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**STATE DENSITY BONUS PROGRAM
DIRECTOR OF PLANNING
DETERMINATION AND FINDINGS**

September 14, 2011

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Case No: DIR-2011-1211(DB)(SPR)

CEQA: ENV-2011-1212-MND

Location: 12301-12333 W. Pico Boulevard

Plan Area: West Los Angeles

Plan Land Use: General Commercial

Council District: 11

Zone: [Q]C2-1VL-CDO

District Map: 120B149

Legal Description: Lot 12, Block 4, Tract
6372

Last Day To Appeal: September 29, 2011

Pursuant to the State Density Bonus Program and the City's Density Bonus provisions of Section 12.22-A,25 of the Los Angeles Municipal Code, as the designee of the Director of Planning, I hereby:

Conditionally Approve a Density Bonus Compliance Review to allow the construction of 95 condominium units, including 8 reserved for Very Low Income households. The proposed project is 5 stories of residential with a total floor area of approximately 77,405 square feet over a two-level, 163-space subterranean parking structure.

Adopt ENV-2011-1212-MND.

Approve a 35 percent density bonus for a project setting aside 11 percent of its pre-density bonus units (8 units) for Very Low Income Households.

Approve an increase in the Floor Area Ratio (FAR), from 1.5:1 to a maximum 3:1, to permit a 77,405 square-foot residential development.

Approve an increase in Building Height, by eleven additional feet, to a maximum building height of 56 feet, as measured from the first finished floor.

Approve a site plan review for a residential development that is greater than 50 dwelling units.

Adopt the attached Findings.

This Density Bonus Compliance Review approval is subject to the following additional terms and conditions:

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 the State Government Code Section 65915 (State Density Bonus Program), and the promotion of development compatible with existing and future development of neighboring properties.

DENSITY BONUS COMPLIANCE CONDITIONS

1. **Site Development** The subject property shall incorporate all Conditions of Approval and be **substantially** developed as shown on the plans and information listed below in Table 1 and attached to the case file. **(DCP)**

Table 1

Sheet No.	Description	Submittal Date
A1	Site Plan	May 12, 2011
A-2.0 thru A-2.2	Subterranean Level Parking	May 12, 2011
A-2-2 thru A-2.6	Floor Plan and Section	May 12, 2011
A-3.0 thru A-4.1	Elevations	May 12, 2011

2. **Permitted Uses** The use of the subject property shall comply with the [Q]C2-1VL-CDO Commercial Zone. Uses on the subject property shall be restricted to those uses permitted in the C2 Zone per Section 12.10 of the Los Angeles Municipal Code (LAMC), and as permitted in this grant. The project shall be limited to a maximum of 95 residential dwelling units, 70 of which are "by right" units and the remaining 25 density bonus units. Eleven percent (8 units) of the 70 "by right" units shall be reserved as Very Low Income units. **(DCP)**
3. **Height/FAR** The project is limited to an increase in height of 11 feet above the 45 foot height limit, excluding those exceptions permitted by the LAMC 12.21.1 for height, along all sides of the proposed building. The project shall be limited to a maximum floor area ratio of 3:1. **(B&S)**

4. **Setback:** Setbacks shall be per LAMC Section 12.10-C. **(B&S)**
5. **Automobile Parking:** Parking shall be provided pursuant to section 12.22-A,25(d)(1), Parking Option 1 (based on the number of bedrooms). Per the plans received May 12, 2011, the project shall provide a minimum of 163 parking spaces for the project. **(B&S)**
6. **Housing Requirements:** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing Department to make 11 percent (8 unit) of the pre-density bonus units of the development available to Very Low Income Households, at a price determined to be affordable to Very Low Income Households by the Los Angeles Housing Department, for a period of 30 years. The project shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by the Los Angeles Housing Department. The applicant will present a copy of the recorded covenant to the Planning Department. **(HD)**
7. **Dedications and Improvements:** Prior to the issuance of any building permits, public improvements and dedications for streets and other rights-of-way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering and the Department of Transportation. Prior to issuance of sign-offs for final site plan approval and/or project permits by the Planning Department, the applicant/developer shall provide written verification to the Planning Department from the responsible agency acknowledging the agency's consultation with the applicant/developer. If required dedications and improvements necessitate redesign of the project, any changes to project design required by a public agency shall be documented in writing and submitted for review by the Planning Department. **(BOE, Various)**
8. **Public Requirements:** The applicant shall provide the following, or assurance of suitable guarantees without expense to the City of Los Angeles:
 - a. Construction of sewers to the satisfaction of the City Engineer. **(BOE)**
 - b. Construction of drainage facilities to the satisfaction of the City Engineer. **(BOE)**
 - c. Installation of street lights to the satisfaction of the Bureau of Street Lighting. **(BOE)**

