



LOS ANGELES CITY PLANNING COMMISSION

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

www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: DECEMBER 7, 2022

Case No. DIR-2021-9356-TOC-SPR-VHCA-1A

Council District: 5 – Koretz

CEQA: ENV-2021-9357-CE

Plan Area: Wilshire

Project Site: 975 – 987 South Manhattan Place

Applicant: Korea Town, LP
Representative: Jonathan Yang and Andrew Brady

Appellant: Supporter Alliance for Environmental Responsibility
Representative: Victoria Yundt, Lozeau Drury, LLP

At its meeting of **October 27, 2022**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following Project:

Construction, use, and maintenance of a new, 95,206 square-foot, seven-story, 120-unit residential development with 12 units set aside for Extremely Low Income (ELI) households. The Project will provide 127 vehicle parking spaces within one at grade level and two subterranean level parking garages. The Project includes a Transit Oriented Communities Affordable Housing Incentive Program for a Tier 3 project with base and additional incentives.

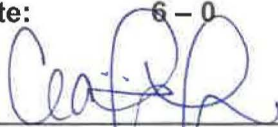
1. **Determined**, based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Article 19, Section 15332, Class 32, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. **Denied** the appeal and **sustained** the Planning Director's determination letter dated July 8, 2022;
3. **Approved**, pursuant to Section 16.05 of the Los Angeles Municipal Code, a Site Plan Review for a project that results in 50 dwelling units or more;
4. **Adopted** the attached Conditions of Approval; and
5. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Hornstock
Second: Dake Wilson
Ayes: Leung, López-Ledesma, Mack, Millman
Absent: Campbell, Choe, Perlman

Vote:

6 - 0


Cecilia Lamas, Commission Executive Assistant
Los Angeles City Planning Commission

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

Effective Date/Appeals: The decision of the Los Angeles City Planning Commission is final and effective upon the mailing of this determination letter and not further appealable.

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

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Conditions of Approval, Findings, Interim Appeal Filing Procedure (CEQA)

c: Heather Bleemers, Senior City Planner
Oliver Netburn, City Planner
Stephanie Escobar, Planning Assistant

CONDITIONS OF APPROVAL

Pursuant to LAMC Section 12.22 A.31 and 16.05 the following conditions are hereby imposed upon the use of the subject property:

1. **Site Plan.** The use and development of the subject property shall be in substantial conformance with the site plan and elevations labeled Exhibit "A" included in the subject case file. Minor deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
2. **Use.** The project shall be limited to a residential building with 120 residential units.
3. **On-site Restricted Affordable Units.** A total of 12 units shall be set aside for Extremely Low Income Households, as defined by the Los Angeles Housing Department (LAHD) and California Government Code Section 65915(c)(2).
4. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing Department (LAHD) to make 10 percent of the total number of units for Extremely Low Income Households, as defined by LAHD, for sale or rental as determined to be affordable to such households by LAHD for a period of 55 years. In the event, the applicant reduces the proposed density of the project, the number of required reserved On-site Restricted Units may be adjusted, consistent with LAMC Section 12.22 A.31, to the satisfaction of LAHD. Enforcement of the terms of said covenant shall be the responsibility of LAHD. The applicant shall provide a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by LAHD.
5. **Changes in On-site Restricted Units.** Deviations that increase the number of On-site Restricted Units or that change the composition of units or change parking numbers shall be consistent with LAMC Section 12.22 A.31.
6. **Housing Replacement Requirements.** Pursuant to the Housing Crisis Act of 2019 and the Los Angeles Housing Department determination dated July 20, 2021, the project will not be required to provide replacement units.
7. **Base Incentives.**
 - a. **Residential Density.** The project shall be permitted a 70% increase in the allowable density.
 - b. **Floor Area Ratio.** The project shall be permitted a 50% increase in FAR within the R4 portion of the site and a 3.75:1 FAR within the C2 portion of the site. As provided in Condition No. 8(c) of this letter, the project is permitted to average the FAR of the entire property.
 - c. **Parking.**
 - i. **Automobile Parking.** Residential automobile parking shall be provided at a rate of 0.5 parking space per unit.

