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CITY PLANNING

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AND
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March 15, 2012

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CASE NO. DIR-2011-3197-SPR-DB
SITE PLAN REVIEW, DENSITY BONUS
CEQA: ENV-2011-2967-MND
Location: 16304 S. Vermont Avenue
Plan Area: Harbor Gateway
Plan Land Use: Neighborhood Office
Zone: C2-1
Council District: 15 - Buscaino
District Map: 069B197
Neighborhood Council: Harbor Gateway
North

Last day to appeal: March 30, 2012

Corrected Decision Letter

Pursuant to the Los Angeles Municipal Code (LAMC) Section 16.05 and 12.22A.25, I have reviewed the proposed project at 16304 S. Vermont Avenue. As the designee of the Director of Planning, I hereby:

Approve a Site Plan Review With Conditions for the construction, use, and maintenance of a new four-story, 75,525 square foot apartment building with 80 affordable units for senior citizens and a 81st unit for the on-site manager. The project shall include a minimum of 43 parking spaces and 10,650 square feet of landscaped open space.

Approve a Density Bonus With Conditions to allow the construction, use, and maintenance of a new four-story, 75,525 square feet apartment building with 80 affordable units for senior citizens and an 81st unit for the on-site manager with the following incentive applicable to a project with affordable senior citizen units:

- A floor area ratio (FAR), not to exceed 2.25:1, in lieu of the 1.5:1 FAR permitted in the C2-1 zone, for projects which front on a major highway, are located within 1,500 feet of a transit stop and include the number of restricted affordable units sufficient to qualify for a 35% density bonus.

Adopt ENV-2011-2967-MND

Adopt the attached Findings

CONDITIONS OF APPROVAL

Approval of the subject development project is made with the following Terms and Conditions imposed, in order to ensure compliance with applicable requirements of LAMC Sections 16.05.

A. ADMINISTRATIVE CONDITIONS

1. Prior to final approval of plans by the Department of Building and Safety, the applicant shall submit a minimum of three (3) sets of revised color working drawings/building plans, to be approved by Department of City Planning staff for compliance with this Director's Determination letter. (One set of plans shall be provided to Department of City Planning and attached to subject file).
2. The following statement shall be **imprinted** on the cover sheet of plans submitted to the Departments of City Planning and Building and Safety.

NOTE TO APPLICANT, PLAN CHECK ENGINEER(S) AND BUILDING INSPECTOR(S) - These plans, including conditions of approval, shall be complied with and the height, size, shape, or location shall not differ from what the Director of Planning has approved under **DIR-2011-3197-SPR-DB**. Any subsequent change to the project shall require review by the Director of Planning. To propose any change to the terms or conditions of the Director's Determination, the applicant shall submit an application for modification to the Department of City Planning and include a specific notation of the modification(s) requested. Should any change be required by a public agency then such requirement shall be documented in writing.

3. Furthermore, this **entire determination letter**, including the conditions of approval, **shall be printed** on the building plans submitted to the Departments of City Planning and Building and Safety.
4. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
5. **Expiration.** As specified in Los Angeles Municipal Code Section 16.50 E.4, the term of this Determination is valid for a period of two (2) years, so long as all necessary building permits are obtained within that two years. In the event a building permit is obtained in a timely manner but subsequently expires, the Director's decision (or Area Planning Commission's decision on appeal) shall expire with the building permit.
6. **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 approval, for placement in the subject file.

