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TRANSIT ORIENTED COMMUNITIES AFFORDABLE HOUSING INCENTIVE PROGRAM

August 29, 2024

Owner/Applicant

Mahyar Zarabian Propolis Holdings, LLC 15505 Cornet Street

Santa Fe Springs, CA 90670

Representative

Jinwon Kim Inex Design Build

915 Mateo Street, Unit 304 Los Angeles, CA 90021 Case No. DIR-2024-464-TOC-HCA

Related Case: ADM-2024-465-CPIOC PAR-2024-188-TOC

CEQA: ENV-2024-466-CE

Location: 1117 – 1119 West 38th Street

Council District: 8 – Harris-Dawson

Neighborhood Council: Empowerment Congress North

Community Plan Area: South Los Angeles **Land Use Designation:** Community Commercial

Zone: C2-2D-CPIO

Plan Overlay: South Los Angeles Community

Plan Implementation Overlay

Subarea: G - TOD High

Overlays: South Los Angeles Alcohol

Sales Specific Plan, North University Park-Exposition

Park-West Adams

Neighborhood Stabilization

Ordinance

Legal Description: Lot 13, Block A, Alessandro

Tract

Last Day to File an Appeal: September 13, 2024

DETERMINATION - Transit Oriented Communities Affordable Housing Incentive Program

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, 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.

APPROVE, the following project consistent with the provisions of the Transit Oriented Communities (TOC) Affordable Housing Incentive Program Tier 3, to permit a project consisting of 26 residential units by reserving three (3) dwelling units, equal to 10% of the total units, for Extremely Low Income Household Occupancy, for a period of 55 years, with Base Incentives permitted pursuant to LAMC 12.22 A.31, in addition to the following Additional Incentives:

Additional Incentives

- a. **Yards/Setbacks.** A reduction in the required side and rear yard setbacks, for a minimum 5 feet, in lieu of the required 8 foot side yards and 17 foot rear yard.
- b. **Open Space.** An up to 25% decrease in the required open space, allowing a minimum of 2,418.75 square feet of open space in lieu of the required 3,225 square feet of open space.

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

DIR-2024-464-TOC-HCA Page 2 of 25

CONDITIONS OF APPROVAL

- 1. Site Development. The project shall be in substantial conformance with the plans and materials submitted by the Applicant, including the proposed building design elements and materials, stamped Exhibit "A," with a date of June 19, 2024, attached to the subject case file. No change to the plans shall be made without prior review by the Department of City Planning, Project Planning Bureau, 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 LAMC or the project conditions.
- 2. **Residential Density**. The project shall be limited to a maximum density of 26 multi-family residential units, including On-Site Restricted Affordable Units.
- 3. **On-Site Restricted Affordable Units.** The project shall provide a minimum of three (3) On-Site Restricted Affordable units, consisting of three (3) units for Extremely Low Income Households, as defined in the California Health and Safety Code to the satisfaction of the Los Angeles Housing Department (LAHD). In the event the SB 8 Replacement Unit condition requires additional affordable units or more restrictive affordability levels, the most restrictive requirements shall prevail.
- 4. Changes in On-Site 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) to make three (3) On-Site Restricted Affordable units available to Extremely Low Income Households or equal to 10 percent of the project's total proposed residential density, for sale or rental as determined to be affordable to such households by LAHD for a period of 55 years. In the event the applicant reduces the proposed density of the project, the number of required reserved on-site Restricted Units may be adjusted, consistent with LAMC Section 12.22 A.31, to the satisfaction of LAHD, and in consideration of the project's Replacement Unit Determination. A new entitlement will be required to adjust the number of required reserved on-site Restricted Units. Enforcement of the terms of said covenant shall be the responsibility of LAHD. The applicant shall submit a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by the LAHD.
- 6. **SB 8 Replacement Units.** The project shall be required to comply with the Replacement Unit Determination (RUD) letter, dated April 3, 2023, to the satisfaction of LAHD. The most restrictive affordability levels shall be followed in the covenant. In the event the On-site Restricted Affordable Units condition requires additional affordable units or more restrictive affordability levels, the most restrictive requirements shall prevail.
- 7. Rent Stabilization Ordinance (RSO). Prior to the issuance of a Certificate of Occupancy, the owner shall obtain approval from LAHD regarding replacement of affordable units, provision of RSO Units, and qualification for the Exemption from the Rent Stabilization Ordinance with Replacement Affordable Units in compliance with Ordinance No. 184,873. In order for all the new units to be exempt from the Rent Stabilization Ordinance, the applicant will need to either replace all withdrawn RSO units with affordable units on a one-for-one basis or provide at least 20 percent of the total number of newly constructed rental units as

DIR-2024-464-TOC-HCA Page 3 of 25

- affordable, whichever results in the greater number. The executed and recorded covenant and agreement submitted and approved by LAHD shall be provided.
- 8. **Floor Area**. The project total Floor Area shall be limited to 15,394.65 square feet and a 2.174:1 FAR.
- 9. **Height.** The project shall be limited to a maximum height of five (5) stories and 59 feet.
- 10. **RAS3 Yards/Setbacks**. (Incentive) The project shall have minimum 5 foot rear yard and side yard setbacks.
- 11. **Open Space.** (**Incentive**) The project shall provide a minimum of 2,447 square feet of open space.
- 12. **Parking Per AB 2097.** The project shall be permitted to provide a minimum of zero parking space pursuant to California Government Code Section 65863.2 (AB 2097). The project is providing ten (10) parking spaces.
- 13. Adjustment of Parking. In the event that the number of Restricted Affordable Units should increase, or the composition of such units should change (i.e., the number of bedrooms, or the number of units made available to Senior Citizens and/or Disabled Persons), or the applicant selects another Parking Option (including Bicycle Parking Ordinance) and no other Condition of Approval or incentive is affected, then no modification of this determination shall be necessary, and the number of parking spaces shall be recalculated by the Department of Building and Safety, based upon the ratios set forth ratios set forth in the Transit Oriented Communities Affordable Housing Incentive Program Guidelines (TOC Guidelines).
- 14. **Bicycle Parking.** Bicycle parking shall be provided consistent with LAMC Section 12.21 A.16.
- 15. Landscape Plan. 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". All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be landscaped, including an automatic irrigation system, and maintained in accordance with a final landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning. The final landscape plan shall be in substantial conformance with the submitted Landscape Plan, Exhibit "A," and shall incorporate any modifications required as a result of this grant.
- 16. Required Trees per 12.21 G.2. As conditioned herein, a final submitted landscape plan shall be reviewed to be in substantial conformance with Exhibit "A". There shall be a minimum of seven (7) 24-inch box, or larger, trees onsite pursuant to LAMC Section 12.21 G.2. Any required trees pursuant to LAMC Section 12.21 G.2 shown in the public right-of-way in Exhibit "A" shall be preliminarily reviewed and approved by the Urban Forestry Division prior to building permit issuance. In-lieu fees pursuant to LAMC Section 62.177 shall be paid if placement of required trees in the public right-of-way is proven to be infeasible due to City-determined physical constraints.

DIR-2024-464-TOC-HCA Page 4 of 25

- 17. **Street Trees.** 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 Section 12.21 G.
- 18. **Community Plan Implementation Overlay**. Prior to the issuance of a demolition or building permit, the applicant shall demonstrate compliance with the South Los Angeles Community Plan Implementation Overlay (CPIO) pursuant to Ordinance No. 185,927.
 - a. Section III-3 A.1(a): The Ground Floor shall have a minimum height of 14 feet, measured from the finished floor to the underside of the structural floor or roof above.
 - b. Section III-3 A.1(b): For Projects with an Active Floor Area, the Ground Floor shall have a minimum height of 11 feet, measured from the finished floor to the finished ceiling.
 - c. Section III-3 D.1: Clear transparent glazing (e.g., windows or doors), shall occupy a minimum of 50 percent of Primary Frontage of the Ground Floor. For all other building facades facing public streets, clear transparent glazing shall occupy a minimum of 15 percent inclusive of all floors except the Primary Frontage of the Ground Floor.
 - d. Section III-3 D.2: All exterior building walls shall provide a break in the plane, or a change in material, at least every 20 feet in horizontal length and every 15 feet in vertical length, created by an articulation or architectural detail.
 - e. Section III-3 D.4: For all Projects, the Ground Floor of the Primary Frontage shall incorporate Active Floor Area or Pedestrian Amenities along at least 75 percent of the Primary Frontage to a depth of at least 25 feet excluding areas required to be used for vehicular access.
 - f. Section III-3 D.6(a): Projects shall utilize two or more high-quality building materials and treatments on building exteriors such as brushed aluminum, brick, finished wood, or "Santa Barbara" smooth finish stucco.