- ii. **Bicycle Parking.** Bicycle parking shall be provided in compliance with the Municipal Code and to the satisfaction of the Department of Building and Safety. No variance from the bicycle parking requirements has been requested or granted herein.
- iii. **Unbundling.** Required parking may be sold or rented separately from the units, with the exception of all Restricted Affordable Units which shall include any required parking in the base rent or sales price, as verified by the Los Angeles Housing Department.
- iv. **Electric Vehicle Parking.** All electric vehicle charging spaces (EV Spaces) and electric vehicle charging stations (EVCS) shall comply with the regulations outlined in Section 99.04.106 of Article 9, Chapter IX of the LAMC.

8. **Additional Incentives.**

- a. **Yards.** Up to a 30% decrease in the required rear and side yard setbacks.
- b. **Open Space.** Up to a 25% decrease in required open space, provided that the landscaping for the Housing Development Project is sufficient to qualify for the number of landscape points equivalent to 10% more than otherwise required by Section 12.40 of this Code and Landscape Ordinance Guidelines "O." All open space shall be provided in compliance with the Municipal Code and to the satisfaction of the Department of Building and Safety, except as otherwise granted herein.
- c. **Averaging.** The project shall be permitted to average Floor Area Ratio, Density, and Open Space, Parking and Vehicular Access across the entire site. The permitted FAR across the entire site shall be based on the Base Incentive for FAR, found in Condition No. 7.b of this letter.

Site Plan Review Conditions

9. **Landscaping.** 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.
10. **Tree Requirement.** The project shall provide at least the minimum number of trees on-site to comply with the landscape requirement (LAMC Section 12.21 G(a)(3)). Pursuant to Ordinance No. 179,884, trees may not be less than 24-inch box in size and shall be planted within open space areas.
11. **Graffiti.** All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
12. **Materials.** A variety of high quality exterior building materials, consistent with the approved Exhibit "A" plans, shall be used. Substitutes of an equal quality shall be permitted to the satisfaction of the Department of City planning.
13. **Lighting.** Outdoor lighting shall be designed and installed with shielding, such that the light source does not illuminate adjacent residential properties or the public right-of-way, nor the above night skies.

14. **Mechanical Equipment.** All mechanical equipment on the roof shall be screened from view. The transformer(s), if located at-grade and facing the public right-of-way, shall be screened with landscaping or a green wall.
15. **Trash Collection.** All trash collection and storage areas shall be located on-site and not visible from the public right-of-way.
16. **Maintenance.** The subject property (including any trash storage areas, associated parking facilities, sidewalks, driveways, yard areas, parkways, and exterior walls along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.
17. **Solar Energy.** The project shall comply with the Los Angeles Municipal Green Building Code, Section 99.04.211.1, to the satisfaction of the Department of Building and Safety.
18. **Parking / Driveway Plan.** Prior to the issuance of any building permit, the applicant shall submit a parking and driveway plan to the Department of Transportation for approval.

Administrative Conditions

19. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building & Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building & Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building & Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
20. **Covenant.** Prior to the effectuation of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for inclusion in case file.
21. **Notations on Plans.** Plans submitted to the Department of Building & Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
22. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
23. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
24. **Department of Building & Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los

Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building & Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building & Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.

25. **Department of Water and Power.** Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Rules Governing Water and Electric Service. Any corrections and/or modifications to plans made subsequent to this determination in order to accommodate changes to the project due to the under-grounding of utility lines, that are outside of substantial compliance or that affect any part of the exterior design or appearance of the project as approved by the Director, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
26. **Enforcement.** Compliance with and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
27. **Expiration.** In the event that this grant is not utilized within three years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
28. **Expedited Processing Section Fee.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
29. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out, in whole or in part, of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be

- less than \$50,000. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
 - e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the applicant otherwise created by this condition.

FINDINGS

TRANSIT ORIENTED COMMUNITIES AFFORDABLE HOUSING INCENTIVE PROGRAM /AFFORDABLE HOUSING INCENTIVES COMPLIANCE FINDINGS

1. Pursuant to Section 12.22 A.25(g)(2)(i)(c) of the LAMC and Section 65915(e) of the California Government Code, the Commission shall approve a density bonus and requested incentive(s) unless the Commission finds that:
 - a. *The incentive 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 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 a percent gross income based on area median income thresholds dependent on affordability levels. There were no substantial evidence that would allow the Director to make a finding that the requested incentives are not necessary to provide for affordable housing costs per State Law.

