

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

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
CPC-2019-3844-VZCJ-SPR	ENV-2019-3845-MND	6 – Martinez
PROJECT ADDRESS:		
8547-8549 ½ N. Sepulveda Boulevard		
APPLICANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
Stephanie Klasky-Gamer The Agent 2018, L.P. 7843 Lankershim Boulevard North Hollywood, CA 91605 <input type="checkbox"/> New/Changed	(747) 214-8709	etooke@lafh.org
APPLICANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
Christopher Murray/Jessica Pakdaman Rosenheim & Associates, Inc. 21600 Oxnard Street #630 Woodland Hills, CA 91367	(818) 716-2782 (818) 716-2797	chris@raa-inc.com jessica@raa-inc.com
APPELLANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A	N/A	N/A
APPELLANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A	N/A	N/A
PLANNER CONTACT INFORMATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Laura Frazin-Steele	(818) 374-9919	laura.frazinsteel@lacity.org
ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION		
VESTING ZONE CHANGE (VZCJ)		

FINAL ENTITLEMENTS NOT ADVANCING:

SITE PLAN REVIEW (SPR)

ITEMS APPEALED:

N/A

ATTACHMENTS:

REVISED:

ENVIRONMENTAL CLEARANCE:

**REVISED
:**

- Letter of Determination
- Findings of Fact
- Staff Recommendation Report
- Conditions of Approval
- Ordinance
- Zone Change Map
- GPA Resolution
- Land Use Map
- Exhibit A - Site Plan
- Mailing List
- Land Use
- Other _____

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- Categorical Exemption
- Negative Declaration
- Mitigated Negative Declaration
- Environmental Impact Report
- Mitigation Monitoring Program
- Other _____

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NOTES / INSTRUCTION(S):

N/A

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:
December 19, 2019	7 – 0
LAST DAY TO APPEAL:	APPEALED:
January 15, 2020	No
TRANSMITTED BY:	TRANSMITTAL DATE:
Cecilia Lamas, Commission Executive Assistant	January 22, 2020



LOS ANGELES CITY 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: DEC 26 2019

Case No. CPC-2019-3844-VZCJ-SPR

Council District: 6 – Martinez

CEQA: ENV-2019-3845-MND

Plan Area: Mission Hills – Panorama City – North Hills

Project Site: 8547 - 8549 ½ North Sepulveda Boulevard

Applicant: Stephanie Klasky-Gamer and Elizabeth Tooke, The Angel 2018, L.P.
Representative: Christopher Murray and Jessica Pakdaman,
Rosenheim & Associates, Inc.

At its meeting of **December 19, 2019**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following project:

Construction, use, and maintenance of a four-story, 52 feet in height, 37,850 square foot, 54 unit multi-family residential apartment building on a 22,214 square foot lot. The project is proposed to be 100 percent affordable (excluding the Manager's Unit) and will be composed of three units (6 percent) for Extremely Low Income Households, 50 units (93 percent) for Low Income Households, and one Manager's Unit at Market Rate. A minimum of two and a maximum of 20 automobile parking spaces and 49 bicycle parking spaces (44 long term and 5 short term) will be provided at grade. The proposed project will involve the demolition of one approximately 6,400 square foot commercial building. Ten non-protected trees are proposed for removal, and 230 cubic yards of export are proposed for grading purposes.


1. **Found**, pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Mitigated Negative Declaration No. ENV-2019-3845-MND ("Mitigated Negative Declaration"), and all comments received, with the imposition of mitigation measures, there is no substantial evidence that the Project will have a significant effect on the environment; **Found** the Mitigated Negative Declaration reflects the independent judgment and analysis of the City; **Found** the mitigation measures have been made enforceable conditions of the project; and **Adopted** the Mitigated Negative Declaration and the Mitigation Monitoring Program prepared for the Mitigated Negative Declaration;
2. **Approved and recommended**, that the City Council adopt, pursuant to Sections 12.32 F and Q of the Los Angeles Municipal Code (LAMC), a Vesting Zone Change from the existing [Q]C2-1VL to (T)(Q)C2-1VL to remove permanent Q Conditions established by Ordinance No. 164,750;
3. **Approved and recommended**, that the City Council adopt, pursuant to LAMC Section 11.5.11(e), the following three Developer's Incentives:
 - a. An increased floor area ratio (FAR) of 2.2:1 in lieu of the 1.5:1 otherwise allowed in the C2-1VL Zone;
 - b. A maximum building height of 52 feet in lieu of the maximum 45 foot height otherwise allowed in the C2-1VL Zone and a maximum Transitional Height of 45

- feet in lieu of the 25 foot Transitional Height restriction pursuant to LAMC Section 12.21.1 A.10; and
- c. A minimum of two automobile parking spaces in lieu of the otherwise required 55 parking spaces;
4. **Approved**, pursuant to LAMC Section 16.05, a Site Plan Review for the development of an approximately 37,850 square foot, 54 unit apartment complex with a maximum building height of 52 feet and four stories;
5. **Adopted** the attached Conditions of Approval; and
6. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Millman
 Second: Choe
 Ayes: Khorsand, Leung, Mack, Mitchell, Perlman
 Absent: Ambroz, Padilla-Campos

Vote: 7 – 0


 Irene Gonzalez, Commission Office Manager
 Los Angeles City Planning Commission

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

Effective Date/Appeals: The decision of the Los Angeles City Planning Commission as it relates to the Vesting Zone Change is appealable by the Applicant only, if disapproved in whole or in part by the Commission. The decision of the Los Angeles City Planning Commission, regarding the remaining approval, is appealable to the Los Angeles City Council within 20 days after the mailing date of this determination letter. Any appeal not filed within the 20-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Development Service Centers located at: 201 North Figueroa Street, Fourth Floor, Los Angeles; 6262 Van Nuys Boulevard, Suite 251, Van Nuys; or 1828 Sawtelle Boulevard, West Los Angeles.

FINAL APPEAL DATE: JAN 15 2020

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.

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: Zone Change Ordinance, Map, Conditions of Approval, Findings

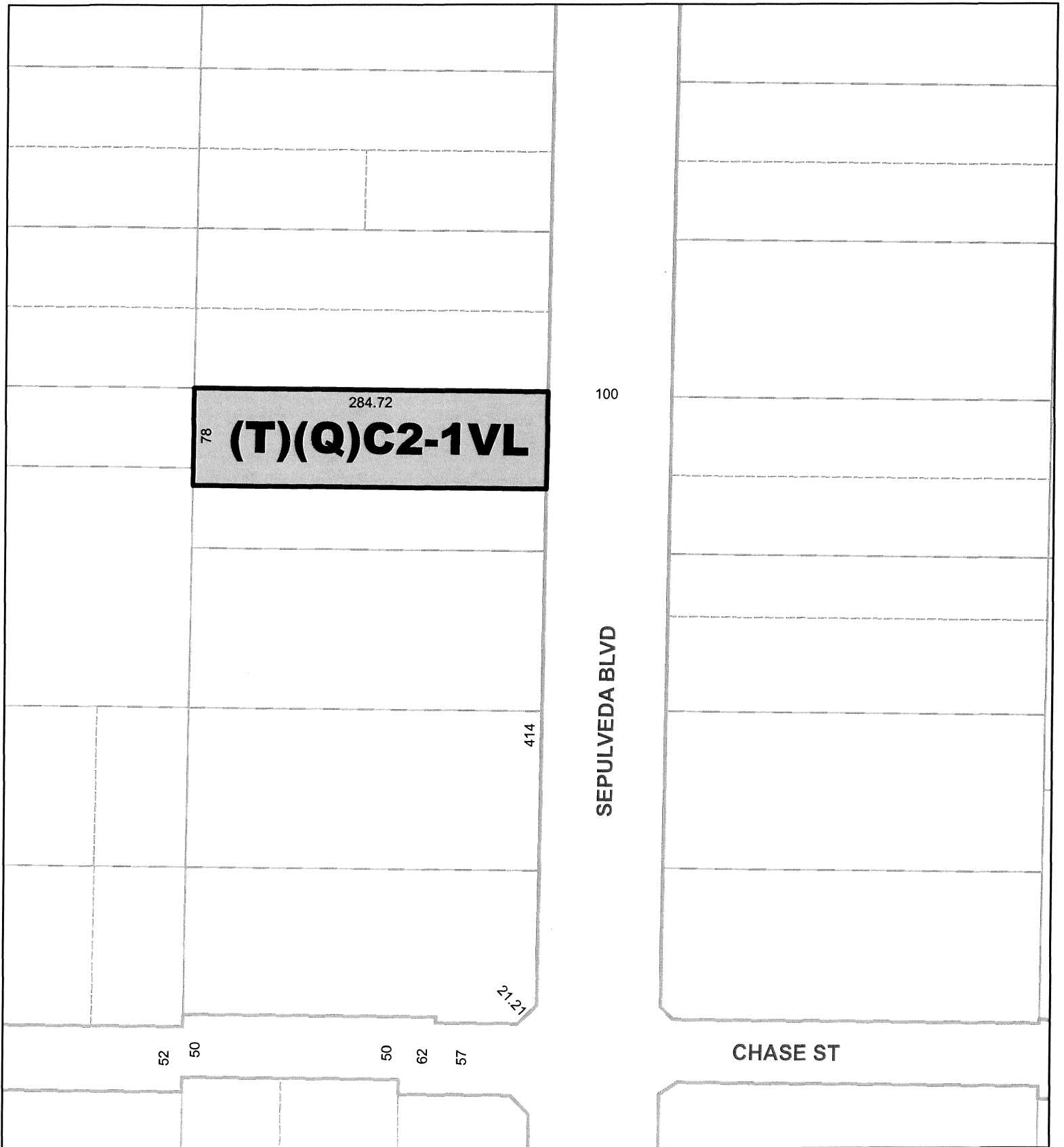
cc: Blake Lamb, Principal Planner
 Michelle Levy, Senior City Planner
 Laura Frazin-Steele, City Planner

ORDINANCE NO. _____

An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zones and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:



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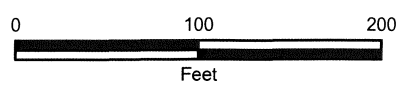
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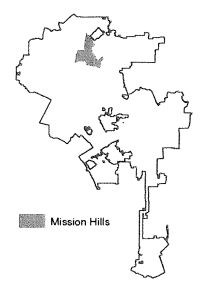


CPC-2019-3844-VZCJ-SPR

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City of Los Angeles



Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Pursuant to Section 558 of the City Charter, the Los Angeles City Planning Commission on **December 19, 2019** recommends this ordinance **BE ADOPTED** by the City Council

By  _____
Irene Gonzalez
Commission Office Manager

File No. _____

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____

(Q) QUALIFIED CONDITIONS OF APPROVAL

Pursuant to Section 12.32 of the Los Angeles Municipal Code (LAMC), the following limitations are hereby imposed upon the use of the subject property, subject to the "Q" Qualified classification.