Administrative Conditions

- 19. Final Plans. Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Plans Approved". A copy of the Plans Approved, supplied by the applicant, shall be retained in the subject case file.
- 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.

DIR-2024-464-TOC-HCA Page 5 of 25

- 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. **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.
- 24. 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.
- 25. **Compliance.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
- 26. **Recording Covenant.** Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (Covenant and Agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center at the time of Condition Clearance for attachment to the subject case 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 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 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

DIR-2024-464-TOC-HCA Page 6 of 25

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 <u>any</u> 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.

DIR-2024-464-TOC-HCA Page 7 of 25

PROJECT BACKGROUND

Subject Property

The project site is located in the South Los Angeles Community Plan and is comprised of one (1) lot located at 1117 – 1119 West 38th Street. The property is a level, rectangular site that totals approximately 7,080 square feet, or approximately 0.16 acres, and has a depth of 138 feet. The site has a street frontage of approximately 51 feet along 38th Street and is located between Budlong Avenue to the west and Wisconsin Street to the east. The project site is located within 2.85 kilometers (1.77 miles) of the Puente Hills Blind Thrust but is not located within the Alquist-Priolo Fault Zone. The site is not located within a designated hillside area, BOE Special Grading Area, very high fire hazard severity zone, flood zone, methane zone, landslide, or tsunami inundation zone. The site is located within the Hollywood Quadrangle liquefaction zone.

The project site is currently developed with four (4), one-story multi-family buildings that will be demolished. There are no known designated historic resources or cultural monuments on the subject site. According to the Tree Disclosure Statement signed on December 26, 2023, there are no protected trees or shrubs on the site.

Streets and Circulation

<u>38th Street</u> is designated as Local Street – Standard. The Mobility Plan 2035 designates a right-of-way width of 60 feet and a roadway width of 36 feet with sidewalk, curb, and gutter. The right-of-way is currently improved at 50 feet.

Public Transit

The subject property is located less than a one-half mile radius (2,640 feet) from the intersection of the Exposition / Vermont station of the Metro E Line. As such, the site qualifies as a Tier 3 TOC Affordable Housing Incentive Area.

Therefore, the project is eligible for Tier 3 Base and Additional Incentives, as indicated on the TOC Referral Form dated January 25, 2024, and revised on June 17, 2024.

Zoning and Land Use Designation

The South Los Angeles Community Plan Map designates the site for Community Commercial land uses with the corresponding zones C2, C4, RAS3, R3, RAS4, and R4. The site is zoned C2-2D-CPIO which is consistent with the land use designation. The C2 designation allows R4 density which has a base density of one dwelling unit per 400 square feet of lot area. The site is located within the South Los Angeles Community Plan Implementation Overlay (CPIO), Subarea G-TOD High, which has a Base Height of 7 stories and 105 feet.

The site is within the North University Park-Exposition Park-West Adams Neighborhood Stabilization Ordinance (NSO). However, the NSO does not apply in TOD Subareas E, F, G and H of the South Los Angeles CPIO.

The site is also located within the South Los Angeles Alcohol Sales Specific Plan and within a Transit Priority Area. The property is located in the Transit Oriented Communities (TOC) Tier 3 Affordable Housing Incentive Area.

DIR-2024-464-TOC-HCA Page 8 of 25

Surrounding Uses

The surrounding area is developed with residential uses. The property abutting the subject site to the west is zoned C2-2D-CPIO and improved with a two-story apartment building. Abutting the site to the east, is a one-story multi-family home similarly zoned C2-2D-CPIO. Further east is a four-story mixed-use development that extends to Wisconsin Avenue and Exposition Boulevard.

The properties to the north, along Exposition Boulevard, are also zoned C2-2D-CPIO and developed with two-to-four-story apartment buildings. The properties to the south, across 38th street, are zoned RD1.5-1 and improved with single-family and multi-family homes.

Project Description

The project is for the construction of a new five-story, 59-foot tall, mixed-use development with 26 residential dwelling units, including three (3) units for Extremely Low Income Household occupancy, and approximately 125 square feet of commercial retail space on the ground floor. The project will have a Floor Area Ratio ("FAR") of approximately 2.174:1 with approximately 15,394.65 square feet of floor area. The project is proposing 10 residential automobile parking spaces. The project will provide bicycle parking in accordance with LAMC Section 12.21 A.16.

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 voters on November 7, 2016, in recognition that "[a]s L[os] A[ngeles] continues to suffer through a homeless and affordable housing crisis, we need a General Plan and zoning code that create incentives for projects that create affordable housing . . ." to combat "LA['s] . . . outdated General Plan." (Measure JJJ, Ordinance No. 186,483.) One of the tools that Measure JJJ created required that the City create a Transit Oriented Communities Affordable Housing Incentive Program, which "shall apply to all Housing Developments that are located within a one-half mile of a Major Transit Stop." (Measure JJJ, codified at LAMC Section 12.22.A.31.(a).)

The TOC Guidelines adopted September 22, 2017, and amended on February 26, 2018, established 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 property is located less than a one-half mile radius (2,640 feet) from the intersection of the Exposition / Vermont station of the Metro E Line. As such, the site qualifies as a Tier 3 TOC Affordable Housing Incentive Area. Therefore, the project is eligible for Tier 3 Base and Additional Incentives, as indicated on the TOC Referral Form dated January 25, 2024, and revised on June 17, 2024.

The project is eligible for the following Tier 3 Base Incentives, which are granted by-right for eligible TOC projects:

DIR-2024-464-TOC-HCA Page 9 of 25

a. **Density.** Increase the maximum allowable number of dwelling units permitted by up to 70 percent.

The site is zoned C2-2D-CPIO and allowed a maximum residential density of one dwelling unit per 400 square feet of lot area. The lot area of subject site is approximately 7,080 square feet, for a maximum base density of 17 units using the area standards of the C2 zone. The TOC Guidelines round base density up to 18 units. The maximum allowed density for the subject site under the Tier 3 Base Incentive for density is 31 units. The project is proposing 26 units, which is consistent with the allowable density under the TOC Guidelines.

b. **Floor Area Ratio.** A maximum percentage increase of 45 percent for a project located within an Overlay District that regulates FAR.

The C2-2D-CPIO zone and Subarea G – TOD High of the South Los Angeles CPIO limit FAR to 1.5:1. The buildable area for the subject site is approximately 7,080 square feet for a by-right floor area of approximately 10,620 square feet. The Additional Incentive for FAR allows for a maximum FAR percentage increase of up to 45 percent for a maximum 2.175:1 FAR or floor area of approximately 15,399.58 square feet. The project is proposing 15,394.65 square feet and approximately 2.174:1 FAR, which is consistent with the allowable FAR under the TOC Guidelines.

c. **Residential Parking**. The project shall be permitted to provide a minimum of zero parking space pursuant to California Government Code Section 65863.2 (AB 2097). Ten (10) parking spaces are provided on the ground floor.

Pursuant to the TOC Guidelines, the project is eligible for, and has been granted two (2) Tier 3 Additional Incentives to construct the proposed project:

a. RAS3 Yards/Setbacks. In any Commercial Zone, Eligible Housing Developments may utilize any or all of the yard requirements for the RAS3 Zone per LAMC Section 12.10.5, except that yard reductions may not be applied along any property line that abuts an R1 or more restrictive residential zoned property.

In the in the RAS3 Zone, for all portions of buildings erected and used for residential purposes, there shall be side yards of not less than five feet in width along the residential portion of the perimeter of the building. There shall be a rear yard of not less than 15 feet in depth when the subject property is located adjacent to property zoned RD or more restrictive, otherwise there shall be a rear yard of not less than five feet in depth.

