

PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
CEQA APPEAL	ENV-2017-2681-CE	13 – O'Farrell
PROJECT ADDRESS:		
5717, 5717½, 5719, 5719½ West Carlton Way		
APPLICANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
Jacob Rabbanian Hollywood Reviews, LLC 550 South Hill Street Suite 1420 Los Angeles, CA 90013 <input checked="" type="checkbox"/> New/Changed		jacob.rabbanian@gmail.com
APPLICANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
Matthew Hayden, Hayden Planning 10008 National Boulevard Los Angeles, CA 90034		
APPELLANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
Ely Malkin 1702 S. Robertson Blvd, #955 Los Angeles, CA 90035	310-528-9780	emalkin@sbcglobal.net
APPELLANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A		
PLANNER CONTACT INFORMATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Nuri Cho	213-978-1177	nuri.cho@lacity.org
ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION		
CEQA Appeal		

FINAL ENTITLEMENTS NOT ADVANCING:

Project Permit Compliance Review (SPP)

ITEMS APPEALED:

CEQA Appeal

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 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 type="checkbox"/> Land Use	<input type="checkbox"/>		
<input type="checkbox"/> Other _____	<input type="checkbox"/>		

NOTES / INSTRUCTION(S):

Related Case: DIR-2017-2680-SPP-1A

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:
October 23, 2018	3 - 0
LAST DAY TO APPEAL:	APPEALED:
N/A – CEQA Appeal	Yes – CEQA Appeal
TRANSMITTED BY:	TRANSMITTAL DATE:
Rocky Wiles Commission Office	November 26, 2018



CENTRAL LOS ANGELES AREA PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300

www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: **NOV 01 2018**

Case No.: DIR-2017-2680-SPP-1A

CEQA: ENV-2017-2681-CE

Plan Area: Hollywood

Council District: 13 – O'Farrell

Project Site: 5717, 5717½, 5719, 5719½ West Carlton Way

Applicant: Hollywood Views, LLC
Representative: Matthew Hayden, Hayden Planning

Appellant: Ely Malkin

At its meeting of **October 23, 2018**, the Central Los Angeles Area Planning Commission took the actions below in conjunction with the approval of the following project:

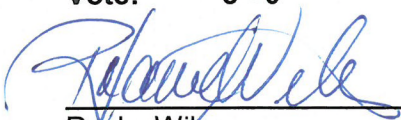
Demolition of two (2) duplexes; and the construction, use and maintenance of a seven-story, multi-family residential development that is 78 feet, 3 ½ inches in height and contains 39 units and 27,771 square feet of floor area within Subarea C (Community Center) of the SNAP.

1. **Determined**, based on the whole of the administrative record, that the project is exempt from CEQA pursuant to State CEQA Statutes and Guidelines, Section 15332 (In-Fill Development Project), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. **Denied** the appeal and **sustained** the Planning Director's determination to approve a Project Permit Compliance Review, pursuant to Los Angeles Municipal Code Section 11.5.7 C. and the Vermont/Western Station Neighborhood Area (SNAP) Specific Plan (Ordinance 184,888), for the proposed Project.
3. **Adopted** the attached Conditions of Approval and Findings by the Planning Director.

This action was taken by the following vote:

Moved: DelGado
Seconded: Gold
Ayes: Chung Kim
Absent: Barraza

Vote: 3 - 0



Rocky Wiles
Commission Office Manager

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

Effective Date: The decision of the Central Los Angeles Area Planning Commission is not further appealable and shall become final at the expiration of the next five meetings of the Council, after the mailing date of this determination during which the Council has convened in regular session, pursuant to Charter Section 245.

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable and the decision is final.** The applicant is advised that any work undertaken while the CEQA clearance is on appeal is at his/her/its own risk and if the appeal is granted, it may result in (1) voiding and rescission of the CEQA clearance, the Determination, and any permits issued in reliance on the Determination and (2) the use by the City of any and all remedies to return the subject property to the condition it was in prior to issuance of the Determination.

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: Planning Director's determination dated August 14, 2018

c: Christina Toy-Lee, Senior City Planner
Mindy Nguyen, City Planner
Nuri Cho, City Planning Associate

**DEPARTMENT OF
CITY PLANNING**

CITY PLANNING COMMISSION

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PRESIDENT

VAHID KHORSAND
VICE-PRESIDENT

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COMMISSION OFFICE MANAGER
(213) 978-1300

**City of Los Angeles
CALIFORNIA**



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801

VINCENT P. BERTONI, AICP
DIRECTOR
(213) 978-1271

KEVIN J. KELLER, AICP
EXECUTIVE OFFICER
(213) 978-1272

LISA M. WEBBER, AICP
DEPUTY DIRECTOR
(213) 978-1274

<http://planning.lacity.org>

**VERMONT/WESTERN STATION NEIGHBORHOOD AREA PLAN (SNAP) SPECIFIC PLAN
PROJECT PERMIT COMPLIANCE REVIEW**

August 14, 2018

Owner & Applicant

Hollywood Views, LLC
9454 Wilshire Blvd. PH
Beverly Hills, CA 90212

Representative

Simon Park
SSPSTUDIO Architecture
1424 4th St., Unit 700B
Santa Monica, CA 90401

Case No. DIR-2017-2680-SPP

CEQA: ENV-2017-2681-CE

Specific Plan Subarea: C – Community Center

Location: 5717, 5717 ½, 5719, 5719 ½ W.
Carlton Way

Council District: 13 – Mitch O'Farrell

Neighborhood Council: Hollywood Studio District

Community Plan Area: Hollywood

Land Use Designation: High Density Residential

Zone: R4-2

Legal Description: Lot: 14; Block: None; Grider and
Hamilton's Grant Place

Last Day to File an Appeal: August 29, 2018

DETERMINATION

Pursuant to Los Angeles Municipal Code (LAMC) Sections 11.5.7 C. and 11.5.7 E. and the Vermont/Western Station Neighborhood Area (SNAP) Specific Plan Ordinance 184,888, I have reviewed the proposed project and as the designee of the Director of Planning, I hereby:

Approve with Conditions a Project Permit Compliance Review for the demolition of two (2) duplexes; and the construction, use and maintenance of a seven-story, multi-family residential development that is 78 feet, 3 ½ inches in height and contains 39 units and 27,771 square feet of floor area within Subarea C (Community Center) of the SNAP; and

Determine, based on the whole of the administrative record, that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Statutes and Guidelines, Section 15332 (In-Fill Development Project), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

