



**DIRECTOR'S DETERMINATION
TRANSIT ORIENTED COMMUNITIES AFFORDABLE HOUSING INCENTIVE PROGRAM**

December 27, 2023

Applicant/Owner

Donghao Li
1500 W. Adams Blvd, LLC
2905 Ssignat. Vermont Avenue
Los Angeles, CA 90007

Representatives

Jonathan Yang,
Irvine & Associates, LLC
660 S. Figueroa Street
Los Angeles, CA 90017

Case No. DIR-2023-1984-TOC-COA-HCA
CEQA: ENV-2023-1985-CE
Location: 1500 West Adams Boulevard

Council District: CD 8 – Marqueece Harris-Dawson

Neighborhood Council: Empowerment Congress North Area

Community Plan Area: South Los Angeles

Land Use Designation: Neighborhood Commercial
Zone: C2-1VL-O-HPOZ-CPIO

Plan Overlay: South Los Angeles Community Plan Implementation Overlay

Subarea: A – Neighborhood-Serving Corridor

Legal Description: M B 1-69, G.H. Fruhling Romeo Tract, Lot 2

**Last Day to
File an Appeal:** January 12, 2024

DETERMINATION

Pursuant to the Los Angeles Municipal Code (LAMC) Section 12.22 A.31, I have reviewed the proposed project and as the designee of the Director of Planning, I hereby:

Determine based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to CEQA Guidelines, Section, 15032 (Class 32), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

Approve with Conditions a Transit Oriented Communities (TOC) Affordable Housing Incentive Program Compliance Review for a qualifying Tier 2 project, totaling 16 dwelling units, reserving 2 units for Extremely Low Income Household occupancy for a

period of 55 years, with the following Additional Incentives:

Additional Incentives

- a. RAS 3 Yards:** Allowing a 15-foot rear yard setback in lieu of the 16 feet otherwise required per the C2 zone, and 5-foot side yard setbacks in lieu of the 7 feet otherwise required per the C2 zone; and
- b. Height:** A 11-foot increase in building height, allowing a maximum building height of 56 feet in lieu of the maximum 45-feet otherwise allowed per the C2-1VL-O-HPOZ-CPIO zone;

Pursuant to Los Angeles Municipal Code Section 12.20.3 K, and the Adams-Normandie Historic Preservation Overlay Zone (HPOZ) Ordinance Number 173402, I have considered the proposed project and as the designee of the Director of Planning, I hereby:

Approve with Conditions a Certificate of Appropriateness for the demolition of an 2,415 square foot non-original commercial building, the construction of a 22,674 square foot, 16-unit residential apartment building on a Contributing lot, and the restoration of the existing approximately 108 square foot historic gas station building.

The project approval is based upon the attached Findings, and subject to the attached Conditions of Approval:

CONDITIONS OF APPROVAL

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit A," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, West/South/Coastal Project Planning Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code or the project conditions.
2. **Residential Density (Density, Base Incentive).** The project shall be limited to a maximum of 16 units per Exhibit "A".
3. **Affordable Units.** A minimum of 2 units shall be reserved as affordable units for Extremely Low Income Households, as defined in Section 50106 of the California Health and Safety Code for a period of 55 years.
4. **Changes in Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units or change parking numbers shall be consistent with LAMC Section 12.22 A.31.
5. **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"). The covenant shall bind the owner to two (2) units available to Extremely Low Income Households 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 set aside affordable units may be adjusted, consistent with LAMC Section 12.22-A.31, to the satisfaction of LAHD, and in consideration of the project's Replacement Unit Determination per the Housing Crisis Act SB330 and SB8. Enforcement of the terms of said covenant shall be the responsibility of LAHD. The Applicant will present 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 any monitoring requirements established by the LAHD. Refer to the Transit Oriented Communities Affordable Housing Incentive Program Background and Housing Replacement Determination Background sections of this determination.

6. **Floor Area Ratio (FAR, Base Incentive).** The project shall be limited to a maximum floor area ratio of 2.175:1 and shall not exceed 22,674 square feet of Floor Area per Exhibit A, sheet A005.
7. **Yards/Setbacks (Additional Incentive).** The easterly and westerly side yard setbacks shall be no less than five feet per Exhibit A, sheet A005.
8. **Rear Yard Setback (Additional Incentive).** The southerly rear yard setback shall be no less than fifteen feet, including the half width of the adjacent alley, per Exhibit A, sheet A005.
9. **Height Limit (Additional Incentive).** The project shall be limited to a maximum height of 56 feet.
10. **Transitional Height Limit (CPIO)** The project shall adhere to transitional height requirements per the South LA CPIO, Section II-2 A.2(b), which are in effect for the first 25 feet of depth as measured from the property line of lots in the more restrictive zone. Specifically, this includes the RD2-1 zoned lots to the west (across the alley) and the RD1.5-1 zoned lots abutting the site to the south.
11. **Residential Automobile Parking (Base Incentive).** The project is located within a half-mile of a major transit stop and qualifies for AB 2097, which prohibits public agencies or cities from imposing a minimum automobile parking. The project is electing to provide 0 parking spaces.
12. **Residential Bicycle Parking.** The project shall provide 18 residential bicycle parking spaces, 16 long-term and two short-term, on-site in accordance with LAMC 12.21A.16.
13. **Street Tree.** Street trees shall be provided to the satisfaction of the Urban Forestry Division. Street trees may be used to satisfy on-site tree requirements pursuant to LAMC Article Section 12.21 .G.3 (Chapter 1, Open Space Requirement for Six or More Residential Units). The project will provide six (6) street trees per Exhibit A, Sheet **LP-1**.
14. **Landscape Plan.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning. The landscape plan shall indicate landscape points for the project equivalent to 10% more than otherwise required by LAMC 12.40 and Landscape Ordinance Guidelines "O".
15. **Color and Materials.** The project shall utilize the colors and materials identified on "Exhibit A", Sheets A200 and A201.

16. **Community Plan Implementation Overlay.** Prior to the issuance of a building permit, the applicant shall demonstrate compliance with the South Los Angeles Community Plan Implementation Overlay (CPIO) pursuant to Ordinance No. 18927.

Administrative Conditions

17. The use and development of the subject property shall be in substantial conformance with this approval and the plans submitted by the applicant, signed and dated by staff and attached to the case file as **Exhibit A**. Any changes to the project or these plans shall be approved by the Director of Planning and may require additional review by the HPOZ Board. Each change shall be identified and justified in writing. Modified plans shall be signed and dated by staff and attached to the case file as **Modified Exhibit A**, etc.
18. *Prior to the issuance of a building permit*, the applicant shall submit the two final sets of architectural/construction drawings that have been reviewed by LADBS plan check engineers, as well as two additional sets of architectural drawings for final review and approval by Department of City Planning staff (four sets of plans total). Final drawings shall substantially resemble the Approved Exhibit (or any subsequent Modified Exhibits) and shall be stamped and dated by staff and attached to the case file as **Final Plans**.
19. *Prior to the issuance of a building permit*, the following statement shall be imprinted on the site plan, floor plan, elevations and any architectural detail sheets of any construction drawings submitted to the Department of Building and Safety:

NOTE TO PLAN CHECKER AND BUILDING INSPECTOR - These plans, including conditions of approval, shall be complied with and the height, size, shape, location, texture, color, or material shall not differ from what the Director of Planning has approved under DIR-2023-1984-TOC-COA-HCA. Any change to the project shall require review by the Director of Planning and may require additional review by the Historic Preservation Overlay Zone (HPOZ) Board. A request for variation shall be submitted in writing and include a specific notation of the variation(s) requested. Should any change be required by a public agency then such requirement shall be documented in writing.

20. **Notations on Plans.** Plans submitted to the Department of Building and 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.
21. **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.
22. **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.
23. **Department of Building and 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 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.

24. **Compliance.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
25. **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.
26. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
27. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- i. 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.
- ii. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, 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.
- iii. 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 (ii).
- iv. 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 (ii).

- v. 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.