The property is not located adjacent to a property zoned RD or more restrictive. Therefore, the project is providing 5-foot side and rear yard setbacks.

b. **Open Space.** A maximum 25 percent reduction in the open space requirements of LAMC 12.21 G, allowing 2,418.75 square feet in lieu of 3,225 square feet.

The LAMC Section 12.21 G requires 100 square feet of open space for each unit with one habitable room, 125 square feet for each unit with two habitable rooms, and 175 square feet for each unit with three and four habitable rooms, which requires a total of 3,225 square feet of open space. The Additional Incentive allows for a maximum 25 percent reduction, which results in a minimum 2,418.75 square feet of open space. The project proposes approximately 2,447.62 square feet of open space, which meets the

DIR-2024-464-TOC-HCA Page 10 of 25

TOC Guidelines. Open space is provided by an open roof deck (2,047.62 square feet) and through eight (8), 50 square foot private balconies (400 square feet).

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

Base Incentives	Otherwise Allowed/Required	TOC Guidelines	Proposed
Density	17 units (LAMC)	31 units	26 units
FAR	1.5:1	2.175:1	2.174:1
Parking Spaces	13 (LAMC)	0 (AB2097)	10

Additional Incentives	LAMC Required	TOC Guidelines	Proposed
Open Space	3,225 square feet	2,418.75 square feet	2,447.62 square feet
Side Yards/Setbacks (westerly and easterly)	8 feet	5 feet (RAS3)	5 feet
Rear Yard/Setback (northerly)	17 feet	5 feet (RAS3)	5 feet

HOUSING REPLACEMENT BACKGROUND

Pursuant to LAMC Section 12.22 A.31(b)(1), a Housing development located within a Transit Oriented Communities (TOC) Affordable Housing Incentive Area shall be eligible for TOC Incentives if it meets any applicable replacement requirements of California Government Code Section 65915(c)(3) (California State Density Bonus Law).

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 or 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 prohibited 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 Los Angeles Housing Department (LAHD) has determined, per the Housing Crisis Act of 2019 (SB 8) Replacement Unit Determination, dated April 3, 2023, that the project requires three (3) Replacement units, one (1) unit to be restricted to Extremely Low Income Households, one (1) to Very Low Income Households, and one (1) to Low Income Households. The project is providing three (3) On-Site Restricted Affordable units, consisting of three (3) units for Extremely Low Income Households. Therefore, the project is consistent with California Government Code Section 65915(c)(3).

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

DIR-2024-464-TOC-HCA Page 11 of 25

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 qualifies as a Tier 3 Affordable Housing Incentive Area. Tier 3 requires at least 10 percent of the 26 total units, or 3 units, to be set aside for Extremely Low Income Households. The project reserves three (3) 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.

As defined in 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 property is located less than a one-half mile radius (2,640 feet) from the intersection of the Exposition / Vermont station of the Metro E Line. As such, the site qualifies as a Tier 3 TOC Affordable Housing Incentive Area.

Therefore, the project is eligible for Tier 3 Base and Additional Incentives, as indicated on the TOC Referral Form dated January 25, 2024, and revised on June 17, 2024.

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 Department of Housing and Community Investment (HCIDLA) 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 SB 8 (TOC) Determination Letter dated April 3, 2023, prepared by LAHD, the project requires three (3) replacement housing units as conditioned above. The project is providing three (3) On-Site Restricted Affordable units, consisting of three (3) units for Extremely Low Income Households.

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

DIR-2024-464-TOC-HCA Page 12 of 25

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.

As an Eligible Housing Development, the project is eligible to receive the Base Incentives listed in the TOC Guidelines. The project may be granted three (3) Additional Incentives for reserving at least 11 percent of the 26 total units, or 3 units, for Extremely Low Income Households. The project is proposing to set aside three (3) units for Extremely Low Income Households. As such, the project meets the eligibility requirement for three Additional Incentives. The project is seeking two (2) Additional Incentives for a reduction in open space and a reduction in the side yard and rear yard setbacks.

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 not seeking Additional Incentives beyond those permitted in exchange for reserving three (3) for Extremely Low Income Households. As such, the project need not

DIR-2024-464-TOC-HCA Page 13 of 25

adhere to the labor standards required in LAMC Section 11.5.11, and this eligibility requirement does not apply.

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 above.

The project site consists of one lot, located within a Tier 3 TOC Affordable Housing Incentive Area. Therefore, the project is eligible for Tier 3 Base and Additional Incentives, as indicated on the TOC Referral Form dated January 25, 2024, and revised on June 17, 2024.

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 site qualifies as a Tier 3 TOC Affordable Housing Incentive Area. The applicant is not choosing to select a lower tier. As such, this eligibility requirement does not apply.

DIR-2024-464-TOC-HCA Page 14 of 25

FINDINGS

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

Pursuant to Section 12.22 A.31(e) of the LAMC, the Director shall review a Transit Oriented Communities 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 incentive(s) unless the director finds that:
 - a. The incentives are <u>not required</u> to provide for affordable housing costs for rents for the affordable units 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 on-menu incentives in the TOC Guidelines were pre-evaluated at the time the Transit Oriented Communities Affordable Housing Incentive Program 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 on-menu incentives are required to provide for affordable housing costs because the incentives by their nature increase the scale of the project.

Reduced Yard/Setback: The requested reduction in yards is expressed in the Menu of Incentives in the TOC Guidelines. The proposed project is asking for an Additional Incentive that would allow for 5-foot side and rear yards per the RAS3 zone per LAMC 12.10.5. This incentive will result in a building design that provides for affordable housing costs and supports the applicant's decision to set aside three (3) units for Extremely Low Income Households.

Reduced Open Space: The requested reduction in the open space requirements is expressed in the Menu of Incentives in the TOC Guidelines. Strict compliance with LAMC Section 12.21 G would require 3,225 square feet of open space. The Additional Incentive would allow a 25 percent reduction to permit 2,418.75 square feet of open space. As shown in Exhibit "A", the project will provide 2,447.62 square feet of open space through a roof deck (2,047.62 square feet) and eight (8), 50 square foot private balconies (400 square feet). The project is conditioned to meet the requirements of LAMC Section 12.21 G per the satisfaction of the Department of Building and Safety. The requested incentive will allow the developer to reduce open space requirements so the area reserved for affordable housing can be constructed and the overall space dedicated to residential uses is increased. This incentive will result in a building design that provides for affordable housing costs and supports the applicant's decision to set aside three (3) units for Extremely Low Income Households.

b. The incentive <u>will have</u> a specific adverse impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there are no feasible method to satisfactorily mitigate or avoid the specific adverse Impact without

DIR-2024-464-TOC-HCA Page 15 of 25

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 evidence in the record that the proposed incentive will have a specific adverse impact. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22 A.25(b)). The project does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. The 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 project's proposed incentives will have a specific adverse impact on the physical environment, on public health and safety, or on property listed in the California Register of Historic Resources.

CEQA FINDINGS – Class 32 Categorical Exemption Applies

A project qualifies for a Class 32 Categorical Exemption if it is developed on an infill site and meets the following criteria:

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 zoned C2-2D-CPIO and located within the South Los Angeles Community Plan, designated for Community Commercial land uses with the corresponding zones C2, C4, RAS3, R3, RAS4, and R4. The proposed project is for the construction of a new five-story, 59-foot tall, mixed-use development with 26 residential dwelling units, including 3 units for Extremely Low Income Household occupancy, and 125.22 square feet of commercial retail space on the ground floor. The project will have a Floor Area Ratio (FAR) of approximately 2.174:1 with approximately 15,394.65 square feet of floor area. The project is proposing 10 residential automobile parking spaces. The project will provide bicycle parking in accordance with LAMC Section 12.21 A.16. 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 one (1) rectangular-shaped lot with a total lot area of approximately 7,080 square feet, or approximately 0.16 acres, and is wholly within the City of Los Angeles. The site is located between Budlong Avenue to the west and Wisconsin Street to the east. The site has a street frontage of approximately 51 feet along 38th Street. The surrounding area is developed with residential uses. The property abutting the subject site to the west is zoned C2-2D-CPIO and improved with a two-story apartment building. Abutting the site to the east, is a one-story multi-family home

DIR-2024-464-TOC-HCA Page 16 of 25

similarly zoned C2-2D-CPIO. Further east is a four-story mixed-use development that extends to Wisconsin Avenue and Exposition Boulevard. The properties to the north, along Exposition Boulevard, are also zoned C2-2D-CPIO and developed with two-to-four-story apartment buildings. The properties to the south, across 38th street, are zoned RD1.5-1 and improved with single-family and multi-family homes.

