design.

Entrances

The primary building entrance to the project is a residential lobby located along Venice Boulevard. In accordance with the Citywide Design Guidelines, the residential lobby is recessed to create distinction from the commercial frontage. In addition, a series of retail entrances are also located along Venice Boulevard that help to activate the streetfront and create a strong streetwall. Project design conditions will ensure that the entrance is further enhanced through a combination of recesses, architectural treatments, distinctive

materials or lighting, entryway awnings, textured paving, or attractive signage. The location of the entrances allows residents and guests to easily access the other stores, restaurants, and services that central Mar Vista provides.

Setbacks

The required setbacks for the project site are 0 feet along the northern (Venice Boulevard) property line, 0 feet along the western (Wasatch Avenue) property line, 0 feet along the southern (rear alley) property line, and 8 feet along the eastern (side) property line. The project creates a strong street wall with at-grade retail with 0 feet setback along Venice Boulevard. The ground floor along Venice Boulevard is recessed to allow for outdoor seating and dining along the commercial storefronts.

Parking

Assembly Bill 744 requires the project to provide a minimum of 46 residential parking spaces, based on the number of units proposed. The project is exceeding the parking requirements under state law by proposing a total of 77 vehicle parking spaces, including 6 commercial parking spaces, to accommodate additional need for parking. The project is also proposing additional bicycle parking for retail and residential users. In addition, vehicular entry is removed from its existing location on Venice Boulevard to the rear alley off of Wasatch Avenue, which opens up Venice Boulevard for commercial space as well as pedestrian and bicycle access. Condition No. 13 is imposed to restrict all project parking to be located underground, so that no parking spaces shall be located at or above grade level. The project provides 89 bicycle parking spaces and, as conditioned, twenty percent electric vehicle charging stations.

Lighting

As proposed by the applicant, the proposed project will reduce the amount of lighting that currently exists on-site by screening all parking from public view. Condition No. 13 is imposed to locate all parking underground, thereby reducing any spillover lighting from the parking onto neighboring properties. In addition, all pedestrian walkways and vehicle access points will be well-lit. All outdoor lighting provided on-site will be shielded to prevent excessive illumination and spillage onto other properties.

Landscaping

On-site landscaping is provided in the form of designed planters and front-facing balconies along Venice Boulevard, residential courtyard, and roof deck with a dog run, community garden, and green space. Proposed common open space areas will include a roof-deck which is shaded and enclosed partially by a "living wall" or "cool roof" as well as an 18" trunk tree as the roof garden centerpiece. Plantings and vertical landscapes enclose the roof deck's amenities, including active recreation areas, benches, cooking/barbecue area, outdoor seating areas, and shade structures. An artificial turf area is provided for uses including a yoga space or a pet run. Both interior and exterior green spaces will have sitting areas with large planters. Eight new street trees will be planted along Venice and Wasatch, which currently lack landscaping. Zero trees are being removed in the development. The landscaping will be xeriscaped planting and drought-tolerant, including *Cercis Occidentalis* (Western Redbud), *Calocedrus Decurrens* (Incense Cedar), *Prunus Illicifolia* (Hollyleaf Cherry), and *Chilopsis Linearis* (Desert Willow).

Trash Collection

Trash and recycling areas are located off the alley and contained within the parking garage, so that they are not visible from public view from the street. Locating trash and recycling within the building opens up Venice and Wasatch, allowing for easier traffic flow, and an overall more aesthetically pleasing design.

4. The residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.

The proposed project incorporates a total of 8,075 square feet of open space, meeting the requirements of LAMC Section 12.21 G.2. The open space area is provided in the form of a series of courtyards a 1,765 square feet, a roof deck at 2,180 square feet, and 69 private balconies that each measure 50 square feet, for a minimum total of 3,450 square feet. The courtyards are located in the center of the building to allow for natural light and air adjacent to the building lobby and for the residential units on the upper levels. Collectively, these areas account for more than the minimum required common open space, which is 8,075 square feet. Therefore, the proposed project provides sufficient recreational and service amenities for its residents, minimizing any impacts on neighboring properties.

ENVIRONMENTAL REVIEW FINDINGS

(As modified by Planning and Land Use Management Committee 8-22-17)

A Mitigated Negative Declaration (ENV-2016-2229-MND) prepared by the Department of City Planning, was circulated for public review on September 22, 2016 for a period of 20 days. The review period ended on October 12, 2016. Comments pertaining to environmental impacts have been summarized below:

- Aesthetics. The height and mass of the proposed project may have aesthetic impacts in blocking views and creating shade/shadow on the surrounding neighborhoods.
- Greenhouse gas emissions. The project may have impacts on greenhouse gas emissions by introducing new vehicles on the neighboring streets, not providing enough off-street parking, and encouraging the use of on-street parking. The likelihood that residents will use public transit or commute by bicycle is overestimated.
- Transportation/traffic. The project will generate additional vehicular traffic and add congestion to the street. The project will impact pedestrian activity on Venice and will not contribute to the Great Streets Initiative. The congestion will limit emergency access to the site.