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, Central 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, the project conditions, or the project permit authorization.
2. **Parks First.** Prior to the issuance of a Certificate of Occupancy, the applicant shall complete the following:
 - a. Make a payment to the Department of Recreation and Parks (RAP) for the required fee pursuant to LAMC Section 17.12. Contact RAP staff by email at rap.parkfees@lacity.org, by phone at (213) 202-2682 or in person at the public counter at 221 N. Figueroa St., Suite 400 (4th Floor), Los Angeles, CA 90012 to arrange for payment.
 - b. The applicant shall pay \$150,500 into the Parks First Trust Fund for the net increase of 35 residential dwelling units. The amount of Parks First Trust Fund Fee shall be off-set by the Park Fee, as determined by the Department of City Planning (DCP), Central Project Planning Division staff. The applicant shall provide proof of payment for the Park Fee to DCP Central Project Planning Division staff to determine the resulting amount of Parks First Trust Fund Fee to be paid. DCP staff shall sign off on the Certificate of Occupancy in the event there are no resulting Parks First Trust Fund Fee to be paid. In the event there are remaining Parks First Trust Fund Fee to be paid, the applicant shall make a payment to the Office of the City Administrative Officer (CAO), Parks First Trust Fund. Contact Jennifer Shimatsu of the CAO directly at (213) 978-7628 or Jennifer.Shimatsu@lacity.org to arrange for payment. The applicant shall submit proof of payment for the Parks First Trust Fund Fee to DCP staff, who will then sign off on the Certificate of Occupancy
3. **Density.** Density shall be limited to a maximum of 39 dwelling units, including 23 base density units and 16 additional units pursuant to the Transit-Oriented Community (TOC) Affordable Housing Incentive Program.
4. **Affordable Units.** The applicant shall execute a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make four (4) units available to Extremely Low Income Households, for sale or rental as determined to be affordable to such households by HCIDLA. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA.
5. **Open Space.** The project shall provide a minimum of 4,025 square feet of open space, of which 1,006.25 square feet must be located at the first habitable room level. All common open space must be at least 600 square feet in size and have a minimum dimension of 20 feet on all sides. Balconies shall have a minimum dimension of six feet.
6. **Automobile Parking.** The number of parking spaces shall be no less than 20 parking spaces pursuant to the TOC Affordable Housing Incentive Program and no more than 79 parking spaces per the SNAP.

7. **Bicycle Parking.** The project shall provide a minimum of 19 bicycle parking spaces on site.
8. **Stepback.** The height of the building shall not exceed 30 feet within 15 feet of the front property line along Carlton Way.
9. **Utilities.** All new utility lines which directly service the lot or lots shall be installed underground. If underground service is not currently available, then provisions shall be made by the applicant for future underground service.
10. **Surface Mechanical Equipment.** All surface or ground-mounted mechanical equipment, including transformers, terminal boxes, pull boxes, air conditioner condensers, gas meters and electric meter cabinets, shall be screened from public view and treated to match the materials and colors of the building which they serve.
11. **Trash, Service Equipment and Satellite Dishes.** Trash, service equipment and satellite dishes, including transformer areas, shall be located away from streets and enclosed or screened by landscaping, fencing or other architectural means. The trash area shall be enclosed by a minimum six-foot high decorative masonry wall. Each trash enclosure shall have a separate area for recyclables. Any transformer area within the front yard shall be enclosed or screened.
12. **Rooftop Appurtenances.** All rooftop equipment and building appurtenances shall be screened from any street, public right-of-way, or adjacent property with enclosures or parapet walls constructed of materials complimentary to the materials and design of the main structure.
13. **Landscape Plan.** The applicant shall submit a final landscape plan prepared by a licensed landscape architect showing enhanced paving such as stamped concrete, permeable paved surfaces, tile and/or brick within paved areas in front, side and rear yards.
14. **On-Site Lighting.** The applicant shall install on-site lighting along all vehicular and pedestrian access ways. Installed lighting shall provide $\frac{3}{4}$ -foot-candle of flood lighting intensity as measured from the ground. Lighting must also be shielded from projecting light higher than 15 feet above ground level and away from adjacent property windows. The maximum height of any installed lighting fixture shall not exceed 14 feet in height.
15. **Security Devices.** If at any time during the life of the project the property owner wishes to install security devices such as window grilles and/or gates, such security devices shall be designed so as to be fully concealed from public view. The applicant shall be required to acquire approval from the Department of City Planning, Central Project Planning Division for the installation of any security devices on the exterior or the structure through a building permit clearance sign off.
16. **Hours of Operation.** All parking garage cleaning activities and other similar maintenance activities shall take place between the hours of 7:00 a.m. to 8:00 p.m., Monday through Friday and 10:00 a.m. to 4:00 p.m. on Saturday and Sunday.
17. **Noise.** Any dwelling unit exterior wall including windows and doors having a line of sight to a public street or alley shall be constructed to provide a Sound Transmission Class of

50 or greater, as defined in the Uniform Building Code Standard No. 35-1, 1979 edition, or latest edition.

18. **Future Signage.** All future signs shall be reviewed by Project Planning staff for compliance with the Vermont/Western Station Neighborhood Area Plan (SNAP) Specific Plan and Design Guidelines. Filing for a Project Permit shall not be necessary unless a Project Permit Adjustment or Exception is required. Any pole, roof or off-site sign, any sign containing flashing, mechanical or strobe lights are prohibited. Canned signs should not be used.

Administrative Conditions

19. **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 "Plans Approved". A copy of the Plans Approved, supplied by the applicant, shall be retained in the subject case file.
20. **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.
21. **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.
22. **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.
23. **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.
24. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
25. **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.

26. **Recording Covenant.** 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 Development Services Center at the time of Condition Clearance for attachment to the subject case file.
27. **Indemnification and Reimbursement of Litigation Costs.** The 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.

FINDINGS

The subject property consists of a rectangular parcel located on the northerly side of Carlton Way a street frontage of 50 feet and a uniform depth of 175 feet for a total lot size of approximately 8,749.9 square feet. The project site adjoins an 11.58-foot wide alley to the north. The project site is located within the Hollywood Community Plan and Subarea C (Community Center) of the Vermont/Western Station Neighborhood Area Plan (SNAP) Specific Plan. The site is zoned R4-1, designated for High Density Residential land uses and improved with two duplexes.