Notice: The Certificate(s) of Occupancy for the subject project will not be issued by the City until the construction of all public improvements required herein are completed to the satisfaction of the City Engineer. **(B&S)**

ENVIRONMENTAL MITIGATION COMPLIANCE CONDITIONS

In compliance with requirements of the California Environmental Quality Act (CEQA), the project was issued a Mitigated Negative Declaration (ENV-2011-1212-MND) in accordance with City of Los Angeles CEQA guidelines. The following conditions are imposed as mitigation measures for environmental impacts pursuant to this grant and/or the Project's Mitigated Negative Declaration attached to the subject case file.

9. Environmental Conditions of Approval

- MM-1 Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way. (MM)
- MM-2 The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.
- MM-3 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 12, to the satisfaction of the Department of Building and Safety. (MM)
- MM-4 The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.
- MM-5 Prior to the issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval. The project shall comply with the Uniform Building Code Chapter 18. Division 1 Section 1804.5 Liquefaction Potential and Soil Strength Loss. The geotechnical report shall assess potential consequences of any liquefaction and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures.
- MM-6 The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.

- MM-7 Install a demand (tankless or instantaneous) water heater system sufficient to serve the anticipated needs of the dwelling(s).
- MM-8 Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.
- MM-9 **(Asbestos)** Prior to the issuance of any permit for the demolition or alteration of the existing structure(s), the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant indicating that no Asbestos-Containing Materials (ACM) are present in the building. If ACMs are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other applicable State and Federal rules and regulations.
- MM-10 **(Lead Paint)** Prior to issuance of any permit for the demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.
- MM-11 **(Polychlorinated Biphenyl – Commercial and Industrial Buildings)** Prior to issuance of a demolition permit, a polychlorinated biphenyl (PCB) abatement contractor shall conduct a survey of the project site to identify and assist with compliance with applicable state and federal rules and regulation governing PCB removal and disposal.
- MM-12 The applicant shall comply with mitigation measures required by this MND.
- MM-13 Concrete, not metal, shall be used for construction of parking ramps. The interior ramps shall be textured to prevent tire squeal at turning areas.
- MM-14 All exterior windows having a line of sight of a Major or Secondary Highway shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Coefficient (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto.
- MM-15 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.

- MM-16 Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.
- MM-17 The plans shall incorporate the 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. Contact the Community Relations Division, 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.
- MM-18 The applicant shall pay school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.
- MM-19 The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation.
- MM-20 Pursuant to Section 17.12-A or 17.58 of the Los Angeles Municipal Code, the applicant shall pay the applicable Quimby fees for the construction of dwelling units.
- MM-21 Implementing measure(s) detailed in said Department's communication to the Planning Department dated April 12, 2011 and attached shall be complied with. Such report and mitigation measure(s) are incorporated herein by reference.

Construction Mitigation Measures

- CM-1. That a sign be required on site clearly stating a contact/complaint telephone number that provides contact to a live voice, not a recording or voice mail, during all hours of construction, the construction site

address, and the tract map number. **YOU ARE REQUIRED TO POST THE SIGN 7 DAYS BEFORE CONSTRUCTION IS TO BEGIN.**

- a. Locate the sign in a conspicuous place on the subject site or structure (if developed) so that the public can easily read it. The sign must be sturdily attached to a wooden post if it will be freestanding.
 - b. Regardless of who posts the site, it is always the responsibility of the applicant to assure that the notice is firmly attached, legible, and remains in that condition throughout the entire construction period.
 - c. If the case involves more than one street frontage, post a sign on each street frontage involved. If a site exceeds five (5) acres in size, a separate notice of posting will be required for each five (5) acres, or portion thereof. Each sign must be posted in a prominent location.
- CM-2. 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 percent.
- CM-3. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
- CM-4. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- CM-5. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- CM-6. 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.
- CM-7. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. Trucks having no current hauling activity shall not idle but be turned off.
- CM-8. The project shall comply with the City of Los Angeles Noise Ordinance Nos. 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.