PROJECT BACKGROUND

The subject site is located at 1500 West Adams Boulevard. Adams Boulevard defines the northern boundary of the site, with the eastern edge bounded by Catalina Street. The western edge of the site abuts another parcel with the same C2-1VL-O-HPOZ-CPIO zone, while the southern edge abuts a lot zoned R2-1-O-HPOZ. The lot is zoned C2-1VL-O-HPOZ-CPIO with a land use designation of Neighborhood Commercial. There is a vacant automotive repair shop on the site. The site itself is devoid of vegetation.

The 10,475 square foot site is currently developed with an approximately 108 square-foot single-story historic gas station building that is a Contributing Feature in the Adams-Normandie Historic Preservation Overlay Zone. The historic gas station building, located approximately 25 feet south of West Adams Boulevard and 15 feet west of South Catalina Street, was originally constructed in 1934. At the time of the January 1999 Historic Resource survey, no major alterations were found at the property and the property was designated as a Contributor in the HPOZ owing to its unique location or singular physical characteristics, it represented an established feature of the neighborhood, community, or city. The site is also developed with an approximately 2,415 square foot single-story automotive commercial building constructed in 1960, which is located at the southern portion of the site. This structure was not noted as part of the lot's historic character or significance at the time of the January 1999 Historic Resources survey. Existing landscape

features at the site are a surface parking lot, a palm tree at the northwestern portion of the lot, and metal fencing along all property lines.



Image 1: 1500 West Adams Boulevard taken from the January 1999 Adams-Normandie Historic Resources Survey.



Image 2: 1500 West Adams Boulevard, Google Street View January 2023

The proposal is for a residential, 4-story, TOC project that includes 16 residential units, inclusive of two Extremely Low Income units. Open space areas consist of a 2,414 square foot, landscaped, roof deck, a 626 square foot recreation room, and 100 square feet divided among two private patios. The ground floor includes a mail room, recreation room, stairwell and elevator core. A historical pumping station will be rehabilitated and incorporated as part of the entry lobby. The remainder of the first floor is devoted to trash/recycling, mechanical, electrical, and storage rooms. There is no vehicular access to the site, as the project is electing to provide no parking per AB 2097. The building will contain six studios, 40 one-bedroom units, and one (one-bedroom) ADU per Exhibit A, sheet G0.14.

The project consists of the construction of an approximately 22,674 square foot, 16-unit residential apartment building, and the restoration of the existing historic gas station building on the lot. The proposed apartment building will be approximately 129 feet and five inches long, 57 feet and eight inches wide, and 54 feet and nine inches tall. The building will have an asymmetric massing, with step-ins on the north and south elevations, as well as a step-in at the northeast corner of the structure. The apartment building will be clad in a combination of brick veneer and stucco and will have rectilinear vinyl windows with a vertical orientation and a fenestration pattern organized into columns. There will be no on-site parking provided and no vehicular access provided to the site, but will provide 16 on-site bike parking spaces located in an internal bike storage room. The proposed apartment building will also feature a 2,414 square foot landscaped roof deck, a 626 square foot recreation room, and 100 square feet divided among two private patios for open space. The existing historic gas station building will be retained in its existing location and will be repaired as needed, and have its materials damaged beyond repair replaced in-kind. Non-original elements of the building, such as windows and paneling, will be removed and replaced with elements identical to the historic materials on the structure.

Zoning and Land Use Designation

The project site is designated for Neighborhood Commercial land uses, with corresponding zones of C1, C1.5, CR, C2, C4, R3, RAS3. The site is zoned C2-1VL-O-HPOZ-CPIO, and is consistent with the land use designation. C2-1VL-O-HPOZ-CPIO Zone allows a residential density of one unit per 400 square feet of lot area. In combination with Height District No. 1VL, this allows for a maximum building height of 45 feet and an FAR of 1.5:1 on the subject site. The site is also located within a Housing Element Inventory of Sites (ZI File No. 2512), the State Enterprise Zone (ZI File No. 2374), the South Los Angeles Alcohol Sales Specific Plan (ZI File No. 1231), the South Los Angeles Community Plan Implementation Overlay (ZI File No. 2848), and the Adams-Normandie HPOZ (ZA File No. 2440).

Surrounding Land Uses

The subject site is in an urbanized area along a section of West Adams Boulevard, between Catalina and Juliet Streets, in an active corridor with mixed commercial and residential uses. The site itself consists of one parcel at the southwest corner of Adams Boulevard and Catalina Street zoned commercial (C2-1VL-O-HPOZ-CPIO). Corner properties to the east and north of the site, across Adams Boulevard and Catalina Street, share the same C2-1VL-O-HPOZ-CPIO zone, and are developed with storefront businesses and multi-family residences. Properties to the south, zoned R2-1-O-HPOZ, are developed with two-story single-family residences. Properties to the east, across Catalina Street, are developed with a four-story multi-family residential complex.

The Adams-Normandie HPOZ is a district of over 700 parcels developed with single-family residences and commercial buildings with retail and offices along Vermont and Washington Avenue, built during the late 19th century through to the 1930s. This area is notable for the large concentration of turn of the century homes. Other architectural styles of the HPOZ represent the transition from Victorian era styles of the late 1800s to the Arts and Crafts aesthetic of the early 1900s. Adams-Normandie features several large groupings of Shingle and Craftsman style residences. The Van Buren Place Historic District, listed in the National Register of Historic Places, is located in the heart of the HPOZ. The Adams-Normandie HPOZ district was formally adopted as an HPOZ in August 2000. Physical changes to the exterior of a property are required to be reviewed by the appointed Adams-Normandie HPOZ Board and/or Department of City Planning Staff, pursuant to the provisions of Los Angeles Municipal Code Section 12.20.3.

Streets and Circulation

Adams Blvd, adjoining the subject site to the north, is designated by the Mobility Plan as a Avenue I with a designated right-of-way width of 100 feet and roadway width of 70 feet, and is improved with a curb, gutter and sidewalk.

Catalina Street, adjoining the subject site to the north, is designated by the Mobility Plan as a Local Street – Standard with a designated right-of-way width of 60 feet and roadway width of 36 feet, and is improved with a curb, gutter and sidewalk.

Public Transit

The subject site is located within one-half mile of a Major Transit Stop located at the intersection of Adams Boulevard and Vermont Avenue. This stop is served by Los Angeles County Metropolitan Transit Authority (“Metro”) 14, 37 and 754 bus lines.

TRANSIT ORIENTED COMMUNITIES AFFORDABLE HOUSING INCENTIVE PROGRAM BACKGROUND

The project qualifies for the Transit Oriented Communities (“TOC”) Affordable Housing Incentive Program, which allows a variety of incentives for increased density, height, and floor area, among others, for Eligible Housing Projects. Measure JJJ was adopted by the Los Angeles City Council and established the TOC Affordable Housing Incentive Program. The measure required that the Department adopt a set of TOC Guidelines, which establish incentives for residential or mixed use projects located within ½ mile of a major transit stop, as defined under existing State law.

The TOC Guidelines, adopted September 22, 2017 and amended on February 26, 2018, establish a tier-based system with varying development bonuses and incentives based on a project’s distance from different types of transit. The largest bonuses are reserved for those areas in the closest proximity to significant rail stops or the intersection of major bus rapid transit lines. Required affordability levels are increased incrementally in each higher tier. The incentives provided in the TOC Guidelines describe the range of bonuses from particular zoning standards that applicants may select.

The subject site is located approximately 850 feet from the intersection of the Metro 754 and 14 Bus, and is eligible as a Tier 2 development in the Transit Oriented Communities Affordable Housing Incentive Program Guidelines, as indicated on the TOC Referral Form dated January 25, 2023. The project site at 1500 W. Adams Boulevard is in a Tier 2 area.

The project is eligible for the following Tier 2 Base Incentives, which are granted by-right for eligible TOC projects:

- a. **Density.** The maximum allowable number of dwelling units may be increased by up to 25 percent.