7. **Code Compliance.** Project must comply with all area, height, and use regulations of the zone code classification for the subject property.
8. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees, or amendment to any legislation.
9. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendment thereto.
10. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
11. **Use.** The site shall be for an apartment building with 80 affordable senior citizen units and an additional unit for the on-site manager. No other use is proposed or authorized.
12. **Occupancy of Units.** Prior to obtaining a certificate of occupancy, a covenant and agreement shall be recorded, which runs with the land, restricting occupancy of the senior citizen units to persons 62 years old or older with Low and Very Low incomes, as determined by the Housing Department, for a period of at least 55 years from the date of the certificate of occupancy.
13. **Floor Area.** The floor area ratio for the size of the affordable senior units project shall be limited to a maximum of 2.25:1, or a maximum 75,600 square feet of floor area.
14. **Height.** The height of the project shall be limited to 45 feet as determined by L.A. Department of Building & Safety.
15. **Yard Requirements.** The project shall provide a minimum 16 foot rear setback and 7 foot side setbacks. No front setback shall be required beyond the 12 foot street dedication.
16. **Parking.** The subject project shall provide 0.5 parking space per affordable senior unit and 2 parking spaces for the manager's unit, for a minimum of 42 spaces. To ensure that parking does not spill over into the adjoining neighborhood, a covenant and agreement shall be recorded, which runs with the land, requiring that when the 40 parking spaces for the 80 affordable senior units are all occupied the operator of the project shall lease any remaining units only to senior citizens that do not own or rent their own cars.
17. **Front Entrance.** A front entrance from Vermont Avenue via the Community Room shall be provided. At a minimum the entrance shall be provided a canopy, illumination and/or any other appropriate form of architectural emphasis.
18. **Utility Undergrounding.** Prior to obtaining a certificate of occupancy the overhead utilities along Vermont Avenue in front of the project site shall be placed underground.
19. **Air Filtration Systems.** Prior to the issuance of a building permit, an air filtration system shall be incorporated into the design plans. However, instillation of operable windows to facilitate passive

heating and cooling are permitted.

20. **Trash Storage and Recycling Facilities.** A fenced or walled area for the storage of trash shall be provided on site, including storage containers sufficient to store source-separated recyclable materials. Maintenance staff and residents shall be instructed in recycling and arrangements made for the transport of the recyclables to a recycling facility on a regular schedule. The applicant shall prepare a plan and provide copies of the plan to the Bureau of Engineering, and the Council office showing that all the requirements will be implemented prior to the issuance of building permit.
21. **Soil Assessment.** Prior to the issuance of a building permit, a soil site assessment shall be prepared identifying whether problematic concentrations of materials are present in the soil, as determined by consideration of the standards contained in Title 22, California Code of
22. **Regulations (CCR), Section 66261.24.** In the event that the assessment finds concentration of contaminants in the soil above the allowable concentration levels, the applicant shall implement a remediation process to the satisfaction of the Los Angeles Fire Department (LAFD) in consultation with Department of Toxic Substance Control (DTSC).
23. **Landscape Plan.** The applicant shall submit landscape and irrigation plans prepared by a licensed landscape architect to the Department of City Planning at the time of final approval.
 - a. Landscape plans shall include the approximate size at maturity and location of all proposed plant materials, the scientific and common names of such plant materials, the proposed irrigation plans and the estimated planting schedule.
 - b. Landscaped areas shall be planted with a variety of plant materials which include shrubs, trees, ground cover, lawn, planter boxes, flowers, and native drought resistant plants.
 - c. The use of artificial plants for exterior landscaping is prohibited.
 - d. An automatic irrigation system shall be provided for all landscape areas. All vegetation shall be maintained in first-class condition.
24. **Street Trees.** The applicant shall submit a memo from the Urban Forestry Division, Bureau of Street Services, Department of Public Works, at the time of final approval by the Department of City Planning that shall specify the final number of street trees required. The Urban Forestry Division is located at 1149 S. Broadway, 4th floor and can be reached at (213) 847-3077.
 - a. Street trees shall be planted in the adjacent public way at a ratio of one tree for every 30 feet of lot frontage to the satisfaction of the Urban Forestry Division.
 - b. The trees should be at least 10 feet in height and not less than three inches in caliper at the time of planting, unless otherwise specified by the Urban Forestry Division.
 - c. The street trees shall not be pruned or shaped in any manner that is inconsistent with the natural form and habit of the tree, except to the extent necessary to maintain its strength and vigor, for the removal of unsafe or diseased branches, and other aspects of public safety.
25. **Highway and Street Improvements.** Prior to the issuance of a building permit, the applicant shall dedicate land along the property frontage and make improvements or provide assurances of such improvements to the satisfaction of the Bureau of Engineering so that the northbound lanes of Vermont Avenue will have a right-of-way of 50 feet with a roadway of 40 feet.