The surrounding area is characterized by level topography, improved streets and retail, commercial, institutional, mixed-use and multi-family residential developments. Properties to the north, across an alley, are located within Subarea C of the SNAP, zoned [Q]R5-2 and [T][Q]C2-2 and developed with a gas station, a four-story mixed-use development with retail stores and 41 dwelling units, and one- to two-story commercial and retail buildings. There is a vacant site that is currently under construction for a seven-story, mixed-use development with retail space and 161 dwelling units. Properties to the east and west are located within Subarea C of the SNAP, zoned R4-2 and developed with one- to five-story, multi-family residential buildings. Properties to the south are located within Subareas A (Neighborhood Conservation) and E (Public Facilities), zoned R4-2 and PF-1XL and developed with one- to five-story, single- and multi-family residential developments and Grant Elementary School.

The project involves the demolition of two (2) duplexes; and construction, use and maintenance of a seven-story, multi-family residential development containing approximately 27,771 square feet of floor area and 39 dwelling units with 34 automobile parking spaces, 20 bicycle parking spaces, and 4,233.26 square feet of open space.

The applicant is seeking a ministerial approval of the Transit-Oriented Community Affordable (TOC) Housing Incentive Program from the Los Angeles Department of Building and Safety (LADBS) to increase the maximum allowable density by 70 percent to allow 39 dwelling units in lieu of the otherwise permitted 23 dwelling units, in exchange for setting aside 10 percent, or four (4) units, of the total 39 units for Extremely Low Income households.

PROJECT PERMIT COMPLIANCE REVIEW

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

- A. Parks First.** Section 6.F of the Vermont/Western Specific Plan requires the applicant to pay a Parks First Trust Fund of \$4,300 for each new residential unit, prior to the issuance of a Certificate of Occupancy. The project proposes the demolition of two (2) duplexes containing a total of four (4) dwelling units, and the construction, use and maintenance of a multi-family residential development containing 39 dwelling units, resulting in a net increase of 35 dwelling units. The project is therefore required to pay a total of \$150,500 into the Parks First Trust Fund. The calculation of a Parks First Trust Fund fee to be paid or actual park space to be provided pursuant to the Parks First Ordinance shall be off-set by the amount of any fee pursuant to LAMC Section 17.12 or dwelling unit construction tax pursuant to LAMC Section 21.10.1, et seq. This requirement is reflected in the Condition of Approval. As conditioned, the project complies with Section 6.F of the Specific Plan.

- B. Use.** Section 9.A. of the Vermont/Western Specific Plan states that R4 residential land uses are allowed by right within Subarea C of the Specific Plan area. In addition, per LAMC Section 12.22 C.10, one-half the width of the alley may be assumed to be a portion of the lot in computing the number of dwelling units allowed on a lot abutting one or more alleys. The project site abuts an 11.58-foot wide alley to the north, allowing the project to include one-half the width, or 5.79 feet, of the alley as part of the lot to calculate the base density. The subject lot is 50 feet in width, which yields a total lot size of approximately 9,039.4 square feet with 289.50 square feet (5.79 feet by 50 feet) of the alley to the north. The R4 Zone allows one dwelling unit for every 400 square feet of lot area, thereby allowing a total of 23 dwelling units with a 9,039.4-square-foot lot size. However, the applicant is seeking a 70-percent increase in the maximum allowable density permitted in the SNAP to allow 39 dwelling units in lieu of the otherwise permitted 23 dwelling units, in exchange for setting aside 10 percent, or four (4) units, of the total 39 units for Extremely Low Income households per the TOC Affordable Housing Incentive Program. The project has been conditioned to record a covenant with the Los Angeles Housing and Community Investment Department (HCIDLA) to make four (4) units available to Extremely Low Income Households to ensure the applicant sets aside the required number of units for affordable housing to be eligible for a 70-percent increase from the base density permitted by the SNAP. Therefore, as conditioned and in conjunction with the TOC Affordable Housing Incentive Program, the project complies with Section 9.A. of the Specific Plan.
- C. Height and Floor Area.** Section 9.B of the Vermont/Western Specific Plan sets forth height and floor area limits for mixed-use and commercial only projects. The Specific Plan does not regulate height and floor area of residential only developments. Therefore, the proposed project is subject to the height and floor area limits per the underlying R4-2 Zone, and Section 9.B of the Specific Plan does not apply.
- D. Transitional Height.** Section 9.C. of the Vermont/Western Specific Plan states that portions of buildings on a lot located within Subarea C shall not exceed specified transitional height limits set forth when located within specified distances of a lot within Subarea A. The Specific Plan further stipulates that transitional height limits shall only apply to lots adjoining or abutting a lot in Subarea A and shall not apply to lots separated by a public street. The subject site does not adjoin or abut a lot in Subarea A, and is separated by Subarea A to the south of the site by Carlton Way, a public street. Therefore, Section 9.C. of the Specific Plan does not apply.
- E. Usable Open Space.** Section 9.D. of the Vermont/Western Specific Plan states that residential projects containing two or more residential units must provide specified amounts of common and private open space in accordance with the standards of Section 12.21 G.2. of the Code. The Specific Plan further stipulates that up to 75 percent of the total open space may be located above the grade level or first habitable room level of the project, and that roof decks may be used in their entirety as common or private open space, excluding that portion of the roof within 20 feet of the roof perimeter. Units containing less than three (3) habitable rooms require 100 square feet of open space per unit. Units containing three (3) habitable rooms require 125 square feet of open space per unit. The project proposes 34 units with less than three (3) habitable rooms and five (5) units with three (3) habitable rooms,

thereby requiring a total of 4,025 square feet of open space. At least 1,006.25 square feet must be located on the ground floor or first habitable room level as shown in the table below.

Required Open Space			
	Number of Units	Open Space Required per Unit (Square Feet)	Total Open Space Required (Square Feet)
Dwelling Units with Less than 3 Habitable Rooms	34	100	3,400
Dwelling Units with 3 Habitable Rooms	5	125	625
Total Required	39		4,025
25% open space required on ground floor/first habitable room level			1,006.25

The project provides a total of 4,233.26 square feet of open space, of which 1,174.66 square feet is provided at the first habitable room level as shown on Sheet T.2 of Exhibit "A." As shown in the table below, the project complies with Section 9.D. of the Specific Plan.