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

The project site is currently developed with four (4), one-story building structures that support multi-family dwellings that will be demolished The site is adjacent to existing residential uses and has no value as a habitat for endangered, rare, or threatened species. According to the Tree Disclosure Statement signed on December 26, 2023, there are no protected trees or shrubs on the site. 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.

The Project must comply with the adopted City of Los Angeles Noise Ordinances No. 144,331 and 161,574 and LAMC Section 41.40, LAMC Section 112.05, as well as any subsequent Ordinances, which prohibit the emission or creation of noise beyond certain levels. These Ordinances cover both operational noise levels (i.e., post-construction), and any construction noise impacts. As a result of this mandatory compliance, the proposed Project will not result in any significant noise impacts.

Additionally, the South Los Angeles CPIO contains Environmental Standards to implement the Mitigation and Monitoring Program as part of the South Los Angeles Community Plan Update that were reviewed in the Program EIR. All projects in CPIO Subareas are required to comply with any applicable Environmental Standards. The proposed project is required to comply with the following:

- Environmental Standard AQ1: Projects (except for Residential Subareas M, N, and O) shall ensure all contractors include the best management practices provided in the bulleted list below in contract specifications:
 - Restrict idling of construction equipment and on-road heavy duty trucks to a maximum of 5 minutes when not in use.
 - Use diesel-fueled construction equipment to be retrofitted with after treatment products (e.g. engine catalysts) to the extent they are readily available and feasible.
 - Use heavy duty diesel-fueled equipment that uses low NOX diesel fuel to the extent it is readily available and feasible.
 - Use construction equipment that uses low polluting fuels (i.e. compressed natural gas, liquid petroleum gas, and unleaded gasoline) to the extent available and feasible.

DIR-2024-464-TOC-HCA Page 17 of 25

- All on-road heavy-duty diesel trucks or equipment with a gross-vehicle weight rating (GVWR) of 19,500 pounds or greater shall comply with EPA 2007 on-road emission standards for PM and NOx:
 - PM 0.01 g/bhp-hr
 - NOx at least 1.2 g/bhp-hr
- Use zero-emission trucks and equipment where available, or cleanest available technology.
- Every effort should be made by the Contractor to utilize grid-based electric power at any construction site, where feasible.
- Where access to the power grid is not available, on-site generators are required to meet 0.01 g/bhp-hr standard for PM, or be equipped with Best Available Control Technology (BACT) for PM emissions reductions.
- Use building materials, paints, sealants, mechanical equipment, and other materials that yield low air pollutants and are nontoxic.
- Construction contractors shall use pre-painted construction materials, as feasible.
- Construction contractors shall provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.
- Prepare haul routes, when required by the LAMC, that conform to local requirements to minimize traversing through congested streets or near sensitive receptor areas.
- Maintain a buffer zone that is a minimum of 1,000 feet between truck traffic and sensitive receptors, where feasible.
- When required by LADOT, upgrade signal synchronization to improve traffic flow.
- Configure construction parking to minimize traffic interference.
- When required by LADOT, provide dedicated turn lanes for movement of construction trucks and equipment on-and off-site.
- Schedule construction activities that affect traffic flow on the arterial system to off-peak hours to the extent practicable.
- Traffic speeds on all unpaved roads shall be 15 mph or less.
- Construction contractors shall reroute construction trucks away from congested streets or sensitive receptors areas, as feasible.
- Construction contractors shall reroute construction trucks away from congested streets or sensitive receptor areas, as feasible.
- Construction contractors shall appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM 10 generation. The name and contact information of the construction relations officer shall be posted at a location on the project site that is accessible and visible from the public right-of-way.
- o Identify Sensitive Uses within 500 feet of a project that involves ground-disturbing activities and notify sensitive uses before construction projects occur, including disclosure of the name and contact information for the construction relations officer actin as the community liaison.
- Implement the fugitive dust control measures as required in the South Coast Air Quality Management District's Rule 403 Fugitive Dust.
- Require installation of high efficiency filtration systems (MERV 13) for housing projects within 500 feet of freeways and oil drilling sites.
- Environmental Standard CR1: Projects (excluding Residential Subareas M, N, and O) that involve construction-related soil disturbance shall require that if during construction activities any cultural materials are encountered, construction activities within a 50-meter radius shall be halted immediately and the project applicant shall notify the City. A qualified archeologist (as approved by the City) shall be retained by the project applicant

DIR-2024-464-TOC-HCA Page 18 of 25

and shall be allowed to conduct a more detailed inspection and examination of the exposed cultural materials. During this time, excavation and construction would not be allowed in the immediate vicinity of the find. However, those activities could continue in other areas of the project site. If the find were determined to be significant by the archeologist, the City and the archeologist would meet to determine the appropriate course of action. All cultural materials recovered from the site would be subject to scientific analysis, professional museum curation, and a report prepared according to current professional standards.

- Environmental Standard CR2: Projects (excluding Residential Subareas M, N, and O) that involve construction-related soil disturbance shall require that during excavation and grading, if paleontological resources are uncovered, all work in that area shall be halted immediately and the project applicant shall notify the City. The project applicant shall retain a paleontologist to assess the nature, extent, and significance of any cultural materials that are encountered and to recommend appropriate methods to preserve any such resources. Said paleontologist will have the authority to put a hold on grading operations and mark, collect and evaluate any paleontological resources found on the site where it is discovered during construction. Said paleontologist shall be provided a reasonable amount of time to prepare and implement protection measures coordinating with the City of Los Angeles Building and Safety Department. Any paleontological remains and/or reports and surveys shall be submitted to the Los Angeles County Natural History Museum.
- Environmental Standard CR3: In the event that objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities (excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, driving posts, augering, backfilling, blasting, stripping topsoil or a similar activity), all such activities shall temporarily cease on the project site until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:
 - O Upon a discovery of a potential tribal cultural resource, the Applicant shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project; (2) and the Department of City Planning, Office of Historic Resources.
 - o If the City determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be tribal cultural resource, the City shall provide any effected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Applicant and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
 - The Applicant shall implement the tribe's recommendations if a qualified archaeologist and by a culturally affiliated tribal monitor, both retained by the City and paid for by the Applicant, reasonably concludes that the tribe's recommendations are reasonable and feasible.
 - The Applicant shall submit a tribal cultural resource monitoring plan to the City that includes all recommendations from the City and any effected tribes that have been reviewed and determined by the qualified archaeologist and by a culturally affiliated tribal monitor to be reasonable and feasible. The Applicant shall not be allowed to recommence ground disturbance activities until this plan is approved by the City.
 - If the Applicant does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist or by a culturally affiliated tribal monitor, the Applicant may request mediation by a mediator agreed to by

DIR-2024-464-TOC-HCA Page 19 of 25

- the Applicant and the City who has the requisite professional qualifications and experience to mediate such a dispute. The Applicant shall pay any costs associated with the mediation.
- The Applicant may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by the qualified archaeologist and by a culturally affiliated tribal monitor and determined to be reasonable and appropriate.
- Copies of any subsequent prehistoric archeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton.
- Environmental Standard N1: Projects (except for Residential Subareas M, N, and O) shall ensure that all contractors include the following best management practices in contract specifications, where applicable:
 - Construction haul truck and materials delivery traffic shall avoid residential areas whenever feasible. If no alternatives are available, truck traffic shall be routed on streets with the fewest residences.
 - The construction contractor shall locate construction staging areas away from sensitive uses.
 - When construction activities are located in close proximity to noise-sensitive land uses, noise barriers (e.g., temporary walls or piles of excavated material) shall be constructed between activities and noise sensitive uses.
 - o Impact pile drivers shall be avoided where possible in noise-sensitive areas. Drilled piles or the use of a sonic vibratory pile driver are quieter alternatives that shall be utilized where geological conditions permit their use. Noise shrouds shall be used when necessary to reduce noise of pile drilling/driving.
 - Construction equipment shall be equipped with mufflers that comply with manufacturers' requirements.
 - The construction contractor shall use on-site electrical sources to power equipment rather than diesel generators where feasible.
 - Use electric or solar generators, when available.
- Environmental Standard N2: Projects (except for Residential Subareas M, N, and O) shall comply with the following conditions:
 - o Industrial activity yards that include the operation of heavy equipment shall be shielded by sound barriers that block line-of-sight to sensitive receptors.
 - Mechanical equipment (e.g., heating, ventilation and air conditioning (HVAC)
 Systems) shall be enclosed with sound buffering materials.
 - Truck loading/unloading activity shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m. when located within 200 feet of a residential land use.
 - Parking structures located within 200 feet of any residential use shall be constructed with a solid wall abutting the residences and utilize textured surfaces on garage floors and ramps to minimize tire squeal.
- Environmental Standard N4: Projects (except for Residential Subareas M, N, and O) shall ensure that all contractors include the following best management practices in contract specifications, where applicable:
 - Impact pile drivers shall be avoided where possible in vibration-sensitive areas.
 Drilled piles or the use of a sonic vibratory pile driver are alternatives that shall be utilized where geological conditions permit their use.
 - The construction activities shall involve rubber-tired equipment rather than metaltracked equipment.