The list of base incentives in the Transit Oriented Communities Guidelines were pre-evaluated at the time the Transit Oriented Communities Affordable Housing Incentive Program Ordinance was adopted to include various types of relief that minimize restrictions on the size of the project. The base incentives are required to provide for affordable housing costs because the incentives by their nature may result in increasing the scale of the project. The additional incentives requested to utilize up to a 30 percent reduction in the side and rear yard requirements, a 25% reduction in open space requirements, and site averaging of floor area, density, parking, open space, and permitting vehicular access will result in a building design or construction efficiencies that provide for affordable housing costs. As a result of the prescribed incentives, it is likely that the Director will always conclude that the incentives are required for such projects to provide for affordable housing units as identified by the TOC Guidelines.

Yards. The requested reduction in yards/setbacks is expressed in the Menu of Incentives in the Transit Oriented Communities Guidelines. Eligible Housing Developments located in Tier 3 located within a Tier 3 Transit Oriented Communities which allows the proposed project to request up to a 30% decrease in the required width or depth of two individual yards or setbacks. In this case, the project is requesting a 30% reduction for the rear and side yards.

Open Space. The requested incentive for a 25 percent reduction in the required amount of open space is expressed in the Menu of Incentives in the TOC Guidelines which permit exceptions to zoning requirements that result in building design or construction efficiencies that facilitate the creation of affordable housing. The requested incentive allows the developer to utilize more of the total building square footage for residential units, which facilitates the creation of more affordable units, while remaining in compliance with all other applicable zoning regulations. The incentive further supports the applicant's decision to reserve 12 units for Extremely Low Income Households and

facilitates the creation of affordable housing units.

Averaging. Eligible Housing Developments that are located on two (2) or more contiguous parcels may average the floor area, density, open space, and parking over the project site, and permit vehicular access from a less restrictive zone to a more restrictive zone. As the project site contains two (2) different zones with different FAR limitations, the project will average the density across the project site. In addition, due to the zoning of the lots, the project requires the ability to have vehicular access from a less restrictive zone to a more restrictive zone. This requested incentive will result in a building design that facilitates affordable housing costs and supports the applicant's decision to reserve 12 units for Extremely Low Income Households.

- b. The Incentive will have a specific adverse impact upon public health and safety or any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse Impact without rendering the development unaffordable to low-income and moderate-income households.*

There is no evidence that the proposed incentives will have a specific adverse impact. A "specific adverse impact" is defined as "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22 A.25(b)). The proposed Project and potential impacts were analyzed in accordance with the California Environmental Quality Act (CEQA) Guidelines and the State's CEQA Thresholds Guide. These two documents establish guidelines and thresholds of significant impact, and provide the data for determining whether or not the impacts of a proposed project reach or exceed those thresholds. Analysis of the proposed Project determined that it is Categorical Exempt from environmental review pursuant to Article 19, Class 32 of the CEQA Guidelines.

The project 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 proposed project and potential impacts were analyzed in accordance with the California Environmental Quality Act (CEQA) Guidelines and the project was determined to be exempt from CEQA pursuant to Article 19, Class 32 of the CEQA Guidelines.

Therefore, there is no substantial evidence that the proposed project will have a specific adverse impact on the physical environment, on public health and safety, or on property listed in the California Register of Historic Resources.

- c. The incentives are contrary to state or federal law.*

There is no substantial evidence in the record indicating that the requested incentives are contrary to any state and federal law.

SITE PLAN REVIEW FINDINGS

2. **That 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 Los Angeles General Plan sets forth goals, objectives, and policies that guide both Citywide and community specific land use policies. The General Plan is comprised of a range of State-mandated elements, including, but not limited to, Land Use, Housing, Transportation/Mobility, Noise, and Safety. Each of these Elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of Code Requirements of the Los Angeles Municipal Code. 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. While the General Plan sets out a long-range vision and guide to future development, the 35 Community Plans provide the specific, neighborhood-level detail, relevant policies, and implementation strategies necessary to achieve the General Plan objectives. The project site is located in the Wilshire Community Plan area and is not subjected to any applicable specific plans.