Provided Open Space		
Common Open Space		
Level	Open Space Areas	Area (Square Feet)
2 nd	Community Room	615.78
3 rd (First Habitable Room Level)	Common Space	743.33
7 th	Common Space	775
Subtotal		2,134.11
Private Open Space		
3 rd – 7 th	Balconies	2,099.15
Subtotal		2,099.15
Total Open Space Provided		4,233.26

- F. **Project Parking Requirements.** Section 9.E. of the Vermont/Western Specific Plan states minimum and maximum standards for parking requirements for residential uses, as shown in the tables below:

SNAP Minimum Parking Spaces			
	Parking Space Per Square Feet / Unit	Units	Parking Spaces
Dwelling Units with Less than 3 Habitable Rooms	1	5	5
Dwelling Units with 3 Habitable Rooms	1	29	29
Dwelling Units with	1.5	5	8

More than 3 Habitable Rooms			
Guest	.25	39	10
Total Minimum Required Spaces			52

SNAP Maximum Parking Spaces			
	Parking Space Per Square Feet / Unit	Square Feet / Quantity	Parking Spaces
Dwelling Units with Less than 3 Habitable Rooms	1	5	5
Dwelling Units with 3 Habitable Rooms	1.5	29	44
Dwelling Units with More than 3 Habitable Rooms	2	5	10
Guest (shared w/retail)	.50	39	20
Total Maximum Allowed Spaces			79

However, the applicant proposes to utilize the Automobile Parking Incentive under the TOC Housing Incentive Program, which allows 0.5 spaces per unit in Tier 3 of TOC, inclusive of guest parking spaces, in exchange for setting aside the required percentage of affordable units. The TOC Automobile Parking Incentive replaces the minimum parking requirement in the SNAP; however, the project is still subject to the maximum parking requirement per the SNAP. The project proposes 39 units, requiring a minimum of 20 spaces per the TOC Housing Incentive Program. The SNAP limits the maximum number of automobile parking spaces to 79. The project will provide 34 parking spaces without any guest parking spaces (as permitted by TOC), which is within the minimum and maximum requirements. Therefore, as conditioned and in conjunction with the reduced residential parking spaces per TOC, the project complies with Section 9.E of the Specific Plan.

Bicycles. Section 9.E.2. of the Vermont/Western Specific Plan states that bicycle parking spaces must be provided at a ratio of one-half space per dwelling unit. The project proposes 39 residential units, thereby requiring a minimum of 19 bicycle parking spaces. The project will provide 20 bicycle parking spaces at the first floor, adjacent to the lobby area. Therefore, the project complies with Section 9.E.2 of the Specific Plan.

- G. Conversion Requirements.** Section 9.F. of the Vermont/Western Specific Plan sets forth requirements pertaining to conversion of existing structures from commercial uses to residential condominium uses. The project involves the demolition of two (2) existing duplexes and construction of a new residential development containing 39 dwelling units. The project does not include the conversion of existing commercial structures to residential condos. Therefore, Section 9.F. of the Specific Plan does not apply.
- H. Yards.** Section 9.H. of the Vermont/Western Specific Plan specifies that no front, side or rear yard setbacks shall be required for the development of any project within Subarea C. The proposed building has a zero-foot front yard setback along the southerly property line; a two-foot and one-foot side yard setbacks along the easterly

and westerly property lines, respectively; and a zero-foot rear yard setback from the northerly property line, after a 4-foot, 2 ½-inch dedication. As proposed, the project complies with Section 9.H. of the Specific Plan.

- I. **Pedestrian Throughways.** Section 9.G. of the Vermont/Western Specific Plan requires that applicants provide a pedestrian walkway, throughway or path for every 250 feet of street frontage for a project. The project has a street frontage of 50 feet along Carlton Way. Therefore, Section 9.G of the Specific Plan does not apply.
- J. **Development Standards.** Section 9.I. of the Vermont/Western Specific Plan requires that all projects be in substantial conformance with the following Development Standards and Design Guidelines:

Development Standards

- K. **Landscape Plan.** The Development Standards require that all open areas not used for buildings, driveways, parking, recreational facilities, or pedestrian amenities shall be landscaped by lawns and other ground coverings. Most of the project site is used for the proposed residential development, as the proposed building has a zero-foot front yard setback along the southerly property line; a two-foot and one-foot side yard setbacks along the easterly and westerly property lines, respectively; and a zero-foot rear yard setback from the northerly property line, after a 4-foot, 2 ½-inch dedication. Nonetheless, the landscape plan in Exhibit “A” shows that the portion of the front yard without the building footprint and side yards will be landscaped with various types of ground cover. Therefore, as proposed, the project complies with this Development Standard.
- L. **Usable Open Space.** The Development Standards for common usable open space stipulate that no portion of the required common usable open space can have a dimension less than 20 feet or an overall area of 600 square feet. Common open space areas are proposed with the following dimensions, as shown in the open space plan in Exhibit “A”:

Open Space Type	Area (Square Feet)	Minimum Dimension (Feet)
Community Room @ 2 nd Floor	615.78	22'-8"
Common Space @ 3 rd Floor	743.33	20'
Common Space @ 7 th Floor	775	25'

As such, all common open space areas satisfy the minimum dimension and area requirements. The Development Standards also state that balconies must have a minimum dimension of six (6) feet. As shown in Exhibit “A,” all balconies on levels three through seven will have a minimum dimension of six feet. Therefore, as proposed, the project complies with this Development Standard.

- M. **Streetscape Elements.** The Development Standards require streetscape elements, including street trees, tree well covers, bike racks, trash receptacles, and public benches from any project along major and secondary highways without streetscape or landscaping plans. The subject property fronts on Carlton Way, which is a Local

Street, not a major or secondary highway, per Mobility Plan 2035. Therefore, these Development Standards do not apply.

- N. **Pedestrian/Vehicular Circulation – Parking Lot Location.** The Development Standards require that surface parking lots be placed at the rear of structures. The project proposes two (2) levels of parking on first and second floors of the building, which are all contained within the building footprint and not visible from the street. The project does not propose any surface parking lots. Therefore, this Development Standard does not apply.
- O. **Pedestrian/Vehicular Circulation – Waiver.** The Director of Planning may authorize a waiver from the requirement to provide parking in the rear of the lot. The project proposes two (2) levels of parking on first and second floors of the building, which are all contained within the building footprint and not visible from the street. The project does not propose any parking in the rear of the lot. Therefore, this Development Standard does not apply.
- P. **Pedestrian/Vehicular Circulation – Curb Cuts.** The Development Standards allow one curb cut that is 20 feet in width for every 150 feet of street frontage when a project takes its access from a major or secondary highway, unless otherwise required by the Departments of Public Works, Transportation or Building and Safety. The subject property fronts on Carlton Way, which is a Local Street, not a major or secondary highway, per Mobility Plan 2035. Therefore, this Development Standard does not apply.
- Q. **Pedestrian/Vehicular Circulation – Pedestrian Entrance.** The Development Standards require that all buildings that front on a major or secondary highway or main commercial street shall provide a pedestrian entrance at the front of the building, even when rear public entrances are provided. The subject property fronts on Carlton Way, which is a Local Street, not a major or secondary highway, per Mobility Plan 2035. In addition, properties on both side of Carlton Way are developed with residential developments, and therefore, Carlton Way is not considered a main commercial street. Therefore, this Development Standard does not apply to the proposed project. Nevertheless, the project provides a main pedestrian entrance at the front of the building facing Carlton Way.
- R. **Pedestrian/Vehicular Circulation – Design of Entrances.** The Development Standards require that entrances be located in the center of the façade, and be accented by architectural elements such as columns, overhanging roofs or awnings. The primary residential entrance on Carlton Way is located at the center of the building and is designed with a clear, anodized aluminum storefront system with a stained wood siding canopy over the entrance. Therefore, the project complies with this Development Standard.
- S. **Pedestrian/Vehicular Circulation – Inner Block Pedestrian Walkway.** The Development Standards require that applicants provide a pedestrian walkway, thoroughway or path for every 250 feet of street frontage for a project. The project has a street frontage of 50 feet along Carlton Way. Therefore, this Development Standard does not apply.