The site is zoned C2-1VL-O-HPOZ-CPIO and CPIO Section III-1 B allows for a maximum residential density of one dwelling unit per 400 square feet of lot area. The lot area is approximately 10,425 square feet, for a maximum base density of 27 units using the lot area standards of the C2 and CPIO zone. The TOC Guidelines round base density up to the next whole number. The maximum allowed density for the subject site under the Tier 2 Incentive for density is 44 units. The project is proposing 16 units, which is consistent with the allowable density under the TOC Guidelines.

- b. **Floor Area Ratio.** Percentage increase of up to 45 percent.

In the C2 Zone in Height District 1VL, the Los Angeles Municipal Code provides for a maximum FAR of 1.5:1. Because this project is located within an Overlay District (the South Los Angeles CPIO), it is subject to a 45% FAR increase limitation from the 1.5:1 FAR base. Los Angeles Municipal Code Section 12.03 states, “Buildable Area” is, “all that portion of a lot located within the proper zone for the proposed main building, excluding those portions of the lot which must be reserved for yard spaces, building line setback space, or which may only be used for accessory buildings or uses.” The area of the subject site is 10,425 square feet for a maximum by-right Floor Area of 15,638 square feet. This results in a total increase of 2.175:1 FAR, or 22,674 square feet. The proposed project is designed at a 2.17:1 FAR, or 22,664 square feet.

- c. **Residential Parking.** Parking for all residential units in an Eligible Housing Development for a Tier 1 project shall not be required to exceed 1 space per unit. Per TOC Tier 1 Base Incentives, the required parking for this project is a minimum of 16 (non-tandem) parking

spots. Because of its location within one half mile of a major transit stop, the project is eligible for AB 2097 incentives. This project is providing 0 parking spots in total per AB 2097.

Pursuant to the TOC Guidelines, the project is eligible for three, and has been granted three Additional Incentives to construct the proposed project:

- a. **RAS3 Setback.** In any Commercial zone, Eligible Housing Developments may utilize any or all of the yard requirements for the RAS3 zone per LAMC 12.10.5. For Tier 2 areas, the TOC incentive for side and rear yard reductions allows up to a 25 percent reduction in the required width or depth of two individual yards or setbacks.

In the C2 Zone, for a building more than two stories in height, the five-foot side yards are required to be increased by one foot for each additional story above the second story. The proposed project therefore has a 7-foot side yard requirement. A similar principal applies for the rear yard, where one foot for each additional story above the third is added. For this four story project, one foot is added to the base of 15 feet, making for a required rear yard of 16-feet.

The property is not utilizing a reduction in the front yard and maintains a 5-foot easterly setback, consistent with the front yard setback and South LA CPIO requirements.

The project proposes five-foot side yards (easterly and westerly) consistent with the TOC Guidelines. These side yards reflect a reduction of two feet at five feet in lieu of the otherwise required seven feet. In the C2 Zone, a 16-foot rear yard is required. The project is providing a fifteen-foot rear yard, consistent with the TOC RAS3 Yards reduction incentive.

The Rear and Side yard Reductions count as three incentives in Tiers 1 and 2.

- b. **Height:** An 11-foot increase in building height, allowing a maximum building height of 56 feet in lieu of the maximum 45-feet otherwise allowed per the C2-1VL-O-HPOZ-CPIO zone;

The tables below provide a summary of the relevant and underlying LAMC provisions for the subject property and requested TOC Base and Additional Incentives:

Base Incentives:

Incentives	LAMC/Specific Plan	TOC Guidelines	Proposed
Base Density	27 units	44 units	16 units
FAR	1.5:1 (per CPIO)	2.175	2.17
Residential Parking Spaces	32	1 Spaces per unit (50% reduction) 16	0 (AB 2097)

Additional Incentives:

Incentives	LAMC/Specific Plan	TOC Guidelines	Proposed
RAS3 Setback, E/W Side	7'	5'	5' (East) 5' (West)
RAS3 Setback, Rear (South)	16'	15'	15'

Height	45'	56'	56'
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HOUSING REPLACEMENT (SB 330 DETERMINATION)

On October 9, 2019, the Governor signed into law the Housing Crisis Act of 2019 (SB 330). SB 330 creates new state laws regarding the production, preservation, and planning for housing, and establishes a statewide housing emergency until January 1, 2025. During the duration of the statewide housing emergency, SB 330, among other things, creates new housing replacement requirements for Housing Development Projects by prohibiting the approval of any proposed housing development project on a site that will require the demolition of existing residential dwelling units or occupied or vacant "Protected Units" unless the proposed housing development project replaces those units. The (LAHD) has determined, per the Housing Crisis Act of 2019 (SB 330) Replacement Unit Determination, dated April 21, 2022, that "the Property has been vacant or has been used for commercial purposes. Therefore, the proposed housing development does not require the demolition of any prohibited types of housing. Further, the provisions of SB 330 do not apply to commercial/vacant properties, therefore no SB 330 replacement affordable units are required."

TRANSIT ORIENTED COMMUNITIES AFFORDABLE HOUSING INCENTIVE PROGRAM ELIGIBILITY REQUIREMENTS

To be an eligible TOC Housing Development, a project must meet the Eligibility criteria set forth in Section IV of the TOC Guidelines. A Housing Development located within a TOC Affordable Housing Incentive Area shall be eligible for TOC Incentives if it meets all of the following requirements, which it does:

1. **On-site Restricted Affordable Units.** *In each Tier, a Housing Development shall provide On-Site Restricted Affordable Units at a rate of at least the minimum percentages described below. The minimum number of On-Site Restricted Affordable Units shall be calculated based upon the total number of units in the final project:*
 - a. *Tier 1 - 8% of the total number of dwelling units shall be affordable to Extremely Low Income (ELI) Households, 11% of the total number of dwelling units shall be affordable to Very Low (VL) Income Households, or 20% of the total number of dwelling units shall be affordable to Lower Income Households.*
 - b. *Tier 2 - 9% ELI, 12% VL or 21% Lower.*
 - c. *Tier 3 - 10% ELI, 14% VL or 23% Lower.*
 - d. *Tier 4 - 11% ELI, 15% VL or 25% Lower.*

The project site is located within Tier 2. Tier 2 requires at least 9 percent of the 16 total units, or two (2) units, to be set aside for Extremely Low Income Households. The project reserves two (2) units for Extremely Low Income Households. As such, the project meets the eligibility requirement for On-Site Restricted Affordable Units.

2. **Major Transit Stop.** *A Housing Development shall be located on a lot, any portion of which must be located within 2,640 feet of a Major Transit Stop, as defined in Section II and according to the procedures in Section III.2 of the TOC Guidelines:*

A Major Transit Stop is a site containing a rail station or the intersection of two or more bus routes with a service interval of 15 minutes or less during the morning and afternoon peak commute periods. The subject site is located within 850 feet from the intersection of

Adams Boulevard and Vermont Avenue. This stop is served by Los Angeles County Metropolitan Transit Authority (“Metro”) 14, 37 and 754 bus lines. As such, the project qualifies as a Tier 2 development in the Transit Oriented Communities Affordable Housing Incentive Program Guidelines, as indicated on the TOC Referral Form dated January 25, 2023. Therefore, the project meets the eligibility requirement for proximity to a Major Transit Stop.

3. **Housing Replacement.** *A Housing Development must meet any applicable housing replacement requirements of California Government Code Section 65915(c)(3), as verified by the Los Angeles Housing Department (LAHD) prior to the issuance of any building permit. Replacement housing units required per this section may also count towards other On-Site Restricted Affordable Units requirements.*

Pursuant to the Determination made by the Los Angeles Housing Department (LAHD) dated April 21, 2022, SB 330 determined that there are no protected units needing to be replaced with equivalent type.

4. **Other Density or Development Bonus Provisions.** *A Housing Development shall not seek and receive a density or development bonus under the provisions of California Government Code Section 65915 (State Density Bonus law) or any other State or local program that provides development bonuses. This includes any development bonus or other incentive granting additional residential units or floor area provided through a General Plan Amendment, Zone Change, Height District Change, or any affordable housing development bonus in a Transit Neighborhood Plan, Community Plan Implementation Overlay (CPIO), Specific Plan, or overlay district.*

The project does not seek any additional density or development bonuses under the provisions of the State Density Bonus Law or any other State or local program that provides development bonuses, including, but not limited to a General Plan Amendment, Zone Change, Height District Change, or any affordable housing development bonus in a Transit Neighborhood Plan, Community Implementation Overlay (CPIO), Specific Plan, or overlay district. As such, the project meets this eligibility requirement.