Zone Change Entitlement 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**" (dated August 27, 2019) and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Valley 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 LAMC or the project conditions.
2. **Use.** The property shall be limited to a 54-unit multi-family residential apartment dwelling.
3. **Height.** Building height shall be limited to four stories and 52 feet in height, except for the west elevations at the rear yard setback, which shall be stepped back to a maximum height of 45 feet as shown on "**Exhibit A.**"
4. **Floor Area Ratio (FAR).** The project shall be limited to a maximum FAR of 2.2:1.
5. **Automobile Parking.** The project shall provide a minimum of two automobile parking spaces and a maximum of 20 automobile parking spaces.
6. **Measure JJJ.** A minimum of 3 units (5%) of the 54-unit multi-family apartment building shall be reserved as affordable to Extremely Low Income households and a minimum of 8 units (15%) of the 54-unit multi-family apartment building shall be reserved as affordable to Low Income households.
7. **Affordable Units.** In addition to the required set-aside units, pursuant to Measure JJJ and Condition 6 of this approval, the applicant shall set aside remaining units (excluding the Manager's unit), to be restricted to affordability levels as defined by the United States Department of Housing and Urban Development (HUD) or any successor agency as verified by the Los Angeles Housing and Community Investment Department (HCIDLA).
8. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA), consistent with Condition Nos. 6 and 7 of this approval, for sale or rental as determined to be affordable to such households by HCIDLA for a period of 55 years. In the event the applicant reduces the proposed density of the project, the number of required set-aside affordable units may be adjusted, consistent with LAMC Section 11.5.11, to the satisfaction of HCIDLA, and in consideration of the project's AB 2222 Determination. 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 the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by the HCIDLA.

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

Pursuant to Section 12.32 G.1 of the Municipal Code, the (T) Tentative Classification shall be removed by the recordation of a final parcel or tract map or by posting of guarantees through the B-permit process of the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approval or guarantees provided to the Department of City Planning for attachment to the subject planning case file.

1. Dedication Required.

- a. A 5-foot wide strip of land along Sepulveda Boulevard to complete a 55-foot half right-of-way in accordance with Boulevard II street standards of Mobility Plan 2035.

2. Improvements Required.

- a. Along Sepulveda Boulevard construct a new full-width concrete sidewalk; repair all broken, off-grade or bad order concrete curb and gutter; and upgrade all driveways to comply with ADA requirements.

Notes:

Broken curb and/or gutter includes segments within existing score lines that are depressed or upraised by more than $\frac{1}{4}$ inch from the surrounding concrete work or are separated from the main body of the concrete piece by a crack through the entire vertical segment and greater than $\frac{1}{8}$ inch at the surface of the section.

Non-ADA compliant sidewalk shall include any sidewalk that has a cross slope that exceeds 2% and/or is depressed or upraised by more than $\frac{1}{4}$ inch from the surrounding concrete work or has full concrete depth cracks that have separations greater than $\frac{1}{8}$ inch at the surface. The sidewalk also includes that portion of the pedestrian path of travel across a driveway.

All new sidewalk curb and gutter shall conform to the Bureau of Engineering Standard Plans S410-2, S410-4, S442-5 and S444-0.

Install tree wells with root barriers and plant street trees satisfactory to the City Engineer and the Urban Forestry Division of the Bureau of Street Services. The applicant should contact the Urban Forestry Division for further information at (213) 847-3077.

Regarding any conflicts with power pole matters, contact the Department of Water and Power at (213) 367-2715.

3. **Drainage.** Provide proper site and street drainages for all streets being improved.
4. **Sewers.** There is an existing sewer mainline in Sepulveda Boulevard. Extension of the 6-inch house connection laterals to the new property will be required. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.

5. **Sewers.** An investigation may be necessary to determine the capacity of the existing public sewers to accommodate the proposed development. Submit a request to the Valley District Office Sewer Counter of the Bureau of Engineering at (818) 374-5090.
6. **Excavation.** Submit shoring and lateral support plans to the Valley District Office of the Bureau of Engineering for review and approval prior to excavating adjacent to the public right-of-way at (818) 374-5090.
7. **Access/BOE Approval.** Submit a parking area and driveway plan to the Valley District Office of the Bureau of Engineering for review and approval.
8. **Access/DOT Approval.** Submit a parking area and driveway plan to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 6262 Van Nuys Boulevard, Room 320, Van Nuys, CA 91401.
9. **Reservoir Space.** A minimum 20 foot reservoir space is required between any security gate or parking space and the property line to the satisfaction of the Department of Transportation.
10. **Driveway Width.** A two-way driveway width of $W=30$ is required for all driveways or to the satisfaction of the Department of Transportation.
11. **DOT Fees.** The applicant may be required to comply with any applicable DOT fees.
12. **Street Trees.** A minimum of one street tree shall be provided along Sepulveda Boulevard to the satisfaction of the Urban Forestry Division, Bureau of Public Works. Crape Myrtle shall not be considered appropriate in meeting this condition. New trees planted within the public right-of-way shall be spaced not more than an average of 30 feet on center, unless otherwise permitted by the Urban Forestry Division.
13. **Street Lighting.** Remove and install existing conduit behind new curb and gutter on Sepulveda Boulevard.

Notes:

The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection.

Conditions set: 1) by LADOT or 2) by other legal instrument excluding the Bureau of Engineering conditions, requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.

CONDITIONS OF APPROVAL

Development 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**” (dated August 27, 2018) and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Valley 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 LAMC or the project conditions.
2. **Landscape Plan.** Revised landscape plans shall be submitted to show the size and location of all plants. The landscape plan shall indicate landscape points for the Project as required by LAMC 12.40 and Landscape Ordinance Guidelines “O”. All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be landscaped, including an automatic irrigation system, and maintained in accordance with a final landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning. The final landscape plan shall be in substantial conformance with the submitted Landscape Plans dated August 27, 2019, and stamped as **Exhibit “A,”** and shall incorporate any modifications required as a result of this grant.
3. **Trees in the Public Right-of-Way.** New trees planted within the public right-of-way shall be spaced not more than an average of 30 feet on center, unless otherwise permitted by the Urban Forestry Division, Bureau of Public Works. Crape Myrtle shall not be considered appropriate in meeting this condition.
4. **Solar-ready Buildings.** The Project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.
5. **Solar Power.** The project shall provide Photovoltaic Collectors for a Solar Hot Water System or photovoltaic provisions as required to comply with the 2019 California Energy Code for Solar Ready Buildings (Section 110.10) to be maintained for the life of the project.
6. **Solar and Electric Generator.** Generators used during the construction process shall be electric or solar powered. Solar generator and electric generator equipment shall be located as far away from sensitive uses as feasible.
7. **Heat Island Effect.** To reduce the heat island effect, a minimum of 50% of the area of pathways, patios, driveways or other paved areas shall use materials with a minimum initial Solar Reflectance value of 0.35 in accordance with ASTM (American Society of Testing Materials) standards.
8. **Greywater.** At a minimum, greywater-ready features shall be provided.
9. **Stormwater/irrigation** – The project shall implement on-site stormwater infiltration as feasible based on the site soils conditions, the geotechnical recommendations, and the City of Los Angeles Department of Building and Safety Guidelines for Storm Water

Infiltration. If on-site infiltration is deemed infeasible, the project shall analyze the potential for stormwater capture and reuse for irrigation purposes based on the City Low Impact Development (LID) guidelines.

10. **Utility Connections.** New utility connections shall be undergrounded to the maximum extent feasible.
11. **Electric Vehicle Parking.** The project shall include at least 20 percent (20%) of the total required parking spaces (two spaces) 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. Five percent (5%) of the total required parking spaces will be further provided with EV chargers to immediately accommodate electric vehicles within the parking areas. When the application of either the required 20 percent or 5 percent results in a fractional space, round up to the next whole number. A label stating "EV CAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.
12. **Unbundled Parking.** Residential parking for the Manager's Unit shall be unbundled from the cost of the rental unit.
13. **Parking Garage Design.** That portion of a building or structure that is used for parking at grade or above grade shall be designed to minimize vehicle headlight and parking structure interior lighting impacts ("spillover") on adjacent streets and properties.

Environmental Conditions (ENV-2019-3845-MND)

14. **Habitat Modification - Nesting Native Birds, Non-Hillside or Urban Areas (MM IV-20).**

The project will result in the removal of vegetation and disturbances to the ground and therefore may result in take of nesting native bird species. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA).

 - Proposed project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86).
 - If project activities cannot feasibly avoid the breeding bird season, beginning thirty days prior to the disturbance of suitable nesting habitat, the applicant shall:
 - a. Arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within properties adjacent to the project site, as access to adjacent areas allows. The surveys shall be conducted by a

qualified biologist with experience in conducting breeding bird surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work.

- b. If a protected native bird is found, the applicant shall delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat for the observed protected bird species until August 31.
 - c. Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest or as determined by a qualified biological monitor, shall be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. The buffer zone from the nest shall be established in the field with flagging and stakes. Construction personnel shall be instructed on the sensitivity of the area.
 - d. The applicant shall record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds. Such record shall be submitted and received into the case file for the associated discretionary action permitting the project.
15. **Tree Preservation Grading Activities (IV-60).** "Orange fencing" or other similarly highly visible barrier shall be installed outside of the drip line of locally protected and significant (trunk diameter of 8 inches or greater) non-protected trees, or as may be recommended by the Tree Expert. The barrier shall be maintained throughout the grading phase, and shall not be removed until the completion and cessation of all grading activities.
16. **Tree Removal – Non-Protected Trees (IV-70).**
- Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.
 - All nine significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at a 1.5:1 ratio with a minimum 24-inch box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.
 - Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division the Department of Public Works, Bureau of Street Services.

