

## FINDINGS

### General Plan/Charter Findings

1. **General Plan Land Use Designation.** The subject property is located within the Wilshire Community Plan, which was adopted by the Los Angeles City Council on September 19, 2001. The Project Site is comprised of nine (9) contiguous lots totaling 45,810 square feet in size (1.05 acres), and bound by approximately 285 feet of frontage along Olympic Boulevard to the south, approximately 180 feet of frontage along Hoover Street Avenue to the east, and approximately 190 feet of frontage along Arapahoe Street to the west. There are currently two zoning designations on the Site as follows: C2-2 for Lots Fr 9 (Arb 1 & 2) and Fr 26 (Arb 1 & 2), fronting on Olympic Boulevard; and R4-1 for Lots 27, 28, Fr 7 (Arb 1) and Fr 8 (Arb 1 & 2).

The Community Plan designates the commercially zoned portion of the Project Site for General Commercial land uses with corresponding zones of C1.5, C2, C4, RAS3 and RAS4, and Footnote No. 5 limiting the Height District to 1. The Project Site, however, has an existing Height District of 2, which is not consistent with the Community Plan, and is being corrected through the proposed Zone and Height District Change from Height District 2 to Height District 1 as part of this application. The proposed C2-1 Zone has no height limitation, and permits a maximum by-right Floor Area Ratio (FAR) of 1.5:1.

The Community Plan designates the residentially zoned portion of the Project Site for High Medium Residential land uses with a corresponding zone of R4; and Height District of 1. The R4-1 Zone has no height limitation, and permits a maximum FAR of 3:1.

The Project Site has an existing lot area of 51,949 square feet, and proposes the construction of a new mixed-use building with a total building floor area of 182,680 square feet, resulting in an FAR of 3.9:1. As mentioned, the Director of Planning has initiated a Zone and Height District Change from C2-2 to (T)(Q)C2-1 as a technical correction to a previously recorded mapping error. The new zone, (T)(Q)C2-1, will create consistency between the Zone and General Plan land use designation for the C2 zoned lots. The Project Site is currently vacant and is not located within any specific plan areas.

2. **General Plan Text.**

### General Plan Framework

The Citywide General Plan Framework (Framework) is a guide for communities to implement growth and development policies by providing a comprehensive long-range view of the City as a whole. The Framework establishes categories of land use - Neighborhood District, Community Center, Regional Center, Downtown Center, and Mixed-Use Boulevard - that are broadly described by ranges of intensity/density, heights, and lists of typical uses. The definitions reflect a range of land use possibilities found in the City's already diverse urban, suburban, and rural land use patterns.

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

### Chapter 3: Land Use

**Objective 3.4:** *Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.*

**Policy 3.4.1:** *Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram.*

**Objective 3.10:** *Reinforce existing and encourage new community centers, which accommodate a broad range of uses that serve the needs of adjacent residents, promote neighborhood and community activity, are compatible with adjacent neighborhoods, and are developed to be desirable places in which to live, work and visit, both in daytime and nighttime.*

The Proposed Project involves the construction of a seven-story, mixed-use project that includes 173 dwelling units and 34,065 square feet of commercial uses. The Project Site located less than one mile southwest of the Metro Red and Purple Line Westlake/MacArthur Park Station, just over one mile southeast of the Metro Red and Purple Line Wilshire/Vermont Station, and within close proximity of local and regional bus lines. The Proposed Project will not only redevelop a currently vacant site with new residential and commercial development near existing commercial corridors, but will also provide opportunities for neighborhood-serving uses and increase the amount of pedestrian activity and safety by introducing more permanent eyes on the street. By increasing opportunities for employees to live near their jobs and residents to live near amenities, the Proposed Project would be consistent with the Framework Element.

### **Housing Element**

The City's Housing Element for 2013-2021 was adopted by City Council on December 3, 2013. The Proposed Project would be in conformance with following goals of the Housing Element as described below.

#### Goal 1: Housing Production and Preservation

**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 1.2.2:** *Encourage and incentivize the preservation of affordable housing, including non-subsidized affordable units, to ensure that demolitions and conversions do not result in the net loss of the City's stock of decent, safe, healthy or affordable housing.*

Goal 2: Safe, Livable, and Sustainable Neighborhoods

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

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

**Policy 2.2.3:** *Promote and facilitate a jobs/housing balance at a citywide level.*

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

**Policy 2.5.2:** *Foster the development of new affordable housing units citywide and within each Community Plan area.*

The Proposed Project will develop a currently vacant site with 173 residential dwelling units, which reserves 15 percent, or 20 units, of the 130 by-right base density units for Very Low Income Households, and approximately 34,065 square feet of commercial space on the three ground floor levels, fronting on Olympic Boulevard and is located less than one mile southwest of the Metro Red and Purple Line Westlake/MacArthur Park Station, just over one mile southeast of the Metro Red and Purple Line Wilshire/Vermont Station, and within close proximity of local and regional bus lines. The project will result in a net increase of 173 dwelling units on the site in close proximity to jobs, transit and other amenities. The Housing Element encourages more housing units to accommodate the City's projected growth and also envisions a variety of unit types and sizes and amenities that can satisfy the needs and demand of people of all income levels, races, and ages. The Housing Element indicates that not only are more housing units needed to accommodate the City's growth, but that there needs to be a broader array of typologies to meet evolving household types and sizes. The Project will offer a range of apartment types and sizes, with a mix of studio, one-, and two-bedroom units. To ensure the livability of these housing units, especially in such an urban location, the Project includes 18,735 square feet of open space for residents, including a podium deck, a second floor lobby/lounge, third floor upper lounge and exercise area, a fourth floor roof deck, a seventh floor lounge and roof deck, and private balconies throughout. In addition, by providing 20 Very Low Income units, the Proposed Project will be achieving the Housing Element goal of promoting mixed-income developments in mixed-use communities.

**Mobility Element**

The Mobility Plan 2035 includes goals that define the City's high-level mobility priorities. The Mobility Element sets forth objectives and policies to establish a citywide strategy to achieve long-term mobility and accessibility within the City of Los Angeles. The Proposed Project would be in conformance with following goals of the Housing Element as described below.