5. **Base Incentives and Additional Incentives.** *All Eligible Housing Developments are eligible to receive the Base Incentives listed in Section VI of the TOC Guidelines. Up to three Additional Incentives listed in Section VII of the TOC Guidelines may be granted based upon the affordability requirements described below. For the purposes of this section below, “base units” refers to the maximum allowable density allowed by the zoning prior to any density increase provided through these Guidelines. The affordable housing units required per this section may also count towards the On-Site Restricted Affordable Units requirement in the Eligibility Requirement No. 1 above (except Moderate Income units).*
 - a. *One Additional Incentive may be granted for projects that include at least 4% of the base units for Extremely Low Income Households, at least 5% of the base units for Very Low Income Households, at least 10% of the base units for Lower Income Households, or at least 10% of the base units for persons and families of Moderate Income in a common interest development.*
 - b. *Two Additional Incentives may be granted for projects that include at least 7% of the base units for Extremely Low Income Households, at least 10% of the base units for Very Low Income Households, at least 20% of the base units for Lower Income Households, or at least 20% of the base units for persons and families of Moderate Income in a common interest development.*

- c. *Three Additional Incentives may be granted for projects that include at least 11% of the base units for Extremely Low Income Households, at least 15% of the base units for Very Low Income Households, at least 30% of the base units for Lower Income Households, or at least 30% of the base units for persons and families of Moderate Income in a common interest development.*

The project is eligible for two (2) Additional Incentives and is utilizing the RAS3 incentive (reduced side and rear yard setbacks). It is proposing an overall unit total that is less than the number of units allowed by right. The project proposes to set aside two (2) dwelling units for Extremely Low Income Households. Per the TOC referral form signed on January 25, 2023, the project meets the eligibility requirement for two Additional Incentives.

- 6. Projects Adhering to Labor Standards.** *Projects that adhere to the labor standards required in LAMC 11.5.11 may be granted two Additional Incentives from the menu in Section VII of these Guidelines (for a total of up to five Additional Incentives).*

The project is only requesting three Additional Incentive and not five Additional Incentives. Therefore, the project is not required to adhere to the labor standards required in LAMC 11.5.11.

- 7. Multiple Lots.** *A building that crosses one or more lots may request the TOC Incentives that correspond to the lot with the highest Tier permitted by Section III of the TOC Guidelines.*

The project site at 1500 West Adams Boulevard is located entirely within a Tier 2 area. As such, the project may only request TOC incentives that correspond with a Tier 2 TOC Affordable Housing Incentive Area.

- 8. Request for a Lower Tier.** *Even though an applicant may be eligible for a certain Tier, they may choose to select a Lower Tier by providing the percentage of On-Site Restricted Affordable Housing units required for any lower Tier and be limited to the Incentives available for the lower Tier.*

The applicant has not elected to utilize a Lower Tier. As such, this eligibility requirement does not apply.

- 9. 100 Percent Affordable Housing Projects.** *Buildings that are Eligible Housing Developments that consist of 100% On-Site Restricted Affordable units, exclusive of a building manager's unit or units shall, for purposes of these Guidelines, be eligible for one increase in Tier than otherwise would be provided.*

The project is not a 100% Affordable Housing Project. As such, this eligibility requirement does not apply.

FINDINGS

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

Pursuant to LAMC Section 12.22 A.31(e) of the LAMC, the Director shall review a Transit Oriented Communities (TOC) Affordable Housing Incentive Program project application in accordance with the procedures outlined in LAMC Section 12.22 A.25(g).

1. Pursuant to section 12.22 A.25(g) of the LAMC, the Director shall approve a density bonus and requested incentives unless the Director finds that:

- a. **The incentives are not required** to provide for affordable housing costs for rents for the affordable units.

The record does not contain 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. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed a predetermined percentage of income based on area median income thresholds dependent on affordability levels.

The list of additional on-menu incentives in LAMC 12.22 A.25 Transit Oriented Communities Guidelines was pre-evaluated at the time the Transit Oriented Communities Ordinance was adopted to include types of relief that minimize restrictions on the size of the project. As such, the Director will always arrive at the conclusion that the TOC density bonus on-menu incentives are required to provide for affordable housing costs because the incentives by their nature increase the scale of the project.

RAS 3 Yard Reductions: The C2-1VL-O-HPOZ-CPIO zone requires 7-foot side yard setbacks and a 16-foot rear yard setback. As part of the incentive program for this housing development, the project is eligible to include three additional incentives, of which these yard reductions are one. The project is allowed side yard reductions to allow for 5-foot side yards in lieu of the 7-foot side yards required by the C2-1VL-O-HPOZ-CPIO zone. The project is also allowed a rear yard reduction to allow a 15-foot rear yard in lieu of the 16-foot rear yard required by the C2-1VL-O-HPOZ-CPIO. This required yard reduction incentive is necessary to expand the project's building envelope so that the restricted affordable units can be constructed, and the overall space dedicated to residential units is increased. This incentive supports the Applicant's decision to set aside two (2) on-site restricted affordable dwelling units accessible to Extremely Low Income households for 55 years.

Height Increase: The C2-1VL-O-HPOZ-CPIO zone imposes a 45-foot base height, with a maximum of four stories, for this project. As part of the incentive program for this housing development, the project is eligible to include additional incentives to allow an 11 foot increase in height, or one additional story. As the project is proposed to be 56 tall, the increase is solely to allow for an additional fifth story. This additional incentive is necessary to expand the building envelope so that the restricted affordable units can be constructed and the overall space dedicated to residential units is increased. This incentive supports the Applicant's decision to set aside two (2) on-site restricted affordable dwelling units accessible to Extremely Low Income households for 55 years.

- b. **The incentive will have specific adverse impact upon public health and safety or on 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 Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.**

There is no substantial evidence in the record that the proposed incentive(s) will have a specific adverse impact. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22 A.25(b)). As required by Section 12.22 A.31(b)(1), the project meets the eligibility criterion that is required for Transit-Oriented Communities projects. Although the project does involve a contributor to a designated Historic Preservation Overlay Zone, the project will not cause a substantial adverse change in the significant of the historical resource currently on the site, as detailed in the Certificate of Appropriateness findings section of this report. The project is also not on the City of Los Angeles list of Historical-Cultural Monuments. The project is not located on a substandard street in a Hillside area or a Very High Fire Hazard Severity Zone. There is no evidence in the record which identifies a written objective health and safety standard that has been exceeded or violated. Based on the above, there is no basis to deny the requested incentives. Therefore, there is no substantial evidence that the proposed incentive(s) will have a specific adverse impact on public health and safety. Based on all of the above, there is no basis to deny the requested incentive.

CERTIFICATE OF APPROPRIATENESS FINDINGS

Pursuant to Section 12.20.3 - "HP" HISTORIC PRESERVATION OVERLAY ZONE (HPOZ) of the Los Angeles Municipal Code (LAMC) and the Adams-Normandie HPOZ (Ordinance No. 173402), the Department of City Planning has determined that the subject project (as outlined below) does conform to the intent and purposes of the provisions of Section 12.20.3 and the applicable regulations, standards and provisions of the HPOZ code.

A. 12.20.3 K.3(a) and 12.20.3 M – Recommendations from the Adams-Normandie HPOZ Board and the Cultural Heritage Commission, and Notice and Public Hearing:

After ten (10) days of public notice, the Adams-Normandie HPOZ Board met on August 10, 2023 and conducted a public hearing on the proposed project, pursuant to LAMC Section 12.20.3 M: Notice and Public Hearing. The HPOZ Board, with a four-member quorum, unanimously recommended denial of the project. No comments were received at the hearing in support of the project and three comments were received in opposition to the project. One comment letter was received, which was in opposition to the proposed project.

