

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 Community Commercial land use with corresponding zones of CR, C2, C4, RAS3, RAS4, P, and PB. The subject site is not located within any geographic specific plan area. The applicant is requesting a Vesting Zone Change from A2P-1 to (T)(Q)RAS4-1 and Site Plan Review.

The applicant's zone change request is consistent with the current General Plan land use designation. The existing A2 Zone does not correspond to the Community Commercial land use designation, but the requested RAS4-1 Zone does correspond to the land use designation. The proposed project would be comprised of 52 dwelling units (58,233 square feet). Pursuant to LAMC Section 12.11.5 C.4, the RAS4 Zone allows 1 unit per 400 square feet of lot area, or in this instance, a maximum by-right density of 78 units if approved. The requested 52 units are below the density allowed under the proposed RAS4 Zone. The applicant is proposing a maximum floor area ratio (FAR) of slightly under 2.5:1, and the project is conditioned herein for a maximum FAR of 2.5:1, which is lower than the 3:1 FAR allowed in the RAS4-1 Zone.

Community Plan Map Footnote No. 1 limits lots designated for Community Commercial land use to Height District No. 1. The applicant's request to change the zoning to RAS4-1 is consistent with Map Footnote No. 1. LAMC Section 12.21.1 A limits the floor area ratio in the RAS4-1 Zone to 3:1 but does not limit building height or the number of stories in Height District 1. The applicant is proposing a ground level parking garage with three stories of residential above the parking garage for a total of 4 stories. As shown in "**Exhibit A**," the building height is 47.4 feet to the top of the parapet on all elevations with the highest point ranging between 54.5 - 61.5 feet.

The applicant is requesting to provide one automobile parking space per unit for each of the 28 one-bedroom units and two automobile parking spaces per unit for each of the 24 two-bedroom units for a minimum of 76 parking spaces consistent to Parking Option 1 under LAMC Section 12.22 A.25. As shown in "**Exhibit A**," the applicant is providing a minimum of 76 automobile parking spaces consistent with the developer incentives allowed under LAMC Section 11.5.11.

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 1,300 square feet of open space for the 13 units with less than three habitable rooms and 4,875 square feet of open space for the 39 units with three habitable rooms for a total of 6,175 square feet of open space. As shown on “**Exhibit A**” and as conditioned herein, the applicant is providing a minimum of 6,175 square feet of open space, including a 3,164 square foot open to the sky deck level courtyard, a 664 square foot community room on the 2nd level, a 712 square foot open to the sky deck on the 4th level, and a 1,635 square foot roof deck.

The applicant has met or exceeded setback requirements and provided landscaping and LID planters along yards to promote pedestrian usage and climate adaptation. Pursuant to LAMC Section 12.11.5 C.1, which regulates the RAS4 Zone, a minimum 5 foot front yard is required unless the adjoining buildings on each side maintain a front yard of less than 5 feet in depth, in which case the applicant’s required front yard is permitted to be average of the front yards of the existing buildings. The applicant’s plans show an 8 foot front yard setback along the Bermuda Street frontage (see “**Exhibit A**”). LAMC Section 12.11.5 C.2 requires a minimum 5 foot side yard setback for residential use in the RAS4 Zone, and the applicant’s plans show a 5 foot setback along both the east side yard and an 8 foot setback along the west side yard. As required for this particular site pursuant to LAMC Section 12.11.5 C.3, a 5 foot rear yard is provided.

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 A2P-1 to (T)(Q)RAS4-1 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 single- and multi-family residences and commercial uses, the neighborhood would be well served by changing the zone on an underutilized surface parking lot from an agricultural/parking zone to a residential/accessory zone that promotes infill development. The proposed 52-unit multi-family apartment building provides a transition between the single-family homes and mobile home park to the west and northwest and the two restaurants to the east. 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 Very Low and Extremely 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 Citywide General Plan Framework Element states:

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.

The plans submitted by the applicant show 24 two-bedroom units for larger families. The proposed project offers 6,175 square feet of open space including a 3,164 square foot open to the sky courtyard on the deck level, a 664 square foot community room on the 2nd level, a 712 square foot open to the sky deck on the 4th level, and a 1,635 square foot roof deck.

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.

As shown in “**Exhibit A,**” the applicant has incorporated Residential Citywide Design Guidelines in the project design as follows:

- The project has a pedestrian-first orientation. The applicant’s plans show a defined at-grade entryway along Bermuda Street and street connectivity along Bermuda Street and Langdon Avenue. The plans show an 8 foot landscaped setback at the Bermuda Street frontage and the Langdon Avenue westerly side yard. Patios on the 2nd level face Bermuda Street to provide street connectivity. The entryway on Bermuda Street is in proportion to the scale and massing of the building and is recessed to provide shelter year-round. While underground parking was not feasible in this project, the parking podium is designed and conditioned herein to enhance the pedestrian environment to the maximum extent possible via green screen and climbing vines planted on the exterior garage walls. Furthermore, as conditioned herein, the parking podium shall be designed to minimize vehicle headlight and parking structure interior lighting impacts (“spillover”) on adjacent streets and properties.
- The project incorporates a 360° design by treating all building facades with an equal level of detail and articulation. The building is articulated and broken up into distinct planes that are offset from the main building façade. Textures, colors, materials, and distinctive architectural treatments are utilized to add visual interest, such as white, dark gray, candlelight orange, and varied colored stucco finish; recessed aluminum windows with foam moldings; and steel railings on open walkways. The building height is modulated. The applicant’s plans also show steel vertical louvers at the ground level parking garage and open grille garage doors.
- The proposed project is climate-adapted. Sunlight will reach the building via the apartment building north orientation, 3,164 square foot open to the sky interior