17. **Archaeological Monitor (V-20).**

An archaeological monitor that meets the Secretary of Interior qualifications shall be on site during demolition of all buildings and removal of the pavement. The purpose of having an archaeologist on site is to assess whether elements of the earlier 1920s structures were incorporated into existing buildings, or whether foundations or other features exist below the surface of the existing parking lot that date to the oldest development of the property. If such features are identified, then the "discovery" protocol shall be followed. Because the likelihood of finding older cultural resources on the project property is much higher than that of the surrounding area due to the higher number of older past structures on the property as described in the historic record, delays due to compliance assessment

of discoveries should be incorporated into the project site preparation and grading schedule.

After demolition and removal of the pavement, an archaeological monitor that meets the Secretary of Interior qualifications shall be on site during the grading of the top 5 feet of soil. The archaeological monitor shall collect any historic material uncovered through grading within a disturbed context, and can halt construction within 50 feet of a potentially significant cultural resource if necessary. Artifacts collected from a disturbed context or that do not warrant additional assessment may be collected without the need to halt grading.

However, if foundations, privies, or other historic features are encountered, the "discovery" protocol shall be followed. Again, because the likelihood of finding older cultural resources on this property is higher than that of the surrounding area, due to the higher number of older past structures on the property as described in the historic record, delays due to compliance assessment of discoveries should be incorporated into the project grading schedule.

A final project Monitoring Report shall be produced that discusses all monitoring activities and all artifacts recovered and features identified through monitoring of the demolition and grading of the project site. Discovery situations that do not lead to further assessment, survey, evaluation, or data recovery may be described in the Monitoring Report. All artifacts recovered that are important, with diagnostic or location information that may be of importance to California and San Fernando Valley history, shall be cleaned, analyzed, and described within the Monitoring Report. All materials will be curated at an appropriate depository. If important materials are found during monitoring, a Curation Plan shall be prepared and reviewed by the Lead Agency prior to the publication of the Monitoring Report. The costs of the Monitoring Report, Curation Plan, and processing, analysis, and curation of all artifacts shall be the responsibility of the applicant.

18. Archaeological Discovery Protocol (V-40).

If potentially significant intact deposits are encountered within an undisturbed context, then a cultural resource "discovery" protocol shall be followed. If older historic (or prehistoric) features, artifact concentrations, or larger significant artifacts are encountered during demolition or grading within native soils or original context, then all work in that area shall be halted or diverted away from the discovery to a distance of 50 feet until a qualified senior archaeologist can evaluate the nature and significance of the find(s). If the senior archaeologist confirms the discovery is potentially significant, then the Lead Agency shall be contacted and informed of the discovery.

Construction shall not resume in the locality of the discovery until consultation between the senior archaeologist, the project manager, the Lead Agency, and all other concerned parties, takes place and reaches a conclusion approved by the Lead Agency. If a significant cultural resource is discovered during earth-moving, complete avoidance of the find is preferred. However, if the discovery cannot be avoided, further survey work, evaluation tasks, or data recovery of the significant resource may be required by the Lead Agency. The Lead Agency may also require changes to the Monitoring Plan based on the discovery.

All costs for the additional monitoring, discovery assessment, discovery evaluation, or data recovery shall be the responsibility of the applicant. All individual reports, including the final project Monitoring Report, shall be submitted to the SCCIC at the conclusion of the project.

19. Geology and Soils (VII-60). Prior to the issuance of a grading or building permit, all recommendations in the project Geotechnical Investigation dated October 26, 2018 prepared by Geocon West, Inc. shall be incorporated to the satisfaction of the Los Angeles Department of Building and Safety.

20. Creation of a Health Hazard (IX-60).

- Prior to the issuance of a use of land or building permit, or issuance of a change of occupancy, the applicant shall obtain approval from the Fire Department and the Department of Public Works, for the transport, creation, use, containment, treatment, and disposal of the hazardous material(s).
- Approved plans for the transport, creation, use, containment, treatment, and disposal of the hazardous material(s) shall be submitted to the decision-maker for retention in the case file.

21. Release of Potential Existing Toxic/Hazardous Construction Materials (IX-140).

- Asbestos - Asbestos-containing materials in the existing building must be removed by a licensed and certified asbestos abatement contractor prior to demolition or renovation pursuant to Rule 1403 of the South Coast Air Quality Management District and Cal/Occupational Safety and Health Administration Asbestos Regulations. Asbestos abatement activities must be conducted in compliance with all applicable regulations, standards and generally accepted environmental and safety practices; including but not limited to: Federal Occupational Safety and Health Administration (29 Code of Federal Regulations 1926.58), Environmental Protection Agency National Emission Standards for Hazardous Air Pollutants (40 Code of Federal Regulations Part 61), and Toxic Substances Control Act Title II Asbestos Hazard Emergency Response Act/Asbestos School Hazard Abatement Reauthorization Act (40 CFR Part 763) Asbestos Regulations, the Occupational Safety and Health Administration Asbestos Construction Standard, 29 Code of Federal Regulations 1926.110 I, and Title 8, California Code of Regulations Section 1529, and Cal-Occupational Safety and Health Administration Construction Standard.
- Radon - Prior to issuance of any permit for the demolition or alternation of existing structures, the project proponent shall conduct on-site radon measurements to determine the radon levels at the subject property.
- Mold and Water Damage - Prior to issuance of any permit for the demolition or alteration of existing structures, the project proponent shall conduct a complete mold and water damage assessment, including various types of sampling, to determine if mold levels within the subject buildings are at levels acceptable by industry standards.

22. Increased Noise Levels - Demolition, Grading, and Construction Activities (XIII-240)

- Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.

- Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- The following equipment shall be retrofitted with an industrial grade muffler, or muffler of similar capacity, capable of reducing engine noise by at least 15 dB(A): backhoes, dozers, dump trucks, front end loaders or Bobcats, and forklifts.
- The following stationary equipment shall be enclosed with sound transmission obscuring products capable of reducing noise levels by at least 10 dB(A): saws.
- Adjacent land uses within 500 feet of the on-site limit of construction equipment operations shall be notified of the estimated duration and hours of construction activity at least 30 days prior to the start of construction activity.
- Heavy duty trucks shall be prohibited from prolonged idling on Sepulveda Boulevard.
- The staging and location of noisy stationary equipment shall be located as far as technically feasible from adjacent sensitive receptors.
- A temporary noise control barrier shall be installed on the property line of the construction site abutting residential uses. The noise control barrier shall be engineered to reduce construction-related noise levels at the adjacent residential structures with a goal of a reduction of 10 dBA. The supporting structure shall be engineered and erected according to applicable codes. The temporary barrier shall remain in place until all windows have been installed and all activities on the project site are complete.

Administrative Conditions

23. **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.
24. **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.
25. **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 (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement shall 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.
26. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean the agencies, public offices, legislation or their successors, designees or amendment to any legislation.
27. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or

the agency's successor and in accordance with any stated laws or regulations, or any amendment thereto.

28. **Building Plans.** Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the department of City Planning and the Department of Building & Safety.
29. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director of Planning, pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if in the decision makers opinion, such actions are proved necessary for the protection of persons in the neighborhood or occupants of adjacent property.
30. **Project Plan Modifications.** Any corrections and/or modifications to the Project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision making authority including the Director of Planning and the City Planning Commission.
31. **Mitigation Monitoring.** Pursuant to California State Public Resources Code Section 21081.6 and the California Environmental Quality Act, the applicant and any future owners, successors, heirs or assigns shall provide the Planning Department with status reports for assessing and ensuring the efficacy of the mitigation measures (environmental conditions) required herein.
 - a. Within 30 days of the effective date of this land use entitlement and prior to any Planning Department clearance of the conditions of approval contained herein, the applicant shall file a Mitigation Monitoring and Reporting Program (MMRP) in a manner satisfactory to the Planning Department which defines specific reporting and/or monitoring requirements to be enforced during Project implementation. Each environmental condition shall be identified as to the responsible mitigation monitor(s), the applicable enforcement agency, the applicable monitoring agency and applicable phase of Project implementation as follows:
 - i. Pre-construction (prior to issuance of a building permit);
 - ii. Construction (prior to certificate of occupancy); and
 - iii. Post-construction / maintenance (post-issuance of certificate of occupancy).
In some cases, a specific mitigation measure may require compliance monitoring during more than one phase of Project implementation. Such measures shall be noted within the discussion of the specific mitigation measure in the MMRP.
 - b. The applicant shall demonstrate compliance with each mitigation measure in a written report submitted to the Planning Department and the applicable enforcement agency prior to issuance of a building permit or certificate of

occupancy, and, as applicable, provide periodic status reports to the Planning Department regarding compliance with post-construction / maintenance conditions.

- c. If the environmental conditions include post-construction / maintenance mitigation measures, the applicant and all future owners, successors, heirs or assigns shall be obligated to disclose these ongoing mitigation monitoring requirements to future buyers of the subject property.
- d. The applicant and any future owners, successors, heirs or assigns shall reimburse the Planning Department for its actual costs, reasonably and necessarily incurred, necessary to accomplish the required review of periodic status reports.

32. Tribal Cultural Resources Inadvertent Discovery. In the event that objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities (excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, driving posts, augering, backfilling, blasting, stripping topsoil or a similar activity), all such activities shall temporarily cease on the project site until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

- Upon a discovery of a potential tribal cultural resource, the Applicant shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project including the Gabrieleno Band of Mission Indians – Kizh Nation at (626) 926-4131 and the Fernandeno Tataviam Band of Mission Indians at (818) 837-0794; (2) and the Department of City Planning at (818) 374-9919.
- If the City determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be tribal cultural resource, the City shall provide any effected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Applicant and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
- The Applicant shall implement the tribe's recommendations if a qualified archaeologist and by a culturally affiliated tribal monitor, both retained by the City and paid for by the Applicant, reasonably concludes that the tribe's recommendations are reasonable and feasible.
- The Applicant shall submit a tribal cultural resource monitoring plan to the City that includes all recommendations from the City and any effected tribes that have been reviewed and determined by the qualified archaeologist and by a culturally affiliated tribal monitor to be reasonable and feasible. The Applicant shall not be allowed to recommence ground disturbance activities until this plan is approved by the City.
- If the Applicant does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist or by a culturally affiliated tribal monitor, the Applicant may request mediation by a mediator agreed to by the Applicant and the City who has the requisite professional qualifications and experience to mediate such a dispute. The Applicant shall pay any costs associated with the mediation.

- The Applicant may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by the qualified archaeologist and by a culturally affiliated tribal monitor and determined to be reasonable and appropriate.
- Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton.