- CM-9. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- CM-10. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-11. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- CM-12. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.
- CM-13. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), construct diversion dikes to channel runoff around the site. Line channels with grass or roughened pavement to reduce runoff velocity.
- CM-14. Incorporate appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. These will shield and bind the soil.
- CM-15. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.
- CM-16. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- CM-17. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- CM-18. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
- CM-19. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.

CM-20. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.

CM-21. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop cloths to catch drips and spills.

ADMINISTRATIVE CONDITIONS

28. **Approval, Verification and Submittals** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
29. **Code Compliance** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with LAMC, except where herein granted conditions override.
30. **Definitions** Any agency, public official, or city department referenced in these conditions shall mean that agency, public official, or city department, or its successor(s) or designee(s). State Density Bonus Program refers to State Government Code Section 65915. Plan Sheet shall mean a numbered drawing submitted by the applicant as a part of the application for this case, attached to the subject case file with the Department of City Planning.
31. **Enforcement** Prior to the issuance of any permits for the subject Project by the Department of Building and Safety, the applicant shall submit final construction plans or other required documents to the specified City department for verification of compliance with the conditions imposed herein. Conditions which require Department of City Planning verification are followed by (DCP), Department of Transportation verification is shown by (DOT), Bureau of Engineering verification is shown by (BOE), and conditions requiring verification by the Department of Building and Safety are shown by (B&S).
32. **Building Plans** The **entire determination letter** shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
33. **Corrective Conditions** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

34. **Proof of Fees** 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.
35. **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.

FINDINGS

After thorough consideration of the information, statements, and plans contained in the application, the reports received from other city departments and governmental agencies, the project's Mitigated Negative Declaration, and the State Government Code Section 65915 (State Density Bonus Program), I hereby find that the requirements for issuing a Density Bonus Compliance Review approval pursuant to the State Density Bonus Program and the Draft Ordinance have been established by the following:

Description of Subject Project

The project site measures approximately 25,834 square feet and is currently vacant with the exception of old commercial building formerly used as a restaurant. The site is located in the West Los Angeles Community Plan Area. The subject lot is zoned [Q]C2-1VL-CDO and has a General Plan Land Use Designation of General Commercial.

The subject property is located at 12301-12333 West Pico Boulevard and encompasses six parcels that will be merged and re-subdivided into one lot for 95 residential units. The project will be a five-story building with two subterranean levels of parking and at grade level of parking below four levels of residential condominiums units. The proposed development is comprised of 12 live/work units, 16 studio units, 19 one-bedroom units, and 48 two-bedroom units. The project will reserve 11 percent (8 units) of its pre-density bonus units as restricted affordable units available to Very Low Income households. The project is providing a minimum 163 parking spaces.

Existing Land Use and Zoning

The site abuts R2 and R3 zoned properties with multi-family dwellings north of the subject site. To the north, there is a 12-unit apartment building in the R2-1 Zone and a 4-unit apartment building in the R3-1 Zone. Sterry Elementary School is located across Corinth Avenue in the PF-1XL Zone. To the east, there is a one-story commercial building in the [Q]C2-1VL-CDO. To the south, there is a row of single story commercial

buildings. And to the west, there is public space under the Santa Monica (I-10) Freeway.

DENSITY BONUS COMPLIANCE FINDINGS

1. The project substantially complies with the applicable regulations, standards and provisions of the State Density Bonus Program.

As conditioned by this approval, the subject project substantially complies with all applicable provisions of State Density Bonus Program and the Draft Ordinance. The project qualifies for a 35 percent density bonus for the following reasons: (1) 11 percent of its pre-density bonus units are set aside for Very Low Income Households. The set aside units automatically allow the applicant to qualify for increases in density and FAR requirements. In addition, since the project sets aside 11 percent of its pre-density bonus units for Very Low Income occupants, the applicant qualifies for incentives from a specified menu of concessions, as described below.

A. Density The subject property is zoned [Q]C2-1VL-CDO. The approximate 23,834 square-foot lot permits 70 "by right" units. The State Density Bonus Program, however, allows a 35 percent density bonus, since the applicant is providing 11 percent of the pre-density units as restricted Very Low Income units. Based on these incentives, the applicant would be permitted to build up to 95 units. The proposed project is within this permitted density.