Wilshire Community Plan

The subject property is located within the Wilshire Community Plan which was updated by the City Council on September 19, 2001. The Wilshire Community Plan designates the subject property for High Medium Residential and General Commercial land uses, corresponding to the R4, C1.5, C2, RAS3, RAS4 and C4 Zones. The subject property is zoned R4-1 and C2-1. The proposed project is consistent with the following goals, objectives and policies of the Community Plan:

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

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.

The proposed project protects the surrounding residential neighborhoods from encroachment by higher density residential uses by allowing for the development of a 120-unit (including 12 units reserved for Extremely Low Income Households), residential building within a commercially zoned property. The project increases the housing stock and satisfies the needs and desires of all economic segments of the community by maximizing the opportunity for individual housing choice; and the project will reduce vehicular trips to and from the project site and congestion around the site as the project as it is located within close proximity to several bus routes provided by both the Los Angeles Metropolitan Transportation Authority Metro and the Los Angeles Department

of transportation LADOT within close proximity to the project site line including Metro Rapid Bus Routes 728 and 757, Metro bus lines Local 28, Local 207, and LADOT Line 534.

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.

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 1-3: Preserve and enhance the varied and distinct residential character and integrity of existing residential neighborhoods.

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

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

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

Policy 1-4.3: Encourage multiple family residential and mixed use development in commercial zones.

The proposed residential development protects the Wilshire Community Plan by increasing the current housing stock with a residential building that will provide 120 units that will help supply the diverse economic and physical needs of residents in the Wilshire Community Plan area. The project will also enhance the appearance of the surrounding neighborhood as it contains attributes that are aesthetically pleasing such landscaping that is visible from the street, as well as new street trees. The project's architecture will enhance the visual appearance of the community and it has been designed and conditioned (minimal driveway widths) to encourage pedestrian activity. Therefore, the project is consistent with the Wilshire Community Plan.

The **Framework Element** for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework

Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework Element includes the following goals, objectives and policies relevant to the instant request:

Goal 3A: A physically balanced distribution of land uses that contributes towards and facilitates the City's long-term fiscal and economic viability, revitalization of economically depressed areas, conservation of existing residential neighborhoods, equitable distribution of public resources, conservation of natural resources, provision of adequate infrastructure and public services, reduction of traffic congestion and improvement of air quality, enhancement of recreation and open space opportunities, assurance of environmental justice and a healthful living environment, and achievement of the vision for a more liveable city.

Objective 3.1: Accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors.

Policy 3.1.4: Accommodate new development in accordance with land use and density provisions of the General Plan Framework Long-Range Land Use Diagram.

Objective 3.2: Provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled, and air pollution.

Policy 3.2.1: Provide a pattern of development consisting of distinct districts, centers, boulevards, and neighborhoods that are differentiated by their functional role, scale, and character. This shall be accomplished by considering factors such as the existing concentrations of use, community-oriented activity centers that currently or potentially service adjacent neighborhoods, and existing or potential public transit corridors and stations.

Policy 3.2.2: Establish, through the Framework Long-Range Land Use Diagram, community plans, and other implementing tools, patterns and types of development that improve the integration of housing with commercial uses and the integration of public services and various densities of residential development within neighborhoods at appropriate locations.

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.

The proposed project will result in the development of a residential building that will provide 120 dwelling units, including 12 units reserved for Extremely Low Income Households, thereby contributing toward and facilitating the City's long-term housing demands and vision for a more liveable city.

The project is proper in relation to the project's location within the High Medium Residential and General Commercial land use designations, and its proximity to local and regional transit services, including Metro Rapid Bus Routes 728 and 757, Metro bus lines Local 28, Local 207, and LADOT Line 534. bus of the subject site will reduce vehicular trips to and from the project, vehicle miles traveled, and air pollution.

The project site is currently occupied by an underutilized vacant lot. The development of the site will enable the City to conserve nearby existing stable residential neighborhoods and lower-intensity commercial districts by allowing controlled growth away from such neighborhoods and districts. Therefore, the proposed 120-unit residential building is consistent with the Distribution of Land Use goals, objectives and policies of the General Plan Framework Element.