- T. Pedestrian/Vehicular Circulation – Speed Bumps.** The Development Standards require speed bumps be provided at a distance of no more than 20 feet apart when a pedestrian walkway and driveway share the same path for more than 50 lineal feet. The project does not propose to combine pedestrian walkways and driveways for more than 50 lineal feet. Therefore, this Development Standard does not apply to the proposed project.
- U. Utilities.** The Development Standards require that when new utility service is installed in conjunction with new development or extensive remodeling, all proposed utilities on the project site shall be placed underground. The plans do not indicate the location of utility service. The Conditions of Approval require all proposed utilities on the project site to be placed underground. If underground service is not currently available, then provisions shall be made for future underground service. As conditioned, the project complies with this Development Standard.
- V. Building Design – Stepbacks.** The Development Standards require that no portion of any structure exceed more than 30 feet in height within 15 feet of the front property line. The proposed building has a maximum height of 27 feet, 6 inches within 30 feet of the front property line. The Development Standards also require all buildings with a property line fronting on a major highway set the second floor back from the first floor frontage at least 10 feet. The subject property fronts on Carlton Way, which is a Local Street, not a major highway, per Mobility Plan 2035. Therefore, this Development Standard does not apply.
- W. Building Design – Transparent Building Elements.** The Development Standards require that transparent building elements such as windows and doors occupy at least 50 percent of the ground floor facades on the front and side elevations. Per the Development Standards, the purpose of this provision is to ensure that a project contributes to a lively pedestrian-friendly atmosphere. The subject property is an interior lot with only the front (south) elevation facing a public street, and two side elevations (east and west) facing private properties. Therefore, the Development Standard only applies to the front elevation. As shown in Exhibit “A,” the project provides 57.6 percent, or 318 square feet, of transparent building elements on the ground floor façade of the front elevation that is 552 square feet in area. Therefore, the project complies with this Development Standard.
- X. Building Design – Façade Relief.** The Development Standards require that exterior walls provide a break in plane for every 20 feet horizontally and every 30 feet vertically. The project provides articulation through multiple breaks in the plane with variations in building materials, balconies and architectural elements. The project will alternate a variety of building materials, including cement plaster, cement siding, wood siding, and concrete masonry wall throughout all elevations. There will be balconies with a canopy at each residential floor level on all facades. The project also breaks up the massing through changes in the plane with stepbacks and recessed balconies. Therefore, as proposed, the project complies with this Development Standard.
- Y. Building Design – Building Materials.** The Development Standards require that building facades be comprised of at least two types of complimentary building materials. The new mixed-use residential and commercial structure is comprised of

cement plaster, cement board lap siding, composite wood siding, and concrete masonry wall on all elevations, as shown in Exhibit "A." Therefore, the project complies with this Development Standard.

- Z. Building Design – Surface Mechanical Equipment.** The Development Standards require that all surface or ground-mounted mechanical equipment be screened from public view and treated to match the materials and colors of the building which they serve. The project does not propose any surface or ground-mounted mechanical equipment at this time. However, in the event surface mechanical equipment is constructed, the Conditions of Approval require surface mechanical equipment to match the colors and materials of the building which they serve. Therefore, as conditioned, the project complies with this Development Standard.
- AA. Building Design – Roof Lines.** The Development Standards require that all rooflines in excess of 40 feet are broken up. The elevations in Exhibit "A" show varied rooflines by providing three- to four-foot cut-outs. Therefore, as proposed, the project complies with this Development Standard.
- BB. Rooftop Appurtenances.** The Development Standards require that all rooftop equipment and building appurtenances be screened from public view or architecturally integrated into the design of the building. Specifically, projects with a parapet roof shall be designed and constructed to accommodate roof-mounted equipment. Any portions of the equipment and ducts which area above the parapet shall be screened from view from any street, public right-of-way or adjacent property. The screening must be solid and match the exterior building material, design and color. The proposed project will have a roof with a four-foot parapet. The plans show rooftop equipment and solar panels on the roof plan, but do not indicate the height or screening above the parapet. The Condition of Approval requires that building equipment and ducts above the parapet be screened from view from any street, public right-of-way or adjacent property, and the screening be solid and match the exterior materials, design and color of the building. Therefore, as conditioned, the project complies with this Development Standard.
- CC. Trash and Recycling Areas.** The Development Standards require that trash storage bins be located within a gated, covered enclosure constructed of identical building materials, be a minimum of six feet high, and have a separate area for recyclables. The project provides an enclosed trash and recycle area on the second floor of the proposed development. Therefore, as proposed, the project complies with this Development Standard.
- DD. Pavement.** The Development Standards require that paved areas not used as parking and driveway areas consist of enhanced paving materials such as stamped concrete, permeable paved surfaces, tile, and/or brick pavers. Most of the project site is used for the proposed residential development, as the proposed building has a zero-foot front yard setback along the southerly property line; a two-foot and one-foot side yard setbacks along the easterly and westerly property lines, respectively; and a zero-foot rear yard setback from the northerly property line, after a 4-foot, 2 ½-inch dedication. The plans do not show the type of materials proposed for portions of paved areas on the ground floor; however, the Condition of Approval requires revised landscape plans that indicate the type of enhanced paving materials used

within the within the paved areas in the front, side and rear yards on the ground floor. As conditioned, the project complies with this Development Standard.