33. Condition for Approval for an Inadvertent Discovery of Human Remains. In the event that human skeletal remains are encountered at the project site during construction or the course of any ground disturbance activities, all such activities shall halt immediately, pursuant to State Health and Safety Code Section 7050.5 which requires that no further ground disturbance shall occur until the County Coroner has made the necessary findings as to the origin and disposition pursuant to California Public Resources Code Section 5097.98. In the event human skeletal remains are discovered during construction or during any ground disturbance activities, the following procedures shall be followed:

- Stop immediately and contact the County Coroner:
1104 N. Mission Road Los Angeles, CA 90033
323-343-0512 (8 a.m. to 5 p.m. Monday through Friday) or 323-343-0714
(After Hours, Saturday, Sunday, and Holidays)
- If the remains are determined to be of Native American descent, the Coroner has 24 hours to notify the Native American Heritage Commission (NAHC), the Gabrieleno Band of Mission Indians – Kizh Nation, and the Fernandeno Tataviam Band of Mission Indians.
- The NAHC will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
- The most likely descendent has 48 hours to make recommendations to the Applicant, for the treatment or disposition, with proper dignity, of the human remains and grave goods.
- If the Applicant does not accept the descendant's recommendations, the owner or the descendent may request mediation by the NAHC.

34. 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, in whole or in part, relating to or arising out of 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 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

A. GENERAL PLAN/CHARTER FINDINGS

1. General Plan Land Use Designation

The Los Angeles General Plan sets forth goals, objectives and programs that guide both Citywide and community specific land use policies. The General Plan is comprised of a range of State-mandated elements, including, Land Use, Transportation, Noise, Safety, Housing and Conservation. The Framework Element of the General Plan is a guide for communities to implement growth and development policies by providing a comprehensive long-range view of the City as a whole. The City's Land Use Element is divided into 35 community plans that establish parameters for land use decisions within those sub-areas of the City.

The subject property is located within the Mission Hills-Panorama City-North Hills Community Plan as updated and adopted by the City Council on June 9, 1999. The Community Plan designates the subject site for General Commercial land use with corresponding zones of C1.5, C2, C4, P, RAS3, and RAS4. The subject site is not located within any geographic specific plan area. The applicant is requesting a Vesting Zone Change from [Q]C2-1VL to (T)(Q)C2-1VL to remove a permanent Q Condition restricting density to the RE11 Zone under Ordinance No. 164750-SA2470. The applicant is also requesting Site Plan Review to develop a project with over 50 dwelling units.

The subject site is currently developed with a one-story approximately 6,400 square foot commercial building that is proposed for demolition. The applicant is requesting to develop the site with a four-story, maximum 52 feet in height, 37,850 square foot, 54 unit multi-family residential apartment building on a 22,214 square foot lot. The project is proposed to be 100% affordable (excluding the Manager's Unit) and will be composed of three units (6%) for Extremely Low Income Households, 50 units (93%) for Low Income Households, and one Manager's Unit at Market Rate.

The applicant's Zone Change request to the C2 Zone is consistent with the current General Commercial General Plan land use designation. The proposed project would be comprised of 54 dwelling units (37,850 square feet). Pursuant to LAMC Section 12.14, residential density is permitted in the C2 Zone at the R4 density, which is 1 unit per 400 square feet of lot area. In this instance, a maximum by-right density of 56 units would be allowed if the subject site was not limited by the permanent Q Condition restricting density to the RE11 Zone. The requested 54 units is below the density allowed under the proposed C2 Zone. The permanent Q Condition also prohibits hotel/motel use, which is not applicable to the proposed project.

Community Plan Map Footnote No. 3 limits the Height District to 1VL, which in the C Zone is a maximum of 45 feet with no limit on the number of stories for residential development per LAMC Section 12.21.1 A.1. The 1VL Height District limits FAR in the C Zone to 1.5:1. As allowed under LAMC 11.5.11(e), the applicant is requesting a 7 foot height increase for a maximum height of 52 feet and four stories. Pursuant to LAMC Section 11.5.11(e), the applicant is requesting an increase in FAR from 1.5:1 to 2.2:1.

The proposed project is subject to the Transitional Height regulations of LAMC Section 12.21.1 A.10, which limits building height at the west elevation where the site abuts an RA Zoned lot to 25 feet. As a Developer's Incentive pursuant to LAMC Section 11.5.11(e), the applicant is requesting a maximum building height of 45 feet at the west elevation. As shown in "**Exhibit A**," the applicant's request is consistent with LAMC Section 12.21 A.31 (Transit Oriented Community Guidelines), which in this particular instance allows the building height to be stepped-back at a 45 degree angle as measured from a horizontal plane originating 15 feet above grade at the property line of the adjoining lot.

Per LAMC Section 12.21 A.4(a), 55 automobile parking stalls are required (one parking stall for each of the 53 studio units and two parking stalls for the Manager's Unit). As an incentive under Measure JJJ and LAMC Section 11.5.11(e), the applicant is requesting that no parking spaces be required for the residential units with the exception of the Manager's Unit. This request is consistent with the incentives allowed under the Transit Oriented Community Guidelines pursuant to LAMC Section 12.22 A.31. The additional 18 parking spaces shown on the applicant's plans do not meet the requirements of LAMC Section 12.21 A.5(c) regulating compact parking stalls, and therefore, cannot be viewed as Code required parking.

Pursuant to LAMC Section 12.21 G, open space requirements are based on the number of habitable rooms per dwelling unit. The applicant is required to provide a minimum of 5,425 square feet of open space based on 100 square feet for each of the 53 studio units and 125 square feet for the Manager's Unit. The proposed project exceeds open space requirements by providing a total of 5,892 square feet of open space on the ground floor, 2nd floor, and 4th floor. The ground floor will include a landscaped 1,540 square foot courtyard with planters and seat walls, green screen trellis, shade trees, tile mural, and tables and chairs with umbrellas; a 1,675 square foot rear yard comprised of a dog park and community garden; and a 705 square foot community room. The 2nd level will include a 1,592 square foot landscaped courtyard with exercise equipment, shade trees, planters and seat walls, tile mural, wooden benches, and tables and chairs with umbrellas. The 4th level will include a 380 square foot landscaped roof deck patio.

The applicant has met all setback requirements, and has provided landscaping within the setback areas. Pursuant to LAMC Section 12.14, which regulates the C2 Zone, no front setback yard is required. However, as shown on "**Exhibit A**," the building frontage is landscaped with small accent trees (Western Redbud, Mandarin Orange Trees), mid-level flowering shrubs (Lion's Tail, Upright Rosemary), plants (Spanish Lavender, Common Yarrow), and ground cover (Lantana Hybrids, Star Jasmine). The project is conditioned herein so that no Crape Myrtle is used at the building frontage within the public right-of-way. LAMC Section 12.14 C.2 requires a minimum 7 foot side yard setback for a four-story residential use, and the applicant's plans show a 7 foot setback along both the north and south side yards, which is landscaped with upright screening trees and shrubs (Evergreen) and ground cover. As required for this particular site pursuant to LAMC Section 12.14 C.2, a 16 foot rear yard is provided. The project plans (see "**Exhibit A**") show a community garden and dog park within the rear yard with Canopy Shade Trees (Fruitless Olive) and screening shrubs.

2. **Charter Section 556 Findings: *That the Vesting Zone Change is in substantial conformance with the purposes, intent and provisions of the General Plan.***

Framework Element. The Citywide Framework Element of the General Plan sets forth a citywide comprehensive long-range growth strategy. The recommended Vesting Zone Change from [Q]C2-1VL to (T)(Q)C2-1VL conforms to the following objectives and policies of the Framework Element as follows:

Objective 4.1: Plan the capacity for and development incentives to encourage production of an adequate supply of housing units of various types within each City subregion to meet the projected housing needs by income level of the future population.

Policy 4.1.5: Monitor the growth of housing developments and the forecast of housing needs to achieve a distribution of housing resources to all portions of the City and all income segments of the City's residents.

Policy 4.1.6: Create incentives and give priorities in permit processing for low- and very-low income housing developments throughout the City.

Given the surrounding land uses, which include residential and commercial uses, the neighborhood would be well served by removing the permanent Q Condition that limits residential density to the RE11 Zone. The permanent Q Condition prohibiting hotel/motel use is not applicable to the proposed project and serves no purpose within the context of the applicant's request. The subject site is an underutilized lot that presents an opportunity to develop much needed housing in the City. The proposed 54-unit multi-family apartment building provides a transition between the single- and multiple-family dwellings to the west and the commercial and residential uses along Sepulveda Boulevard. The change in zone, as requested by the applicant, would further the policies of the General Plan Framework Element by increasing the supply of affordable housing for Extremely Low and Low Income households in the Mission Hills-Panorama City-North Hills Community Plan area where 25% of the population is below the poverty level (Department of City Planning, 2014 Statistics).

Furthermore, the proposed project offers studio residences with supportive services to homeless veterans. The 2019 Greater Los Angeles Homeless Count shows that in Los Angeles County between January 2017 - December 2018, 9,082 new veterans entered the system. Furthermore, 31% of the veterans who entered the system during this time period are chronically homeless. As such, the project offers a specific type of housing that will address the needs of all City residents.

Chapter 5 of the Framework Element sets goals, objectives, and policies for Urban Form and Neighborhood Design. The Framework Element states:

Policy 5.5.3: Formulate and adopt building and site design standards and guidelines to raise the quality of design Citywide.

The proposed project was reviewed as an attractive and skillful design that sets a positive example for 100% affordable housing projects and, additionally, is an asset to the surrounding neighborhood. As such, the project meets the intent of Citywide Design Guidelines by promoting design excellence and fostering a sense of community. As shown in "Exhibit A," the applicant has incorporated a pedestrian-first orientation, 360 degree design, and a climate-adapted design as follows:

- The project has a pedestrian-first orientation that promotes a safe, comfortable, and accessible pedestrian experience. The applicant's plans show a defined at-grade entryway along Sepulveda Boulevard that is visible from the manager's office located next to the driveway at the building frontage. The building frontage is attractively landscaped with small accent trees (Western Redbud, Mandarin Orange Trees), mid-level flowering shrubs (Manzanita Hybrid), plants (Spanish Lavender, Common Yarrow), and ground cover (Lantana Hybrids, Star Jasmine). Additionally, the project design incorporates vehicular access without degrading the pedestrian experience. The 10 foot in width driveway minimizes curb cuts and is located at the northerly portion of the lot so that it does not impede pedestrian entrance into the building lobby, and parking is located at the rear of the structure. The proposed project engages with the street through the use of glass doors and windows at the building frontage. Multiple stairwells are located throughout the building, including the lobby, to encourage stairwell access. The applicant's application materials state that low-level lighting will be used to provide security at building entrances and pedestrian pathways.