The **Housing Element** is the City's blueprint for meeting housing and growth challenges. It identifies the City's housing conditions and needs, reiterates goals, objectives, and policies that are the foundation of the City's housing and growth strategy, and provides the array of programs the City has committed to implement to create sustainable, mixed-income neighborhoods across the City. The Housing Element includes the following objectives and policies relevant to the instant request:

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

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

Objective 1.4: Reduce regulatory and procedural barriers to the production and preservation of housing at all income levels and needs.

Policy 1.4.1: Streamline the land use entitlement, environmental review, and building permit processes, while maintaining incentives to create and preserve affordable housing.

The proposed project implements the Housing Element by increasing the housing supply consistent with the Community Commercial land use designation. The subject site consists of an underutilized vacant lot. The approval of the request streamlines the process and permits 120 units through the TOC process with 12 units set aside for

Extremely Low Income Households. As such, the project would achieve the production of new housing opportunities, meeting the needs of the city, while ensuring a range of different housing types (studio, one- and two-bedroom rental and for-sale units) that address the needs of the city's households. Therefore, the project is consistent with the Housing Element goals, objectives and policies of the General Plan.

The **Mobility Element** of the General Plan (Mobility Plan 2035) is not likely to be affected by the recommended action herein. Manhattan Place, adjoining the property to the east, is a Local Street-Standard dedicated to a width of 60 feet, and is improved with asphalt roadway, curb, gutter, concrete sidewalks, and street trees. The project as designed will support the development of these Networks and meets the following goals and objectives of Mobility Plan 2035:

Policy 2.3: Recognize walking as a component of every trip and ensure high-quality pedestrian access in all site planning and public right-of-way modifications to provide a safe and comfortable walking environment.

Vehicular access to the site is provided via one (1) ingress/egress driveway along Manhattan Place with access to the at grade parking level and the two (2) subterranean parking levels. Pedestrian access to the building are also located off of Manhattan Place.

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

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 3.7: Improve transit access and service to major regional destinations, job centers, and inter-modal facilities.

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

The proposed project is located approximately 528 feet from the project site line including Metro Rapid Bus Routes 728 and 757 a Major Transit Stop, approximately 325 feet from the Metro Local 28 bus, the Metro Local 207, and the LADOT Commuter Express 534 bus, respectively), as well as, the Metro D Purple Line located at the Wilshire/Western station approximately 3,050 feet from the site and the LADOT Dash located approximately 475 feet north west of the site. Close proximity to public transit will reduce vehicular trips to and from the project, vehicle miles traveled, and will contribute to the improvement of the air quality. The adjacency of the regional transit services along will the creation of 120 dwelling units, ties the proposed project into a regional network of transit and housing.

In addition, the project will provide a total of 127 parking spaces in one (1) level of at-grade parking and two (2) levels of subterranean parking. The project will also provide bicycle parking including 94 long term and nine (9) short term for residential use and 85 long term bicycle spaces.

Policy 5.4 Continue to encourage the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure.

As conditioned, all electric vehicle charging spaces (EV Spaces) and electric vehicle charging stations (EVCS) shall comply with the regulations outlined in Section 99.04.106 of Article 9, Chapter IX of the LAMC to immediately accommodate electric vehicles within the parking areas.

Therefore, the project is consistent with Mobility Plan 2035 goals, objectives and policies of the General Plan.

The **Air Quality Element** of the General Plan will be implemented by the recommended action herein. The Air Quality Element sets forth the goals, objectives and policies which will guide the City in the implementation of its air quality improvement programs and strategies. The Air Quality Element recognizes that air quality strategies must be integrated into land use decisions and represent the City's effort to achieve consistency with regional Air Quality, Growth Management, Mobility and Congestion Management Plans. The Air Quality Element includes the following Goal and Objective relevant to the instant request:

Goal 5 Energy efficiency through land use and transportation planning, the use of renewable resources and less polluting fuels, and the implementation of conservation measures including passive methods such as site orientation and tree planting.

Objective 5.1 It is the objective of the City of Los Angeles to increase energy efficiency of City facilities and private developments.