courtyard on the 2nd level and 712 square foot open to sky deck on the 4th level. The 1,635 square foot roof deck offers additional recreational opportunities. Native and drought-tolerant landscaping is utilized throughout the project along the ground floor frontage, westerly side yard setback, interior and rooftop courtyards, and at a 739 square foot area at the rear of the building. Landscaping includes 24 inch box succulent accent trees, 5 gallon agave and aloe plants, and 5 gallon grasses. The applicant is providing 36 24-inch and 36- inch box trees, and as shown on “**Exhibit A**,” LID planters along the Bermuda Street building frontage and the Langdon Avenue westerly side yard. Climbing vines (5 gallon Creeping Fig and/or English Ivy) will be planted to soften the eastern and southern sides of the building facing the two restaurants and associated parking. A landscaped buffer separates the rear yard of the project from the restaurant parking at the rear of the building. Open grille garage doors are used at the parking podium to allow for open ventilation.

Although the residential apartment building faces the SR-118 and I-405 freeway interchange, the applicant has incorporated project design features as shown on “**Exhibit A**” to enhance climate adaptation and minimize the effects of freeway proximity. As conditioned herein, only six of the 52 units face the freeway interchange (two units on the 2nd, 3rd, and 4th levels each). Non-operable aluminum windows are used on bedroom and bathroom freeway facing windows. No patios or balconies are freeway facing. The open space courtyard area is separated from the rear of the building by an approximately 739 square foot open to the sky landscaped area. Additionally, the building is separated from the Caltrans right-of-way by a 5 foot setback, landscaping, and a variable linear distance of approximately 55 to 71 feet. Finally, as regulatory compliance under LAMC Section 99.04.504.6, MERV 13 filters are required within 1,000 feet of a freeway on regularly occupied areas of the building. As required by the Municipal Code, the filters shall be installed prior to occupancy, and recommendations for maintenance with filters of the same value shall be included in the operation and maintenance manual.

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.

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.

The proposed 52 unit apartment building offers rental housing at market rate as well as 7 rental units for Very Low and Extremely Low Income households. The 52 unit building is comprised of 28 one-bedroom units and 24 two-bedroom units to offer housing to individuals and families with children. “**Exhibit A**” shows floor plans with six unit types (Type A – Type F) and varying unit sizes. The one bedroom units range between 618-879 square feet, and the two-bedroom units range between 947-1,085 square feet. As such, the proposed project creates a supply of rental housing that is accessible to persons with variable income levels and needs.

Additionally, the proposed 52 unit apartment building is accessible to jobs and amenities provided by the commercial and service uses to the east and north. The project site is near public transportation (approximately 500 feet to the Sepulveda/Brand bus stop for the LA Local Metro Orange Line 234 and 1,500 feet from the Sepulveda & Chatsworth bus stop for the LA Local Metro Orange Line Commuter Express 419). As discussed in the associated environmental Case No. ENV-2017-628-MND, the Southern California Association of Governments (SCAG) has identified the geographic area where the project is sited as a High Quality Transit Area (HQTA), defined by SCAG as an area with rail transit service or bus service where lines have peak headways of less than 15 minutes. Therefore, the proposed apartment building locates new multi-family development in proximity to transportation corridors and high activity areas while acting as a buffer between the commercial development on transit corridors and the existing lower density development.

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), 90 automobile parking stalls are required. As an incentive under Measure JJJ and LAMC Section 11.5.11(e), the applicant is requesting to provide one automobile parking space per unit for each of the 28 one-bedroom units and two automobile parking spaces per unit for each of the 24 two-bedroom units for a total of 76 parking spaces consistent to Parking Option 1 under LAMC Section 12.22 A.25. “**Exhibit A**” shows that a minimum of 76 automobile parking spaces are provided, including four spaces (5% of the total 76 spaces) with electrical vehicle charging stations (EVCS). The project is not providing an oversupply of parking and therefore encourages the use of alternative modes of transportation. In lieu of using space for 90 parking spaces, valuable space is used to provide residential dwelling units, open space, and landscaping.

Health and Wellness, Mobility 2035, and Air Quality Elements. The proposed project is designed with a north orientation to be climate-adapted. Additionally, the applicant's plans show open walkways and an open interior courtyard and deck and 4th level courtyards that are open to the sky so that sunlight can reach the units. Landscaping and green walls are utilized throughout the project, including all yards and setback areas. "Exhibit A" shows landscaping, green screen, and LID planters along the Bermuda Street frontage and the Langdon Avenue side yard. The project is designed with 12 inch wide planters and climbing vines along the easterly side yard facing the abutting restaurants and the rear yard abutting the restaurant parking. A 739 square foot landscaped area is shown at the southerly lot line. Open grille garage doors should make for good access to natural light and ventilation. Due to the proximity of the freeway, only six units are freeway facing, and non-operable windows are used in the bedroom and bathroom freeway facing rooms. The building orientation and use of natural light and ventilation provide non-polluting sources of energy, and the non-operable windows provide a buffer from pollutants. To reduce levels of pollution and greenhouse gas emissions and encourage water conservation, low water trees and plants, such as aloe, agave, and large cape rush are utilized in the project landscaping. Of the 76 automobile parking spaces proposed by the applicant, four parking spaces are proposed to be EV-ready parking spaces to support the adoption of low and zero emission transportation fuel sources by the project's occupants and visitors. The solar zone area that is equal to or greater than 15% of the building's total roof area and will support the site's EV chargers and other site electrical uses to help reduce the site's dependence on fossil fuels and carbon generating public utility electrical power. 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 52 unit multiple family residential development provides a transition between the commercial/service uses and transit corridor to the north and east and the single-family dwellings/mobile home park to the west. Furthermore, the proposed use has been conditioned herein under environmental Case No. ENV-2017-628-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 52-unit residential apartment building with 7 affordable units, 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 52 unit multi-family residential apartment building is accessible to jobs provided by the commercial and service uses to the east and north. The project site is near public transportation (LA Local Metro Line 234 and Commuter Express 419). As discussed in the associated environmental Case No. ENV-2017-628-MND, the Southern California Association of Governments (SCAG) has identified the geographic area where the project is sited as a High Quality Transit Area (HQTA). Therefore, the proposed apartment building locates new multi-family development in proximity to transportation corridors and high activity areas while acting as a buffer between the commercial development on transit corridors and the existing lower density development.