DIR-2024-464-TOC-HCA Page 20 of 25

 The construction contractor shall manage construction phasing (scheduling demolition, earthmoving, and ground-impacting operations so as not to occur in the same time period), use low-impact construction technologies, and shall avoid the use of vibrating equipment where possible to avoid construction vibration impacts.

Furthermore, as verified by the City of Los Angeles Vehicle Miles Traveled (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 (124 daily vehicle trips). Additionally, the subject property is located less than a one-half mile radius (2,640 feet) from the intersection of the Exposition / Vermont station of the Metro E Line. As such, the project will not have any significant impacts to traffic.

In regard 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 subject site will be adequately served by all public utilities and services given that the construction of a new five-story, 59-foot tall, mixed-use development with 26 residential dwelling units, is 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 is one other TOC project within a 500-foot radius of the site. Case DIR-2019-5235-TOC-HCA, approved on March 20, 2022, was for the construction of a 4-story mixed-use project totaling 15 dwelling units, and 237 square feet of commercial space, located at 1073 West Exposition Boulevard.

There is no evidence to indicate a significant impact resulting from successive projects of the same type in the same place. Both projects are subject to the citywide Regulatory Compliance measures as noted above, which regulate impacts related to air quality, noise, and geology to a less than significant level. There is no evidence to conclude that significant impacts will occur based on past project approvals or that the proposed Project's impacts are cumulatively considerable when evaluating any cumulative impacts associates with construction noise and transportation/traffic in the surrounding area. Therefore, in conjunction with citywide RCMs and compliance with other applicable regulations, no foreseeable cumulative impacts are expected.

DIR-2024-464-TOC-HCA Page 21 of 25

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 project proposes a type of construction and use – mixed-use development on an infill site – that is very common and typical throughout the City. The project proposes the construction of a five-story, 59-foot tall, mixed-use development with 26 residential dwelling units, totaling 15,394.65 square feet of floor area on an approximately 7,080 square-foot lot in the C2-2D-CPIO zone. All surrounding properties are developed with residential 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 25 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 complied 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.

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 project site has not been identified as a historic resource by local or state agencies, and the project site has not been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, the Los Angeles Historic-Cultural Monuments Register, and/or any local register; and was not found to be a potential historic resource based on the City's HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles. Therefore, the project will not cause a substantial adverse change in the significant of any historical resource and this exception does not apply.

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.

DIR-2024-464-TOC-HCA Page 22 of 25

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 <u>early</u> 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.gov/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.

DIR-2024-464-TOC-HCA Page 23 of 25

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.gov/development-services/forms. Public offices are located at:

Metro DSC	Van Nuys DSC
201 N. Figueroa Street Los Angeles, CA 90012 planning.figcounter@lacity.org (213) 482-7077	6262 Van Nuys Boulevard Van Nuys, CA 91401 planning.mbc2@lacity.org (818) 374-5050
Courtle LA DCC	
South LA DSC	West LA DSC

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 <u>BuildLA</u> portal (<u>appointments.lacity.gov</u>). The applicant is further advised to notify any consultant representing you of this requirement as well.

DIR-2024-464-TOC-HCA Page 24 of 25



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:

Theodore L. Arving
Connis Chaw
Theodore L. Irving, AICP
Principal City Planner

Connie Chauv
Senior City Planner

Prepared by:

Prepared by:

Manacany Hurtado
City Planner

Maneri Roman
Planning Assistant

DIR-2024-464-TOC-HCA Page 25 of 25



1117 W 38TH ST. MIXED-USE PROJECT





DESIGN + BUILD 9 1 5 M A T E O ST. # 3 0 4 LOS ANGELES . CA 90021 TEL: 213-612-4563 / FAX: 213-612-4473

NO.	ISSUE	DATE
1	TOC VERIFICATION SUBMITTAL	11/18/2022
2	CPIO SUBMITTAL	
3	PRELIMINARY ZONING ASSESSMENT	
4	PLANNING CASE SUBMITTAL	
5	BUILDING PLAN CHECK	
6		

38TH ST. MULTI-FAMILY DEVELOPMENT

1117 W. 38TH ST. LOS ANGELES, CA 90037

COVER SHEET RENDERING

PROJECT

SCALE **T.0**

PROJECT

38TH ST. MULTI-FAMILY DEVELOPMENT

1117 W. 38TH ST. LOS ANGELES, CA 90037

PROJECT INFORMATION	
PROJECT ADDRESS:	1117 W 38TH ST. LOS ANGELES, CA 90037
ASSESSOR'S ID NO:	5037-015-025
LEGAL DESCRIPTION:	TRACT: ALESSANDRO, LOT 13, BLOCK A
ZONING:	C2-2D-CPIO COMMUNITY PLAN IMPLEMENTATION OVERLAY: SOUTH LOS ANGELES CPIO DISTRICT
FUNDING:	100% PRIVATELY FUNDED, NO TAX CREDIT, NOT PUBLIC HOUSING
LOT AREA:	7,080.27 S.F. PER THE LATEST SURVEY DRAWING (7,038.1 S.F. PER ZIMAS)
existing use:	RESIDENTIAL 3 UNITS
PROPOSED USE:	TOTAL 5 STORIES APARTMENT COMPLEX (4 STORIES OF 26-UNIT APARTMENT OVER 1 STORY PARKING PODIUM) & GROUND FLOOR RETAIL SPACE, MIXED-USE PROJECT
CONSTRUCTION TYPE:	TYPE VA(FLOORS 2-5) OVER TYPE IA(FLOOR 1) WITH AUTOMATIC SPRINKLER SYSTEM THROUGHOUT (NFPA-13)
OCCUPANCY TYPE:	B, R-2 & S-2
FIRE DISTRICT:	NO
METHANE ZONE:	NO
NO. OF STORIES:	5 STORIES: 4 LEVELS OF TYPE VA CONSTRUCTION OVER 1 LEVELS OF TYPE IA CONSTRUCTION (ABOVE GRADE PARKING)
DEDICATION:	5 FT HIGHWAY DEDICATION
PROJECT DESCRIPTION:	5-Story apartment building. 4 Levels of type V-A, wood framed 26-unit apartments over 1 Level above grade concrete poolum deck type I-A with residential Lobby and Parking. Project mill be a transit oriented communities affordable housing incentive toc project tier 3.
SOUTH L.A. CPIO (COMMUNI	TY PLAN IMPLEMENTATION OVERLAY) DISTRICT SUBAREA G (TOD HIGH)
BASE DENSITY:	1/400 ALLOWABLE DU/PARCEL FOR TOC PROJECTS PER SECTION III-3 B.1(a) 7,080.27 S.F.(Lot Area) / 400 (per unit allowable) = 17.71 (ROUND UP) = 18 UNITS
BUILDING HEIGHT:	MINIMUM HEIGHT= 2 STORIES BASE HEIGHT= 7 STORIES / 105'-0"

PROPOSED HEIGHT= 5 STORIES / 59'-0"

TRANSIT ORIENTED COMMUNITIES (TOC) AFFORDABLE HOUSING INCENTIVES (LA. MUNICIPAL CODE 12.22A.31):

BASE FAR:

70% MAX. DENSITY INCREASE PER TOC SECTION VI.1.b.v. 18 UNITS X 1.4 = 30.6 (ROUND UP) = 31 UNITS. PROPOSED: 26 UNITS 45% MAX. FAR INCREASE (OVERLAY DISTRICT)

1.5 (CPIO BASE FAR) X 1.45 = 2.175 7,080.27 S.F.(Lot Area) X 2.175 = 15,399.58 S.F. ALLOWED> 15.394.65 S.F. PROPOSED

2) AUTOMOBILE PARKING
RESIDENTIAL TIER—3 PARKING IS 0.5 SPACES PER UNIT. 26 Units x 0.5 = 13 Parking Spaces are required.