- EE. Freestanding Walls.** The Development Standards require that all freestanding walls contain an architectural element at intervals of no more than 20 feet and be set back from the property line adjacent to a public street with a landscaped buffer. The Development Standards prohibits chain-link, barbed and concertina fences. The project will provide a six-foot concrete masonry unit and metal fence walls along the easterly and westerly property lines. Exhibit "A" shows that these walls will have two types of materials incorporated at intervals of no more than 20 feet – six-foot wide metal posts and 20-foot wide brick walls. The project does not propose any walls along a public street. Therefore, as proposed, the project complies with this Development Standard.
- FF. Parking Structures – Required Commercial Frontage.** The Development Standards require building frontage for parking structures to consist of commercial, community facilities or other non-residential uses to a minimum depth of 25 feet. This provision applies to standalone parking structures. The project is for a new multi-family development with a two-level parking garage proposed within the building. Therefore, this Development Standard does not apply.
- GG. Parking Structures – Façade Treatment.** The Development Standards require parking structures to be designed to match the style, materials and color of the main building they serve. This provision applies to standalone parking structures. The project is for a new multi-family development with a two-level parking garage proposed within the building. Therefore, this Development Standard does not apply.
- HH. Parking Structures Across from Residential Uses.** The Development Standards require parking structures abutting or directly across an alley or public street from any residential use or zone conform to standards regarding the façade facing the residential use or zone. This provision applies to standalone parking structures. The project is for a new multi-family development with a two-level parking garage proposed within the building. Therefore, this Development Standard does not apply.
- II. Surface Parking Lots.** The Development Standards require surface parking lots to conform to standards regarding paving and landscaping. The project is a new multi-family development with a two-level parking garage proposed within the building. Therefore, this Development Standard does not apply.
- JJ. Surface Parking Abutting Residential.** The Development Standards require surface parking abutting or directly across an alley or public street from any residential use or zone conform to standards regarding a decorative wall and landscaping buffer. The project is a new multi-family development with a two-level parking garage proposed within the building. Therefore, this Development Standard does not apply.
- KK. On-Site Lighting.** The Development Standards require that the project include on-site lighting along all vehicular and pedestrian access ways. The Development Standards specify that the acceptable level of lighting intensity is ¾-foot-candle of flood lighting measured at the pavement, a maximum mounting height of light

sources shall be 14 feet, and “white” color corrected lamp color shall be used for ground level illumination. The Condition of Approval requires the applicant to comply with these requirements. Therefore, as conditioned, the project complies with this Development Standard.

- LL. Security Devices.** The Development Standards require that all security devices, such as security grills and window bars, be concealed from public view. Exhibit “A” does not indicate that such security devices have been incorporated in the design. However, this Development Standard has been incorporated into the Conditions of Approval should security devices be integrated into the building at a later time. Therefore, as conditioned, the project complies with this Development Standard.
- MM. Privacy.** The Development Standards require that buildings be arranged to avoid windows facing windows across property lines, or the private open space of other residential units. The project site abuts multi-family residential buildings along the project’s easterly and westerly property lines. Exhibit “A” shows privacy diagrams showing the relationship of the proposed project’s windows to the adjacent residential buildings to the east and south of the project site. The first and second levels of the project will consist of a parking garage without any residential windows, and the first habitable room level starts on the third floor of the proposed building. The adjacent building to the east is two stories, and therefore, the windows of this adjacent building does not overlap with windows of the proposed project’s residential units on the third floor. The adjacent building to the west is two stories with an attic. None of the windows on the first and second floors of the adjacent building to the west overlap with the windows of the proposed building. There is a window on the attic level that faces a balcony of the proposed project. However, the applicant has demonstrated that a majority of the windows will be arranged to avoid facing other windows across property lines. Therefore, as proposed, the project substantially complies with this Development Standard.
- NN. Hours of Operation.** The Development Standards limit parking garage cleaning and sweeping, and any deliveries or on-site garbage collection to be no earlier than 7:00 a.m. and no later than 8:00 p.m. Monday through Friday and no earlier than 10:00 a.m. and no later than 4:00 p.m. on Saturdays and Sundays. The applicant has been required in the Conditions of Approval to comply with this Development Standard. Therefore, as conditioned, the project complies with this Development Standard.
- OO. Noise Control.** The Development Standards require that any dwelling unit exterior wall including windows and doors having a line of sight to a public street or alley be constructed to provide a Sound Transmission Class of 50 or greater, as defined in the Uniform Building Code Standard No. 35-1, 1979 edition, or latest edition. The applicant has been required in the Conditions of Approval to comply with this Development Standard.
- PP. Required Ground Floor Uses.** The Development Standards require that 100-percent of street level uses within Subarea C must be commercial uses up to a depth of 25 feet. The project proposes a 100 percent residential building without any commercial components, and therefore, this Development Standard does not apply.

Design Guidelines

- QQ. Urban Form.** The Design Guidelines encourage transforming commercial streets away from a highway oriented, suburban format into a distinctly urban, pedestrian oriented and enlivened atmosphere by providing outdoor seating areas, informal gathering of chairs, and mid-block pedestrian walkways. The Guidelines also indicate that streets should begin to function for the surrounding community like an outdoor public living room and that transparency should exist between what is happening on the street and on the ground floor level of the buildings. The proposed project is a multi-family residential development without any commercial components, fronting a residential street. Nevertheless, the project proposes a clear anodized aluminum storefront system with at least 57.6 percent of transparent materials on the ground floor elevation facing the street. In addition, the project will provide a canopy over the main entrance, highlighting the entryway and proposing a pedestrian-scale design on the front elevation. As proposed, the project will contribute to a more pedestrian-friendly atmosphere along the street. Therefore, the project satisfies the Design Guidelines.
- RR. Building Form.** According to the Design Guidelines, buildings are encouraged to have a clearly defined ground plane, roof expression and middle or shaft that relates to the two. The plane of the first two levels of the project is defined by a clear anodized aluminum storefront system with a canopy over the main pedestrian entrance, cement plaster, and concrete masonry wall. The upper floors will have a distinct design highlighting the residential units at these levels with cement plaster with different colors, balconies, and vertically and horizontally aligned fenestration that distinguish the first two levels from upper level facades. The roof plane varies in height throughout the building, which adds interest to the top of the building. Therefore, the project satisfies the Design Guidelines.
- SS. Architectural Features.** The Design Guidelines recommend courtyards, balconies, arbors, roof gardens, water features, and trellises, as well as appropriate visual references to historic building forms in new construction. The project includes various architectural features that add interest to the building facades, such as balconies, canopies, horizontal bands, and railing. Therefore, the project satisfies the Design Guidelines.
- TT. Building Color.** The Design Guidelines encourage buildings be painted three colors: a dominate color, a subordinate color and a grace note color. Plans submitted by the applicant indicate that the building will utilize various colors. The dominant colors will be white, the subordinate colors will be brown and gray, and the grace note color will be bonnie blue. Therefore, the project satisfies the Design Guidelines.
- UU. Signs.** The Design Guidelines provide extensive guidance related to the placement, type and style of signage to be used for projects. The Guidelines indicate that signs should coordinate with the building and not dominate or obscure architectural elements; that window signs should allow for clear views into and out of tenant spaces; that awning signs should be confined to awning valences; that pedestrian oriented “hanging signs”, which are visible from the sidewalk are encouraged, as are neon signs, portable signs and hand painted lettering. The Specific Plan prohibits the use of any pole, roof or off-site sign, any sign containing flashing, mechanical or strobe lights. The applicant is not proposing any signs as part of this application.