Automobile Parking The project will utilize one- Parking Option One, which permits parking to be provided at a ratio of one parking space for each one-bedroom unit, two parking spaces for each two- to three- bedroom unit, and 2.5 parking spaces for each unit with 4 or more bedrooms. In this case, the applicant proposes to provide a total of 35 parking spaces for 35 residential units having 0-1 bedroom, 12 parking spaces for each live/work unit having 0-1 bedroom, and 96 parking spaces for 48, 2-bedroom units, for a total of 143 required parking spaces. In addition, while no guest parking spaces are required for a Density Bonus development, approximately 20 additional parking spaces will be provided for guests, and a maximum of 163 parking spaces will be provided on-site, overall.

B. Incentives/Concessions:

i. **Height** Per the Draft Ordinance, projects which set aside 8 percent of pre-density bonus residential units as restricted affordable units for Very Low Income Households qualify for a height deviation equal to the percentage of density bonus for which the project is eligible, except for a project on a residentially zoned parcel, which abuts, or is across the street or alley from, R1 or more restrictively zoned properties. The project does not abut any R1-zoned lots.

The height incentive is granted for this project. The project is eligible for an increase in height of 11 feet above the 45 foot height limit, excluding those exceptions permitted by LAMC 12.21.1 for height, along all sides of the proposed building. As conditioned by this determination, the height increase is limited to 11 feet for a total project height of 56 feet.

ii. Floor Area Ratio

The floor area ratio increase is granted for this project. The project is eligible for an increase in floor area ratio from 1.5: 1 to 3:1 or a maximum of 77,502 square feet for the 25,834 square feet site. As conditioned by this determination, the total floor area is limited to the proposed 77,405 square feet for the 5-story building which represents an increase to a maximum 2.99:1 FAR.

- 2. The project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project to the extent physically feasible.**

In compliance with requirements of the California Environmental Quality Act (CEQA), the project was issued a Mitigated Negative Declaration (ENV-2011-1212-MND) in accordance with the City of Los Angeles CEQA guidelines. Mitigation measures were included that addressed the physical impacts of the project. The project site is presently developed with residential structures and does not provide a natural habitat for either fish or wildlife.

Impacts related to the potential existence of asbestos and lead paint were also addressed. The project will also be required to install a methane detection system since the site is located within a methane buffer zone. Standard construction methods will be incorporated to mitigate impacts related to air quality, noise, and grading. Landscaping and light impacts will also be incorporated to address the new construction and the building's proposed height. A minimum 125 square feet of open space will be required for each unit proposed. Open areas not used for buildings, driveways, parking areas, recreational facilities or walks will be attractively landscaped and maintained. Also, outdoor lighting will be designed and installed with shielding to minimize light impacts to the neighboring residential properties.

SITE PLAN REVIEW FINDINGS

- 3. The project complies with all applicable provisions of the Code and any applicable Specific Plan.**

The subject property is a slightly sloping, approximate 0.6 net acre, irregular shaped through corner parcel of land, fronting approximately 215.54 feet along the north side of Pico Boulevard, approximately 83.97 feet along the east side of

Carmelina Avenue, approximately 34.82 feet long the east side of Centinela Avenue and approximately 110 feet along the west side of Wellesley Avenue. The property is classified in a [Q]C2-1VL-CDO Zone and improved with a used automobile rental business and a vacant restaurant.

Proposed is the demolition of the existing commercial improvements and the construction of an approximate 77,405 square-foot, 5-story, Density Bonus residential condominium development containing approximately 12 live/work units on the ground level, primarily along the Pico Boulevard frontage, and 83 dwelling units on floors 2-5.

This 35% Density Bonus development will reserve 11%, or 8 of the dwelling units for Very Low Income Households and provide parking pursuant to Section 12.22 A 25(d)(1) of the Los Angeles Municipal Code (Parking Option 1), which allows parking to be provided at 1 on-site parking space for each residential unit of 0-1 bedroom, 2 on-site parking spaces for each residential unit of 2-3 bedrooms and 2.5 parking spaces for each residential unit of 4 or more bedrooms. Accordingly, the proposed project will provide a total of 35 parking spaces for 35 residential units having 0-1 bedroom, 12 parking spaces for each live/work unit having 0-1 bedroom, and 96 parking spaces for 48, 2-bedroom units, for a total of 143 required parking spaces. In addition, while no guest parking spaces are required for a Density Bonus development, approximately 20 additional parking spaces will be provided for guests, and a maximum of 163 parking spaces will be provided on-site, overall.