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.

Policy 1-5.5: Provide for livable family housing at higher densities.

As previously stated, the proposed project will meet the above objectives and policies by providing 52 units of multi-family residential rental housing, including 7 units of affordable housing, with various floor plans and sizes. The residential development is sited on underutilized vacant infill land currently developed with a surface parking lot. As such, the proposed higher density residential use allows all persons individual choice in type, quality, price, and location of housing without displacement in the Mission Hills-Panorama City-North Hills Community Plan area.

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 52-unit multiple family residential building has a clearly defined pedestrian entrance along Bermuda Street. As shown in “**Exhibit A,**” the plans show total of 6,175 square feet of open space to be used by adults and children, including a 3,164 square foot deck level courtyard (open to the sky), a 664 square foot community room on the 2nd level, and a 712 square foot deck (open to the sky) on the 4th level, and a 1,635 square foot roof deck. The applicant’s plans show outdoor hardscape and amenities, including dining tables, barbeque area, couch and fire pit lounge, bean bag chairs, and umbrellas.

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.***

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.

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. **Vesting Zone Change, Sections 12.32 F and Q of the LAMC: *That 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; to secure an appropriate development in harmony with the objectives of the General Plan; to prevent or mitigate potential adverse environmental effects of the zone change; or that the public necessity, convenience, or general welfare require that provision be made for the orderly arrangement of the property concerned into lots and/or that provisions be made for***

adequate streets, drainage facilities, grading, sewers, utilities and other public dedications or improvements.

- a. ***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.***

The subject site is located at the southeast corner of Bermuda Street and Langdon Avenue in the Mission Hills-Panorama City-North Hills Community Plan area. The relatively flat site is 31,005 square feet with 148 feet of street frontage on Bermuda Street and 176 feet of frontage on Langdon Avenue. The site is designated Community Commercial with corresponding zones of CR, C2, C4, RAS3, RAS4, P and PB. The existing A2 Zone on the subject property is not consistent with the Community Commercial land use designation; however, the proposed Vesting Zone Change to RAS4-1 is consistent with the land use designation. Community Plan Map Footnote No. 1 limits lots designated for Community Commercial land use to Height District No. 1. The applicant's request to change the zoning to RAS4-1 is consistent with Map Footnote No. 1. The subject site is not located within any geographic specific plan area.

The subject site is vacant infill land surrounded by low scale development. The Coco's and Bear Pit Bar-B-Q restaurants abutting the subject site to the east are zoned C2-1 and designated Community Commercial by the Community Plan. The Bermuda Mobile Home Park located to the north and west of Bermuda Street is sited on property designated for Community Commercial/Low Medium I Residential by the Community Plan and zoned RMP-1. To the north and northeast, a surface parking area and fast-food restaurant, Kentucky Fried Chicken (KFC), is sited on property zoned P-1 and C2-1 and designated Community Commercial by the Community Plan. Surface parking used by the Coco's and Bear Pit Bar-B-Q restaurants is located to the immediate south of the subject site. To the immediate south of the Bear Pit Bar-B-Q parking area is the California Department of Transportation's (Caltrans) right-of-way for the interchange from westbound State Route (SR) 118 to southbound Interstate 405 (zoned PF-1XL). There is also an on-ramp to westbound SR-118 from West Sepulveda Boulevard, as well as State Route 118 to the south of the project site. Single-family residences are located approximately 260 feet to the west of the project site adjacent to the Bermuda Mobile Home Park on lots zoned RS-1 and designated Low Residential by the Community Plan. The project site is approximately 260 feet west of West Sepulveda Boulevard, which is a six-lane roadway lined with low- and mid-rise commercial and government uses (U.S. Post Office, auto dealerships). A veterinary clinic is located across Sepulveda Boulevard on a site zoned (T)P-1VL and M1-1 and designated Limited Commercial by the Community Plan. Another mobile home park, Monterey Mobile Manor, lies across Sepulveda Boulevard to the northeast on property zoned RMP-1 and designated Low Medium I Residential by the Community Plan.