On August 2, 2023 the Cultural Heritage Commission designee recommended approval of the project as-is, citing general compliance with the adopted Preservation Plan and the Secretary of the Interior's Standards.

The HPOZ Board and the CHC designee have provided recommendations on the subject application. The subject application is therefore consistent with the procedures of Section 12.20.3 K of the LAMC.

- B. 12.20.3 K.4(c) – Standards for Issuance of Certificate of Appropriateness for Construction, Addition, Alteration, or Reconstruction as it relates with the adopted Preservation Plan.

The proposed project, as conditioned in this Determination, substantially complies with LAMC Section 12.20.3 K.4(c) because it complies with the Adams-Normandie Preservation Plan approved by the City Planning Commission for the Preservation Zone.

Chapter 10 - Commercial Rehabilitation

10.2 Site Design and 10.3 storefronts, signs and awnings

10.2.7. Building entrances should be kept at a human scale and should be oriented toward the street. The relocation of entrances to alleys or parking lots is generally inappropriate.

10.3.1. Historic commercial entryways should be preserved, both in their form and their individual components.

The entrance of the existing historic gas station structure, consisting of a 4'-4"x8'-3" sliding metal glazed door is at a human scale in relation to the 10'-8" height of the structure, and it is oriented toward W. Adams Blvd. at the front of the property. The entryway and door shall be preserved, and no additional entrances will be added to the structure. Any components requiring replacement will be replaced in kind, matching the materials, dimensions, and glazing of the original.

10.3.2. If windows or doors on an historic storefront must be replaced, they should be replaced in kind, matching the materials, dimensions, and glazing of the originals.

10.3.3. If an original storefront or its details are missing, replace them with new details in the same design as the originals if the original design is known. If the design is not known, the design of the storefront or storefront details should be compatible with the size of the opening, and the style of the building. There are usually design queues that can be drawn for other nearby historic buildings that may assist with the reconstruction of a storefront.

10.3.4. The transparency of first floor storefront and transom windows should be maintained. Painting or mirroring storefront or transom windows or entry door glazing is inappropriate.

10.3.5. Filling in historic storefronts, or altering them with smaller openings is inappropriate, regardless of the internal use.

No storefront details are missing from the historic gas station structure. Any details that are determined to be damaged beyond repair will be replaced in-kind. The storefront will not be altered. Paint will be removed from a portion of the storefront windows.

10.3.6. Fixed bars or prominent roll-down gates are inappropriate on historic storefronts. Security grilles and their housing, when used, should be on the interior of a structure, or if mounted to the exterior should be completely concealed from view during open hours. Window film that protects the window from vandalism while maintaining transparency is encouraged.

10.3.7. Signs should be designed and placed in such a way that is consistent with the size and style of a building and that does not conceal or diminish the architectural features of that building. If a storefront includes a raceway for signs, then any new wall signs should

be confined to this area. If signs were historically mounted to a structural canopy, or included on awnings, then new signs should replicate this pattern.

10.3.8. Externally illuminated signs are generally preferred when illumination is to be used at all. If internal illumination can be found to be appropriate, reverse-cut channel letters or neon are preferred. Internally illuminated channel letters and cabinet or box style signs are generally inappropriate.

10.3.9. External signage should not be installed over storefront windows, doors, or transom areas.

10.3.10. Internal signage that substantially blocks the transparency of storefront windows is inappropriate.

10.3.11. Awnings should be similar in materials, design, and operation to those used historically. Most often awnings would provide breaks where the building provides structural bays. Internally illuminated awnings and vinyl awnings are generally inappropriate.

No bars, gates, grilles, signs or awnings currently exist on the historic gas station structure, and none are proposed to be added.

10.4 Windows and Doors

10.4.1. Preserve the materials and design of historic openings and their surrounds, including hardware.

10.4.2. The historic pattern of openings on a façade should be maintained.

10.4.3. The size and proportions of historic openings on a façade should be maintained.

10.4.4. Filling in or altering the size of historic openings, especially on primary facades, is inappropriate.

10.4.5. Adding new openings to historic facades, especially on primary facades, is also inappropriate.

10.4.6. Repair windows or doors wherever possible instead of replacing them.

10.4.7. When replacement of windows or doors is necessary, replacement windows or doors should match the historic windows or doors in size, shape, arrangement of panes, materials, hardware, method of construction, and profile.

10.4.8. Replacement windows or doors on the rear of side facades and the rear facade may vary in materials and method of construction from the historic windows or doors, although the arrangement of panes, size, and shape should be similar.

10.4.9. If a window or door is missing entirely, replace it with a new window in the same design as the original if the original design is known. If the design is not known, the design of the new window should be compatible with the size of the opening, and the style of the building.

The north (front) elevation of the historic gas station structure features two 3'-6"x5'-5" steel sliding four-lite fixed windows and one 4'-4"x8'-3" sliding metal glazed door which will be restored. The east (side) elevation features one 3'-6"x5'-5" steel sliding four-lite fixed window which will be restored, and a non-original sliding window which will be removed. The west (side) elevation features one non-original sliding window, which will be replaced with two 3'-6"x5'-5" steel sliding four-lite fixed windows, matching the original windows existing on the north and east elevations. The south (rear) elevation has two non-original windows and a non-original door opening which will be removed and replaced with steel panels matching the existing. Any portions of original windows and doors that cannot be restored will be replaced in-kind, maintaining the existing size, shape, arrangement of panes, materials, hardware, method of construction and profile. All original and replacement window will be single-glazed with true divided lites.

10.4.10. Fixed bars or prominent roll-down gates are inappropriate on historic storefronts. Security grilles and their housing, when used, should be on the interior of a structure, or if mounted to the exterior should be completely concealed from view during open hours. Window film that protects the window from vandalism while maintaining transparency is encouraged.

10.4.11. Burglar or safety bars that are not original to an historic structure should not be installed on facades that can be seen by the public.

10.4.12. Bars or grillwork that is original to the structure should be retained.

No bars, gates, grilles, signs or awnings currently exist on the historic gas station structure, and none are proposed to be added.

10.5 Roofs

10.5.1. Preserve the historic roof form.

10.5.2. Preserve the historic eave depth or cornice design.

10.5.3. Historic cornice detail should be preserved in place whenever possible.

10.5.4. If historic cornice detail must be removed, it should be replaced with details that match the originals in design, dimensions, and texture.

10.5.6. Replacement roof materials on visible roofs should convey a scale, texture, and color similar to those used originally when original materials are not available.

10.5.7. Dormers should not be added or removed from historic rooflines.

10.5.8. Rooftop additions should be located to the rear of the structure and designed so as to minimize their impact on visible roof form.

The existing roof of the historic gas station structure is flat and features no eaves, cornice or dormers. The roof will be preserved and restored, and no dormers or additions will be added to it.

10.6 Architectural Details

10.6.1. Preserve original architectural details.

10.6.2. Deteriorated materials or features should be repaired in place, if possible.

10.6.3. When it is necessary to replace materials or features due to deterioration, replacement should be in kind, matching materials and design.

10.6.4. When original details have been lost and must be replaced, designs should be based on historic photographic evidence. If no such evidence exists, the design of replacement details should be based on a combination of physical evidence (indications in the structure itself) and evidence of similar elements on commercial structures of the same architectural style in the neighborhood.

10.6.5. Materials, such as masonry, that were not originally painted should remain unpainted.

10.6.6. Original building materials and details should not be covered with stucco or other materials. If stucco is resurfaced, care should be taken that details are not lost.

The historic gas station structure has minimal architectural details, which include a stepped-in roof, protruding beams and corner posts, and modular metal panels. All details shall be preserved. Any details requiring replacement due to deterioration will be replaced in-kind, with matching materials and design. No portion of the structure will be covered with stucco or any other material. Though the restoration will not be executed on-site, the structure will be disassembled and taken off-site, where it will be restored and repaired, with its damaged features replaced, and then stored until it can be reassembled on-site. Given the structure's diminutive 124 square-foot size and the simplicity of its construction, this process appears to be appropriate.