26. **Sidewalk Repairs.** Prior to obtaining a certificate of occupancy all cracked or damaged sidewalks along Vermont Avenue, 163rd Street and Ainsworth Street shall be replaced.

B. SITE PLAN REVIEW COMPLIANCE CONDITIONS

27. **Site Plan.** The use and development of the subject property shall be in substantial conformance with the Site Plan labeled "Exhibit 01", dated December 6, 2011, attached to the subject case file, except as modified by this action.
28. **Open Space.** The project shall provide a minimum of 10,650 square feet of landscaped open space. The applicant shall submit an open space diagram that demonstrates that the project complies with this condition at the time of final approval.

C. ENVIRONMENTAL CONDITIONS

Aesthetics (Vandalism)

- MM-1 Every building, structure or portion thereof shall be maintained in a safe and sanitary condition and good repair, and free from debris, rubbish, garbage, trash, overgrown vegetation or other similar materials, pursuant to the Municipal Code Section 91.8104.
- MM-2 The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a street or alley pursuant to Municipal Code Section 91.8104.15.

Aesthetics (Signage)

- MM-3 On-site signs are limited to the maximum allowable under the Code.

Aesthetics (Signage on Construction Barriers)

- MM-5 - The applicant shall affix or paint a plainly visible sign, on publically accessible portions of the construction barriers, with the following language: "POST NO BILLS". Such language shall appear at intervals of no less than 25 feet along the length of the publically accessible portions of the barrier.
- MM-6 The applicant shall be responsible for maintaining the visibility of the required signage and for maintaining the construction barrier free and clear of any unauthorized signs within 48 hours of occurrence.

Aesthetics (Light)

- MM-7 Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.

Aesthetics (Glare)

- MM-8 The exterior of the proposed building shall be constructed of materials, such as, high-performance tinted non-reflective glass and pre-cast concrete or fabricated wall surfaces.

Air Pollution (Demolition, Grading and Construction Activities)

- MM-9 All unpaved demolition and construction areas shall be wetted at least twice daily during

excavation and construction and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50%.

- MM-10 The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- MM-11 All clearing, earth moving or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- MM-12 All dirt/soil loads shall be secured by trimming, watering or other appropriate means to means to prevent spillage and dust.
- MM-13 All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- MM-14 General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- MM-15 Trucks having no current hauling activity shall not idle but be turned off.

Air Pollution (Stationary)

- MM-16 An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 11, to the satisfaction of the Department of Building & Safety.

Objectionable Odors (Commercial Trash Receptacles)

- MM-17 Open trash receptacles shall be relocated at least 50-feet away from the property line of any residential zone or use.
- MM-18 Trash receptacles located within an enclosed building or structure shall not be required to observe the minimum buffer.

Seismic

- MM-19 The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.

Erosion/Grading/Short-Term Construction Impacts

- MM-20 The applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.
- MM-21 Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations and fills. All grading activities require grading permits from the Department of Building & Safety. Additional provisions are required for Grading Activities within Hillside areas. The application of BMPs includes but is not limited to the following mitigation measures:
 - a. Excavation and grading activities shall be scheduled during dry weather periods.

If grading occurs during the rainy season (October 15 through April 1, diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.

- b. Stockpiles, excavated or exposed soil shall be covered with secured tarps, plastic sheeting, erosion control fabrics or treated with a bio-degradable soil stabilizer.

Green House Gas Emissions

- MM-22 Install a demand (tankless or instantaneous) water heater system sufficient to serve the anticipated needs of the dwelling(s)
- MM-23 Only low and non-VOC-containing paints, sealants, adhesives and solvents shall be utilized in the construction of the project.