However, project is located within reduced parking areas per ab2097.

Parking is not required. Proposed: 10 Spaces for residential only.

AFFORDABLE HOUSING TIER 3 REQUIRES 10% OF TOTAL UNITS TO BE EXTREMELY LOW INCOME (ELI) $10\% \times 26 = 2.6$ (round up) = 3 ELI UNITS + 23 Market rate units (demolished 3 units need 3 replacement units per lahd SB8 det.)

i) YARD SETBACKS: TIER-3 ALLOWS RAS 3 SETBACKS IN COMMERCIAL ZONES. SIDE YARDS & REAR YARD WILL BE 5 FEET FOR RESIDENTIAL

ADDITIONAL TIER-3 INCENTIVES:

FRONT YARD REQUIRES ZERO FEET AT ALL LEVELS PER SEC. 12.14C.1

ii) OPEN SPACE: TIER-3 ALLOWS A 25% DECREASE IN REQUIRED OPEN SPACE (SEE CALCULATION ON SHEET A1 2)

		CALCOLATION ON SHEET	A1.2)					
TRANSITIONAL HEIGHT:		NOT APPLICABLE.						
LOT COVERAGE:		REQUIRED: 30% MIN.	PROVIDED:	5,053.59	S.F. / 7	,080.27	S.F = 0.71,	(71% > 30%)
BICYCLE PARKING:		RESIDENTIAL:			COMM	ERCIAL:		
	LONG-TERM	1~25UNIT: 1/1UNIT, 26~100UNIT: 1/1.5UNIT, TOTAL REQUIRED: PROVIDED: 8 SPACES AT 18 SPACES AT	26 SPAC 1ST FLO	aces es or level	RETAIL 2 SPA	AREA=12 CES REQU	IRED,	.) St floor level
	SHORT-TERM	1~25UNIT: 1/10UNIT, 26~100UNIT: 1/15UNIT, TOTAL REQUIRED: PROVIDED: 3 SPACES AT	0.067 SF 3 SPACE	PACES	RETAIL 2 SPA	AREA=12 CES REQU	IRED,	.) St floor level
PROPOSED UNIT MIX		FL. LEVEL	STUDIO	1 BED	2 BED	3 BED	TOTAL	1
		LEVEL-1 (2ND FLOOR)	1	1	3	1	6	1

PROPOSED UNIT MIX	FL. LEVEL	STUDIO	1 BED	2 BED	3 BED	TOTAL
	LEVEL-1 (2ND FLOOR)	1	1	3	1	6
	LEVEL-2 (3RD FLOOR)	2	1	3	1	7
	LEVEL-3 (4TH FLOOR)	2	1	3	1	7
	LEVEL-4 (5TH FLOOR)	0	1	4	1	6
	TOTAL	5	4	13	4	26
	%	19.2%	15.4%	50%	15.4%	100%
	HABITABLE ROOMS	10	8	39	16	73
APPLICABLE CODE:	2022 CALIFORNIA BUILDING CODE (CBC)					

2022 CALIFORNIA ELECTRICAL CODE (CEC) 2022 CALIFORNIA MECHANICAL CODE (CMC) 2022 CALIFORNIA PLUMBING CODE (CPC 2022 CALIFORNIA ENERGY CODE (CEnC)

2022 CALIFORNIA GREEN BUILDING STANDARDS CODE (CAL GREEN) DEFERRED APPROVAL: 1. FIRE SPRINKLER SYSTEM (NFPA-13)

2. GRADING PERMIT
3. SHORING & EXCAVATION 4. MECHANICAL, PLUMBING SYSTEM (EXPRESS PERMIT)
5. ELECTRICAL PERMIT

2022 CALIFORNIA FIRE CODE (CFC)

6. FIRE SPRINKLER SYSTEM

T.O COVER SHEET
T.Oa 3D RENDERINGS

TITLE SHEET
TOPOGRAPHIC SURVEY

T.2 CPIO NOTES

A1.2 F.A.R & OPEN SPACE CALCULATIONS
A1.3 EXTERIOR OPENING CLACULATIONS

A2.1 1ST FLOOR PLAN

A2.2 2ND ~ 4TH FLOOR PLAN 5TH FLOOR & ROOF PLAN

IRRIGATION PLAN

LC-1 CONSTRUCTION PLAN & DETAILS

GENERAL SHEETS

ARCHITECTURAL DRAWINGS

A1.1 PLOT PLAN (SITE PLAN)

A2.11 COMMON AREA ENLARGED PLANS

A3.1 ELEVATIONS—

A4.1 BUILDING SECTIONS

LANDSCAPE DRAWINGS

PLANTING PLAN

IRRIGATION & PLANTING LEGENDS, SPECIFICATIONS & CALS. IRRIGATION & PLANTING DETAILS

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38TH ST. MULTI-FAMILY DEVELOPMENT

1117 W. 38TH ST. LOS ANGELES, CA 90037

TITLE SHEET

PROJECT SHEET NUMBER

be Addressed SCALE VICINITY MAP

SCALE

NTS

6

ABBREVIATION

City of Los Angeles

South Los Angeles Empowerment Congress North Are CD 8 - Marqueece Harris-Dawson

ZI-2484 Community Plan Implementation Overlay: South Los Angele

21-2312 Housing Element Inventory of Sites
21-2312 Neighborhood Stabilization Ordinance: North University Parl
Exposition Park-West Adams ZI-2498 Local Emergency Temporary Regulations - Time Limits and Parking Relief - LAMC 16.02.1 ZI-1231 Specific Plan: South Los Angeles Alcohol Sales ZI-2374 State Enterprise Zone: Los Angeles

ZI-2452 Transit Priority Area in the City of Los Angeles SOUTH LOS ANGELES ALCOHOL SALES

DRAWING INDEX

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SCALE

SITEPLAN NOTES:

- DO NOT SCALE DRAWINGS. CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT JOB SITE PRIOR TO BIDDING AND START OF CONSTRUCTION. IF DISCREPANCIES ARE FOUND, THE ARCHITECT SHALL BE NOTIFIED FOR
- CONCRETE PAVING SURFACES WITHIN 10 FEET OF BUILDING FOUNDATION SHALL BE SLOPED A MIN. OF 2% AWAY FROM THE BUILDING.
- REQUIRED SLOPES FOR DRIVEWAY AND PARKING STALLS
- 1) 20% MAXIMUM SLOPE ON DRIVEWAY
- 2) 10% MAXIMUM CROSS SLOPE OF A DRIVEWAY
- 3) 5% MAXIMUM SLOPE IN ANY DIRECTION IN A PARKING STALL 100% OF HARDSCAPE TO BE UNCOLORED CONCRETE W/ SMOOTH CEMENT FINISH AND W/ SOLAR REFLECTANCE OF AT LEAST 0.30 AS DETERMINED PER
- ASTM E918 OR ASTM C1549. THE CONTRACTOR SHALL FURNISH ALL MATERIALS LABOR FOLIPMENT THE CONTRACTORS PAIL FUNDING ALL WATERFALS, LABOY, EQUIPMENT, TRANSPORTATION AND SERVICES NECESSARY FOR THE SATISFACTORY COMPLETION OF WORK, ALL EQUIPMENT, WORK AND MATERIALS SHALL COMPLY WITH ALL CURRENT AND LOCAL APPLICABLE CODES AND GOVERNING REGULATIONS. BUILDING CODE REQUIREMENTS TAKE PRECEDENCE OVER THE
- 6. IF THE CONTRACTOR ASCERTAINS AT ANY TIME THAT REQUIREMENTS OF THIS IN THE CONTRACTOR ASCENDING AT ANY TIME THAT REQUIREMENTS OF THIS CONTRACT CONFECT CAME A MEAN TOLGATION OF APPLICABLE LAWS, CODES, REGULATIONS AND ORDINANCES, HE SHALL NOT PROCEED WITH WORK IN QUESTION, EXCEPT AT HIS RISK, UNITLE ARCHITECT HAS BEEN NOTHED IN WRITING AND A WRITTEN DETERMINATION HAS BEEN MADE BY THE ARCHITECT.
- WHEN IT IS NECESSARY TO INTERRUPT ANY EXISTING UTILITY SERVICES TO MAKE CONNECTIONS AND/OR CONNECTION, A MININUM OF 48 HOURS
 ADVANCE NOTICE SHALL BE GIVEN TO THE OWNER. INTERRUPTIONS IN UTILITY
 SERVICES SHALL BE OF THE SHORTEST POSSIBLE DURATION FOR THE WORK
 AT HAND AND SHALL BE APPROVED IN ADVANCE BY THE OWNER.
- ALL SURFACES DAMAGED DURING THE COURSE OF WORK BY THE CONTRACTOR
- OR SUBCONTRACTORS SHALL BE REPAIRED AT NO COST TO THE OWNER.
 AN APPROVED SEISMIC GAS SHUTOFF VALVE SHALL BE INSTALLED ON THE
 FUEL GAS LINE ON THE DOWN STREAM SIDE OF THE UTILITY METER AND BE RIGIDLY CONNECTED TO THE EXTERIOR OF THE BUILDING OR STRUCTURE