**Chapter 3: Access for All Angelenos**

**Objective:** *Ensure that 90 percent of households have access within one mile to the Transit Enhanced Network by 2035.*

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

***Policy 3.8: Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.***

The proposed mixed-use building provides affordable and market-rate housing and retail uses in proximity to several transit options. As previously mentioned, the Project Site is located less than one mile southwest of the Metro Red and Purple Line Westlake/MacArthur Park Station, just over one mile southeast of the Metro Red and Purple Line Wilshire/Vermont Station, and within close proximity of local and regional bus lines. These transit stations provide access to employment centers and jobs, local and regional destinations, and other neighborhood services for project residents. The Proposed Project will also allow for reduction of vehicle trips by placing high density residential within proximity to public transit, as well as existing retail and amenities along Olympic Boulevard to the south. The Project is consistent with the Mobility Element because residents will have easy access to work opportunities and essential services, and greater mobility is assured by the plentiful transit options offered by the Metro Rail and Metro Bus lines, mentioned above. The availability of many transit options along the commercial corridors of Olympic Boulevard and Hoover Street creates a lesser need for the use of personal vehicles. Furthermore, the location of the ground floor residential lobby and commercial uses will facilitate a pedestrian-oriented environment by providing transparency at the street level, and activating the streets with greater pedestrian activity, as residents will be encouraged to walk and use public transit. In addition, the Mobility Plan incorporates the complete streets principles to accommodate all modes of transportation including foot traffic and bicyclists. The commercial spaces front on Olympic Boulevard, from which pedestrians will have direct access. The Project also provides 21 short-term commercial bicycle parking spaces along the retail frontage along Olympic Boulevard, 18 short-term residential bicycle parking spaces adjacent to a residential entryway along Hoover Street, and 173 long-term residential and 20 long-term commercial bicycle parking spaces within a convenient, secure, and easily accessible parking facility located at the ground level with pedestrian access from both Olympic Boulevard and Hoover Street. As such, the Project conforms to the goals, objectives, and policies of the Mobility Plan 2035.

### **Land Use Element – Wilshire Community Plan**

The Wilshire Community Plan was adopted by the City Council on September 19, 2001. The Proposed Project would be in conformance with following goals of the Land Use Element as described below.

***Goal 1: Provide a safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the Wilshire Community.***

***Objective 1-1: Provide for the preservation of existing quality housing, and for the development of new housing to meet the diverse economic and physical needs of the existing residents and expected new residents in the Wilshire Community Plan Area to the year 2010.***

***Policy 1-1.3: Provide for adequate Multiple Family residential development. Program: The Community Plan Map, identifies land where Multiple Family residential development is permitted.***

**Policy 1-1.4:** *Provide for housing along mixed-use boulevards where appropriate.*

**Objective 1-2:** *Reduce vehicular trips and congestion by developing new housing in close proximity to regional and community commercial centers, subway stations and existing bus route stops.*

**Policy 1-2.1:** *Encourage higher density residential uses near major public transportation centers.*

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

**Policy 1.4-3:** *Encourage multiple family residential and mixed use development in commercial zones.*

**Goal 2:** *Encourage strong and competitive commercial sectors which promote economic vitality and serve the needs of the Wilshire Community through well-designed, safe and accessible areas, while preserving historic and cultural character.*

**Objective 2-1:** *Preserve and strengthen viable commercial development and provide additional opportunities for new commercial development and services within existing commercial areas.*

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

**Objective 2-2.3:** *Encourage the incorporation of retail, restaurant, and other neighborhood serving uses in the first floor street frontage of structures, including mixed use projects located in Neighborhood Districts.*

The Wilshire Community Plan designates the portion of the Project Site fronting along Olympic Boulevard for General Commercial land uses with corresponding zones of C1, C2, C4, P, RAS3 and RAS4; and the remaining parcels as High Medium Residential with a corresponding zone of R4. The Project Site allows for 130 units by-right, up to 176 units in conjunction through the Density Bonus Ordinance. The Project proposes to develop 173 unit, where 20 units will be set aside for Very Low Income households.

The proposed mixed-use development is located less than one mile southwest of the Metro Red and Purple Line Westlake/MacArthur Park Station, just over one mile southeast of the Metro Red and Purple Line Wilshire/Vermont Station, and within close proximity of local and regional bus lines, connecting the Project Site to other regional and local destinations as well as employment centers and retail services. The Project will contribute to the Wilshire area as a medium- to high-density mixed-use development that provides housing, employment, and retail/commercial services for residents and visitors of the area. As such, the Project conforms to the goals, objectives, and policies of the Wilshire Community Plan.

### **Citywide Commercial Design Guidelines**

The Proposed Project complies with the applicable Citywide Commercial Design Guidelines, which were created to carry out common design objectives that maintain neighborhood form and character while promoting design excellence and creative infill development solutions for Pedestrian-Oriented, Commercial and Mixed-Use Projects. The Commercial Citywide Design Guidelines are intended to address some of the most common, overarching challenges in

planning commercial developments, such as: considering neighborhood context and linkages in building and site design; employing high quality architecture to define the character or commercial districts; augmenting the streetscape environment with pedestrian amenities; minimizing the appearance of driveways and parking areas; including open space to create opportunities for public gathering; and improving the streetscape by reducing visual clutter.

The Project provides transparent ground floor, street-facing storefronts and individual entryways that promote an active street presence by pedestrians. Parking is located to the rear and within subterranean levels of the building, such that it does not dominate the streetscape. In addition, the building design uses a unique massing program that creates a three-story mass for the commercial uses along Olympic Boulevard, with residential uses wrapping around a third floor courtyard along the east, west and northerly sides of the building. The commercial and residential uses are differentiated through the use of building stepbacks in addition to color and material changes. The Project provides a multitude of horizontal and vertical plane changes, and a prominent architectural feature which dissects the building at a 36 degree angle as a subtle homage to the Spanish Grid along Hoover Street. Last, the Project will also be widening and improving the sidewalk to 15 feet in width so as to contribute further to the pedestrian experience.

### **Entitlement Findings**

#### **1. Zone and Height District Change Findings; “T” and “Q” Classification Findings**

Following is a delineation of the findings and the application of the relevant facts as related to the request to rezone the Project Site from C2-2 to (T)(Q)C2-1.