Stormwater Pollution (Demolition, Grading and Construction Activities)

- MM-24 Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- MM-25 All vehicle/equipment maintenance, repair and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.
- MM-26 Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- MM-27 Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.
- MM-28 Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.

Multiple Residential Dwellings of 10+ units or Single or Multi-Family, incl. Subdivisions

- MM-29 Install roof runoff systems where the site is suitable for installation. Runoff from rooftops is relatively clean, can provide groundwater recharge and reduce excess runoff into storm drains.
- MM-30 Paint messages that prohibit the dumping of improper materials into the storm drain system adjacent to storm drain inlets. Prefabricated stencils can be obtained from the Dept. of Public Works, Stormwater Management Division.
- MM-31 Design an efficient irrigation system to minimize runoff including: drip irrigation for shrubs to limit excessive spray; shutoff devices to prevent irrigation after significant precipitation; and flow reducers.

Increased Noise Levels (Construction Phase)

- MM-32 The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- MM-33 Construction and demolition shall be limited to the hours of 7:00 am and 6:00 pm,

Monday through Friday, from 8:00 am to 6:00 pm on Saturday.

- MM-34 Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- MM-35 The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

Public Services (Fire)

- MM-36 The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

Public Services (Police – Demolition/Construction Sites)

- MM-37 Fences shall be constructed around the site to minimize trespassing, vandalism, Short-cut attractions and attractive nuisances.

Public Services (Police)

- MM-38 The plans shall incorporate design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design out Crime Guidelines: Crime Prevention Through Environmental Design" published by the Los Angeles Police Department's Crime Prevention Section (located at 100 W. 1st Street, #250, Los Angeles, CA, 90012. (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.

Recreation (Increased Demand for Parks or Recreational Facilities)

- MM-39 (Apartments) Per Section 21.10 of the Los Angeles Municipal Code, the applicant shall pay the Dwelling Unit Construction Tax for the construction of apartment buildings.

Inadequate Emergency Access

- MM-40 The applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that shall provide code-required emergency access.

Utilities (Local Water Supplies - Landscaping)

- MM-41 The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape,

installation, and maintenance (e.g. use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season).

In addition to the requirements of the Landscape Ordinance, the landscape Plan shall incorporate the following:

- a. Weather-based irrigation controller with rain shutoff.
- b. Matched precipitation (flow) rates for sprinkler heads.
- c. Drip/microspray/subsurface irrigation where appropriate.
- d. Minimum irrigation system distribution uniformity of 75 percent.
- e. Proper hydro-zoning, turf minimization and use of native/ drought tolerant plant materials: and
- f. Use of landscape contouring to minimize precipitation runoff.
- g. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for irrigated landscape areas totaling 5,000 square feet and greater.

Utilities (Local Water Supplies - All New Construction)

- MM-42 If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
- MM-43 Install high-efficiency toilets (maximum 1.28gpf), including no-flush or waterless urinals, in all restrooms as appropriate.
- MM-44 Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- MM-45 A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.
- MM-46 Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from processes equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater systems.)

Utilities (Local Water Supplies – New residential)

- MM-47 Install no more than one shower head per shower stall, having a flow rate no greater than 2.0 gallons per minute.
- MM-48 Install and utilize only high-efficiency clothes washers (water factor of 6.0 or less) in the project, if proposed to be provided in either individual units and/or in a common laundry room (s). If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance. Rebates may be offered through the Los Angeles Department of Water and Power to offset portions of the costs of these installations.
- MM-49 Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement and the applicant shall be

responsible for ensuring compliance.

Utilities (Solid Waste)

- MM-50 Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as part of the project's solid waste disposal program.
- MM-51 Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste services(s) to the satisfaction of the Department of Building & Safety. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction related wastes.
- MM-52 To facilitate on-site separation and recycling of demolition and construction related wastes, the contractors(s) shall provide temporary waste separation bins onsite during demolition and construction. These bins shall be emptied and recycled accordingly as part of the project's regular solid waste disposal program.