- CONTAINING THE FUEL GAS PIPING PER ORDINANCE 170,158. FOR PERMIT INFORMATION CONTACT THE PLUMBING DIVISION AT (213) 485-2311.
- LANDSCAPE DESIGN REQUIRES 100% DRIP IRRIGATION WITHIN 5 FT OF
 BUILDING PERIMETER FOOTING, SPRAY HEADS NOT ALLOWED IN THIS PROJECT.
- 11 CONTRACTOR TO PROVIDE SECURITY BY MEANS OF A MINIMUM FIGHT FOOT HIGH FENCE MAINTAINED AROUND THE ENTIRE SITE PRIOR TO START OF WORK.
- 12. PLANTER WALLS AND FENCES IN THE PUBLIC WAY REQUIRE AN ENCROCHMENT PERMIT PRIOR TO INSTALLATION. DRAINAGE SHALL NOT FLOW OVER PUBLIC PROPERTY OR ACROSS ADJACENT PRIVATE PROPERTY. ROOF DRAINAGE SHALL NOT BE CARRIED OVER SIDEWALKS, CONDUCT ALL DOWNSPOUT AND ROOF DRAINS TO THE DRAINAGE SYSTEM. CONCENTRATED DRAINAGE SHALL BO SICHARGED INTO AN APPROVED CAATION.

 13. ALL WALK SURFACES TO BE SLIP—RESISTANT SURFACES.
- 14. PROVIDE 30" CLEAR ACCESS AROUND BUILDING.
- 15 BALCONY PROJECT INTO FRONT YARD IS 30" MAXIMUM
- 16. WALKS, SIDEWALKS AND PEDESTRIAN WAYS SHALL BE FREE OF GRATING WHENEVER POSSIBLE. IF THERE ARE GRATINGS, GRID OPENINGS ARE TO BE NO MORE THAN 1/2" IN THE DIRECTION OF TRAFFIC FLOW.
- 17. SEE PLUMBING DRAWINGS FOR UTILITIES.

 18. ACCURACY OF DATA FROM SURVEY NOT GUARANTEED BY ARCHITECT. SEE 1/8" AND 1/4" SCALE DRAWNGS FOR MORE DIMENSIONS, NOTES AND INFORMATION. ALL DRAINAGE FROM ROOF, AND SITE DRAINAGE ARE SHOWN ON PLUMBING DRAWNGS.

- BUILDING IN ACCORDANCE TO L.A.M.C 57.09.11
- 23. VERIFY LOCATION OF SECURITY GATES WITH OWNER. PROVIDE KEY BOX AT AN ACCESSIBLE LOCATION FOR FIRE DEPARTMENT EMERGENCY ACCESS. THE KEY BOX SHALL BE OF AN APPROVED TYPE & SHALL CONTAIN KEYS TO GAIN

- NECESSARY ACCESS AS REQUIRED BY FIRE DEPARTMENT,
- . TEMPORARY PEDESTRIAN PROTECTION SHALL BE PROVIDE AS REQUIRED BY SECTION 3306. OBTAIN PUBLIC WORK'S APPROVAL. (3201.3. 3202.3.4. 3306)
- SCREENS, BARRICADES, OR FENCES MADE OF MATERIAL PRECLUDE HUMAN CLIMBING SHALL BE PROVIDED AT EVERY PORTION OF EVERY ROOF, BALCONY, OR SIMILAR SURFACE WHICH IS WITHIN 8 FT. OF THE UTILITY POLE OR SIMILAR STRUCTURES, (6707)
- 26. SEE CIVIL DRAWINGS FOR DRAIN LOCATIONS AND SITE DRAINAGE
- . SEE UNIL DRAWINGS FOR BRAIN LOCATIONS AND SITE DRAWING.
 IT IS THE INTENT OF THE ARCHITECTS TO TIE THE FINISH FLOOR ELEVATIONS
 WITH THE EXISTING SIDEWALK TO MEET APPLICABLE CODE AND A.D.A.
 REQUIREMENTS. THE GRADES SHOWN WERE INTERPOLATED FROM THE SURVEY
 PROVIDED TO THE ARCHITECT AND CAN NOT BE VERIFIED FOR ACCURACY.
 HEREFORE, CONTRACTOR TO NOTIFY BOTH CIVIL ENGINEER AND ARCHITECT
 OF ANY DISCREPANCES PRIOR TO CONSTRUCTION.
- 28 SITE DEVELOPMENT AND GRADING SHALL BE DESIGNED TO PROVIDE ACCESS. SITE DEVELOPMENT AND GRADING STALL BE DESIGNED TO PROVIDE ACCESS TO ALL ENTRANCES AND EXTERIOR GROUND FLOOR EXITS, AND ACCESS ON NORMAL PATHS OF TRAVEL, AND WHERE NECESSARY TO PROVIDE ACCESS, SHALL INCORPORATE PEDESTRIAN RAMPS, CURB RAMPS, ETC. (1110A1)
- 29. CONCRETE STAIR REQUIREMENT: 11" MIN. TREADS, 7" MAX RISER. CONTRACTOR TO VERIFY GRADES AND ADJUST NUMBER OF RISERS REQUIRED, IF NECESSARY. STAIRS SHALL CONFORM CODE REQUIREMENTS, REF STRUCTURAL DRAWINGS AND SHEET A703
- 30. SEE LANDSCAPE DRAWINGS FOR IRRIGATION CONTROLLER LOCATION AND TYPE.
- 31. SEE LANDSCAPE DRAWINGS FOR HARDSCAPE, LANDSCAPE AND COMMON SPACE FURNITURE LAYOUT
- ON PLUMBING DRAWINGS.

 20. ALL CONSTRUCTION SHOWN ON SITE IS NEW.

 21. PROVIDE 1/4*/1 FOOT MIN. SLOPE TO DRAIN TYP. AT YARDS AND BALCONIES.

 22. DOUBLE STRIPING OF STALLS SHALL BE PER ZONING CODE SECTION 12,21451
 CHART NO 5

EXHIBIT "A" Page No. 3 of 14

SITE PLAN KEYNOTES

9 6FT, MIN, CMU AND METAL FENCE WALL UNDER SEPARATE PERMIT BY G.C.