##### **a) Pursuant to Section 12.32 C of the Municipal Code, and based on these findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.**

The Project Site is comprised of nine (9) contiguous lots totaling 45,810 square feet in size (1.05 acres), and bound by approximately 285 feet of frontage along Olympic Boulevard to the south, approximately 180 feet of frontage along Hoover Street Avenue to the east, and approximately 190 feet of frontage along Arapahoe Street to the west. There are currently two zoning designation on the Site as follows: C2-2 for Lots Fr 9 (Arb 1 & 2) and Fr 26 (Arb 1 & 2), fronting on Olympic Boulevard; and R4-1 for Lots 27, 28, Fr 7 (Arb 1) and Fr 8 (Arb 1 & 2). The Project Site is currently vacant and is proposed to developed with a new seven-story, mixed-use development consisting of 173 residential units and 34,065 square feet of commercial uses with a total of 262 on-site vehicle parking spaces (201 spaces for residential uses, 61 spaces for commercial uses) located within one podium parking level and two subterranean parking levels, on a Project Site that consists of nine (9) contiguous lots totaling 51,949 square feet in size, and is currently vacant. The building will measure approximately 90 feet in height and contain approximately 182,680 square feet of floor area.

As mentioned, a portion of the Project Site is currently zoned C2-2. The Wilshire Community Plan designates the commercially zoned portion of the Project Site for General Commercial land uses with corresponding zones of C1.5, C2, C4, RAS3 and RAS4, and Footnote No. 5 limiting the Height District to 1. The Project Site, however, has an existing Height District of 2, which is not consistent with the Community Plan, and will be corrected through the proposed Zone and Height District Change from Height District 2 to Height District 1 as part of this application. The existing C2-2 Zone has no height limitation, and permits a maximum Floor Area Ratio (FAR) of 6:1. However, the only properties with the Wilshire Community Plan which are permitted Height District No. 2 are those with an underlying General Plan land use designation of Regional Commercial. As such, the

Director of Planning has initiated a Zone and Height District Change from C2-2 to (T)(Q)C2-1 as a technical correction to a previously recorded mapping error in order to create consistency between the Zone designation and the General Plan Land Use designation for the C2-zoned lots. The change to Height District No. 1 would permit a Floor Area Ratio (FAR) of 1.5:1. The Wilshire Community Plan designates the residentially zoned portion of the Project Site for High Medium Residential land uses with a corresponding zone of R4; and Height District of 1, and will remain unchanged. The R4-1 Zone has no height limitation, and permits a maximum FAR of 3:1.

In conjunction with a Density Bonus request, the Project will observe an average FAR of 3.9:1 over the entire Project Site, and would allow for the construction, operation, and maintenance of the proposed mixed-use project consistent with the General Plan while maintaining compatibility with existing surrounding uses and future growth patterns within this transit-rich urban community. In addition, as conditioned, the Project provides five (5) percent installed electric vehicle (EV) charging stations, electric vehicle charging stations for parking spaces in excess of building code requirements, and the installation of an operational photovoltaic system (solar) that will offset the electrical demand of the EV chargers and other on-site electrical uses. The electric vehicle charging spaces and solar panels will improve habitability for residents and neighboring properties by reducing the level of greenhouse gas emissions and fuel consumption from the project site, in spite of increased parking capacity, through encouraging the use of low or zero emission vehicles. The EV ready parking spaces will also provide residents who use an electric vehicle a direct service amenity.

Therefore, the City-initiated Zone and Height District change from C2-2 to (T)(Q)C2-1 will be consistent with public necessity, convenience, general welfare and good zoning practice because it will make the height district of Project Site consistent with the Wilshire Community Plan Footnote No. 5 associated with the General Commercial General Plan land use designation, which limits the C1.5, C2 and C4 Zones to Height District 1.

- b) **“T” and “Q” Classification Findings.** The current action, as recommended, has been made contingent upon compliance with new “T” and “Q” conditions of approval imposed herein for the Proposed Project. Such limitations are necessary to ensure the identified dedications, improvements, and actions are undertaken to meet the public’s needs, convenience, and general welfare served by the required actions. The conditions that limit the scale and scope of future development on the site are also necessary to protect the best interests of and to assure a development more compatible with surrounding properties and the overall pattern of development in the community, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

The existing right-of-way width of Olympic Boulevard is 100 feet, with a 50-foot half right-of-way to the centerline of the street. Per the Mobility Plan 2035, Olympic Boulevard at the location of the Project Site is required to provide a total right-of-way width of 110 feet, and a 55-foot half right-of-way to the centerline, resulting in a requirement for a five-foot dedication along Olympic Boulevard. The Applicant has requested to provide a two-foot dedication in lieu of the five-foot dedication. City records indicate that Olympic Boulevard, from Hoover Street to Alvarado Street to the east and Magnolia Street to the west, is currently improved to the same existing right-of-way widths as the Project Site. Furthermore, the properties along Olympic Boulevard are already developed and/or were recently developed. Therefore, it is not anticipated that these streets will be widened in the near future. In addition, the existing sidewalk is currently 13 feet in width. The two-foot dedication will allow the sidewalk to be widened and improved to the minimum required 15-foot dimension. As such, given that the two-foot dedication will allow for the required

sidewalk width while maintaining consistency with the adjacent right-of-way widths along Olympic Boulevard, the approval of the two-foot dedication as a modified "T" Classification is granted.

## 2. Density Bonus/Affordable Housing Incentives Program Findings

Following is a delineation of the findings and the application of the relevant facts as related to the request for a 33 percent Density Bonus, in conjunction with three (3) On-Menu Incentives to allow for the construction, use and maintenance of a new seven-story, mixed-use development consisting of 173 residential units and 34,065 square feet of commercial uses. Pursuant to Section 12.22 A.25(g) of the LAMC and Government Code Section 65915(d)(a)(A), the Commission shall approve a Density Bonus and requested Incentive(s) unless the Commission finds that:

- a) **The incentives do not result in identifiable and actual cost reductions to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for the affordable units.**

The record does not contain substantial evidence that would allow the Commission to make a finding that the requested on-menu incentives do not result in identifiable and actual cost reductions to provide for affordable housing costs per State Law. The California Health & Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs for very low, low, and moderate income households. Section 50052.5 addresses owner-occupied housing and Section 50053 addresses rental households. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed 25 percent gross income based on area median income thresholds dependent on affordability levels.

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

The requested on-menu incentives, which include: 1) averaging of floor area, ratio, density, parking or open spaces, and permitting vehicular access; 2) a reduced front yard setback; and 3) a reduced northerly side yard setback; are expressed in the Menu of Incentives per LAMC Section 12.22 A.25(f) and, as such, permit exceptions to zoning requirements that result in building design or construction efficiencies that provide for affordable housing costs. The requested incentives allow the developer to expand the building envelope so the additional units can be constructed and the overall space dedicated to residential uses is increased. These incentives support the Applicant's decision to set aside 20 Very Low Income dwelling units for 55 years.