The project incorporates a 360 degree design by treating all building facades with an equal level of detail and articulation and expressing a clear and coherent modern/contemporary urban architecture. The building is articulated and broken up into distinct planes that are offset from the main building façade. Textures, colors, durable materials, and distinctive architectural treatments are utilized to add visual interest, such as white, dark gray, and colored cement plaster; steel columns and metal deckings; tile murals; and a glazed aluminum storefront system. The building height is modulated to be four stories at the Sepulveda Boulevard frontage and three stories at the rear where it abuts single- and multiple-family uses. The project provides amenities that support community building such as the landscaped 1,540 square foot ground floor and 2nd level 1,592 square foot landscaped courtyard with seat walls; tables, chairs and umbrellas; wooden benches; and exercise equipment. Furthermore, the 1,675 square foot rear yard will be comprised of a dog park and community garden. A 705 square foot community room will also be located at the ground level, and the 4th level will include a 380 square foot landscaped roof deck patio. According to information provided by the applicant, every unit has a view of the City and/or courtyard.

- The proposed project design is climate-adapted. Sunlight will reach the building via the ground level and 2nd floor courtyards in addition to the open interior walkways. The 380 square foot landscaped roof deck will allow for additional recreational opportunities. Native and drought-tolerant landscaping is utilized throughout the project along the ground floor frontage, north and south side yard setbacks, interior and rooftop courtyards, and at the 1,675 square foot rear yard community garden and dog park. Landscaping includes 36 inch box canopy/shade trees (Fruitless Olive, Fern Pine), 24 inch box small accent trees (Western Rosebud, Smoke Tree), 24-inch box and 15 gallon upright screening trees and large shrubs (Hopseed Bush, Toyon), 5 gallon mid-level flowering shrubs (Lion's Tail, Upright Rosemary), 1 gallon small accent shrubs and perennials (Santa Barbara Daisy, Spanish Lavender), 1 gallon ground covers and ornamental grasses (California Fescue, Star Jasmine), and 1 and 5 gallon vines and espaliers (Bougainvillea, Catclaw Vine). Architectural shading devices are used throughout the project, such as an aluminum louver system and metal sunshades. LID

planters will be used for infiltration as the site is not feasible for shallow infiltration. Additionally, information provided by the applicant indicates that the project shall comply with the Los Angeles Municipal Green Building Code and will provide Photovoltaic Collectors for a Solar Hot Water System or photovoltaic provisions as required to comply with the 2019 California energy Code for Solar Ready Buildings.

Housing Element. The 2013-2021 Housing Element of the General Plan is the City's blueprint for meeting housing and growth challenges. According to the Housing Element, there is a "crisis" of housing in the City. In Los Angeles, there is a need for more housing units, and a need for a broader array of housing types to meet evolving household types and sizes at different price points. Chapter 6 of the Housing Element includes the following objectives and policies:

Objective 1.1: Produce an adequate supply of rental and ownership housing in order to meet current and projected needs.

Policy 1.1.2: Expand affordable rental housing for all income groups that need assistance.

Policy 1.1.3: Facilitate new construction and preservation of a range of different housing types that address the particular needs of the City's households.

Policy 1.1.7: Strengthen the capacity of the development community to develop affordable housing.

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

Objective 3.1: Ensure that housing opportunities are accessible to all residents without discrimination on the basis of race, ancestry, sex, national origin, color, religion, sexual orientation, marital status, familial status, age, disability (including HIV/AIDS), and student status.

Objective 4.1.3: Provide permanent supportive housing options with services for homeless persons and persons/families at risk of homelessness to ensure that they remain housed and get the individualized help they may need.

Objective 4.1.6: Provide housing facilities and supportive services for the homeless and special needs populations throughout the City, and reduce zoning and other regulatory barriers to their placement and operation in appropriate locations.

The proposed project offers 53 studio rental apartments that are 100% affordable (three units for Extremely Low Income households and 50 units for Low Income households) for homeless veterans. Supportive services are built in to the project design to meet the specific needs of homeless veterans (for example, case manager's offices, conference rooms, exercise equipment, dog park). "Exhibit A" shows floor plans with seven unit types (Type A - Type G) ranging between 400 - 475 square feet and an 835 square foot market rate Manager's Unit. As such, the proposed project creates a supply of rental housing and supportive services that is accessible to homeless veterans.

Additionally, the proposed 54 unit apartment building is in proximity to jobs and amenities provided by the commercial and service uses to the north, south, and east. Public

transportation is accessible from the subject site; the Metro Rapid Line 734 runs on Sepulveda Boulevard, with four bus stops within 0.7 miles of the subject site (Sepulveda/Chase, Sepulveda/Parthenia, Sepulveda/Roscoe, and Parthenia/Columbus). The Metro Local and Limited 234 bus line also runs along Sepulveda Boulevard. The Metro Local and Limited 166/364 bus line is located 0.7 miles from the project site on Nordhoff Street. The Metro Local and Limited 152/353 bus line is located 0.3 miles from the project site on Roscoe Boulevard. Finally, the DASH Panorama City/Van Nuys bus stop is located at the intersection of Sepulveda Boulevard and Chase Street.

Mobility Element 2035. Chapter 4 of the Mobility Plan 2035 states:

An oversupply of parking can undermine broader regional goals of creating vibrant public spaces and a robust multi-modal mobility system. An abundance of free parking has the effect of incentivizing automobile trips and making alternative modes of transportation less attractive. Moreover, parking consumes a vast amount of space in the urban environment, land which could otherwise be put to any number of valuable alternative uses. Large parking lots create significant environmental impacts, detract from neighborhoods' visual quality, and discourage walking by increasing the distances between services and facilities.

Per LAMC Section 12.21 A.4(a), 55 automobile parking stalls are required (one parking stall for each of the 53 studio units and two parking stalls for the Manager's Unit). As an incentive under Measure JJJ and LAMC Section 11.5.11(e), the applicant is requesting that no parking spaces be required for the residential units with the exception of the Manager's Unit. This request is consistent with the incentives allowed under the Transit Oriented Community Guidelines pursuant to LAMC Section 12.22 A.31. The additional 18 parking spaces shown on the applicant's plans do not meet the requirements of LAMC Section 12.21 A.5(c) regulating compact parking stalls, and therefore, cannot be viewed as required parking.

Additionally, as shown on "Exhibit A," bicycle parking is provided in compliance with LAMC Section 12.21 A.16, which requires 4 short-term spaces and 44 long-term spaces for the proposed 54 residential apartment units. A total of 49 bicycle parking stalls are proposed, including 44 long-term stalls and 5 short-term stalls.

Health and Wellness, Mobility 2035, and Air Quality Elements. The proposed project is designed with open interior walkways and courtyards and a patio roof terrace that will allow sunlight to reach the building interior. Landscaping is utilized throughout the project, including the building frontage, all yards and setback areas, the open courtyards, and the roof terrace. The use of natural light and ventilation provides non-polluting sources of energy. To reduce levels of pollution and greenhouse gas emissions and encourage water conservation, LID planters and low water trees and plants, such as Fruitless Olive, Smoke Tree, and Toyon are utilized in the project landscaping, and greywater ready features shall be provided. To reduce heat island effect, materials with a minimum initial Solar Reflectance value of 0.35 shall be used on pathways, driveways, or other paved areas. Of the two required parking spaces for the Manager's Unit, one space (20%) shall be capable of supporting future EVSE and one space (5%) will be provided with an EV charger to immediately accommodate an electric vehicle to support the adoption of low and zero emission transportation fuel sources. The solar-ready building and photovoltaic collectors for a solar hot water system or photovoltaic provisions as required to comply with the 2019 California Energy Code will support the site's electrical uses to help reduce

the site's dependence on fossil fuels and carbon generating public utility electrical power. Furthermore, according to materials provided by the applicant, the project will be built to LEED Silver equivalent standards. Taken together, these design features provide for the public welfare and public necessity by reducing the level of pollution or greenhouse gas emissions to the benefit of the neighborhood and City in response to General Plan Health and Wellness Element Policies 5.1 (reduce air pollution), 5.6 (resilience), 5.7 (reduce greenhouse gas emissions); Air Quality Element Policy 4.2.3 (ensuring new development is compatible with alternative fuel vehicles), 5.1.2 (shift to non-polluting sources of energy in buildings and operations); Mobility Element Policy 4.1 (expand access to transportation choices) and 5.4 (encourage adoption of low emission fuel sources, new mobility technology and supporting infrastructure).

General Plan/Community Plan. The Mission Hills – Panorama City – North Hills Community Plan Map includes the following Footnote No. 7:

There shall be no multiple residential development which exceed the density of the adjacent or surrounding residential density unless appropriately conditioned by the City Planning Commission and/or City Council to mitigate adverse impacts and to assure development harmonious and compatible with the surrounding neighborhood.

The proposed 54 unit multiple family residential development provides a transition between the single- and multi-family dwellings to the west and the higher density commercial and service uses to the north, south, and east. Furthermore, the proposed use has been conditioned herein under environmental Case No. ENV-2019-3845-MND to mitigate any adverse impacts to a less than significant level.

The Community Plan text includes the following relevant land use goals, objectives, policies and programs:

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

The Mission Hills – Panorama City – North Hills Community Plan was updated and adopted by the Los Angeles City Council on June 9, 1999. The project, a 100% affordable project providing studio apartments and services to homeless veterans, advances a number of specific policies and objectives contained in the Community Plan. These include:

Policy 1-1.1: Designate specific lands to provide for adequate multi-family residential development.

Objective 1-2: To locate new housing in a manner which reduces vehicular trips and makes it accessible to services and facilities.

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

Program: The plan concentrates most of the higher residential densities near transit corridors and/or Transit Oriented Districts (TOD).

As previously stated, the proposed 54 unit multi-family residential apartment building is accessible to jobs provided by the commercial and service uses to the north, south, and east. The project site is near public transportation, including Metro Rapid Line 734, Metro Local and Limited 234, 166/364, and 152/353 as well as a DASH bus route. Therefore, the proposed apartment building locates new veteran housing in proximity to transportation corridors and high activity areas to reduce vehicular trips.

The Mission Hills – Panorama City – North Hills Community Plan continues to state:

Objective 1-5: To promote and insure the provision of adequate housing for all persons regardless of income, age, or ethnic background.

Policy 1-5.1: Promote greater individual choice in type, quality, price, and location of housing.