10.7 Building Materials

10.7.1. Original building materials should be preserved whenever possible.

10.7.2. Repairs through consolidation or “patching in” are preferred to replacement.

10.7.3. If replacement is necessary, replacement materials should match the original in material, scale, finish, details, profile, and texture.

10.7.4. Replacement materials that will match the original in appearance should be considered when original materials are unavailable or too costly.

10.7.5. Building materials that were not originally painted should not be painted.

10.7.6. Original building materials should not be covered with vinyl, stucco, or other finishes.

10.7.7. If resurfacing of a stucco surface is necessary, the surface applied should match the original in texture and finish.

The historic gas station structure is constructed of steel. Original materials will be preserved. When replacement is necessary due to deterioration, the replacement material will match the original material, and no materials will be covered with vinyl, stucco or any other finishes. The structure will be painted to match existing.

Chapter 11 – Commercial Infill Guidelines

11.2. Location and Site Design

11.2.1. The facades of new structures in commercial areas should maintain the setback of existing historic structures along the street front. Where varying setbacks exist, new construction should attempt to function as a buffer by providing a variable setback.

11.2.3. New structures should be built to maintain the street wall, without side setbacks.

The subject property is located along a section of W. Adams Blvd. that does not have a defined street wall due to the area’s pattern of development. Because much of W. Adams Blvd. was originally developed with residential structures, there are inconsistent front and side yard setbacks between the original residential buildings and later commercial development.

The proposed structure will have a variable front setback, with the majority set back five feet, and approximately eleven feet of the northeastern corner set back an additional eight feet. This five-foot setback is not consistent with the setbacks of the other historic properties on the south side of the 1400 and 1500 blocks of W. Adams Blvd., which range from 20 feet to 45 feet. However, all but one of these properties were built as single-family residences. The front setback of the proposed structure is more consistent with the historic multi-story, multi-family structures on the north side of these blocks, like 1501 (zero-foot setback), 1503 (seven-foot setback) and 1475 (zero-foot setback) W. Adams Blvd.

Due to its location on the corner of S. Catalina St., the proposed structure will have a six-foot setback on its street-facing east (side) elevation. The setback on the west side will be five feet, which will be more consistent with the historic single-family residences located to the west. So while the project will contain side setbacks, these setbacks are minimal and consistent with the pattern of development on the block. Additionally, the five-foot western setback will ensure that the proposed structure respects the neighboring single-family residence.

11.2.2. New structures should reflect the traditional widths of historic structures in the area. If a structure is proposed that is wider than most individual historic structures along a street, the new structure should be broken into appropriately-sized modules.

This portion of W. Adams Blvd. consists of parcels of varying widths, with generally wider parcels on the south side of the street, like the 69 foot-wide 1502 W. Adams Blvd., and more narrow parcels on the north, like the 45 foot-wide 1503 W. Adams Blvd. While the 57'-8" width of the proposed subject structure is consistent with the widths of nearby historic multi-family structures like the 54'-0"-wide 1475 W. Adams Blvd., it is wider than others, such as the 45'-0"-wide 1501 W. Adams Blvd. However, the perceived bulk of the proposed structure will be minimized due to a 9'-3" deep fourth floor setback along approximately 16 feet of the western portion of the front elevation, leaving a perceived fourth floor width of approximately 40 feet. A slight variation between the fenestration patterns of the front elevation's east and west bays, including the lobby windows and entryway taking up the entire east bay, further differentiates the bays, mitigating the greater width of the proposed subject structure.

11.2.4. Building entrances should always be oriented toward the street.

The proposed structure will present its primary architectural façade and its primary entrance towards W. Adams Blvd. The structure's 16 residential units and the rec room, storage space and 18 bicycle parking spaces on the first floor will be accessed by a single street-facing door located at this entrance. This glass entrance door and the lobby windows will allow the existing historic gas station structure to be visible from the public right of way on both W. Adams Blvd. in the front and from S. Catalina St. on the side.

11.2.5. Parking areas and driveways should be located to the rear of commercial structures.

11.2.7. If new parking areas are to be created, these areas should be screened from public view by appropriate fencing or planting strips.

11.2.8. Entrances for commercial parking areas should be taken from alleys and side-streets to the greatest extent possible. When driveways along major streets are necessary, such driveways should be minimal in depth. In most cases, 20 feet should be the maximum for a two-way driveway.

The proposed structure will have no automobile parking, vehicular entrances or driveways. The 18 interior bicycle parking spaces will have interior access with no exterior entrances. Additionally, the proposed design will eliminate existing driveways and curb cuts on W. Adams Blvd and S. Catalina St.

11.3. Building Mass, Scale, and Form

11.3.1. New structures should maintain the average scale of historic structures within the area.

11.3.2. New structures should draw from surrounding historic structures in establishing an identifiable base, middle and top. Simple box forms with no vertical delineation are inappropriate.

11.3.3. New structures that are taller than existing historic commercial structures in the area should be designed to emphasize the existing cornice heights in the area.

11.3.4. The basic building form for new commercial structures should be a simple rectangular solid.

Existing historic multi-family structures on the 1400-1500 blocks of W. Adams Blvd. range in height from 26 to 46 feet, with the First AME Church at 1483 W. Adams Blvd. rising

approximately 55 feet to the roof ridge of the sanctuary and 95 feet to the top of the steeple. The roofline of the proposed four-story structure will measure 56 feet in height, with an additional 10 feet for the rooftop elevator enclosure. While this exceeds the average scale of nearby historic structures, the structure has been designed with setbacks, modulated massing, transitional heights and varying materials to minimize the overall scale and perceived bulk.

Modulated massing includes an 11'-2"x8'-1" setback on the northeast corner of the structure and a 16'-6.5"x9'-3" fourth floor setback on the northwest corner, which will reduce the portion of the front elevation bordering the front of the property, lessening the impact of its scale and massing. At the rear, the building will offer a substantial setback of approximately 15 feet from the rear property line at the first floor, and 25 feet at the third and fourth floors. The setback of the fourth and fifth floors will help to transition the massing of the proposed structure from the smaller, one and two-story residential structures at the rear. These setbacks also allow the basic building form of the proposed structure to be a simple rectangular solid without being a simple box form with no vertical delineation. Additionally, the rooftop elevator enclosure will be set approximately 58 feet back from the front elevation, reducing its impact on the view from W. Adams Blvd.

Though there is no differentiated top, the upper and lower portions of the proposed structure are differentiated through a change in siding materials. At the height of 26 feet and 2 inches, the brick siding of the first and second floors on the front façade facing W. Adams Blvd. will transition to stucco siding on the third and fourth floors. In addition to breaking up the boxy massing of the structure and minimizing its perceived bulk, this transition will also serve to emulate existing cornice heights within the district, minimizing its perceived height.

The brick and stucco siding will be further differentiated through their colors, with the brick being gray and the stucco being white. The lower portion of the façade will also feature the glass and metal lobby, which is designed to emulate a typical storefront.

The above-average scale of the proposed structure is allowed under the TOC Tier 2 designation of the subject site, which provides a 60% increase in density, a 45% increase in FAR, and a height of up to 56 feet.

11.3.5. New commercial structures should attempt to reflect the traditional commercial storefront widths in a historic commercial area.

Because the proposed structure is residential rather than commercial, there will be only one storefront, which will include the primary entrance and the windows to the lobby. It will measure approximately 28 feet in width. While this is wider than the typical historic storefront along Vermont Avenue in the Adams-Normandie HPOZ, this greater width is mitigated by a brick veneer column that separates it into two smaller modules.

11.3.6. A flat roof is the preferred roof form.

The new structure will utilize a flat roof, which is consistent with historic commercial structures in the Adams-Normandie HPOZ.

11.4. Materials and Details

11.4.1. Building materials should be similar to those used historically. A stucco commercial structure on a street comprised mainly of masonry commercial structures would be inappropriate.

11.4.4. The colors and dimensions of permanent finish materials, such as brick, tile, and stucco, should be similar to those used historically.

The proposed structure will utilize building materials that are found on commercial and residential structures within the Adams-Normandie HPOZ. This includes smooth stucco cladding located on the upper floors and brick veneer located on the lower floors. The dimensions of the brick and stucco are also similar to those used historically. Though constructed of vinyl, the windows will be dark in color, which will give the appearance of historically compatible materials like metal or wood.