**Averaging of Floor Area Ratio, Density, Parking or Open Space, and Permitting Vehicular Access.** The Proposed Project is comprised of two different zones as follows: C2-2 Zone (Lots Fr 9 (Arb 1 & 2) and Fr 26 (Arb 1 & 2)); and R4-1 Zone (Lots 27, 28, Fr 7 (Arb 1) and Fr 8 (Arb 1 & 2)). As part of this application, the C2-2-zoned portion of the Project Site will be changed to (T)(Q)C2-1. The portion of the Project Site located within the (T)(Q)C2-1 Zone consists of 16,226 square feet, while the portion of the Project Site located within the R4-1 Zone consists of 35,723 square feet, for a total lot size of 51,949 square feet.

**Floor Area Ratio (FAR):** The C2-1 Zone is permitted a maximum 1.5:1 FAR, while the R4-1 Zone is permitted a maximum 3:1 FAR. The breakdown of floor area information is shown in the table below:

| Lot Area   |                  |
|--|------------------|
| C2 Lot Area  | 16,226 sf        |
| R4 Lot Area  | 35,723 sf        |
| <b>Total</b>   | <b>51,949</b>    |
| Buildable Area (Gross Lot Area Minus Required Yards) |                  |
| C2 Lot Area  | 16,226 sf        |
| R4 Lot Area  | 30,635 sf        |
| <b>Total</b>   | <b>46,861 sf</b> |

| Floor Area Permitted By-Right |                  |                     |                   |
|-------------------------------|------------------|---------------------|-------------------|
|                               | Buildable Area   | FAR                 | Total             |
| C2-1 Lot Area                 | 16,226 sf        | 1.5:1               | <b>24,339 sf</b>  |
| R4-1 Lot Area                 | 30,635 sf        | 3:1                 | <b>91,905 sf</b>  |
| <b>Total</b>                  | <b>46,861 sf</b> |                     | <b>116,244 sf</b> |
| Floor Area Requested          |                  |                     |                   |
|                               | Buildable Area   | Proposed Floor Area | Total FAR         |
| Commercial                    | 16,226           | 34,065              | 2.10              |
| Residential                   | 30,635           | 148,615             | 4.85              |
| <b>Total</b>                  | <b>46,861</b>    | <b>182,680</b>      | <b>3.9</b>        |

**Density:** The C2-1 and R4-1 Zones are both permitted to develop at the R4 density (one dwelling unit for every 400 square feet of lot area). Based on the area regulations of each respective Zone, the Project Site is allowed 130 units by-right.

**Parking:** Pursuant to LAMC Section 12.22 A.25(d)(2), a minimum of 191 residential parking spaces is required. As proposed, the Project is providing 201 residential parking spaces within the ground level parking area to the rear, and two subterranean parking levels.

**Open Space:** The Project is required to provide a minimum of 17,750 square feet of usable open space. The Project proposes a total of 18,735 square feet of usable open space. Proposed usable open space consists of: a podium deck, with a second floor resident lobby/lounge, a third floor upper lounge and exercise area, a fourth floor roof deck, a seventh floor lounge and roof deck, and private balconies throughout. The breakdown of the open space information is shown in the tables below:

| Required Open Space  |           |               |                 |
|--|-----------|---------------|-----------------|
| Use  | Amount    | Rate          | Total size (sf) |
| < 3 habitable rooms  | 155 units | 100 sf / unit | 15,500          |
| = 3 habitable rooms  | 18 units  | 125 sf / unit | 2,250           |
| <b>Total</b>   |           |               | <b>17,750</b>   |
| <b>Maximum Credit for Interior Usable Open Space (25 percent)*</b> |           |               | <b>4,437.5*</b> |

| Proposed Open Space                                     |                          |                          |                |
|---|--------------------------|--------------------------|----------------|
|   | Location                 | Use                      | Total (sf)     |
| <b>Common</b>   | Second Floor<br>(Podium) | Deck                     | 5,125          |
|   |                          | Lobby/Lounge*            | 2,185*         |
|   | Third Floor              | Upper Lounge & Exercise* | 1,455*         |
|   | Fourth Floor             | Roof Deck                | 3,715          |
|   | Seventh Floor            | Lounge                   | 880*           |
|   |                          | Roof Deck                | 1,660          |
| <b>Private</b>  | Levels 2-7               | Balconies                | 3,360          |
| <b>Maximum Credit Allotted* (25 percent) - Proposed</b> |                          |                          | <b>* 4,435</b> |
| <b>Total Open Space Provided (Credited)</b>             |                          |                          | <b>18,735</b>  |

\*Interior Usable Open Space

**Vehicular Access:** The Proposed Project provides one driveway along Arapahoe Street within the R4-zoned portion of the Project Site. Permitting vehicular access from a less restrictive zone to a more restrictive zone will allow circulation throughout the Project Site. All proposed commercial parking shall be limited to the subterranean levels and within the C2-zoned parcels only.

Permitting the FAR, density, parking and open space requirements for each individual zone to be allocated across the entire Project Site, will allow for efficiency in construction and design, and expansion of the building, such that the restricted affordable units can be constructed and the overall space dedicated to residential units, and access to related amenities, is increased.

**Front Yard and Northerly Side Yard Setbacks.** Pursuant to LAMC Section 12.14 C.1, no front yard is required, and no side yards are required for buildings used exclusively for commercial purposes within the C2 Zone. Pursuant to LAMC Section 12.11 C.1, a 15-foot front yard setback, and a minimum of five-foot side yard setbacks, with one additional foot for every story over the second story, shall be required for any building in the R4 Zone. The Proposed Project is for a seven-story building located on a Project Site with three (3) street frontages, two of which are located in the R4 Zone along Arapahoe Street to the west and Hoover Street to the east, and per the Department of Building and Safety are considered "front yards". The Project is therefore required to observe 15-foot front yard setbacks along Arapahoe and Hoover Streets, and a 10-foot northerly side yard setback. Each requested incentive allows for a 20 percent decrease of an individual setback, which would allow, as requested, a 12-foot front yard setback, and an 8-foot side yard setback. The Project proposes a 12-foot, 6-inch front yard setback along Arapahoe Street, and an

8-foot northerly side yard setback. These requested reductions of the front and northerly side yard setbacks allow for an expanded building envelope and the construction of units which are sufficient in size and configuration to provide for enough market rate floor area to subsidize the Project's 15 Very Low Income affordable units.