The Vesting Zone Change assures a development more compatible with the surrounding neighborhood. The proposed project would revitalize the site by replacing a vacant parcel with an attractively designed multi-family use. The proposed project is conditioned to offer 52 units, seven of which are affordable to Very Low Income and Extremely Low Income households in an area where 25% of the population is below the poverty level (Department of City Planning, 2014 Statistics). The proposed project

is conditioned to be in substantial conformance with “**Exhibit A**,” which shows a 58,233 square foot, four-story, 61.5 foot in height (at the highest point) residential apartment building with an FAR that is slightly lower than 2.5:1 and below the allowable 3:1 FAR under the RAS4-1 Zone. The square footage, height, and floor area of the project are compatible with the existing commercial uses along Sepulveda Boulevard and the abutting freeway interchange. Additionally, the applicant is proposing 76 automobile parking spaces at a site where Metro bus lines operate on Sepulveda Boulevard. The subject site and right-of-way are conditioned to be planted with street trees and attractively landscaped with drought tolerant landscape material. Solar power will be utilized to achieve energy efficiency, and utilities will be undergrounded where possible for aesthetics. 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 proposed vesting zone change will secure an appropriate development in harmony with the objectives of the General Plan.***

As previously stated, the proposed Vesting Zone Change to (T)(Q)RAS4-1 is consistent with the corresponding General Commercial land use designation. The Vesting Zone Change is in harmony with Framework Element and the Housing Element by meeting the Citywide need for an increase in affordable multi-family housing. The proposed project is in harmony with the objectives of the Health and Wellness Element, Air Quality Element, and the Mobility Plan 2035 by meeting objectives for climate-adapted development that is energy efficient, close to transit, and resilient. Finally, the proposed project meets the objectives of the Mission Hills-Panorama City-North Hills Community Plan by providing infill housing on an underutilized vacant lot and thereby meeting the needs of all sectors of the population.

As previously stated, the proposed project is designed in accordance with standards set forth in the Framework Element and the Mission Hills-Panorama City-North Hills Community Plan. The project is attractively designed with complementary and varied building materials and colors, and includes useable open space to serve project residents.

- c. ***The proposed project is conditioned to prevent or mitigate potential adverse environmental effects of the vesting zone change.***

The project was analyzed under Mitigated Negative Declaration No. ENV-2017-628-MND (“Mitigated Negative Declaration”) and the Mitigation Monitoring Program attached to this report as Exhibit G. The Mitigated Negative Declaration was published on January 17, 2019 and circulated for 20 days ending February 6, 2019. Potential negative impacts could occur from the project’s implementation due to:

Biological Resources;
Geology and Soils;
Noise; and
Transportation/Traffic

SCAQMD submitted comments on Case No. ENV-2017-628-MND (“Mitigated Negative Declaration”) on February 6, 2019 (see Exhibit G). According to SCAQMD, the Lead Agency did not analyze to disclose the potential health risks from living

within 1,000 feet of a freeway (SR-118 and I-405) in the Mitigated Negative Declaration. Further, SCAQMD stated that the Lead Agency can and should perform a health risk assessment (HRA) analysis to disclose the proposed project's potential health impacts due to freeway proximity and to include strategies to reduce the impacts in the Final MND.

While it is not the City's policy to analyze the impact of the environment on the project under CEQA, the City has implemented regulatory measures to protect sensitive uses from freeway adjacency. Effective September 17, 2018, the City of Los Angeles revised ZI-2427, Freeway Adjacent Advisory Notice for projects located within 1,000 feet of freeways, to address the risk of adverse health impacts due to chronic exposure to vehicle exhaust and particulate matter. Any discretionary application filed with the Department of City Planning for a new and/or expanded project located within 1,000 feet of a freeway is advised and expected to include project features and design alternatives. These include locating open space areas (play areas, courtyards, patios, balconies, etc.) as far from the freeway sources as possible and screening the project site with substantial vegetation. As shown in "Exhibit A," the proposed residential apartment building is oriented away from the freeway and sited at the furthest corner of Bermuda Street and Langdon Avenue. As conditioned herein and as shown on the applicant's plans, landscaping and vegetation are planted throughout the project site. The project is conditioned herein to ensure that a maximum of six residential units are located facing the freeway to the south of the site. On those units, no private patios/balconies are freeway facing, and all windows facing the freeway are non-operable. Furthermore, the applicant's plans show that rooftop common open space is oriented away from the freeway. Finally, the proposed project will be required to provide MERV 13 filters or better pursuant to Los Angeles Municipal Code (LAMC) Section 99.04.504.6 to reduce adverse effects of freeway proximity.

SCAQMD also commented that the Lead Agency should include a discussion to demonstrate compliance with SCAQMD Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil due to the detection of total petroleum hydrocarbons in soil samples during the Phase II ESA. SCAQMD raised the possibility of disturbance of soils that may contain volatile organic compounds (VOCs), such as petroleum hydrocarbons.

In response to SCAQMD, Rule 1166 states that additional mitigation is required if soils have a concentration of 50 ppm or greater of Volatile Organic Compounds (VOCs), such as petroleum hydrocarbons. Petroleum hydrocarbons include diesel (TPHd) and motor oil (TPHo). The Phase II ESA prepared for the proposed site (see Exhibit G) states:

TPHd was detected in the four soil samples analyzed, at concentrations ranging from 1.86 mg/kg to 5.36 mg/kg. All of the detected concentrations are below the residential ESL for TPHd of 230 mg/kg.

TPHo was not detected in any of the soil samples analyzed.

The samples analyzed for TPHd/TPHo were analyzed past the recommended holding time of 14 days. Therefore, the results of these analyzes may be unreliable. However, based on the fact that the concentrations of TPHd/TPHo were minimal or non-detect

when compared to the residential ESLs, we do not expect the holding time exceedance to adversely impact these results...

Based on the results of this Phase II ESA, no additional assessment is recommended.

As such, with mitigation as conditioned herein, all potential impacts are expected to be reduced to a less than significant level.