As conditioned, the project shall provide a solar-ready roof in compliance with the Los Angeles Municipal Green Building Code, Section 99.04.211.1. Therefore, the project is in conformance with the goals and policies of the Air Quality Element.

Therefore, the project is in substantial conformance with the purposes, intent and provisions of the General Plan and does not conflict with any applicable regulations or standards.

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

The subject property is comprised of six (6) lots resulting in a through lot with 28,158 net square feet of lot area with a depth of 340 feet and having a frontage of 208.5 feet along Manhattan Place. The subject property is currently occupied by a vacant lot.

The subject property is zoned C2-1 and R4P-1 within the Wilshire Community Plan with a Community Commercial land use designation and is located within a Transit Oriented Communities (TOC), Tier 3.

The property site is located in an urbanized neighborhood bound by South Manhattan Place to the east. Surrounding properties are predominantly developed with single and multi-story residential buildings, surface level parking lots, and single and multi-story commercial-office buildings. Properties to the east, across Manhattan Place, are zoned R4-1, R3-1, and C2-1 and currently consists of a large vacant lot, surface parking lots and multi-story commercial uses. The property to the south is zoned C2-1 and developed with a one-story commercial building. Properties to the west are zoned R3-1 and developed with multi-story residential buildings and surface level parking lots.

The proposed 95,206 square-foot (4.4:1 FAR) is compatible with the existing and future surrounding developments.

The proposed project is the construction, use, and maintenance of a new seven-story residential development with a total of 120 units within a 95,206 square-foot building and an FAR of 4.4:1. The proposed residential development would provide a total of 127 vehicle parking spaces within one (1) at grade level parking garage and two (2) subterranean level parking garages.

The project includes a seven-story residential tower with two (2) studio units, 91 one-bedroom units and 27 two-bedroom units. The project will involve an approximately 2,254 square-foot open air courtyard with a pool at the second level, 4,514 square feet of rooftop deck with landscaping and outdoor furniture, and 1,200 square feet of private balconies. Additionally, the project provides 1,692 square feet of landscaped area distributed throughout the project.

The project will provide a total of 127 residential parking spaces in one (1) level of at-grade parking and two (2) levels of subterranean parking. The project will also provide bicycle parking including 85 long term and nine (9) short term for a total of 94 bicycle parking spaces.

Vehicular access to the site is provided via one (1) ingress/egress driveway along Manhattan Place with access to the at grade parking level and the two (2) subterranean parking levels. Pedestrian access to the building are also located off of Manhattan Place.

Height, Bulk, and Setbacks

The project is zoned C2-1 and R4-1 and proposes a maximum height of 83 feet. The Height District 1 allows unlimited height and stories in the C2 and R4 zones.

With 3,125 square feet of buildable area in the C2 Zone (with a maximum permitted 3.75:1 FAR) and 18,553 square feet of buildable area in the R4 Zone (with a maximum permitted 4.5:1 FAR), the project is permitted a floor area of 4.4:1 across the entire site. The project proposes a 4.4:1 FAR.

The project has been granted a 30% reduction in the required rear and side yard setbacks as permitted through the Transit Oriented Communities Tier 3 additional incentives and LAMC. As such, the project complies with the required setbacks.

The height, bulk, and setbacks of the subject project are consistent with the existing development in the immediate surrounding area and with the underlying C2-1 and R4-1 Zone. Therefore, in conjunction with the TOC request, and consideration of other development in the area, the project is consistent with the surrounding.

Parking

As an Eligible Housing Development, the project is eligible for the Base Incentive to allow a parking at a ratio of 0.5 parking spaces per residential units. The project is required to provide 60 parking code required parking spaces for the proposed residential units.

The project will provide a total of 127 parking spaces in one (1) level of at-grade parking and two (2) levels of subterranean parking. The project will also provide bicycle parking including 85 long term and nine (9) short term for a total of 94 residential bicycle parking spaces.

Vehicular access to the site is provided via one (1) ingress/egress driveway along Manhattan Place with access to the at grade parking level and the two (2) subterranean parking levels. Pedestrian access to the building are also located off of Manhattan Place. Therefore, the parking will be compatible with the existing and future developments in the area.