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

There is no evidence in the record that the proposed density bonus incentive(s) will have a specific adverse impact. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22.A.25(b)). The determination that there is no evidence in the record that the proposed incentive(s) will have a specific adverse impact is further supported by the recommended CEQA finding. As required by Section 12.22 A.25(e)(2), the Project meets the eligibility criterion that is required for density bonus projects. The Project also does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. The record does not identify any written objective health or safety standards that are exceeded or violated. Nor does the record contain any evidence that significant, quantifiable, direct and unavoidable impacts will occur. Therefore, there is no substantial evidence that the proposed incentive(s)/waiver(s) will have a specific adverse impact on public health and safety.

### **3. Density Bonus Off-Menu Waiver of Development Standards Findings**

Following is a delineation of the findings and the application of the relevant facts as related to the recommendation for one (1) Off-Menu Waiver of Development Standard to allow for the construction, use and maintenance of a new seven-story, mixed-use development consisting of 173 residential units and 30,635 square feet of commercial uses. Pursuant to Government Code Section 65915(e), the Commission shall approve waiver of development standards that have the effect of physically precluding the construction of a density bonus development unless the Commission finds that:

- a) The waiver[s] or reduction[s] of development standards do not have the effect of physically precluding the construction of a development meeting the [affordable set-aside percentage] criteria of subdivision (b) at the densities or with the concessions or incentives permitted under [State Density Bonus Law]" (Government Code Section 65915(e)(1)).**

A project that provides 15 percent of its base units for Very Low Income households qualifies for three (3) incentives and may request other "waiver[s] or reduction[s] of development standards that will have the effect of physically precluding the construction of a development meeting the [affordable set-aside percentage] criteria of subdivision (b) at the densities or with the concessions or incentives permitted under [State Density Bonus Law]" (Government Code Section 65915(e)(1)). In addition, the on-menu incentives prescribed in LAMC Section 12.22 A.25(f) permit increases in FAR not to exceed 35 percent. In the case of the Proposed Project, that would permit an average FAR of 3.0375:1, where the Project requests a maximum FAR of 3.9:1. Given that the request for the FAR increase is greater than those available on the menu, this request is being treated

as an off-menu request. As the three (3) incentives have already been utilized as described in the Finding 2 above, the request for the following waiver is recommended as an Off-Menu Waiver of Development Standard.

The total maximum floor area allowed across the entire site after averaging the permitted FARs for the respective zones is 2.25:1 FAR, or 103,072.5 square feet. With the 35 percent FAR increase permitted under LAMC 12.22 A.25(f)(4), is 3.04 FAR or 139,262.4 square feet. The Project proposes a total of 3.9 FAR or 182,680 square feet. The proposed 3.9 FAR creates an additional 66,436 square feet of floor area. This development standard would have the effect of physically precluding construction of a development providing 173 residential units, of which 20 units, or 15 percent of the base density will be set aside for Very Low Income units. Compliance with the existing FAR limitations would require the removal of a significant amount of floor area that could otherwise be dedicated to the number, configuration and livability of affordable housing units, the arrangement of amenities provided for the residential units proposed, and the viability of commercial space for services that will be an amenity to the site's residents and the larger community. By waiving this development standard, the Project is able to maximize ground floor square footage for uses that will activate the street level. It will also ensure a configuration of amenities that will be accessible to all of the residents within the affordable housing development. The off-menu waiver as recommended will allow the developer to build the proposed 173 residential units and expand the Project's building envelope so that the spaces being constructed are of sufficient size, configuration, and quality.

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

There is no evidence in the record that the proposed density bonus incentive(s) will have a specific adverse impact. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22.A.25(b)). The determination that there is no evidence in the record that the proposed incentive(s) will have a specific adverse impact is further supported by the recommended CEQA finding. As required by Section 12.22 A.25(e)(2), the Project meets the eligibility criterion that is required for density bonus projects. The Project also does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. The record does not identify any written objective health or safety standards that are exceeded or violated. Nor does the record contain any evidence that significant, quantifiable, direct and unavoidable impacts will occur. Therefore, there is no substantial evidence that the proposed incentive(s)/waiver(s) will have a specific adverse impact on public health and safety.

## **DENSITY BONUS LEGISLATION BACKGROUND**

The California State Legislature has declared that "[t]he availability of housing is of vital statewide importance," and has determined that state and local governments have a responsibility to "make adequate provision for the housing needs of all economic segments of the community." Section §65580, subds. (a), (d). Section 65915 further provides that an

applicant must agree to, and the municipality must ensure, the "continued affordability of all Low and Very Low Income units that qualified the applicant" for the density bonus.

With Senate Bill 1818 (2004), state law created a requirement that local jurisdictions approve a density bonus and up to three "concessions or incentives" for projects that include defined levels of affordable housing in their projects. In response to this requirement, the City created an ordinance that includes a menu of incentives (referred to as "on-menu" incentives) comprised of eight zoning adjustments that meet the definition of concessions or incentives in state law (California Government Code Section 65915). The eight on-menu incentives allow for: 1) reducing setbacks; 2) reducing lot coverage; 3) reducing lot width, 4) increasing floor area ratio (FAR); 5) increasing height; 6) reducing required open space; 7) allowing for an alternative density calculation that includes streets/alley dedications; and 8) allowing for "averaging" of FAR, density, parking or open space. In order to grant approval of an on-menu incentive, the City utilizes the same findings contained in state law for the approval of incentives or concessions.

California State Assembly Bill 2222 went into effect January 1, 2015, and with that Density Bonus projects filed as of that date must demonstrate compliance with the housing replacement provisions which require replacement of rental dwelling units that either exist at the time of application of a Density Bonus project, or have been vacated or demolished in the five-year period preceding the application of the project. This applies to all pre-existing units that have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; subject to any other form of rent or price control (including Rent Stabilization Ordinance); or is occupied by Low or Very Low Income Households (i.e., income levels less than 80 percent of the area median income [AMI]). The replacement units must be equivalent in size, type, or both and be made available at affordable rent/cost to, and occupied by, households of the same or lower income category as those meeting the occupancy criteria. Prior to the issuance of any Director's Determination for Density Bonus and Affordable Housing Incentives, the Housing and Community Investment Department (HCIDLA) is responsible for providing the Department of City Planning, along with the applicant, a determination letter addressing replacement unit requirements for individual projects. The City also requires a Land Use Covenant recognizing the conditions be filed with the County of Los Angeles prior to granting a building permit on the project.