However, all future signs will be reviewed for compliance with the Vermont/Western Station Neighborhood Area Plan (SNAP) Specific Plan and Design Guidelines.

VV. Plant Material on Facades. The Design Guidelines encourage façade plant materials in addition to permanent landscaping. The project does not propose any plant materials on the building facades. Therefore, this Design Guideline does not apply.

2. 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.

On June 1, 2018, the Department of City Planning determined that, based on the whole of the administrative record, that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Statutes and Guidelines, Section 15332 (In-Fill Development Project), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

A project qualifies for a Class 32 Categorical Exemption if it is developed on an infill site and meets the following criteria:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations;
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses;
- (c) The project site has no value as habitat for endangered, rare or threatened species;
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and
- (e) The site can be adequately served by all required utilities and public services.

The project site is zoned R4-2 and designated for High Density Residential land uses by the Hollywood Community Plan with corresponding zones of R4 and [Q]R5. The site is also located in Subarea C (Community Center) of the SNAP. The project is for the demolition of two (2) duplexes; and construction, use and maintenance of a seven-story, multi-family residential development containing approximately 27,771 square feet of floor area and 39 dwelling units. The proposed project is in substantial conformance with the Hollywood Community Plan land use designation, all applicable zoning designations and the SNAP provisions with the utilization of the TOC Affordable Housing Incentive Program.

The project site is approximately 8,749.9 square feet, or 0.2 acres, in size and wholly within the City of Los Angeles. The surrounding area is characterized by urban uses including retail, commercial, institutional, mixed-use and multi-family residential developments. Properties to the north, across an alley, are developed with a gas station, a four-story mixed-use development with retail stores and 41 dwelling units, and one- to two-story commercial and retail buildings. There is a vacant site that is currently under

construction for a seven-story, mixed-use development with retail space and 161 dwelling units. Properties to the east and west are developed with one- to five-story, multi-family residential buildings. Properties to the south are developed with one- to five-story, single- and multi-family residential developments and Grant Elementary School.

The site is currently developed with two (2) duplexes containing four (4) dwelling units, and surrounded by urban uses as previously mentioned. The project site does not abut any, wetland, open space or park land and is not located in close proximity to any large open space areas that could support a habitat for endangered, rare or threatened species. Per a tree letter, dated June 13, 2017, from Wynn Landscape Architects, Inc., the project site does not contain any protected trees. Five (5) existing trees, including a fruit tree, two (2) palm trees, and two (2) *Cupressus sempervirens* trees, will be removed from the project site. While the removal of non-protected trees would not be considered a significant impact under CEQA, the removal of trees has the potential to impact nesting bird species if they are present at the time of tree removal. However, nesting birds are protected under the Federal Migratory Bird Treaty Act (MBTA) (*Title 16, United States Code, Section 703 et seq., see also Title 50, Code of Federal Regulation, Part 20*) and Section 3503 of the California Department of Fish and Game Code. Therefore, the project site has no value as a habitat for endangered, rare or threatened species.

The proposed project is not expected to result in any significant effects relating to traffic, noise, air quality or water quality. Per the Los Angeles Department of Transportation (LADOT) Referral Form Traffic Study Assessment, signed by LADOT on January 17, 2018, the proposed project with 39 dwelling units is expected to generate a net increase of 259 total daily trips, 20 AM Peak Hour trips, and 24 PM Peak Hour trips. LADOT does not require a traffic study for the proposed project to analyze potential traffic impacts, and therefore, the project is not expected to result in a significant impact relating to traffic.

The proposed project must comply with the City of Los Angeles Noise Ordinance Nos. 144,331 and 161,574 and any subsequent ordinances, which limit the emission or creation of noise levels. During construction of the proposed project, the applicant will be required to comply with the City's Noise Ordinance No. 161,574, which regulates noise from demolition and construction activities. Section 41.40 of the LAMC prohibits construction activity (including demolition) and repair work, where the use of any power tool, device, or equipment would disturb persons occupying sleeping quarters in any dwelling hotel, apartment, or other place of residence, between the hours of 9:00 p.m. and 7:00 a.m. Monday through Friday, and between 6:00 p.m. and 8:00 a.m. on Saturday. All such activities are also prohibited on Sundays and all federal holidays. Section 112.05 of the LAMC also specifies the maximum noise level of construction machinery that can be generated in any residential zone of the city or within 500 feet thereof. The project would not result in any significant construction noise impacts with the implementation of the City's Noise Ordinances and regulations.

The project's criteria air emissions were estimated by ZMassociates Environmental Group using CalEEMod on April 16, 2018. The project's emissions would not exceed the South Coast Air Quality Management District's (SCAQMD) localized and regional thresholds. In addition, appropriate dust control measures would be implemented as part of the proposed project during each pahse of development, as required by SCAQMD Rule 403 – Fugitive Dust. The project will also implement Best Management Practices

(BMP), including wetting demolition and construction areas at least three times daily during excavation and construction, maintaining and operating construction equipment to minimize exhaust emissions, and securing dirt and soil loads by trimming, watering or other appropriate means to prevent spillage and dust. Therefore, the project would not have a significant impact on air quality.

Construction activities would not involve any significant excavation near an identified water source. In addition, the project will be required to comply with various regulatory requirements, which would reduce stormwater flows off-site. The project will comply with Chapter VI Article 4.4 of the LAMC, Stormwater and Urban Runoff Pollution Control, which requires the application of BMPs to reduce or prevent pollutant discharges. Under the conditions of a building permit for the project, the project applicant will be required to eliminate or reduce non-stormwater discharges to waters of the nation, develop and implement a Stormwater Pollution Prevention Plan (SWPPP) for project construction activities, and perform inspections of the stormwater pollution prevention measures and control practices to ensure conformance with the site SWPPP. Therefore, development of the proposed project would not degrade the quality of stormwater runoff from the site.