Utilities (Solid Waste Disposal)

- MM-53 All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle demolition and construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, bricks, metals, wood and vegetation. Non recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.

FINDINGS**A. Site Plan Review Findings.** Section 16.05 C of the Municipal Code, I hereby find the following:**1. The project complies with all applicable provisions of the Los Angeles Municipal Code.**

Section 16.05 of the Los Angeles Municipal Code requires Site Plan Review for any development project which creates or results in an increase of 50 or more dwelling units or 50,000 or more gross square feet of nonresidential floor area. The property is zoned C2-1 which permits commercial uses and multifamily residential units at the density of the R4 zone (one unit for every 400 square feet of lot area) with unlimited height. The proposed project, a four-story, 75,525 sq.ft. apartment building with 80 affordable units for senior citizens and an 81st unit for the on-site manager, is consistent with the C2-1 zone, because the 33,759 square foot lot is permitted to have 84 units.

2. The subject development project is consistent with the adopted General Plan.

The subject property is located within the Harbor-Gateway Community Plan as updated and adopted by the City Council on December 6, 1995. The land use designation for the project site is Neighborhood Office Commercial. The proposed project, a four-story, 75,525 sq.ft. apartment building, with 80 affordable units for senior citizens and an 81st unit for the on-site manager, is consistent with the Neighborhood Office Commercial designation because the C2 zone, which is a corresponding zone for that designation, permits multifamily residential units at the density of the R4 zone.

3. The project is consistent with any applicable adopted Redevelopment Plan.

The subject site is not within an adopted redevelopment plan area.

4. The subject development 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 which is or will be compatible with existing and future development on neighboring properties.

The project site is an approximately 33,759 square foot lot fronting on Vermont Avenue and 163rd Street. The site is vacant and contains a surface parking lot. The project will construct a new 75,525 square foot apartment building with 80 affordable units for senior citizens and an 81st unit for the on-site manager. While the building has four stories, Condition 14 limits the height to 45 feet, which is consistent with that of a three story building due to the reduced height of 9'1" for the three residential floors. Condition 15 requires that the project provide a minimum 12-foot front yard setback, a minimum 16 foot rear setback and 7 foot side setbacks.

The project provides 43 automobile parking spaces, one space more than the 42 required for the project as required by Section 12.22A.25(d)(2) of the Zone Code. To ensure that parking does not spill over into the adjoining neighborhood, Condition 16 requires that a covenant and agreement be recorded, to run with the land, requiring that when the 40 parking spaces for the 80 affordable senior units are all occupied the operator of the project shall lease any remaining units only to senior citizens that do not own or rent their own cars.

To increase the safety of the residents, Condition 17 requires that a front entrance from Vermont Avenue via the community room be provided. To increase the attractiveness of the project and its compatibility with adjoining development, Condition 18 requires that the overhead utilities in front of the project be placed underground, Condition 20 requires that a fenced or walled area for the storage of trash be provided on site, Condition 23 requires a landscaping plan and Condition

24 requires the planting of street trees. As conditioned, the proposed project will be compatible with the existing and future development on neighboring properties.

5. **The project incorporates feasible mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would substantially lessen the significant environmental effects of the project, and/or any additional findings as may be required by CEQA.**

In compliance with requirements of the California Environmental Quality Act (CEQA), the project was issued a Mitigated Negative Declaration (ENV-2011-2967-MND). The Mitigated Negative Declaration (MND) was prepared by the Department of City Planning on February 13, 2012 in accordance with the City of Los Angeles CEQA Guidelines. As such, it reflects the independent judgment of its staff and the independent judgment of the Director of Planning, or the Director's designee as permitted by the Site Plan Review Ordinance (Ordinance No. 166,127).

6. **Fish and Game.** The subject project, which is located in Los Angeles County, will not have an impact on fish or wildlife resources or habitat upon which fish and wildlife depend, as defined by California Fish and Game Code Section 711.2.