Assembly Bill 2222 also increases covenant restrictions from 30 to 55 years for projects approved after January 1, 2015. This determination letter reflects these 55 year covenant restrictions.

Under Government Code Section § 65915(a), § 65915(d)(2)(C) and § 65915(d)(3) the City of Los Angeles complies with the State Density Bonus law by adopting density bonus regulations and procedures as codified in Section 12.22 A.25 of the Los Angeles Municipal Code. Section 12.22 A.25 creates a procedure to waive or modify Zoning Code standards which may prevent, preclude or interfere with the effect of the density bonus by which the incentive or concession is granted, including legislative body review. The Ordinance must apply equally to all new residential development.

In exchange for setting aside a defined number of affordable dwelling units within a development, applicants may request up to three incentives in addition to the density bonus and parking relief which are permitted by right. The incentives are deviations from the City's development standards, thus providing greater relief from regulatory constraints. Utilization of the Density Bonus/Affordable Housing Incentives Program supersedes requirements of the Los Angeles Municipal Code and underlying ordinances relative to density, number of units, parking, and other requirements relative to incentives, if requested.

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

#### **FINANCIAL ANALYSIS/PRO-FORMA**

Pursuant to the Affordable Housing Incentive Density Bonus provisions of the LAMC (Section 12.22 A.25), proposed projects that involve on-menu incentives are required to complete the Department's Master Land Use Permit Application form, and no supplemental financial data is required. The City typically has the discretion to request additional information when it is needed to help make required findings. However, the City has determined that the level of detail provided in a pro forma is not necessary to make the findings for on-menu incentives. This is primarily because each of the City's eight on-menu incentives provides additional buildable area, which, if requested by a developer, can be assumed to provide additional project income and therefore provide for affordable housing costs. When the menu of incentives was adopted by ordinance, the impacts of each were assessed in proportion to the benefits gained with a set-aside of affordable housing units. Therefore, a pro-forma illustrating construction costs and operating income and expenses is not a submittal requirement when filing a request for on-menu incentives. The City's Density Bonus Ordinance requires "a pro forma or other documentation" with requests for off-menu incentives but has no such requirement for on-menu requests.

#### **4. Site Plan Review Findings**

Following is a delineation of the findings and the application of the relevant facts as related to the request to permit the development of 173 residential dwelling units.

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

The subject property is located within the Wilshire Community Plan, which was adopted by the Los Angeles City Council on September 19, 2001. The Project Site is comprised of nine (9) contiguous lots totaling 45,810 square feet in size (1.05 acres), and bound by approximately 285 feet of frontage along Olympic Boulevard to the south, approximately 180 feet of frontage along Hoover Street Avenue to the east, and approximately 190 feet of frontage along Arapahoe Street to the west. There are currently two zoning designations on the Site as follows: C2-2 for Lots Fr 9 (Arb 1 & 2) and Fr 26 (Arb 1 & 2), fronting on Olympic Boulevard; and R4-1 for Lots 27, 28, Fr 7 (Arb 1) and Fr 8 (Arb 1 & 2).

The Community Plan designates the commercially zoned portion of the Project Site for General Commercial land uses with corresponding zones of C1.5, C2, C4, RAS3 and RAS4, and Footnote No. 5 limiting the Height District to 1. The Project Site, however, has an existing Height District of 2, which is not consistent with the Community Plan, and will be corrected through the proposed Zone and Height District Change from Height District 2 to Height District 1 as part of this application. The proposed (T)(Q)C2-1 Zone would permit a maximum Floor Area Ratio (FAR) of 1.5:1.

The Community Plan designates the residentially zoned portion of the Project Site for High Medium Residential land uses with a corresponding zone of R4; and Height District of 1. The R4-1 Zone has no height limitations, and permits a maximum FAR of 3:1.

The Project Site is currently vacant and is not located within any specific plan areas.

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 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. As discussed in previous findings, the Project is consistent with the General Plan Framework, Housing, Mobility and Land Use Elements of the General Plan. In addition, the Proposed Project complies with the applicable Citywide Design Guidelines for Pedestrian-Oriented, Commercial and Mixed-Use Projects, as it provides transparent ground floor, street-facing storefronts and individual entryways that promote an active street presence by pedestrians. Parking is located to the rear and within subterranean levels of the building, such that it does not dominate the streetscape. In addition, the building design uses a unique massing program that creates a three-story mass for the commercial uses along Olympic Boulevard, with residential uses wrapping around a third floor courtyard along the east, west and northerly sides of the building. The commercial and residential uses are differentiated through the use of building stepbacks in addition to color and material changes. The Project provides a multitude of horizontal and vertical plane changes, and a prominent architectural feature which dissects the building at a 36 degree angle as a subtle homage to the Spanish Grid along Hoover Street. Last, the Project will also be widening and improving the sidewalk to 15 feet in width so as to contribute further to the pedestrian experience.

The Wilshire Community Plan was adopted by the Los Angeles City Council on September 19, 2001. The Project, as a mixed-use project setting aside 20 units for Very Low Income households, advances a number of objectives and policies contained in the Wilshire Community Plan. These include:

**Goal 1:** *Provide a safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the Wilshire Community.*

**Objective 1-1:** *Provide for the preservation of existing quality housing, and for the development of new housing to meet the diverse economic and physical needs of the existing residents and expected new residents in the Wilshire Community Plan Area to the year 2010.*

**Policy 1-1.3:** *Provide for adequate Multiple Family residential development. Program: The Community Plan Map, identifies land where Multiple Family residential development is permitted.*

**Policy 1-1.4:** *Provide for housing along mixed-use boulevards where appropriate.*

**Objective 1-2:** *Reduce vehicular trips and congestion by developing new housing in close proximity to regional and community commercial centers, subway stations and existing bus route stops.*

**Policy 1-2.1:** *Encourage higher density residential uses near major public transportation centers.*

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

**Policy 1.4-3:** *Encourage multiple family residential and mixed use development in commercial zones.*

**Goal 2:** *Encourage strong and competitive commercial sectors which promote economic vitality and serve the needs of the Wilshire Community through well-designed, safe and accessible areas, while preserving historic and cultural character.*

**Objective 2-1:** *Preserve and strengthen viable commercial development and provide additional opportunities for new commercial development and services within existing commercial areas.*

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

**Objective 2-2.3:** *Encourage the incorporation of retail, restaurant, and other neighborhood serving uses in the first floor street frontage of structures, including mixed use projects located in Neighborhood Districts.*

The Wilshire Community Plan designates the portion of the Project Site fronting along Olympic Boulevard for General Commercial land uses with corresponding zones of C1, C2, C4, P, RAS3 and RAS4; and the remaining parcels as High Medium Residential with a corresponding zone of R4. The Project Site allows for 130 units by-right, up to 176 units in conjunction through the Density Bonus Ordinance. The Project proposes to develop 173 units, where 20 units will be set aside for Very Low Income households.