The project qualifies for, and will utilize two incentives from the Menu of Incentives, including, pursuant to Sections 12.22 A 25 (f)(3)(iii) and 12.22 A 25 (f)(5)(i) of the Los Angeles Municipal Code: a 3:1 FAR for a 35% Density Bonus development on property in a commercial zone in Height District No.1, fronting along a Major Highway and located within 1,500 feet of a station for a fixed rail system (subject site is approximately 680 feet from the Rapid Bus Stop at the intersection of Bundy Drive and Pico Boulevard and approximately 1,400 feet from a planned fixed Expo Line station at Bundy Drive and Exposition and an 11-foot increase in building height.

Parking for all the live/work and guests will be at grade level and accessed from the adjacent 20-foot wide alley along the northerly property line. Parking for residential units will be located in two subterranean levels accessed from a driveway along Wellesley Avenue.

Open space will be provided as required by the Los Angeles Municipal Code. The common open space provided in an approximately 611 square feet recreation room, two courtyards at the second level, opening into Pico Boulevard, and a rooftop terrace at the fifth level along Pico Boulevard. Private open space will be provided in approximately 76 residential unit balconies.

The subject property is located in the West Pico Boulevard Community Design Overlay District (CDO), pursuant to Ordinance No. 175,773, effective March 20, 2004 and Ordinance No. 1757,774, effective March 24, 2004. The proposed project must be reviewed by the Planning Department staff for compliance with the guidelines of the CDO. Approval for compliance with the Design Overlay plan has been requested in a separate application and the proposed development is anticipated to comply with all conditions of approval.

The subject property is also located in the West Los Angeles Transportation Improvement and Mitigation Specific Plan area pursuant to Ordinance No. 171,492 adopted May 8, 1997, and the proposed development will comply with provisions of this Specific Plan.

Therefore, the proposed development will comply with all applicable provisions of the Code.

4. The project is consistent with the General Plan.

The subject property is located in the adopted West Los Angeles Community Plan (Community Plan) area and is designated for "General Commercial" land uses, corresponding to the C1.5, C2, CR, C4, RAS3 and RAS4 and P Zones.

The proposed development implements the following purposes of the Community Plan to maintain the community's distinctive character by:

Preserving and enhancing the positive characteristics of existing residential neighborhoods while providing a variety of compatible housing opportunities
Improving the function, design and economic vitality of commercial and industrial areas.

Maximum development opportunities around transit systems while minimizing adverse impacts.

The proposed project also implements Goals, Objectives and Policies of the adopted Community Plan as stated Chapter II of the Plan text:

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

Objective 1-1 *To provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area for the year 2010.*

Policies

1-1.1 Protect existing single family residential neighborhoods from new out-of-scale development and other incompatible uses.

Program: *The Plan map identifies lands where only single family development is permitted. These areas are protected by designating appropriate densities for each land use category and corresponding zone designations directed at minimizing incompatible uses.*

1-1.2 Promote neighborhood preservation in all residential neighborhoods.

Program: *With the implementation of the Community Plan, all discretionary actions, specific plans, community and neighborhood residential projects are to be consistent with Plan recommendations.*

1-1.3 Provide for adequate multi-family residential development.

Program: *The Plan Map identifies specific areas where multi-family residential development is permitted.*

Objective 1-2: *To reduce vehicular trips and congestion by developing new housing in proximity to adequate services and facilities*

Policies

1-2.1 Locate higher residential densities near commercial centers and major bus routes where public services facilities and infrastructure will support this development.

Program: *The plan designates most of the higher residential densities near major transit corridors, and in the Century City regional center.*

1-2.3 Do not increase residential densities beyond those permitted in the Plan unless the necessary infrastructure and transportation systems are available to accommodate the increase.

Objective 1-3: *To preserve and enhance the various and distinct residential character and integrity of existing residential neighborhoods.*

Policies

1-3.1 Require architectural compatibility and adequate landscaping for new multi-family residential development to protect the character and scale of existing residential neighborhoods.

Program: *The Plan includes Design Guidelines for multi-family residential development.*

Objective 1-4 *To promote adequate and affordable housing and increase its accessibility to more segments of the populations, especially students and senior citizens.*

Policies

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

Program: *The plan promotes greater individual choice by allocating adequate lands in the plan for a variety of residential densities, and the promotion of housing in mixed-used projects.*

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

Program: *A decision-maker should adopt a finding which addresses this factor in any decision relating to the construction of new housing.*

1-4.3 Encourage multiple residential development in specified commercial zones.

Program: *The Plan identifies areas for mixed use developments in commercial zones.*

The proposed project implements the Community Plan by providing alternative housing opportunities, including affordable housing units, in proximity to commercial centers and major bus routes.