[Proposed finish materials are mostly earth and neutral tones, which is consistent with historic material palettes within the HPOZ. The brick surfaces will be Belden Dark Range in a red/brown color and the stucco will be painted with Dunn Edwards paints in the DEW385 "Lighthouse" (off-white), DEC795 "Gray Pearl" (light gray), and the DE6370 "Charcoal Smudge" (dark gray) colors.]

11.4.2. Generally, architectural details should be arranged to emphasize the horizontal features of facades.

11.4.5. The use of architectural detail to break up the visual mass of outsized buildings is encouraged.

The proposed structure is designed with a clearly articulated base and middle, which establishes a strong horizontality throughout the structure. The horizontal features of the facades will be further emphasized by the elongated dimensions of the bricks covering the first and second floors, as well as the streamlined horizontal metal window canopy above the lobby, whose horizontality is increased by its extension beyond the east (side) elevation.

These details will also be used to break down the overall massing of the building. The massing will be further differentiated through the use of different, yet compatible, materials (stucco and brick) in different colors.

11.4.3. Architectural details should echo, but not exactly mimic, details found on historic facades.

11.4.5. Materials such as foam plant-ons, rough textured stucco, faux lentils, cornices or quoins, etc. are inappropriate.

The project proposes to echo, but not replicate, architectural details found on surrounding historic structures, including commercial storefronts, recessed multi-lite vertical windows, and bay windows. The commercial storefront will feature a recessed entryway, expansive windows and transom windows in the primary entryway, but will utilize contemporary metal frames, instead of the wood and masonry materials traditionally found on neighboring buildings. The bay windows proposed at the west (side) elevation are designed as modest representations of the more decorative canted bay windows found on residential structures nearby. Architectural details of the proposed project are designed to maintain compatibility with surrounding historic structures, while distinguishing the new building as a contemporary structure. The proposed structure will not utilize rough textured stucco or any faux decorative materials such as foam plant-ons, lentils, cornices or quoins.

11.4.7. Signage on commercial infill structures should follow the signage guidelines laid out in the Commercial Rehabilitation Chapter.

There is no signage proposed for the project. Any future signage will be submitted to HPOZ for review and approval.

11.5. Openings, Storefronts, and Entries

11.5.1. On the ground floor of new commercial structures, a majority of the primary architectural façade should echo traditional retail storefronts. The use of a bulkhead, expansive storefront windows, recessed entries and transoms are encouraged.

11.5.2. The ground floor of the primary architectural façade should be composed primarily of transparent elements and pedestrian entrances.

11.5.3. Recessed entryways are strongly encouraged for primary entrances on the ground floor level.

11.5.4. Primary entryways should be clearly marked through the use of important defining architectural elements, such as transoms, awnings, lintels, or surrounds.

The ground floor of the primary architectural façade of the proposed structure feature elements echoing traditional retail storefronts. Though the floor-to-ceiling lobby glazing does not allow for a bulkhead, the windows are expansive, the entryway is recessed, and there are fixed transom windows above the door. These elements combine to provide a contemporary take on the traditional commercial storefront.

A metal canopy above serves to further identify this as the primary entryway. In addition to echoing the traditional retail storefront, the substantial use of transparent elements allows the existing historic gas station structure to be clearly visible from the public right of way on both W. Adams Blvd. in the front and from S. Catalina St. on the side.

Because the structure is residential rather than commercial, these traditional retail storefront elements do not occupy the majority of the primary architectural façade and are instead limited to the eastern bay.

11.5.5. Multi-story structures should provide a clear delineation, by way of differentiated materials and features, between the ground floor, the upper floors and the roof of the building.

The proposed multi-story structure has a clear delineation between the upper and lower floors due to transitions in materials, colors and window groupings. On the north (front) façade, the ground floor will have a great deal of transparency because of the expansive lobby windows. The first and second floors will be clad in brick in a gray color. The third and fourth floors will be clad in stucco, which will distinguish them from the brick base below. Additionally, the third and fourth floor windows will be connected by spandrels, while the first and second floor windows will not.

11.5.6. Upper-story windows should be regularly spaced and horizontally massed on the primary architectural façade. Recessed “punch-style” windows are generally preferred.

11.5.7. Upper-story windows that are flush-mounted to a façade are inappropriate.

The proposed windows on the third and fourth floors are designed in horizontal groupings along all facades of the structure, which is consistent with the window groupings, alignments and solid-to-void ratio of surrounding historic commercial structures. All upper story windows will comprise recessed “punch-style” vinyl fixed and casement windows. Though constructed of a modern material, the windows will be dark in color, which will give the appearance of historically compatible materials like metal or wood. The windows will have dual glazing to comply with current Building Codes, which will also differentiate them from surrounding historic windows.

Chapter 12: Public Realm, Streetscapes, Alleyscapes, Parks, & Public Buildings

12.1.1. Protect and preserve street, sidewalk, alley and landscape elements, such as topography, patterns, features, and materials that contribute to the historic character of the preservation zone.

12.1.1a. Preserve and maintain mature street trees.

12.1.1b. Trim mature trees so that the existing canopies are preserved.

12.1.1c. Preserve and maintain historically significant landscaping in the public planting strips.

12.1.1d. Use landscaping to screen public parking lots from view of public streets.

12.1.1e. New plantings in the public planting strip should be compatible with the historic character of the Preservation Zone.

12.1.2. Maintain and preserve historic curb configuration, material paving.

12.1.3. For repair or construction work in the Preservation Zone right-of-way, replace in-kind historic features such as granite curbs, etc.

12.1.4. Avoid conflicts between pedestrian and vehicular traffic by minimizing curb cuts that cross sidewalks.

The existing site contains one driveway and curb cut along W. Adams Blvd. and two driveways and curb cuts along S. Catalina St. All will be removed. The new curbs will match existing in material and dimension, and the driveways will be replaced with parkways consisting of planted material matching the width of the existing parkways. Currently the property has no trees. The project includes the addition of two trees in the parkway along S. Catalina St. and one tree in the parkway along W. Adams Blvd.

12.1.11. Preserve historic sidewalks.

12.1.12. Replace only those portions of sidewalks that have deteriorated. When portions of sidewalk are replaced, special attention should be paid to replicating score lines, texture, coloration and swirl-patterns.

12.1.13. New sidewalks should be compatible with the historic character of the streetscape.

12.1.14. Maintain public walkway connections between streets and between buildings.

The project does not include the sidewalk replacement or alteration. Any future sidewalk replacement or alteration will be submitted to HPOZ for review and approval.

CEQA FINDINGS

- 2. As the designee of the Director of Planning, I have 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.**

The Class 32 exemption (Section 15332 of the State CEQA Guidelines) is intended to promote infill development within urbanized areas. Class 32 consists of projects characterized as in-fill development meeting the following conditions:

- a. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations.**

The subject site is located within the South Los Angeles Planning Area and is designated for Community Commercial, with corresponding zone of C2. The proposed project is for the construction of a 4-story, multi-family building with 16 dwelling units totaling 22,664 square feet of floor area on an approximately 10,425 square foot lot in the C2-1VL-O-HPOZ -CPIO zone. The project provides no on-site automobile parking. Additionally, 16 long-term and two short-term bicycle parking spaces are included in the project. As such, the project is consistent with the applicable South Los Angeles Planning Area designation and policies and all applicable zoning designations and regulations.

b. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The subject site consists of a level, rectangular parcel measuring 0.239 acres and is wholly within the City of Los Angeles. Properties to the west, east, and north, across Adams Boulevard and Catalina Street, share the same C2-1VL-O-HPOZ-CPIO zone, and are developed with storefront businesses and multi-family residences. Properties to the south, zoned RD1.5-1-O-HPOZ, are developed with two-story single and multi-family residences.

c. The project site has no value as habitat for endangered, rare or threatened species.