The proposed mixed-use development is located less than one mile southwest of the Metro Red and Purple Line Westlake/MacArthur Park Station, just over one mile southeast of the Metro Red and Purple Line Wilshire/Vermont Station, and within close proximity of local and regional bus lines, connecting the Project Site to other regional and local destinations as well as employment centers and retail services. The Project will contribute to the Wilshire area as a medium- to high-density mixed-use development that provides housing, employment, and retail/commercial services for residents and visitors of the area.

As such, the Project is in substantial conformance with the purposes, intent and provisions of the General Plan and Wilshire Community Plan.

- b) 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.**

As proposed, the Development of the Project Site into a mixed-use building would be consistent and compatible with existing and future development on neighboring and other properties within close proximity, which is generally developed with low- to medium-density residential and commercial uses.

#### Building Arrangement (Height, Bulk, Setbacks)

The Project Site is comprised of nine (9) contiguous lots having a total combined area of 51,949 square feet, with underlying zones of C2-2 (to be changed to C2-1 as part of this application) and R4-1, and bound by Olympic Boulevard to the south, Hoover Street to the east and Arapahoe Street to the west. The Proposed Project includes seven-story building with a maximum height of 92 feet. The Proposed Project qualifies for a maximum 35 percent increase in residential density. The Project proposes to utilize a 33 percent density bonus, for an additional 46 dwelling units, or a total of 176 dwelling units, in conjunction

with three (3) on-menu incentives to allow averaging FAR, density, open space and to permit vehicular access over the entire Project Site, and for reduced front and northerly side yards; and one (1) off-menu waiver to allow a 3.9 FAR over the entire Project Site in lieu of the otherwise permitted maximum 3:1 FAR in the R4-1 Zone and 1.5:1 FAR in the proposed C2-1 Zones.

Pursuant to LAMC Section 12.14 C.1, no front yard is required, and no side yards are required for buildings used exclusively for commercial purposes within the C2 Zone. Pursuant to LAMC Section 12.11 C.1, a 15-foot front yard setback, and a minimum of five-foot side yard setbacks, with one additional foot for every story over the second story, shall be required for any building in the R4 Zone. As a seven-story building located on a Project Site with three (3) street frontages, two of which are located in the R4 Zone along Arapahoe Street to the west and Hoover Street to the east, the Project is required to observe 15-foot front yard setbacks along Arapahoe and Hoover Streets, and a 10-foot northerly side yard setback. The Project proposes a 12-foot, 6-inch front yard setback along Arapahoe Street, and an 8-foot northerly side yard setback.

Properties adjoining the Site to the north are developed with a range of uses from single- and multi-family dwellings to homes for the aged, ranging from two- to three-stories in height; and a two-story commercial building. Properties to the east across Hoover Street consist of retail commercial uses ranging from one- to two-stories in height and multifamily dwellings ranging from two- to four-stories in height. Properties to the south and across Olympic Boulevard are developed with auto uses within a surface parking lot, and a two-story shopping center containing various retail and office commercial uses. Properties to the west and across Arapahoe Street are developed with a six-story mixed-use development and multifamily dwellings ranging in two- to three-stories in height.

As is evident, the Proposed Project is taller than surrounding developments by at least one-story and larger in bulk and massing than the low-scale commercial uses and low- to medium density residential uses on adjacent and neighboring properties. In addition, the Project requests a reduced setback along the shared northerly property line, where the proposed seven-story building will abut a three-story residential building and two-story commercial building. However, in an effort to buffer the difference in height, the Project proposes a landscape buffer between the Project and the adjacent residential use. Furthermore, the Project is located on a prominent street corner that serves as an opportunity as a gateway from Downtown Los Angeles to Koreatown. Lastly, continuous efforts have been made to scale down the overall appearance of the building along the Olympic Boulevard frontage by utilizing various rotations and removal of mass to achieve a building configuration which is varied in height and provides vertical and horizontal plane changes. As previously described, the commercial uses are designed with a combination of stucco, and metal screens and canopies with butt-jointed glass storefront facades, anchored by two, two-story brick commercial tenancies on either side of the development which wraparound the building corners at Hoover and Arapahoe Streets. In addition, there is a stucco tower which dissects the building at a 36 degree angle to mimic the Spanish grid along Hoover Street. The upper commercial levels are designed with similar materials, and are stepped back at each level with an open air walkways providing additional plane variations between floors. The Project also provides an open courtyard facing Olympic Boulevard, with residential uses wrapping around the north, east and westerly sides of the Project.

There is one level of at-grade parking that will be partially visible from Arapahoe Street and the developments adjoining the Project Site to the north. The elevations indicate that there will be a solid wall along the north elevation, with some small openings along Arapahoe Street. In order to avoid blank facades, and given that it is unclear whether

vehicles will be visible from the small openings along Arapahoe Street, as conditioned, any parking uses on the ground floor shall be screened through architectural treatments or other design features, to ensure that any at-grade or above parking is not visible from the exterior of the building. The following rooftop equipment is currently shown on the plans: condenser units, photovoltaic solar panels and a kitchen exhaust. As conditioned, any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view by any abutting properties.

The Applicant Team has made many changes to their original design concept in order to address the ongoing concerns Planning staff had regarding scaling down the bulk and mass along the Olympic Street frontage to make the development less automobile-centric and more pedestrian friendly. As such, it can be found that the revised Project's building arrangement with regards to height, bulk and setbacks is substantially compatible with the adjacent and neighboring properties.

#### Off-Street Parking Facilities and Loading Areas

Residential vehicle parking shall be provided consistent with LAMC Section 12.22 A.25, Parking Option 1, which permits one on-site parking space for each residential unit with one or fewer bedrooms; two on-site parking spaces for each residential unit with two to three bedrooms; and two-and-one-half parking spaces for each residential unit with four or more bedrooms. The Project includes 49 studios, 106 one-bedroom and 18 two-bedroom units, and is therefore required to provide 191 residential parking spaces.