Currently, the West Los Angeles Community Plan is among a number of Community Plans that are in the process of being updated. For this plan area, a document, "Potential Change Areas for Discussion", dated February 2009, has been developed by the City of Los Angeles Planning Department which indicates that the subject property would be located in a Transit Oriented District in the vicinity of the Bundy Station of Phase II of the Expo Line, proposed to "promote a viable mix of uses at transit nodes". The proposed project, in proximity to the Bundy Station of the Expo Line and providing for both resident and guest bicycle parking, would be consistent with the land use vision for the vicinity of the project as currently contemplated.

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

The proposed development is not located within any Redevelopment Plan.

6. The project consists of an arrangement of buildings and structures (including height, bulk, and setback), off-street parking facilities, loading

areas, lighting, trash collection, and other pertinent improvements, which is or will be compatible with existing and future development on neighboring properties.

The proposed 5-story residential building has been designed with ground floor live/work units with direct access from the adjacent sidewalk to promote a pedestrian ambiance. The "E" shaped building configuration of floors 2-5 will result in two courtyards that open onto Pico Boulevard and divide the façade of the building into three separate sections along the southerly Pico Boulevard frontage. The Pico Boulevard frontage of the building will appear as a 4-story building from most vantage points easterly, southerly and westerly, since the fifth building level will be stepped back approximately 15 feet from the property line.

The easterly, westerly and southerly building facades will be articulated with balconies and changes in material and color. Five light wells will bring natural light to the interior of the development and an east-west pedestrian corridor on levels 2-5 will be open at either end to allow views to the adjacent streets.

Parking for the live/work units and guests will be provided at grade and accessed from the adjacent alley. Parking for the residential units will be in two levels of subterranean parking accessed from a separate driveway along the Wellesley Avenue frontage. The proposed parking is suitable for a residential development located along a major transportation corridor less than 1,500 feet from an approved Expo Line Station. A secured bicycle storage area for guests as well as a trash and recycling room will be located on the first level. Additionally, a secured bicycle storage area for residents will be located on each subterranean level.

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

The project will comply with all mitigation measures of the environmental clearance.

- 8. Any project containing residential uses provides its residents with appropriate type and placement of recreational facilities and services amenities in order to improve habitability for the residents and minimize impacts on neighboring properties where appropriate.**

The proposed project will provide all required open space including a common recreation room, passive outdoor areas and private balconies. The development is also located in proximity to the planned dedicated bike path that will follow the Expo Line Route from the City of Santa Monica to the University of Southern California.

EFFECTIVE DATE AND APPEAL PERIOD

The Director of Planning's determination on this matter will become effective and final 15 days after the date of mailing of this determination, unless an appeal is filed with the City Planning Commission. Such an appeal must be in writing, on the prescribed forms, accompanied by the required fee and received and receipted at a Public Office of the Department of City Planning on or before the effective date, or the appeal will not be accepted.

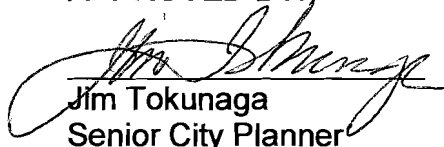
TRANSFERABILITY AND TERMINATION

The approval granted herein shall be for a period of two years from the effective date. If building permits are not issued and construction work is not begun within such time and carried on diligently so that building permits do not lapse, this approval shall become null and void. The applicant is advised that this approval is not a permit or license and that permits and licenses required by law must be obtained from the proper public agency. If any condition of this approval is violated or not complied with, then the applicant or the applicant's successor in interest may be prosecuted the same as for any violations of the requirements contained in the Municipal Code, or the approval may be revoked.

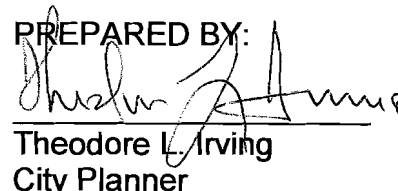
In the event the property is sold or leased to any person or corporation other than the applicant, it is incumbent on the applicant to advise such person or corporation regarding the conditions of approval. If any portion of this approval is utilized, then all other conditions and requirements set forth herein become immediately operative and must be strictly observed.

MICHAEL J. LOGRANDE
Director of Planning

APPROVED BY:


Jim Tokunaga
Senior City Planner

PREPARED BY:


Theodore L. Irving
City Planner

cc: City Council District 11
Department of Building and Safety
West Los Angeles Neighborhood Council