Policy 1-5.3: Ensure that new housing opportunities minimize displacement of the residents.

As previously stated, the proposed project will meet the above objectives and policies by providing 54 units of 100% affordable rental housing and services to homeless veterans. The residential development is sited on underutilized land formerly used as appliance service and repair. As such, the proposed higher density residential use allows homeless veterans who served in the military an affordable housing option that is proximal to goods and services without displacement of any residents.

Chapter V of the Community Plan identifies design and landscaping standards for individual projects. The Plan provides the following guidelines for multiple residential projects:

All multiple family residential projects of five or more units shall be designed around a landscaped focal point or courtyard to serve as an amenity for residents. Toward that goal the following policies are proposed:

- 1. Providing a pedestrian entrance at the front of each project.*
- 2. Requiring useable open space for outdoor activities, especially for children.*

As previously stated, the proposed 54-unit residential building has a clearly defined pedestrian entrance along Sepulveda Boulevard. As shown in “**Exhibit A**,” the applicant is exceeding Code required open space by providing a total of 5,892 square feet of open space on the ground floor, 2nd floor, and 4th floor. The ground floor will include a landscaped 1,540 square foot courtyard with planters and seat walls, green screen trellis, shade trees, tile mural, and tables and chairs with umbrellas; a 1,675 square foot rear yard comprised of a dog park and community garden; and a 705 square foot community room. The 2nd level will include a 1,592 square foot landscaped courtyard with exercise equipment, shade trees, planters and seat walls, tile mural, wooden benches, and tables and chairs with umbrellas. The 4th level will include a 380 square foot landscaped roof deck patio.

Therefore, the proposed project is consistent with the General Plan and the existing Community Commercial land use designation and serves to implement the goals, objectives, and policies of the Mission Hills–Panorama City–North Hills Community Plan.

3. **Charter Section 558 Findings:** *That the action is in substantial conformance with the purposes, intent and provisions of the General Plan, and whether adoption of the proposed land use ordinance will be in conformance with the public necessity, convenience, general welfare, and good zoning practice.*

The Planning Commission shall hold a public hearing and make a report and recommendation to the Council regarding the relation of the proposed Vesting Zone Change to the General Plan and whether adoption of the proposed Vesting Zone Change will be in conformity with public necessity, convenience, general welfare and good zoning practice.

- a. **Public Necessity.** The 2013-2021 Housing Element of the General Plan states that, there is a “crisis” of housing in the City. In Los Angeles, there is a need for more housing units, and a need for a broader array of housing types to meet evolving household types and sizes at different price points. Chapter 6 of the Housing Element includes the following objectives and policies:

Objective 4.1.3: Provide permanent supportive housing options with services for homeless persons and persons/families at risk of homelessness to ensure that they remain housed and get the individualized help they may need.

Objective 4.1.6: Provide housing facilities and supportive services for the homeless and special needs populations throughout the City, and reduce zoning and other regulatory barriers to their placement and operation in appropriate locations.

The proposed Zone Change to (T)(Q)C2-1VL allows for the development of 100% affordable permanent supportive housing for veterans who are homeless or at risk of homelessness. The proposed project offers supportive services to ensure that this segment of the population receives the individualized help they may need. Furthermore, the project increases the supply of housing in the City. As such, the proposed action is in substantial conformance with the General Plan and is in conformance with the public necessity.

- b. **Convenience.** Policy 3.3 of the Mobility Element 2035 states:

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 site is located within walking distance to jobs, goods, and services. Commercial and service uses are located along Sepulveda Boulevard. The site is within walking distance of restaurants, medical services, offices, and automotive uses. The project site is on numerous public transportation routes. The Metro Rapid Line 734 runs on Sepulveda Boulevard, with four bus stops within 0.7 miles of the subject site (Sepulveda/Chase, Sepulveda/Parthenia, Sepulveda/Roscoe, and Parthenia/Columbus). The Metro Local and Limited 234 bus line also runs along Sepulveda Boulevard. The Metro Local and Limited 166/364 bus line is located 0.7 miles from the project site on Nordhoff Street. The Metro Local and Limited 152/353

bus line is located 0.3 miles from the project site on Roscoe Boulevard. Additionally, a DASH bus stop is located at the intersection of Parthenia and Chase Streets.

Therefore, the proposed housing for veterans is in proximity to transportation corridors and high activity areas which provides for the public convenience. Furthermore, the project is conditioned herein to require unbundled parking from the cost of the Manager's Unit to encourage the use of mass transit and other alternative modes of transit. As such, the proposed project is in substantial conformance with the General Plan and the public convenience.

- c. **General Welfare.** It is well-documented that the City is facing a housing crisis of all types of housing. General welfare requires that housing be provided for all segments of the population in diverse locations and affordable to the maximum extent possible. As stated Chapter 1 of Framework Element:

Equity means that public resources are invested on the basis of priority community needs. Decisions concerning the location and level of public investment necessary to meet Citywide needs should be made in ways that do not unfairly impact any one single community.

Chapter 1 of the Housing Element 2013-2021 states that within the City, over 70% of the total population growth occurred in the San Fernando Valley, and the North Valley is the second fastest growing area of the City (5.1% population growth). It is critical that housing be provided equitably throughout the City as a whole, and specifically in the North San Fernando Valley where population growth is outpacing the housing demand. Approval of the requested Vesting Zone Change will positively serve the general welfare of the City and its residents.

- d. **Good Zoning Practice.** The subject site is zoned [Q]C2-1VL, and the permanent Q Condition under Ordinance No. 164750-SA2470 limits the residential density to the RE11 Zone (residential estate, effectively a single-family density) and prohibits hotel and motel use. The applicant's request to remove the permanent Q Condition allows for the development of the requested 52 dwelling units (37,850 square feet). The C2 Zone allows 1 unit per 400 square feet of lot area, or in this instance, a maximum by-right density of 56 units. The subject site is located on Sepulveda Boulevard, which is a major transportation route. Furthermore, the surrounding area along Sepulveda Boulevard is developed with multistory residential and commercial uses. As such, the requested Zone Change is good zoning practice.

B. ENTITLEMENT FINDINGS

There is a critical and well-documented demand for housing throughout the City of Los Angeles. The proposed Vesting Zone Change, T Conditions, Q Conditions, and Site Plan Review are consistent with Section 558 of the City Charter and Sections 12.32 and 16.05 of the LAMC in that it will be in conformance with public necessity, convenience, general welfare and good zoning practice as described below.

4. **Zone Change Finding.** *The requested Zone Change is in conformance with the public necessity, convenience, general welfare, and good zoning practice.*

As previously stated, the subject site is zoned [Q]C2-1VL, and the permanent Q Condition under Ordinance No. 164750-SA2470 limits the residential density to the RE11 Zone (residential estate, effectively a single-family density) and prohibits hotel and motel use. The applicant's request to remove the permanent Q Condition allows for the development of the requested 52 dwelling units (37,850 square feet). The C2 Zone allows 1 unit per 400 square feet of lot area, or in this instance, a maximum by-right density of 56 units. The subject Zone Change will be in conformance with the public necessity, convenience, general welfare, and good zoning practice in that it will provide 100% affordable housing opportunities for homeless veterans adjacent to numerous public transit routes and provide necessary community services that support public health and welfare.

5. **T Condition Finding.** *Public necessity, convenience and general welfare require that provision be made for the orderly arrangement of the property concerned into lots and/or that provision be made for adequate streets, drainage facilities, grading, sewers, utilities, park and recreational facilities; and/or that provision be made for payments of fees in lieu of dedications and/or that provision be made for other dedications; and/or that provision be made for improvements; all in order that the property concerned and the area within which it is located may be properly developed in accordance with the different and additional uses to be permitted within the zone to which the property is proposed for change.*

- a. **Public Necessity.** The project applicant has not made a request to subdivide the property into lots. However, public necessity requires that all infrastructure improvements be addressed as T Conditions herein. Street dedications and improvements are conditioned herein as recommended by the Bureau of Engineering memos dated August 8, 2019, and the 5 foot dedication required along Sepulveda Boulevard is shown on the applicant's plans (see "Exhibit A"). The proposed project is conditioned herein for traffic and access based on correspondence received from the Department of Transportation dated July 16, 2019. The project, including the parking and driveway plan, will be reviewed by the Department of Transportation prior to issuance of a final Certificate of Occupancy. In their July 16, 2019 memo, the Bureau of Street Lighting recommended street lighting improvements as conditioned herein. The installation of street trees in the public right-of-way was discussed with the Bureau of Street Trees, Urban Forestry Division and has been conditioned herein. The project will be reviewed as appropriate by the Departments of Fire, Building and Safety, Bureau of Engineering, and Bureau of Sanitation for any other necessary conditions relating to construction and/or infrastructure improvements (e.g., sewers, shoring and lateral supports). As such, provisions are made for adequate streets, drainage facilities, grading, sewers, utilities, fire access and other public dedications or improvements.
- b. **Convenience.** The current action, as recommended, has been made contingent upon compliance with T Conditions of approval imposed herein for the proposed project. Such T Conditions are necessary to ensure that the public's convenience is served by the actions required. These T Conditions ensure appropriate and necessary street dedications, sidewalk improvements, and street lighting. Additionally, the proposed project is conditioned herein for traffic and access.
- c. **General Welfare.** The installation of street trees in the public right-of-way has been discussed with the Bureau of Street Trees, Urban Forestry Division, and has been

conditioned herein. Crape Myrtle is not considered as an appropriate street tree, as it is more ornamental in appearance than functional as a shade tree. Crape Myrtle requires significant pruning to encourage a single trunk growth, and only grows to a height of 15-25 feet. As previously stated, the project will be reviewed as appropriate by the Departments of Fire, Building and Safety, Bureau of Engineering, and Bureau of Sanitation for any other necessary conditions relating to construction and/or infrastructure improvements. These actions and improvements will provide the necessary infrastructure to serve the proposed community at this site and provide for the general welfare.

6. **Q Condition Finding.**

a. ***The Q limitations are necessary to protect the best interest of and assure a development more compatible with the surrounding property or neighborhood.***

The proposed project is located on the westerly side of Sepulveda Boulevard between Parthenia Street to the north and Chase Street to the south in the Mission Hills-Panorama City-North Hills Community Plan area. The subject site is a flat, approximately 22,214 square foot rectangular-shaped lot with 78 linear feet of frontage on Sepulveda Boulevard and a depth of 285 linear feet. The subject site is zoned [Q]C2-1VL, and the permanent Q Condition under Ordinance No. 164750-SA2470 limits the residential density to the RE11 Zone (residential estate) and prohibits hotel and motel use. The applicant is requesting to remove the permanent Q Condition. The Community Plan designates the subject site for General Commercial land use with corresponding zones of C1.5, C2, C4, P, RAS3, and RAS4, which is consistent with the applicant's requested C2 Zone.