The Project is located within the Los Angeles State Enterprise Zone (ZI-2374) which allows a reduced parking ratio for commercial uses per LAMC Section 12.21 A.4(x)(3), or two spaces for every 1,000 square feet of commercial floor area. The Project includes 34,065 square feet of commercial uses, and is therefore required to provide 68 commercial parking spaces. LAMC Section 12.21 A.4 allows no more than 20 percent of the required automobile spaces for nonresidential uses to be replaced with bicycle parking. In conjunction with a 10 percent parking reduction per the Bicycle Ordinance, 61 commercial parking spaces are required.

The Project provides 201 residential parking spaces within the ground level parking area to the rear, and two subterranean parking levels; and 61 commercial parking spaces within the C2-zoned portions of the two subterranean parking levels. A loading dock and are provided on the within the ground level parking area, adjacent to the mechanical room.

#### Lighting

The project plans submitted do not indicate the type or location of proposed lighting. As conditioned, the Applicant shall provide wall mounted lighting fixtures to accent and complement architectural details at night shall be installed on the new mixed-use building to provide illumination to pedestrians and motorists throughout the Project Site; and indicate appropriate buffers and light deflection such as screening, landscaping, and walls as necessary, to ensure that no noise or lighting disturbance would be created on neighboring residential properties to the north.

#### Landscaping

The Project provides minimal building setbacks which include a 12-foot, 6-inch setback along the R4-zoned portion of the lot fronting Arapahoe Street; a variable setback of 16 feet, 1.5 inches to 24 feet, 9 inches along the R4-zoned portion fronting on Hoover Street.

However, all open areas that are not used for driveways. The Applicant has provided a conceptual Landscape Plan which show that all open areas where setback are provided, will be planted with trees and landscape planting, as shown on Sheet PL-1 of Exhibit A. In total, the Project proposes nine (9) street trees along Olympic Boulevard, and four (4) street trees each along Hoover Street and five (5) street trees along Arapahoe Street. As far as trees on-site, the Project proposes five (5) palm trees, three (3) olive trees and one (1) flowering trees along the Hoover Street frontage; two (2) olive trees and three (3) flowering trees along the Arapahoe Street frontage; 10 tall evergreen trees and one (1) unidentified flowering tree along the northerly property line; and 10 palm trees, five (5) potted trees and raised planters within the podium deck; five (5) palm trees, three (3) olive trees, two (2) flowering trees and raised planters within the fourth floor terrace; and two (2) olive trees and raised planters on the seventh floor terrace. As conditioned, a landscape plan shall be provided demonstrating that all open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning, and in compliance with LAMC Section 12.40 and Landscape Ordinance Guidelines "O".

#### Trash Collection

The Project proposed a 290 square-foot trash and recycling area located within the ground level parking area.

#### Fences and/or Walls

The Project does not propose any fences or walls as part of the proposed scope of work. However, as conditioned, any future fences or walls surrounding the subject site shall feature decorative architectural elements or landscaping.

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

The Project provides a total of 18,735 square feet (credited) of usable open space, comprised of: a 5,125 square-foot podium deck; a 2,185 square-foot second floor resident lobby/lounge; a 1,455 square-foot third floor upper lounge and exercise area; a 3,715 square-foot fourth floor roof deck; an 880 square-foot lounge and 1,660 square-foot roof deck on the seventh floor; and 3,800 square feet of private balconies. In addition, as conditioned, the project provides five (5) percent installed electric vehicle (EV) charging stations, electric vehicle charging stations for parking spaces in excess of building code requirements, and the installation of an operational photovoltaic system (solar) that will offset the electrical demand of the EV chargers and other on-site electrical uses. The electric vehicle charging spaces and solar panels will improve habitability for residents and neighboring properties by reducing the level of greenhouse gas emissions and fuel consumption from the project site, in spite of increased parking capacity, through encouraging the use of low or zero emission vehicles. The EV ready parking spaces will also provide residents who use an electric vehicle a direct service amenity. As such, the Proposed Project provides recreational and service amenities that would improve habitability for its residents and minimize impacts on neighboring properties.

#### CEQA Finding

A Mitigated Negative Declaration (ENV-2014-4943-MND), corresponding Mitigation Monitoring Program (MMP) and Errata were issued on November 17, 2017 and December 4, 2017 were

prepared for the Proposed Project. The Mitigation Monitoring Program (MMP) is a document that is separate from the MND and is prepared and adopted as part of the Project's approval. Section 21081.6 of the Public Resources Code requires a Lead Agency to adopt a "reporting or monitoring program for the changes made to the Project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment." In addition to the mitigation measures required of the Project and any Proposed Project design features, the applicant is required to adhere to applicable RCMS required by law.

The MND was circulated for public review on February 9, 2017 through March 13, 2017. The Planning Department did not receive any comment letters. Subsequent to the publication of the MND, the Planning Department received a request from the Gabrieleno Indians for a consultation, stating that the Project Site lies within their ancestral tribal territory and may cause a substantial adverse change in the significance of tribal cultural resources. Consultation began on May 11, 2017, during which Gabrieleno Indians verbally identified that Olympic Boulevard was a trade route, and therefore a cultural resource. The Planning Department requested that the Gabrieleno Indians provide substantial evidence supporting this claim within 14 days of the consultation, or by June 2, 2017. No substantial evidence was provided within this time and consultation closed on June 5, 2017. Also subsequent to the publication of the MND, Errata were issued on November 17, 2017 and December 4, 2017 to address minor corrections that were made to the Project Description subsequent to the publication of the MND. Following the issuance of the Errata and the City Planning Commission meeting on December 14, 2017, the Applicant modified the Project design per the Commission's recommendations. These design changes resulted in a reduction in commercial floor area from 36,990 square feet to 34,065 square feet; reduction in the overall floor area from 183,190 square feet to 182,680 square feet; reduction in building height from approximately 92 feet to approximately 76 to 78 feet; for the building and 90 feet for the parapet sign; a change of unit mix from 33 to 49 studios; 118 to 106 one-bedrooms; and 22 to 18 two-bedrooms; and due to the change in the unit mix, reduction in required parking and open space. Provided that the revised Project is smaller in scope than the original Project that was originally analyzed in the MND, the conclusions of the MND would remain unchanged and no new mitigation measures would be required. Therefore, the Department of City Planning considers the original MND as an adequate environmental clearance for both the original and the revised Project. Therefore, on the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND, there is no substantial evidence that the Proposed Project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street.