- d. That the public necessity, convenience, or general welfare require that provision be made for the orderly arrangement of the property concerned into lots and/or that provisions be made for adequate streets, drainage facilities, grading, sewers, utilities and other public dedications or improvements.***

Public Necessity. The project applicant has not made a request to subdivide the property into lots. However, public necessity, convenience, and general welfare require that all infrastructure improvements be addressed as T Conditions herein. Prior to issuance of a Certificate of Occupancy, any necessary arrangements shall be made with the State Department of Transportation for permits as required with respect to any construction and drainage discharge within or adjacent to the freeway right-of-way. Street dedications and improvements are conditioned herein as recommended by the Bureau of Engineering memos dated August 28, 2017 and as revised based on discussion at the Public Hearing held on March 26, 2019. The proposed project is conditioned herein for traffic and access based on correspondence received from the Department of Transportation dated May 7, 2019, August 1, 2017, and March 21, 2017. 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 April 5, 2017 memo, the Bureau of Street Lighting recommended additional street lighting as conditioned herein. The installation of street trees in the public right-of-way will be reviewed and approved by the Bureau of Engineering and Bureau of Street Trees, Urban Forestry Division. The project will be reviewed as appropriate by the Department 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.

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 uses are located along Sepulveda Boulevard which is approximately 260 feet to the east of the subject site. The site is within walking distance of restaurants, the U.S. Post Office, numerous restaurants, and medical services. The project site is near public transportation (approximately 500 feet to the Sepulveda/Brand bus stop for the LA Local Metro Line 234 and 1,500 feet from the Sepulveda and Chatsworth bus stop for the Commuter Express 419). As discussed in the associated environmental Case No. ENV-2017-628-MND, the Southern California Association of Governments (SCAG) has identified the geographic area where the project is sited as a High Quality Transit Area (HQTA), defined by SCAG as an area with rail transit

service or bus service where lines have peak headways of less than 15 minutes. Therefore, the proposed apartment building locates new multi-family development 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 rental units (with the exception of the Restricted Affordable Units) to encourage the use of mass transit and other alternative modes of transit.

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.

5. Q Condition Findings

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

The proposed Q conditions contain provisions regarding site development, open space, and freeway proximity; limit the use, building height, and floor area ratio (FAR); provide for affordable housing; and regulate parking to ensure that the project is compatible with the surrounding neighborhood with regard to its scale and appearance.

- 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 housing opportunities exist for underserved sectors of the population.

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

Under Case No. ENV-2017-628-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 unit density, height, FAR, and parking. Additionally, the Q Conditions regulate development standards to protect the sensitive residential use from the effects of freeway proximity. As such, the proposed Q conditions prevent or mitigate adverse environmental impacts from the project.

6. **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.*

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 the identified dedications, improvements, and actions are undertaken to meet the public's needs, convenience, and general welfare served by the actions required. These T Conditions ensure appropriate and necessary street dedications, sidewalk improvements and street lighting. Prior to issuance of a Certificate of Occupancy, any necessary arrangements shall be made with the State Department of Transportation for permits as required with respect to any construction and drainage discharge within or adjacent to the freeway right-of-way. The proposed project is conditioned herein for traffic and access. The installation of street trees in the public right-of-way will be reviewed and approved by the Bureau of Engineering and Bureau of Street Trees, Urban Forestry Division. Crepe Myrtle is not considered as an appropriate street tree, as it is more ornamental in appearance than functional as a shade tree. Crepe Myrtle requires significant pruning to encourage a single trunk growth, and only grows to a height of 15-25 feet.

Additionally, the project will be reviewed as appropriate by the Department 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). These actions and improvements will provide the necessary infrastructure to serve the proposed community at this site and provide for the public necessity, convenience and general welfare.

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.**

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 Community Commercial land use with corresponding zones of CR, C2, C4, RAS3, RAS4, P, and PB. Community Plan Map Footnote No. 1 limits lots designated for Community Commercial land use to Height District No. 1. The applicant's request to change the zoning to RAS4-1 is consistent

with Map Footnote No. 1. The subject site is not located within any geographic specific plan area. The applicant is requesting a Vesting Zone Change from A2P-1 to (T)(Q)RAS4-1 and Site Plan Review.

The applicant's zone change request is consistent with the current General Plan land use designation. The existing A2 Zone does not correspond to the Community Commercial land use designation, but the requested RAS4-1VL Zone does correspond to the land use designation. As a development project of 50 or more dwelling units (52 dwelling units), the applicant's request is subject to Site Plan Review. Pursuant to LAMC Section 12.11.5 C.4, the RAS4 Zone allows 1 unit per 400 square feet of lot area, or in this instance, a maximum by-right density of 78 units if approved. The requested 52 units are within the density allowed under the proposed RAS4 Zone. The applicant is proposing an FAR of slightly less than 2.5:1, which is lower than the 3:1 FAR allowed in the RAS4-1 Zone.

Community Plan Map Footnote No. 1 limits lots designated for Community Commercial land use to Height District No. 1. The applicant's request to change the zoning to RAS4-1 is consistent with Map Footnote No. 1. LAMC Section 12.21.1 does not limit building height or the number of stories in Height District 1 in the RAS4 Zone. The applicant is proposing a ground level parking garage with three stories of residential above the parking garage for a total of 4 stories. As shown in "Exhibit A," the building height is 47.4 feet to the top of the parapet on all elevations with the highest point ranging between 54.5 - 61.5 feet.

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.

As proposed, the 52-unit multi-family apartment building utilizes a vacant lot to provide much needed residential units that serve as a transition between the lower density single-family homes and mobile home park to the west and northwest and the higher density commercial uses to the east and northeast. The plans submitted by the applicant show 24 two-bedroom units for larger families. The proposed project offers 6,175 square feet of open space including a 3,164 square foot open to the sky courtyard on the deck level, a 664 square foot community room on the 2nd level, a 712 square foot open to the sky deck on the 4th level, and a 1,635 square foot roof deck.