The Q Conditions are necessary to protect the best interest of and assure a development that would enhance the surrounding neighborhood. The proposed project would revitalize the site by replacing a one-story, former appliance store with an attractively designed residential use serving homeless veterans. The proposed project is conditioned to meet the requirements of Section 11.5.11(e) by offering 3 units (5%) of the total 54 units reserved as affordable to Extremely Low Income households and a minimum of 8 units (15%) of the 54 units reserved as affordable to Low Income households. The proposed project exceeds the requirements of Section 11.5.11(e) to offer 100% affordable housing, exclusive of the Manager's Unit, and is conditioned to set aside the remaining units to be restricted to affordability levels as defined by HUD or any successor agency as verified by HCIDLA for a period of 55 years.

Statistics show that in the Mission Hills-Panorama City-North Hills area 25% of the population is below the poverty level (Department of City Planning, 2014 Statistics). Furthermore, the 2019 Greater Los Angeles Homeless Count shows that in Los Angeles County between January 2017 - December 2018, 9,082 new veterans entered the system. Furthermore, 31% of the veterans who entered the system during this time period are chronically homeless.

The proposed project is conditioned to be in substantial conformance with "Exhibit A," which shows a 37,850 square foot, four-story, maximum 52 feet in height residential apartment building with an FAR that is 2.2:1 and exceeds the 1.5:1 FAR under the C2-1VL Zone as permitted under LAMC Section 11.5.11(e). The maximum

height of 52 feet is consistent with Transit Oriented Community Guidelines, which allows a Developer's Incentive for an additional 7 feet in height in lieu of the otherwise allowed maximum height of 45 feet.

The square footage, height, and floor area of the project are compatible with the existing commercial and service uses along Sepulveda Boulevard. The height is buffered from the single- and multi-family uses to the west with a stepped-back building height of 45 feet consistent with LAMC Sections 11.5.11(e) (Developer Incentives) and 12.21 A.31 (Transit Oriented Community Guidelines for Transitional Height). The 16 foot rear yard is landscaped and developed with a dog park and community garden which buffers the structure from development to the west.

Additionally, the applicant's plans show 20 automobile parking spaces, 18 of which do not meet Code requirements, at a site where Metro and DASH bus lines operate on Sepulveda Boulevard and various transit stops within a 0.7 mile vicinity. The subject site and right-of-way are conditioned to be planted with street trees, LID planters, and drought tolerant landscape material. Solar power will be utilized to achieve energy efficiency, and the project is conditioned to underground new utilities to the maximum extent feasible. According to information provided by the applicant, existing power poles and power lines will remain. The transformer will be on grade and screened by landscaping. All rooftop mechanical equipment will be screened from view. Therefore, the Vesting Zone Change is conditioned as deemed necessary to protect the best interest of and assure a development more compatible with the surrounding property or neighborhood.

b. *The Q limitations are necessary to secure an appropriate development in harmony with the objectives of the General Plan.*

To ensure that the development is in harmony with the General Plan, the proposed Q Conditions contain provisions regarding land use and affordability to ensure that affordable housing opportunities exist for homeless veterans, who are an underserved sector of the population. According to recent statistics (2019 Greater Los Angeles Homeless Count), in Los Angeles County between January 2017 - December 2018, 9,082 new veterans entered the system. Furthermore, 31% of the veterans who entered the system during this time period are chronically homeless.

c. *The Q limitation is necessary to prevent or mitigate potential adverse environmental effects of the vesting zone change.*

Under Case No. ENV-2019-3845-MND, mitigation measures are imposed on the subject case to reduce impacts to a less than significant level. The Mitigated Negative Declaration was analyzed based on the project description reflected in the applicant's site plans as shown in "Exhibit A". These site plans incorporate use, unit density, height, FAR, and parking. As such, the proposed Q Conditions prevent or mitigate adverse environmental impacts from the project.

7. Site Plan Review Findings

- a. **That the project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any application specific plan.**

As previously stated, the subject property is located within the Mission Hills-Panorama City-North Hills Community Plan as updated and adopted by the City Council on June 9, 1999. The Community Plan designates the subject site for General Commercial land use with corresponding zones of C1.5, C2, C4, P, RAS3, and RAS4. The subject site is not located within any geographic specific plan area. The applicant is requesting a Vesting Zone Change from [Q]C2-1VL to (T)(Q)C2-1VL to remove a permanent Q Condition restricting density to the RE11 Zone under Ordinance No. 164750-SA2470. The applicant is also requesting Site Plan Review to develop a project with over 50 dwelling units.

The subject site is currently developed with a one-story approximately 6,400 square foot commercial building that is proposed for demolition. The applicant is requesting to develop the site with a four-story, maximum 52 feet in height, 37,850 square foot, 54 unit multi-family residential apartment building on a 22,214 square foot lot. The project is proposed to be 100% affordable (excluding the Manager's Unit) and will be composed of three units (6%) for Extremely Low Income Households, 50 units (93%) for Low Income Households, and one Manager's Unit at Market Rate.

The applicant's zone change request to the C2 Zone is consistent with the current General Commercial General Plan land use designation. The proposed project would be comprised of 54 dwelling units (37,850 square feet). Pursuant to LAMC Section 12.14, residential density is permitted in the C2 Zone at the R4 density, which is 1 unit per 400 square feet of lot area. In this instance, a maximum by-right density of 56 units would be allowed if the subject site was not limited by the permanent Q Condition restricting density to the RE11 Zone. The requested 54 units is below the density allowed under the proposed C2 Zone. The permanent Q Condition also prohibits hotel/motel use, which is not applicable to the proposed project.

Community Plan Map Footnote No. 3 limits the Height District to 1VL, which in the C Zone is a maximum of 45 feet with no limit on the number of stories for residential development per LAMC Section 12.21.1 A.1. The 1VL Height District limits FAR in the C Zone to 1.5:1. As allowed under LAMC 11.5.11(e), the applicant is requesting a 7 foot height increase for a maximum height of 52 feet and four stories. Pursuant to LAMC Section 11.5.11(e), the applicant is requesting an increase in FAR from 1.5:1 to 2.2:1.

The proposed project is subject to the Transitional Height regulations of LAMC Section 12.21.1 A.10, which limits building height at the west elevation where the site abuts an RA Zoned lot to 25 feet. As a Developer's Incentive pursuant to LAMC Section 11.5.11(e), the applicant is requesting a maximum building height of 45 feet at the west elevation. As shown in "Exhibit A," the applicant's request is consistent with LAMC Section 12.21 A.31 (Transit Oriented Community Guidelines), which in this particular instance allows the building height to be stepped-back at a 45 degree angle as measured from a horizontal plane originating 15 feet above grade at the property line of the adjoining lot.

The Framework Element of the General Plan sets forth a citywide comprehensive long-range growth strategy. The project conforms to the following objectives and policies of the Framework Element as follows:

Policy 4.1.5: Monitor the growth of housing developments and the forecast of housing needs to achieve a distribution of housing resources to all portions of the City and all income segments of the City's residents.

Policy 4.1.4: Reduce overcrowded housing conditions by providing incentives to encourage development of family-size units.

Policy 4.1.7: Establish incentives for the development of housing units appropriate for families with children and larger families.

Given the surrounding land uses, which include residential and commercial uses, the neighborhood would be well served by removing the permanent Q Condition that limits residential density to the RE11 Zone. The permanent Q Condition prohibiting hotel/motel use is not applicable to the proposed project and serves no use within the context of the applicant's request. The subject site is an underutilized lot that presents an opportunity to develop much needed housing in the City. The change in zone, as requested by the applicant, would further the policies of the General Plan Framework Element by increasing the supply of affordable housing for Extremely Low and Low Income households in the Mission Hills-Panorama City-North Hills Community Plan area where 25% of the population is below the poverty level (Department of City Planning, 2014 Statistics).

The proposed project offers studio residences with supportive services to homeless veterans. The 2019 Greater Los Angeles Homeless Count shows that in Los Angeles County between January 2017-December 2018, 9,082 new veterans have entered the system since January 2017. Furthermore, 31% of the veterans who entered the system during this time period are chronically homeless. As such, the project offers a specific type of housing that will house addresses the needs of all City residents.

Chapter 5 of the Framework Element sets goals, objectives, and policies for Urban Form and Neighborhood Design. The Framework Element states:

Policy 5.5.3: Formulate and adopt building and site design standards and guidelines to raise the quality of design Citywide.

The project is attractively designed to meet the three pillars of urban design: pedestrian-orientation, 360 degree design, and climate adapted design by incorporating landscaping and open space, street connectivity, and an articulated and detailed design. The scale, massing, and height, including the step-back at the westerly property line, are appropriate within the context of the single- and multi-family residences to the west, and the residential, commercial, and service uses to the north, south, and east along Sepulveda Boulevard.

The crisis of housing supply and affordability is well documented by the Housing Element of the General Plan. The Plan states:

Objective 1.1: Produce an adequate supply of rental and ownership housing in order to meet current and projected needs.

Policy 1.1.2: Expand affordable rental housing for all income groups that need assistance.

Objective 4.1.3: Provide permanent supportive housing options with services for homeless persons and persons/families at risk of homelessness to ensure that they remain housed and get the individualized help they may need.

Objective 4.1.6: Provide housing facilities and supportive services for the homeless and special needs populations throughout the City, and reduce zoning and other regulatory barriers to their placement and operation in appropriate locations.

The project provides 100% affordable rental housing to homeless veterans to meet current and projected housing needs in an area that is one of the fastest growing in the City. Chapter 1 of the Housing Element states that over 70% of population growth in the City occurred in the San Fernando Valley. The North Valley is the 2nd fastest growing area in Los Angeles at 5.1% growth (following South Los Angeles at 7.4% growth). The proposed project is located in the Mission Hills-Panorama City-North Hills Community Plan area where 25% of the population is below the poverty level (Department of City Planning, 2014 Statistics). Furthermore, the proposed project offers studio residences with supportive services to homeless veterans, who are an underserved sector of the population.