The subject site is currently developed with a single-story commercial structure, proposed to be demolished, along with an existing historic gas station to be retained and rehabilitated as part of the Project. The site is adjacent to existing residential properties and has no value as a habitat for endangered, rare or threatened species. Photographs of the site show it to have no significant vegetation. Therefore, the subject site is not, and has no value as a habitat for endangered, rare, or threatened species.

d. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

The project will be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance, pollutant discharge, dewatering, stormwater mitigations; and Best Management Practices for stormwater runoff. More specifically, RCMs include but are not limited to:

- **Regulatory Compliance Measure RC-AQ-1(Demolition, Grading and Construction Activities):** Compliance with provisions of the SCAQMD District Rule 403. The project shall comply with all applicable standards of the Southern California Air Quality Management District, including the following provisions of District Rule 403:
 - 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.
 - 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.
 - 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.
 - All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.

- All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- 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.
- **Regulatory Compliance Measure RC-GEO-1 (Seismic):** 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.
- **Regulatory Compliance Measure RC-NO-1 (Demolition, Grading, and Construction Activities):** The project shall comply with the City of Los Angeles Noise Ordinance and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- **Regulatory Compliance Measure RC-NO-1 (Demolition, Grading, and Construction Activities):** The project shall comply with the City of Los Angeles Noise Ordinance and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.

These RCMs will reduce any potential impacts to less than significant, and will ensure the project will not have significant impacts on noise and water.

Furthermore, as verified by the VMT calculator, the project will not generate a net increase of more than 250 daily vehicle trips and is below the criteria established by the LADOT for preparing a traffic study. As such, the project will not have any significant impacts to traffic. In regards to Air Quality, Interim thresholds were developed by the Los Angeles Department of City Planning staff based on California Emissions Estimator Model (CalEEMod) runs relying on reasonable assumptions, consulting with AQMD staff, and surveying published air quality studies for which criteria air pollutants did not exceed the established SCAQMD construction and operational thresholds.

e. The site can be adequately served by all required utilities and public services.

The project site is currently developed. The subject site will be adequately served by all public utilities and services given that the construction of a 4-story, multi-family residential building with 16 dwelling units in a highly urbanized area with existing utilities and public services. Therefore, the Project meets the qualifications of the Class 32 Exemption.

CEQA Section 15300.2: Exceptions to the Use of Categorical Exemptions

There are five (5) Exceptions which must be considered in order to find a project exempt under Class 32:

- a. **Cumulative Impacts.** *All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.*

There are no other TOC or State Density Bonus projects within a 500-foot radius of the site. Another multifamily apartment building, 4-stories tall with 18 units, was recently constructed to the immediate east of the project, directly across Catalina Street. This project was only discretionary because it needed a Certificate of Compatibility with the Adams-Normandie HPOZ (DIR-2016-712-CCMP), and was otherwise by-right. There is

no evidence to indicate a significant impact resulting from successive projects of the same type in the same place.

- b. **Significant Effect Due to Unusual Circumstances.** *A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.*

The proposed project is for the construction of a 4-story, multi-family residential building with 16 dwelling units, totaling 22,664 square feet of floor area on an approximately 10,425 square foot lot in the C2-1VL-HPOZ-CPIO zone. All surrounding properties are developed with residential, commercial, or institutional buildings. There are no known unusual circumstances which may lead to a significant effect on the environment.

- c. **Scenic Highways.** *A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.*

The only State Scenic Highway within the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27, which travels through a portion of Topanga State Park. The portion of State Route 27 which travels through the Los Angeles city limits is approximately 20 miles from the subject site. Therefore, the subject site will not create any impacts within a highway designated as a state scenic highway.

- d. **Hazardous Waste Sites.** *A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.*

According to Envirostor, the State of California's database of Hazardous Waste Sites, neither the subject site, nor any site within a 1,000-foot radius of the subject site, is identified as a hazardous waste site. A Phase II investigation, dated February 9, 2022 found that "no other metal detection in soil exceeded background levels," that "none of the analyzed soil-gas samples contained detectable concentrations of other Volatile Organic Compounds," and that "none of the other detections in soil-gas exceeded the respective residential... screening level values."

- e. **Historical Resources.** *A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.*

The subject site is currently developed with a single-story commercial structure, proposed to be demolished, along with an existing historic gas station to be retained and rehabilitated as part of the Project. The project will not cause a substantial adverse change in the significance of the historical resource currently on the site, as detailed in the Certificate of Appropriateness findings section of this report (above).

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the Director's Determination shall be fulfilled before the use may be established. The instant authorization is further conditioned upon the privileges being utilized within **three years** after the effective date of this determination and, if such privileges are not utilized, building permits are not issued, or substantial physical construction work is not begun

within said time and carried on diligently so that building permits do not lapse, the authorization shall terminate and become void.

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. 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.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

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 not complied with, then the Applicant or his successor in interest may be prosecuted for violating these conditions the same as for any violation of the requirements contained in the Municipal Code, or the approval may be revoked.

Section 11.00 of the LAMC states in part (m): "It shall be unlawful for any person 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 unless provision is otherwise made, 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 a fine and imprisonment."

APPEAL PERIOD - EFFECTIVE DATE

This grant is not a permit or license and any permits and/or licenses required by law must be obtained from the proper public agency. If any Condition of this grant is violated or not complied with, then the applicant or their 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 (LAMC).

This determination will become effective after the end of appeal period date on the first page of this document, unless an appeal is filed with the Department of City Planning. An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination. Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure the Development Services Center (DSC) staff has adequate time to review and accept the documents, and to allow appellants time to submit payment.

An appeal may be filed utilizing the following options:

Online Application System (OAS): The OAS (<https://planning.lacity.org/oas>) allows entitlement appeals to be submitted entirely electronically by allowing an appellant to fill out and submit an appeal application online directly to City Planning’s DSC, and submit fee payment by credit card or e-check.

Drop off at DSC. Appeals of this determination can be submitted in-person at the Metro or Van Nuys DSC locations, and payment can be made by credit card or check. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications; alternatively, appeal applications can be filed with staff at DSC public counters. Appeal applications must be on the prescribed forms, and accompanied by the required fee and a copy of the determination letter. Appeal applications shall be received by the DSC public counter and paid for on or before the above date or the appeal will not be accepted.

Forms are available online at <http://planning.lacity.org/development-services/forms>. Public offices are located at:

Downtown	San Fernando Valley	West Los Angeles
Figueroa Plaza 201 North Figueroa Street, 4th Floor Los Angeles, CA 90012 (213) 482-7077	Marvin Braude San Fernando Valley Constituent Service Center 6262 Van Nuys Boulevard, Rm 251 Van Nuys, CA 91401 (818) 374-5050	West Los Angeles Development Services Center 1828 Sawtelle Boulevard, 2nd Floor Los Angeles, CA 90025 (310) 231-2598

City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable LAMC provisions.

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.

Verification of condition compliance with building plans and/or building permit applications are done at the City Planning Metro or Valley DSC locations. An in-person or virtual appointment for Condition Clearance can be made through the City’s BuildLA portal (appointments.lacity.org). The applicant is further advised to notify any consultant representing you of this requirement as well.



QR Code to
Online Appeal
Filing



QR Code to Forms for In-
Person Appeal Filing



QR Code to BuildLA Appointment Portal
for Condition Clearance

Only an applicant or any owner or tenant of a property abutting, across the street or alley from, or having a common corner with the subject property can appeal the Transit Oriented Communities/Density Bonus Compliance Review Determination. Per the Density Bonus Provision of State Law (Government Code Section 65915), the Density Bonus increase in units above the base density limits per the underlying zone(s) and the appurtenant parking reductions are not a discretionary action and therefore cannot be appealed. Only the requested incentives are appealable. Per LAMC Sections 12.22 A.25 and 12.22 A.31, appeals of Density Bonus Compliance Review and Transit Oriented Communities cases with the Director of Planning or Zoning Administrator as the initial decision maker are heard by the City Planning Commission.

VINCENT P. BERTONI, AICP
Director of Planning

Approved by:



Michelle Singh, Senior City Planner

Reviewed by:



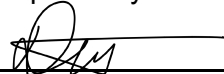
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