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° design, and climate adapted design by incorporating landscaping, street connectivity, and an articulated and detailed design. The scale, massing, and height of the building is appropriate within the context of the freeway to the south, the commercial and service uses to the north and east along Sepulveda Boulevard, and the single-family homes and mobile home park to the west and northwest.

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.

The project provides rental housing 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). Furthermore, the proposed 52 unit apartment building offers rental housing at market rate as well as 7 rental units for Very Low and Extremely Low Income households.

The proposed project is in conformance with the Mobility Plan 2035, the Health and Wellness Element, and the Air Quality Element. The project provides 76 automobile parking spaces consistent with Parking Option 1 under LAMC Section 12.22 A.25 in lieu of the 90 parking spaces otherwise required by Code. As conditioned herein, with the exception of the Restricted Affordable Units, the cost of parking is unbundled from the cost of the rental units. 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 bus lines and is in walking distance to nearby commercial and service uses. The provision of four EV ready spaces (5%) promotes alternative energy use. As conditioned herein and as shown in “**Exhibit A**,” the project’s north orientation, solar zone area, open walkways, open interior courtyards, greywater use, 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.

As previously stated, the proposed project will meet the above policies by providing 52 units of multi-family residential rental housing, including 7 units of affordable housing, with various floor plans and sizes. The residential development is sited on underutilized vacant infill land that is a source of blight in the community.

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 6,175 square feet of open space to be used by adults and children, including a 3,164 square foot deck level courtyard (open to the sky), a 664 square foot community room on the 2nd level, and a 712 square foot deck (open to the sky) on the 4th level, and a 1,635 square foot roof deck. The applicant’s plans show outdoor hardscape and amenities, including dining tables, barbeque area, couch and fire pit lounge, bean bag chairs, and umbrellas.

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 RAS4-1 Zone allows a 3:1 FAR, an unlimited height and number of stories, and at this particular site, a density of 78 dwelling units. To achieve consistency with the single-family residential uses/mobile home park to the west and northwest and the higher density commercial uses to the east and northeast, the applicant is proposing and is conditioned herein for a density of 52 units, maximum 2.5:1 FAR, and 47.4 foot height to the top of the parapet. At the west elevation facing Langdon Avenue and the mobile home park, the applicant is proposing the lowest elevation of 54.5 feet to the top of the structure. At the east elevation facing the commercial restaurant uses and associated parking on Sepulveda Boulevard, the applicant is proposing a slightly higher elevation at 57.5 feet. At the north elevation facing the mobile home park and commercial uses/associated parking across Bermuda Street, the applicant is proposing a height of 61.5 feet. At the south elevation facing the freeway, the structure is proposed at 58.5 feet. Furthermore, the adjacent C2-1 Zoned properties to the east and northeast have the potential to be developed with a 1.5:1 FAR and unlimited height and number of stories. The RMP-1 Zoned lots to the west and northwest of the subject site can potentially be developed with a

3:1 FAR and a height of 45 feet (unlimited number of stories). Although the project would have a greater height and massing than the immediately adjacent improvements, the project is consistent with the pattern of low- and mid-rise commercial buildings along Sepulveda Boulevard. As such, the height and bulk of the proposed development is compatible with existing and future development on adjacent properties.

As shown in “**Exhibit A**,” the landscaped setbacks will be compatible with existing and future development on adjacent properties. Pursuant to LAMC Section 12.11.5 C.1, which regulates the RAS4 Zone, a minimum 5 foot front yard is required unless the adjoining buildings on each side maintain a front yard of less than 5 feet in depth, in which case the applicant’s required front yard is permitted to be average of the front yards of the existing buildings. The applicant’s plans show an 8 foot front yard setback along the Bermuda Street frontage (see “**Exhibit A**”). LAMC Section 12.11.5 C.2 requires a minimum 5 foot side yard setback for residential use in the RAS4 Zone, and the applicant’s plans show a 5 foot setback along the east side yard and an 8 foot setback along the west side yard. As required for this particular site pursuant to LAMC Section 12.11.5 C.3, a 5 foot rear yard is provided. The adjoining C2 and P Zoned properties to the east and north are not required to observe yard setbacks. The abutting Coco’s and Bear-Pit-B-Q restaurants to the east are developed to the property line. The drive-thru lane of the KFC restaurant to the northeast appears to abut the property line. Across Bermuda Street to the north, surface parking lots adjoin the property line and are separated from the public right-of-way by a block wall. The RMP Zoned lots to the west and north are required to observe a front yard that is 20% of the lot depth with a maximum of 25 feet, a 10 foot side yard, and a rear yard that is 25% of the lot depth with a 25 foot maximum. It appears that the mobile home park observes yard setbacks. The westerly side yard of the proposed 52-unit apartment building will exceed requirements with an 8 yard setback. As such, the setback and yards proposed for the 52-unit residential apartment building will be consistent with existing and future development.

Per LAMC Section 12.21 A.4(a), 90 automobile parking stalls are required for the proposed project. However, as an incentive under Measure JJJ and LAMC Section 11.5.11(e), the applicant is requesting to provide one automobile parking space per unit for each of the 28 one-bedroom units and two automobile parking spaces per unit for each of the 24 two-bedroom units for a total of 76 parking spaces consistent to Parking Option 1 under LAMC Section 12.22 A.25, including four spaces (5% of the total 76 spaces) with electrical vehicle charging stations (EVCS).