The concerns identified during the environmental public comment period were addressed in the Mitigated Negative Declaration (ENV-2016-2229-MND), the Mitigation Monitoring Program (MMP), and in the Regulatory Compliance Measures (RCM). Comments on specific environmental impacts are addressed below:

- Aesthetics. Pursuant to SB 743, aesthetic impacts are not considered significant for infill residential projects within a Transit Priority Area. The height is permitted by the underlying zone and State Density Bonus law. In addition, project design features have been incorporated as mitigation measures as permitted by LAMC Section 16.05 in accordance with Site Plan Review procedures.
- Greenhouse gas emissions. Pursuant to SB 743, parking and greenhouse gas impacts are not considered significant for infill residential projects within a Transit Priority Area. In addition, the Los Angeles Green Building Code is applied to relevant aspects of the project's design. Through required implementation of the LAGBC, the proposed project would be consistent with local and statewide goals and policies aimed at reducing the generation of GHGs through the AB32 California Global Warming Solutions Act of 2006.
- Transportation/traffic. Pursuant to Senate Bill (SB) 743, aesthetic impacts are not considered significant for infill residential projects within a Transit Priority Area. The Los Angeles Department of Transportation has confirmed that the project does not meet the threshold for a traffic study, and therefore identified no significant impacts regarding transportation or traffic. This project is consistent with the Mobility Plan's designation of Venice Boulevard as both a "Comprehensive Transit Enhanced Street" and a "Tier 1 Protected Bicycle Lane", as it provides a combination of residential uses, commercial uses, and streetscape enhancements within close proximity to major corridors and transit stops to encourage multi-modal transportation. The project site is within proximity of "Transit Stops" as defined by LAMC Section 12.22 A.25, "Major Transit Stops" as defined by California Public Resources Code ("PRC") Section 21064.3, and is within a "High Quality Transit Area" as defined by SCAG. In addition, the subject property is within the Venice Boulevard Great Street Initiative Program area, the Los Angeles Coastal Transportation Corridor ("CTC") Specific Plan, and the Livable Boulevards Streetscape Plan.
- Population and Housing. The residential uses and density are allowed by-right. Therefore, the increase in residential population resulting from the proposed project

would not be considered substantial in consideration of anticipated growth for the Palms-Mar Vista-Del Rey Community Plan, and is within SCAG's population projections as stated above. The types and amounts of development would be within the range anticipated in applicable policies and growth projections, including in the General Plan Framework, Palms-Mar Vista-Del Rey Community Plan, General Plan Housing Element, and regional/SCAG policies.

The project site is located within a Transit Priority Area (TPA) in the City of Los Angeles (ZI-2452), which is an area within one-half mile of a major transit stop that is existing or planned; infill sites in such areas are encouraged for residential, mixed-use residential, or employment center projects. In accordance with SB 743, which eliminates the need to evaluate aesthetic and parking impacts of a mixed-use residential project on an infill site within a transit priority area, 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 shall not be considered an impact for infill projects within TPAs.

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 (and incorporated into the Conditions of Approval herein), 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.

Pursuant to PRC Section 21082.2 (b), the Department has determined that "the existence of public controversy over the environmental effects of a project shall not require the preparation of an environmental impact report if there is no substantial evidence in light of the whole record before the lead agency that the project may have a significant effect on the environment". Substantial evidence is defined as evidence that is of "ponderable legal significance" and is "reasonable in nature, credible, and of solid value" (Stanislaus Audubon Society, Inc., supra, 33 Ca1.App.4th at 152). It includes "fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact"; it does not include "argument, speculation, unsubstantiated opinion or narrative, evidence that is clearly inaccurate or erroneous, or evidence of social or economic impacts that do not contribute to, or are not caused by, physical impacts on the environment." (PRC, 21082.2 (c)) and Sections 15064(fj(5)-(6), 15384 of the State CEQA Guidelines).

The MND concluded that there is no evidence that the proposed incentive will have a specific adverse impact. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22.A.25(b)). The proposed Project and potential impacts were analyzed in accordance with the City's Environmental Quality Act (CEQA) Guidelines and the City's L.A. CEQA Thresholds Guide. These two documents establish guidelines and thresholds of significant impact, and provide the data for determining whether or not the impacts of a proposed Project reach or exceed those thresholds. Analysis of the proposed Project involved the preparation of a Mitigated Negative Declaration (MND) (ENV-2016-2229-MND), and it was determined that the proposed Project may have an impact on the following environmental factors: aesthetics; greenhouse gas emissions; noise; public services (fire, police); transportation/traffic (safety hazards, inadequate emergency access, pedestrian safety); utilities and service systems (water). However, mitigation measures will reduce impacts to less than significant, and are imposed as Conditions of Approval herein (Conditions 21 through 30). Specifically, the concerns identified during the environmental public comment period were addressed in the Mitigated Negative Declaration (ENV-2016-2229-MND) and in the Mitigation Monitoring Program (MMP) through mitigation measures identified as Conditions 21 (Project Design), 22 (Greenhouse Gas), and 28

(Transportation/Traffic) in this Determination Letter. Therefore, there is no substantial evidence that the proposed Project will have a specific adverse impact on the physical environment.

In addition, an Errata to the MND was prepared on August 18, 2017 to analyze an amendment to the project description for consideration by City Council. The subject amendments involve the removal of at-grade parking and the addition of one new subterranean parking level, resulting in a 6-story residential building underlain by a two-level subterranean parking garage.

After review of the IS/MND and preparation of the Errata, it is determined that the changes to the project are not expected to result in new or different significant impacts requiring any new or modified mitigation measures. The changes to the project are not expected to result in any changes to the environment that are different in kind or nature from those identified in the IS/MND. Further analysis and information, including a Geotechnical Update Report prepared by R.T. Frankian & Associates (dated August 18, 2017) is provided in the Errata in the case file.

The Errata does not identify any new, significant effect or mitigation measures or project revisions to reduce an effect to insignificance. No new measures or revisions are required. None of the changes described in this Errata constitute a substantial revision of the MND. Rather, the Errata clarifies, amplifies, and/or makes minor modifications to the circulated IS/MND. Therefore, based on the analysis including herein and pursuant to State CEQA Guidelines §15073.5, recirculation of the MND is not required.