Lastly, the site can be adequately served by all required utilities and public services given that the construction of the proposed project will be on a site which has been previously developed and is consistent with the City's General Plan. Therefore, the project meets all of the Criteria for the Class 32 Categorical Exemption.

There are five (5) Exceptions which must be considered in order to find a project exempt under Class 32: (a) Cumulative Impacts; (b) Significant Effect; (c) Scenic Highways; (d) Hazardous Waste Sites; and (e) Historical Resources.

There is not a succession of known project of the same type in the same place as the proposed project. There is a mixed-use development located at 5732-5766 Hollywood Boulevard (Mixed-Use Project), directly north of the project site. However, this mixed-use project is not considered the same type of project as the proposed apartment building, as the subject development is much smaller in scale and a different type of development compared to the Mixed-Use Project. The proposed project will contain 39 dwelling units without any commercial or retail space, whereas the Mixed-Use Project will contain 161 dwelling units in addition to approximately 4,800 square feet of commercial space. In addition, the proposed project proposes approximately 27,770.25 square feet of floor area, which is much smaller in scale compared to the Mixed-Use Project that will contain approximately 168,956 square feet of floor area. The Mixed-Use Project will also generate higher vehicular and pedestrian trips to and from its site compared to the proposed 39-unit apartment building. In addition, the proposed project is entirely consistent with the existing General Plan Land Use designation, zoning and Specific Plan in conjunction with approval of the ministerial incentives per the TOC Affordable Housing Incentive Program. The proposed project will not generate a significant number of vehicle trips and will not result in any significant impacts to land use planning, habitat, noise, air quality, or water quality, and therefore will not make a considerable contribution to any significant cumulative traffic, air quality, or noise impacts. Therefore, impacts from the proposed development will be less than significant, and are not expected to contribute to cumulative impacts from other known projects in the vicinity of the subject site.

All adjacent lots are developed and will be developed with one- to seven-story residential, retail, commercial, and institutional uses, and the subject site is of a similar size and slope to nearby properties. The project proposes a Floor Area Ratio (FAR) of approximately 3.2:1 on the property that is permitted to have a maximum FAR of 6:1. The subject property is zoned R4-2, which does not restrict building height. The proposed number of units is consistent with the Subarea C designation of the SNAP in conjunction with the TOC Affordable Housing Incentive Program, which allows a 70-percent density increase in exchange for setting aside at least four (4) units for Extremely Low Income Households. The proposed project is consistent with the zoning and land use designation in conjunction with the TOC Affordable Housing Incentive Program, and similar in scope to other existing uses in the area. Thus, there are no unusual circumstances which may lead to a significant effect on the environment.

The only State Scenic Highway within the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27, which travels through a portion of Topanga State Park. State Route 27 is located approximately 30 miles to the west of the site. Therefore, the subject site will not create any impacts within a designated as a State Scenic Highway. Furthermore, according to Envirostor, the State of California's database of Hazardous Waste Sites, neither the subject site, nor any site in the vicinity, is identified as a hazardous waste site.

The project site is listed in the Community Redevelopment Agency's (CRA) Historic Resources Survey Report for the Hollywood Redevelopment Project Area, dated February 2010 with a status code of 6Q, which refers to properties that may warrant special consideration in the local planning process. The Hollywood Heritage in their letter dated April 6, 2016 states that they reviewed the subject property and determined that the project's historic integrity makes it ineligible for National Register, California Register or Local Designation. The Department of City Planning, Office of Historic Resources concurred with the Hollywood Heritage per their email dated June 25, 2018. As such, the project site has not been identified as a historic resource by local or state agencies, and the project site has not been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, the Los Angeles Historic-Cultural Monuments Register, and/or any local register; and was not found to be a potential historic resource based on the City's HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles. Based on this information, the project will not result in a substantial adverse change to the significance of a historic resource and this exception does not apply.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the Director's Determination shall be fulfilled before the use may be established. The instant authorization is further conditioned upon the privileges being utilized within **three years** after the effective date of this determination and, if such privileges are not utilized, building permits are not issued, or substantial physical construction work is not begun within said time and carried on diligently so that building permits do not lapse, the authorization shall terminate and become void.

TRANSFERABILITY

This determination runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions of this grant. If any portion of this approval is utilized, then all other conditions and requirements set forth herein become immediately operative and must be strictly observed.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 11.00 of the LAMC states in part (m): "It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code shall be guilty of a misdemeanor unless that violation or failure is declared in that section to be an infraction. An infraction shall be tried and be punishable as provided in Section 19.6 of the Penal Code and the provisions of this section. Any violation of this Code that is designated as a misdemeanor may be charged by the City Attorney as either a misdemeanor or an infraction.

Every violation of this determination is punishable as a misdemeanor unless provision is otherwise made, and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment."

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated or not complied with, then the applicant or his successor in interest may be prosecuted for violating these conditions the same as for any violation of the requirements contained in the Municipal Code, or the approval may be revoked.

The Determination in this matter will become effective and final fifteen (15) days after the date of mailing of the Notice of Director's Determination unless an appeal there from is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of this Determination, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. Forms are available on-line at <http://planning.lacity.org>.

Planning Department public offices are located at:

Figueroa Plaza
201 North Figueroa Street
4th Floor
Los Angeles, CA 90012
(213) 482-7077

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard, Room 251
Van Nuys, CA 91401
(818) 374-5050


West Los Angeles
1828 Sawtelle Boulevard
2nd Floor
Los Angeles, CA 90025
(310) 231-2901

Verification of condition compliance with building plans and/or building permit applications are done at the Development Services Center of the Department of City Planning at either Figueroa Plaza in Downtown Los Angeles or the Marvin Braude Building in the Valley. In order to assure that you receive service with a minimum amount of waiting, applicants are encouraged to schedule an appointment with the Development Services Center either through the Department of City Planning website at <http://planning.lacity.org>, or by calling (213) 482-7077 or (818) 374-5050 or (310) 231-2901. The applicant is further advised to notify any consultant representing you of this requirement as well.

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

VINCENT P. BERTONI, AICP
Director of Planning

Approved by:


Christina Toy Lee, Senior City Planner

Reviewed by:


Mindy Nguyen, City Planner

Prepared by:


Nuri Cho, City Planning Associate
Nuri.Cho@lacity.org