As previously stated, the proposed project is surrounded by commercial uses and associated parking to the north and east. Additionally, the property abutting the apartment building to the south is used for parking for the two abutting Coco’s and Bear-Pit-B-Q restaurants. The use of valuable land for over-parking is discouraged by the City. This particular neighborhood appears to have sufficient surface parking to accommodate the surrounding commercial uses. Any overflow of parking could possibly be managed via parking districts as regulated by the Los Angeles Department of Transportation. To deny the applicant’s request to provide 76 automobile parking spaces in lieu of 90 spaces for a decrease of 14 spaces

would not be consistent with the City's affordable housing regulations, which allow reduced automobile parking.

The project's parking garage is located at the ground floor with access provided via two driveways along Bermuda Street. The garage walls will be constructed with a sealed, exposed concrete masonry unit wall. To allow for natural ventilation and climate adaptation, the garage is designed with open grille garage doors. As shown on "**Exhibit A**" and as conditioned herein, the garage walls are attractively landscaped on all sides with green screen, climbing vines, and planters to enhance the pedestrian environment. As conditioned herein, the parking garage shall be designed to minimize vehicle headlight and parking structure interior lighting impacts ("spillover") on adjacent streets and properties.

Additionally, as shown on "**Exhibit A**," bicycle parking is provided in compliance with LAMC Section 12.21 A.16(a)(1)(i), which requires 5 short-term spaces and 43 long-term spaces for the proposed 52 residential apartment units. A total of 58 bicycle parking stalls are proposed, including 52 long-term stalls and 6 short-term stalls. The applicant is providing a short-term rack for 6 bicycles at the pedestrian entrance on Bermuda Street and a 100 square foot bicycle service area adjacent to the lobby.

The 52-unit apartment building will incorporate exterior pedestrian walkway lighting, courtyard lighting, building mounted lighting, and low-level LED security lighting directed on-site. The project is an infill development within an urbanized setting, and will be subject to the City's Green Building Code (Chapter 9, Article 9), which regulates lighting and glare.

Native and drought-tolerant landscaping is utilized throughout the project along the ground floor frontage, westerly side yard setback, interior and rooftop courtyards, and at a 739 square foot area at the rear of the building. Low-wall LID planters will be constructed adjacent to the parking garage's north and west sides. These planters will be landscaped with a variety of 24-inch box tall columnar trees (e.g., maidenhair tree and water gum), 24-inch box succulent accent trees (e.g., tree aloe and trailing vines), 24-inch box small accent trees (e.g., *Jervis Bay*), 5 gallon accent plants (e.g., agave and aloe), and 5 gallon grasses (e.g., large cape rush). Climbing vines (5 gallon), such as creeping fig and English ivy, will be planted along the south and east sides of the parking garage. The adjacent parkway along the north and west sides of the building will be planted with sod (e.g., native bent grass) and 24- and 36-inch box street trees (e.g., London plane tree) to the satisfaction of Urban Forestry Street Tree Division. In total, the applicant is providing 36 24-inch and 36-inch box trees, as shown on "**Exhibit A**." Additionally, the courtyards and decks in the building's interior will be landscaped with similar species, and will also include benches, lounge seating, dining tables, barbeques, and fire pits.

As shown on "**Exhibit A**," a trash area is provided at the first level adjacent to the stairs. Pick-up access to the trash area will be via the driveway facing Bermuda Street. All utility connections shall be undergrounded to the best extent possible as conditioned herein.

As such, the 52 unit apartment building 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 6,175 square feet of open space to be used by adults and children, including a 3,164 square foot deck level courtyard (open to the sky), a 664 square foot community room on the 2nd level, and a 712 square foot deck (open to the sky) on the 4th level, and a 1,635 square foot roof deck. The applicant’s plans show outdoor hardscape and amenities, including dining tables, barbeque area, couch and fire pit lounge, bean bag chairs, and umbrellas. Therefore, the 52 unit 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-2017-628-MND (“Mitigated Negative Declaration”) and the Mitigation Monitoring Program attached to this report as Exhibit G. The Department of City Planning published the Mitigated Negative Declaration beginning January 17, 2019 for 20 days ending February 6, 2019. The Lead Agency found potential impacts that could be reduced to a less than significant level with mitigation in the following areas:

- Biological Resources (nesting birds)
- Geology and Soils (erosion, grading, short-term construction impacts)
- Noise (temporary noise during construction, residential adjacent to a freeway)
- Transportation and Traffic (traffic and pedestrian safety during construction phases)
- Mandatory Findings of Significance (cumulative impacts)

The subject site is vacant infill land located in an urbanized area of the City. The surrounding sites are developed with commercial/residential land uses and major transportation corridors. However, there are mature trees south of the subject site within the Caltrans right-of-way that could potentially serve as a nesting habitat for birds. While no trees are proposed for removal, the proposed project is conditioned to protect nesting native birds during project construction.

The applicant is proposing less than 500 cubic yards of grading to be balanced on site (no import or export of soil). Construction of the proposed project would result in ground surface disturbance during site clearance and grading, which could create the potential for soil erosion. Compliance with regulatory measures and conditions herein will mitigate short-term erosion impacts to a less than significant level.

Increased noise levels will be temporary due to construction activity. The proposed project

will comply with regulatory compliance measures and conditions herein to reduce noise impacts to a less than significant level.