The proposed project is in conformance with the Mobility Plan 2035, the Health and Wellness Element, and the Air Quality Element. The project provides 20 automobile parking spaces, 18 of which are non-required, consistent with LAMC Section 12.22 A.31, in lieu of the 55 parking spaces otherwise required by Code. As conditioned herein, the cost of parking for the Manager's Unit is unbundled from the cost of the rental unit. As such, the project is not providing an oversupply of parking and thereby encourages the use of low emission fuel sources, new mobility technology, and alternative modes of transportation. The project is located in proximity to Metro/DASH bus lines and is in walking distance to nearby commercial and service uses. The provision of EV ready and EV capable spaces promotes alternative energy use. As conditioned herein and as shown in "Exhibit A," the project's use of solar power, open walkways and courtyards, drought tolerant landscaping, and stormwater infiltration/irrigation encourage resilience and the reduction of pollution/greenhouse gas emissions.

The Mission Hills – Panorama City – North Hills Community Plan Map Footnote No. 7 requires all multiple residential density that exceeds adjacent density to be appropriately conditioned to mitigate adverse impacts and assure compatibility. The T Conditions, Q Conditions, and Conditions of Approval, including the environmental conditions, are imposed to ensure compatibility and mitigate environmental impacts.

The Community Plan includes the following policies:

Policy 1-5.1: Promote greater individual choice in type, quality, price, and location of housing.

Policy 1-5.3: Ensure that new housing opportunities minimize displacement of the residents.

Additionally, Chapter V of the Community Plan identifies design and landscaping standards for individual projects, and recommends that multiple family residential developments be designed around a landscaped courtyard to serve as an amenity for residents. As shown in “**Exhibit A**” and as conditioned herein, the plans show total of 5,892 square feet of open space, including courtyards on the ground floor and 2nd level, a 4th level roof deck, a dog park and community garden in the rear yard, and a community room. The applicant’s plans show outdoor hardscape and amenities, including planters with seat walls; exercise equipment; and tables, chairs, and umbrellas. Every unit in the building has view of the courtyard and/or the City.

Therefore, the proposed project is consistent with the General Plan and the existing Community Commercial land use designation and serves to implement the goals, objectives, and policies of the Mission Hills–Panorama City–North Hills Community Plan.

- b. That the project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements, that is or will be compatible with existing and future development on adjacent properties and neighboring properties.**

The height and massing of the proposed project will be compatible with existing and future development on adjacent properties. The C2-1VL Zone allows a 1.5:1 FAR, a 45 foot height limit, and unlimited number of stories for residential use. At this particular site a density of 56 units is permitted by removing the permanent Q Condition that restricts density. The applicant is proposing 54 dwelling units, including 53 studio residences and a two-bedroom Manager’s Unit. In lieu of the 1.5:1 FAR, the applicant is requesting a 2.2:1 FAR. Additionally, in lieu of the 45 foot height restriction, the applicant is requesting to develop a maximum four-story, 52 feet in height structure that is sensitively stepped-back to three stories and 45 feet abutting the residential uses to the west. The applicant’s requested density, FAR, and height are consistent with the commercial, service, and residential improvements along Sepulveda Boulevard to the north, south, and east, including the three-story medical office building to the south and three-story multi-family residential use to the north.

Per LAMC Section 12.21 A.4(a), 55 automobile parking stalls are required (one parking stall for each of the 53 studio units and two parking stalls for the Manager’s Unit). As an incentive under Measure JJJ and LAMC Section 11.5.11(e), the applicant is requesting to provide a minimum of two automobile parking spaces for the Manager’s Unit and a maximum of 20 parking spaces. Given the numerous public transit options in the 0.7 mile surrounding area (Metro and DASH bus lines) and the population served (homeless veterans who do not generally own cars), the applicant’s request to deviate from Code required parking is compatible with existing and future development in the area. Additionally, parking is provided at the rear of the structure to enhance street connectivity.

Pursuant to LAMC Section 12.21 A.16, 44 long term bicycle parking spaces and 4 short term bicycle parking spaces are required for the proposed project. The applicant

is providing a total of 49 bicycle parking spaces, including 44 long term and 5 short term. Long term bicycle parking will be located at the ground level in proximity to the parking area and dog park at the rear of the site. Short term bicycle parking will be located in a central area close to parking and the community room, and will also be located near the lobby close to the Sepulveda Boulevard entrance.

While no front yard setbacks are required in the C2 Zone, the applicant's plans show a front yard landscaped with small accent trees, shrubs, and plants (Smoke Tree, Spanish Lavender, Santa Barbara Daisy), and ground cover (Pink Muhly, Star Jasmine). The 7 foot side yard and 16 foot rear yard setbacks are also landscaped with a variety of materials, including upright screening trees and shrubs (Toyon, Sweet Olive). All of the plant materials use low and moderate levels of water. Additionally, the northerly property line, westerly property line, and southerly property line will be fenced with a 6 foot in height CMU block wall to offer privacy to neighbors and project residents. The 6 foot CMU block wall will stop at approximately 31 feet from the Sepulveda Boulevard property line where a 6 foot in height metal fence is proposed. The change in solid brick to metal will allow for wider visibility of the street and enhanced security.

Pursuant to LAMC Section 12.21 G.1(a)(3), a minimum of 25% of the common open space areas are required to be landscaped. In this instance, a minimum of 1,356 square feet of landscaping is required; however, the applicant has exceeded Code requirements by providing 2,557 square feet of landscaping throughout the project. The ground and 2nd level courtyards, 4th level roof deck, and rear yard dog park/community garden will be landscaped with drought-tolerant and shade producing trees, shrubs, vines, planters, and ground cover.

As conditioned herein, that portion of the building that is used for parking at grade or above grade shall be designed to minimize vehicle headlight and parking structure interior lighting impacts ("spillover") on adjacent streets and properties. Lighting on the portion of the structure used for common areas will be shielded down and contained on-site to prevent spillover onto adjacent properties.

Finally, the applicant's plans show an enclosed common trash and recycling area located between the ground floor parking and the community room. The trash and recycling areas will not be visible from any neighboring properties or the studio units.

As such, the 54 veteran housing development consists of an arrangement of buildings and structures (including height, mass, and setbacks), off-street parking and bicycle parking facilities, lighting, landscaping, and trash collection that is or will be compatible with existing and future development on adjacent properties and neighboring properties.

- c. **That any residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.**

As shown in "Exhibit A," the plans show total of 5,892 square feet of open space on the ground floor, 2nd floor, and 4th floor. The ground floor will include a landscaped 1,540 square foot courtyard with planters and seat walls, green screen trellis, shade trees, tile mural, and tables and chairs with umbrellas; a 1,675 square foot rear yard

comprised of a dog park and community garden; and a 705 square foot community room. The 2nd level will include a 1,592 square foot landscaped courtyard with exercise equipment, shade trees, planters and seat walls, tile mural, wooden benches, and tables and chairs with umbrellas. The 4th level will include a 380 square foot landscaped roof deck patio.

Furthermore, the proposed project is designed with case manager's offices and conference rooms on the ground floor, 2nd, and 3rd levels to provide supportive services to homeless veterans. A common laundry area on the 2nd floor will be available to residents.

As such, the residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.

C. CEQA Findings

The project was analyzed under Mitigated Negative Declaration No. ENV-2019-3845-MND ("Mitigated Negative Declaration") and the Mitigation Monitoring Program attached to this report as Exhibit G. The Mitigated Negative Declaration was published on October 17, 2019 and circulated for 20 days ending November 6, 2019. Potential negative impacts could occur from the project's implementation due to:

- Biological Resources (habitat modification, tree preservation and replacement)
- Geology and Soils (seismic activity, non-expansive soils)
- Noise (demolition, grading, and construction)
- Cultural Resources (archaeological monitor)
- Hazards and Hazardous Materials (lead, mold, water damage, radon)
- Mandatory Findings of Significance

Biological Resources. Due to proposed removal of nine significant, non-protected trees on the subject site, the project could have impact on nesting native bird species. As such, the project is mitigated to avoid breeding bird season and/or conduct surveys. Significant trees on or near the site that are not subject to removal will be protected with fencing to preserve the trees in place. As previously stated, the nine non-protective trees to be removed shall be replaced at a 1.5:1 ratio.

Cultural Resources. A Phase I Cultural Resource Assessment of the project site was prepared by Envicom Corporation dated March 21, 2019. The Envicom report determined that the presence of structures on the site dating back to the 1920s necessitates the need for an archaeological monitor as required herein.

Geology and Soils. The applicant submitted a Geotechnical Investigation for the proposed project dated October 26, 2018 prepared by Geocon West, Inc. The Geotechnical Investigation includes mitigation measures particularly related to seismic activity and non-expansive soils. The Mitigated Negative Declaration incorporates the Geocon West, Inc. recommendations to maximize soil stability.

Hazard and Hazardous Materials. The applicant submitted a Phase I Environmental Site Assessment Report Update (Phase I ESA) issued March 25, 2019, prepared by EFI Global, Inc., and an Asbestos and Lead Paint Summary Report prepared by Pacific Environmental issued March 26, 2019. The Phase I ESA found that based on the age of existing structures,

there is a potential for Asbestos Containing Materials (ACM). EFI Global also observed visible or olfactory indications of mold and water damage in existing structures. The project is mitigated herein for the safe removal of asbestos, mold, and water damaged surfaces. Additionally, site specific radon levels were found to vary greatly within the radon zones, and the project is mitigated so that on-site radon measurements will be collected to determine the radon levels prior to issuance of a demolition permit.

Noise. The applicant provided a Noise and Vibration Study prepared by Envicom Corporation dated April 2, 2019, which indicates that noise may temporarily exceed Code required levels during demolition, grading, and construction phases. Mitigation measures are imposed herein to reduce noise to acceptable levels.

Other identified potential impacts not specifically mitigated by these conditions are already subject to existing City ordinances (Sewer Ordinance, Grading Ordinance, Flood Plain Management, Xeriscape Ordinance, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

Therefore, Find, pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Mitigated Negative Declaration, No. ENV-2019-3845-MND, as circulated on October 17, 2019 ("Mitigated Negative Declaration"), and all comments received, with the imposition of mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment; Find the Mitigated Negative Declaration reflects the independent judgment and analysis of the City; Find the mitigation measures have been made enforceable conditions on the project; and Adopt the Mitigated Negative Declaration and the Mitigation Monitoring Program prepared for the Mitigated Negative Declaration.

The records upon which this decision is based are with Valley Project Planning, Department of City Planning, 6262 Van Nuys Boulevard, Room 430, Los Angeles, CA 90012.