Lighting

Lighting is required to be provided per LAMC requirements. The project proposes security lighting will be provided to illuminate building, entrances, walkways and parking areas. As conditioned, the project is required to provide outdoor lighting with shielding, so that the light source cannot be seen from adjacent residential properties. Therefore, the lighting will be compatible with the existing and future developments in the neighborhood.

On-Site Landscaping

The project includes a seven-story residential tower with two (2) studio units, 91 one-bedroom units and 27 two-bedroom units. The project will involve an approximately 2,254 square-foot open air courtyard with a pool at the second level, 4,514 square feet of rooftop deck with landscaping and outdoor furniture, and 1,200 square feet of private balconies. Additionally, the project provides 1,692 square feet of landscaped area distributed throughout the project.

The project has been conditioned so that all open areas not used for buildings, driveways, parking areas, recreational facilities or walks will be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect. The planting of any required trees and street trees will be selected and installed per the Bureau of Street Services, Urban Forestry Divisions' requirements. Therefore, the on-site landscaping will be compatible with the existing and future developments in the neighborhood.

Loading/Trash Area

The development is not required to provide a loading area pursuant to LAMC Section 12.21-C.6. Waiting areas and drop areas will be on the ground level. Tenants moving in or out of the building will be able to park moving trucks on the street level adjacent to the parking entrance and the lobby.

The project will include on-site trash collection for both refuse and recyclable materials, in conformance with the LAMC. Compliance with these regulations will allow the project to be

compatible with existing and future development. Additionally, service area for trash collection is to be located on the parking garage at the ground level. Therefore, as proposed and conditioned, the project is compatible with existing and future development on neighboring properties.

As described above and as depicted within the plans and elevations submitted with the instant application, the project is a seven-story residential development, with parking on-site for residents and commercial parking spaces, lighting, landscaping, trash collection, and other pertinent improvements, that is compatible with existing and future development in the surrounding area.

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

The proposed project includes: two (2) studio units, 91 one-bedroom units, and 27 two-bedroom units in the seven-story residential building. The project proposes a variety of amenities for on-site residents including an 871 square-foot fitness center located on the ground floor with a frontage along Manhattan Place, and a 883 square-foot club room, 2,254 square-foot outdoor pool and open-to-sky courtyard with outdoor furniture, at the second level. The project will also provide 1,200 square feet in private balconies. Landscaping will be provided on the second floor and 4,514 square-foot roof deck area deck with outdoor furniture and landscaping.

ADDITIONAL MANDATORY FINDINGS

5. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located outside of a flood zone.

COVID-19 UPDATE

Interim Appeal Filing Procedures

Fall 2020



Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, City Planning has implemented new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction.

OPTION 1: Online Appeal Portal

(planning.lacity.org/development-services/appeal-application-online)

Entitlement and CEQA appeals can be submitted online and payment can be made by credit card or e-check. The online appeal portal allows appellants to fill out and submit the appeal application directly to the Development Services Center (DSC). Once the appeal is accepted, the portal allows for appellants to submit a credit card payment, enabling the appeal and payment to be submitted entirely electronically. A 2.7% credit card processing service fee will be charged - there is no charge for paying online by e-check.

Appeals should be filed early to ensure DSC staff has adequate time to review and accept the documents, and to allow Appellants time to submit payment. On the final day to file an appeal, the application must be submitted and paid for by 4:30PM (PT). Should the final day fall on a weekend or legal holiday, the time for filing an appeal shall be extended to 4:30PM (PT) on the next succeeding working day. Building and Safety appeals (LAMC Section 12.26K) can only be filed using Option 2 below.

OPTION 2: Drop off at DSC

An appellant may continue to submit an appeal application and payment at any of the three Development Services Center (DSC) locations. City Planning established drop off areas at the DSCs with physical boxes where appellants can drop.

Metro DSC

(213) 482-7077
201 N. Figueroa Street
Los Angeles, CA 90012

Van Nuys DSC

(818) 374-5050
6262 Van Nuys Boulevard
Van Nuys, CA 91401

West Los Angeles DSC

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

City Planning staff will follow up with the Appellant via email and/or phone to:

- Confirm that the appeal package is complete and meets the applicable LAMC provisions
- Provide a receipt for payment