Under CEQA, analysis is conducted on the project's impact on the environment, and not the impact of the environment on a project. As such, assessing noise levels emanating from an existing land use on the proposed project is not required under CEQA; however, ambient noise is regulated under the City's Noise Ordinance No. 156,363 and LAMC Sections 111.00-111.03. As such, Case No. ENV-2017-628-MND did evaluate noise in the existing environment in compliance with the City's Noise Ordinance and the Los Angeles Municipal Code. The dominant source of noise on the project site is traffic along the SR-118/I-405 freeways. The rear lot line of the subject site is located at a variable distance of approximately 55 to 71 feet from the Caltrans right-of-way. The City's regulatory compliance measures, project design features offered by the applicant, and mitigation measures herein will protect sensitive uses from freeway adjacency.

ZIMAS designates the subject site as a High Wind Velocity Area and an Urban Agricultural Incentive Zone. As analyzed under Case No. ENV-2017-628-MND, no significant impacts would result due to wind velocity. Although the subject site is currently zoned for agricultural use (A2P-1), the applicant is not proposing any agricultural use under the proposed project.

As analyzed in the Mitigated Negative Declaration, operational traffic impacts were found to be less than significant; however, traffic and pedestrian safety could be impacted during project construction phases. With the imposition of mitigation measures, construction impacts were found to be less than significant.

The project site has not been identified as a historic resource. SurveyLA identifies the Bear Pit Bar-B-Q restaurant abutting the subject site to the east at 10825 Sepulveda Boulevard as an Individual Resource under the historic context Commercial Development, 1850-1980. Additionally, SurveyLA identifies Monterey Mobile Manor, a mobile home park located within a 500-foot radius of the project site, as a potentially significant example of a postwar mobile home park. Construction and operation of the proposed project would not directly or indirectly affect The Bear Pit Bar-B-Q or the Monterey Mobile Manor.

SCAQMD submitted comments on Case No. ENV-2017-628-MND ("Mitigated Negative Declaration") on February 6, 2019 (see Exhibit G). According to SCAQMD, the Lead Agency did not analyze the potential health risks from living within 1,000 feet of a freeway (SR-118 and I-405) in the Mitigated Negative Declaration. Further, SCAQMD stated that the Lead Agency can and should perform a health risk assessment (HRA) analysis to disclose the proposed project's potential health impacts due to freeway proximity and to include strategies to reduce the impacts in the Final MND.

It is not the policy of the City to analyze the impact of the environment on the project, and such analysis is not required under CEQA. However, effective September 17, 2018, the City of Los Angeles revised ZI-2427, Freeway Adjacent Advisory Notice for projects located within 1,000 feet of freeways, to address the risk of adverse health impacts due to chronic exposure to vehicle exhaust and particulate matter. Any discretionary application filed with the Department of City Planning for a new and/or expanded project located within 1,000 feet of a freeway is advised and expected to include project features and design alternatives. These include locating open space areas (play areas, courtyards, patios, balconies, etc.) as far from the freeway sources as possible and screening the project site with substantial vegetation. As recommended by the Professional Volunteer Program at the September 19,

2017 meeting, “**Exhibit A**” shows that the proposed residential apartment building is oriented away from the freeway and sited at the furthest corner of Bermuda Street and Langdon Avenue, and a minimal number of units are freeway facing. Two freeway facing units are located on the 2nd, 3rd, and 4th levels each for a total of six freeway facing units. The proposed plans show landscaping and vegetation throughout the project site. The project is conditioned herein to ensure that private patios/balconies do not face the freeway and to utilize non-operable windows facing the freeway. Furthermore, the applicant’s plans show that rooftop common open space is oriented away from the freeway. The proposed project will be required to provide MERV 13 filters or better pursuant to Los Angeles Municipal Code (LAMC) Section 99.04.504.6 to reduce adverse effects of freeway proximity.

SCAQMD also commented that the Lead Agency should include a discussion to demonstrate compliance with SCAQMD Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil due to the detection of total petroleum hydrocarbons in soil samples during the Phase II ESA. SCAQMD raised the possibility of disturbance of soils that may contain volatile organic compounds (VOCs), such as petroleum hydrocarbons.

In response to SCAQMD, Rule 1166 states that additional mitigation is required if soils have a concentration of 50 ppm or greater of Volatile Organic Compounds (VOCs), such as petroleum hydrocarbons. Petroleum hydrocarbons include diesel (TPHd) and motor oil (TPHo). The Phase II ESA prepared for the proposed site (attached to the case file and incorporated by reference herein) states:

TPHd was detected in the four soil samples analyzed, at concentrations ranging from 1.86 mg/kg to 5.36 mg/kg. All of the detected concentrations are below the residential ESL for TPHd of 230 mg/kg.

TPHo was not detected in any of the soil samples analyzed.

The samples analyzed for TPHd/TPHo were analyzed past the recommended holding time of 14 days. Therefore, the results of these analyzes may be unreliable. However, based on the fact that the concentrations of TPHd/TPHo were minimal or non-detect when compared to the residential ESLs, we do not expect the holding time exceedance to adversely impact these results...

Based on the results of this Phase II ESA, no additional assessment is recommended.

Case No. ENV-2017-628-MND analyzed the proposed project and the subdivision and merger of an approximately 2.44 acre site, including the 31,005 square foot subject site, under Case No. VTT-74855. On April 29, 2019, Case No. VTT-74855 was withdrawn and terminated, and the applicant instead filed for a ministerial Lot Line Adjustment (Case No. AA-2019-2076-PMEX) that is more appropriate for this development. The ministerial Lot Line Adjustment did not require review under CEQA. As such, the project analyzed under the Mitigated Negative Declaration, Case No. ENV-2017-628-MND, would have the same impacts or impacts that are less significant than the impacts disclosed in the Mitigated Negative Declaration.

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-2017-628-MND, as circulated on January 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.