B. Density Bonus Compliance Findings

1. **The project substantially complies with the applicable regulations, standards and provisions of LAMC Section 12.22 A.25.**

As conditioned by this approval, the subject project complies with all applicable provisions of LAMC Section 12.22 A 25. The project qualifies for a floor area ratio bonus of up to 3:1 because it is located in a commercial zone with Height District No. 1, fronts on a major highway, Vermont Avenue, and is located within 1,500 feet of transit stops at Alondra and Gardena Boulevards.

2. **The incentives are necessary to offset costs associated with the addition of affordable housing units and to physically enable the construction of project.**

The applicant is proposing to construct 80 affordable senior citizen units and an 81st unit for the on-site manager, which are permitted by the C2 zone which also allows multifamily units at the density of the R4 zone. The 81 units permitted by the R4 zone reduces the cost of land per unit, which contributes to making the units affordable for seniors. However, Height District No. 1 attached to the C2 zone limits the size of the building to a floor/area ratio of 1.5:1, less than the 2.24:1 needed to construct a building large enough to contain 81 units. The floor/area ratio bonus will enable the construction of a building that is large enough to contain 81 units, which helps to make the units affordable for seniors of Low and Very Low Income Levels.

3. **The project incorporates mitigation measures identified in the environmental review that will mitigate the negative environmental effects of the project to the extent physically feasible. The property is not listed on the California Register of Historical Resources.**

In compliance with requirements of the California Environmental Quality Act (CEQA), the project was issued Mitigated Negative Declaration (ENV-2011-2967-MND). The project has been conditioned herein to require compliance with the mitigation measures of the MND.

OBSERVANCE OF CONDITIONS - TIME LIMIT / EXTENSION - LAPSE OF PRIVILEGES

All terms and conditions of this determination shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within **two years** after the effective date of this determination and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void. The Director of Planning or his/her designee may extend the termination date for one additional period not to exceed one year, if a written request on appropriate forms, accompanied by the applicable fee, is filed therefore with a Public Office of the Department of City Planning setting forth the reasons for said request and the Director of Planning or his/her designee determines that good and reasonable cause exists therefore.

TRANSFERABILITY

This determination runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

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

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

APPEAL PERIOD - EFFECTIVE DATE

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

This matter will become effective on March 30, 15 days after the date of this Determination unless an appeal therefrom is filed with the Department of City Planning. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections and/or incompleteness may be corrected before the appeal period expires. In order to be accepted, any appeal must be filed on the prescribed forms, be accompanied by the required fee and a copy of this letter, and be received and receipted on or before the appeal period end date (indicated on the first page of this document) at one of the following Department of City Planning Public Offices:

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

*Valley Office
6262 Van Nuys Boulevard, Suite 251
Van Nuys, CA 91401
(818) 374-5050*

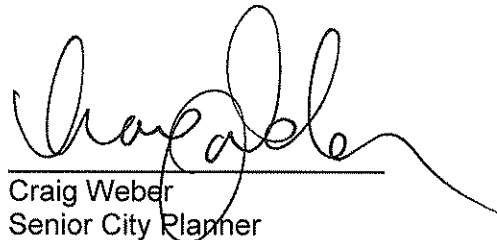
The applicant is further advised that all subsequent contact with this office regarding this grant must be with the decision-maker who acted on the case. This would include clarification, verification of condition compliance and plans, building permit applications, etc., and shall be accomplished by **appointment only**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

MICHAEL LOGRANDE
Director of Planning

Reviewed by:

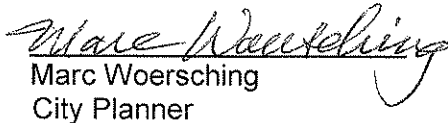


Daniel Scott
Principal Planner



Craig Weber
Senior City Planner

Prepared by:



Marc Woerschling
City Planner

cc: Council District 15
Department of Building and Safety