13 IRRIGATION CONTROLLER & RAIN SENSOR LOCATION. SEE T.16 FOR SPEC SHEE 14 IRRIGATION BACK FLOW PREVENTER & MANUAL VALVE LOCATION

PROPERTY LINE

3 (E) CONC. CURB LINE

4 (E) TREE TO REMAIN 5 FIRE KNOX BOX 6 FDC CONNECTION

BRICK PERMEABLE PAVING

SEE 1/A3.2 FOR FENCE FLEVATION 10 DWP TRANSFORMER PAD 11 (E) OVERHEAD POWER LINE 12 (E) STREET LIGHT

2 (E) SIDEWALK

7 CONC. PAVING

Case No. DIR-2024-464-TOC-HCA

TEL: 310-740-1447



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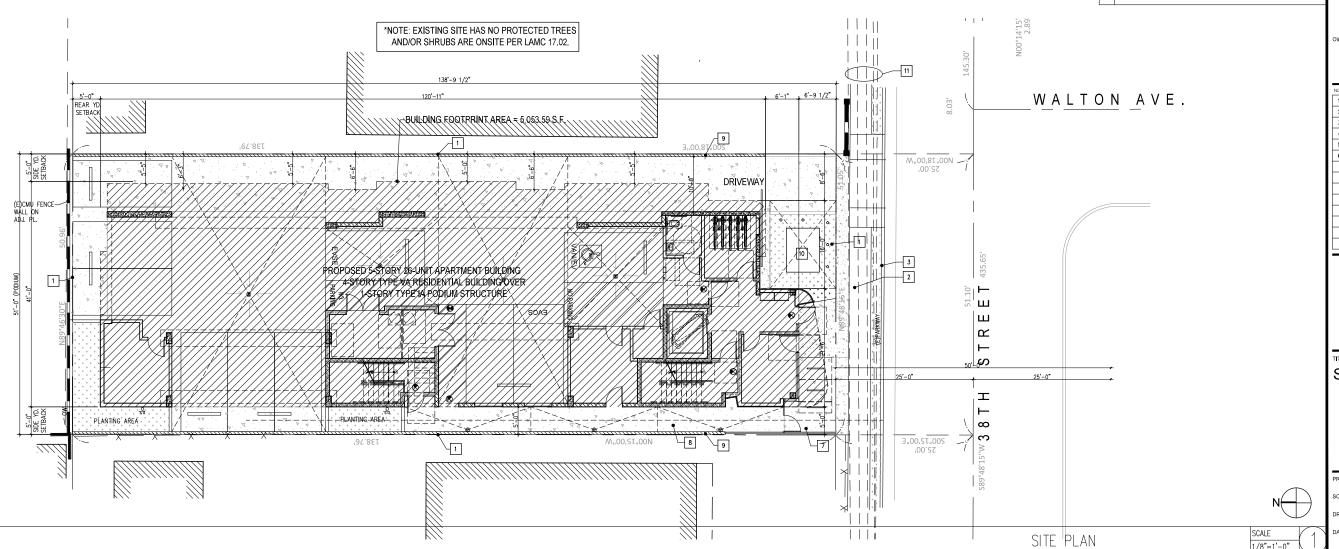
NO.	ISSUE	DATE
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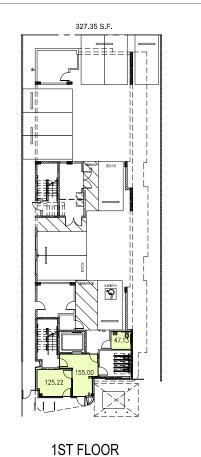
38TH ST. MULTI-FAMILY DEVELOPMENT

1117 W. 38TH ST. LOS ANGELES, CA 90037

SITE PLAN

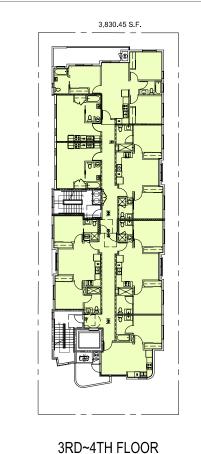
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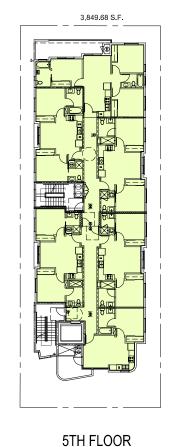


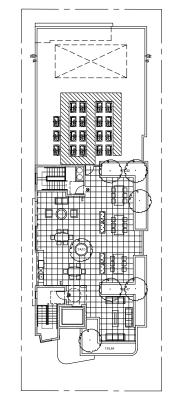


3,556.72 S.F.

2ND FLOOR







ROOF

14

Case No. DIR-2024-464-TOC-HCA

AREA CALCULATIONS:

R-2 OC	CUPANCY AREA	ZONING CODE FLOOR AREA
1F	COMMERCIAL(RETAIL)	125.22
	LOBBY	155.00
	RESTROOM	47.13
	TOTAL	327.35
2F	UNIT AREA	027.00
-1	CORRIDOR	
	TOTAL	3,556.72
3F~4F	UNIT AREA	
	CORRIDOR	
	TOTAL	3,830.45
5F	UNIT AREA	.,
	CORRIDOR	
	TOTAL	3,849.68
T	OTAL AREA	15,394.65

417.0	REA CALCULATIONS.				
R-2 OC	CUPANCY AREA	ZONING CODE FLOOR AREA			
1F	COMMERCIAL(RETAIL)	125.22			
	LOBBY	155.00			
	RESTROOM	47.13			
	TOTAL	327.35			
2F	UNIT AREA	327.33			
۷۱	CORRIDOR				
	TOTAL	3,556.72			
3F~4F	UNIT AREA				
	CORRIDOR				
	TOTAL	3.830.45			
5F	UNIT AREA	3,030.43			
DF	CORRIDOR				
	CONTRIBUTE				
	TOTAL	3,849.68			
T)	OTAL AREA	15,394.65			

MAX. FLOOR AREA: 7,080.27 X 2.175 = 15,399.58 S.F. PROPOSED FAR= 15,394.65 / 7,080.27 = 2.174 < 2.175 OKAY!!

F.A.R. CALCULATIONS

CONSULTANTS

). ISSUE

2 CPIO SUBMITTAL PRELIMINARY ZONING ASSESSMENT PLANNING CASE SUBMITTAL

1/16"=1'-0"

UNIT COUNT:

UNIT	STUDIO	1BR	2BR	3BR	TOTAL
2ND FLOOR	1	1	3	1	6
3RD FLOOR	2	1	3	1	7
4TH FLOOR	2	1	3	1	7
5TH FLOOR	0	1	4	1	6
TOTAL UNITS	5	4	13	4	26
# OF BEDS	5	4	26	12	47

OPEN SPACE REQUIRED:

UNIT	# 01	OIVIII		11	LQUII	\LL	mma.
1BR/STUDIO(2 HABITABLE	RMS.)	9	9	Χ	100	=	900 SF.
2BR (3 HABITABLE RMS.)		13	13	Χ	125	=	1,625 SI
3BR (4 HABITABLE RMS.)		4	4	Χ	175	=	700 SF.

TOTAL REQ'D USABLE OPEN SPACE TOC TIER-3 INCENTIVE (25%) 3,225 SF. 2,418.75 SF.

PRIVATE BALCONY: 50 X 8 = ROOF DECK: TOTAL PROVIDED:

400 S.F. 2,047.62 S.F. 2,447.62 S.F.

LANDSCAPE REQUIREMENTS

LANDSCAPE REQUIRED (SECTION 12.21 G (A3): =25% COMMON OPEN SPACE AT ROOF DECK LEVEL: 2,047.62 SF. X .25 = 511.91 S.F.

LANDSCAPE PROVIDED: 178.42 + 169.47 + 136.84 + 16 + 16 + 533.83 S.F. > 511.91 S.F.

TREE REQUIREMENTS = $1-24^{\circ}$ BOX TREE FOR EVERY 4 UNITS TOTAL 7 TREES REQUIRED., 7 TREES PROVIDED AT ROOF DECK

TOC VERIFICATION SUBMITTAL 11/18/2022

DESIGN + BUILD

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38TH ST. MULTI-FAMILY DEVELOPMENT

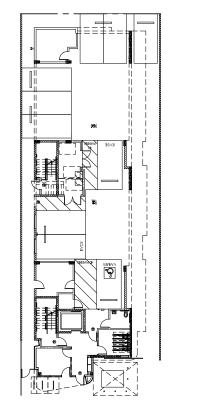
1117 W. 38TH ST. LOS ANGELES, CA 90037

F.A.R. & **OPEN SPACE CALCULATIONS**

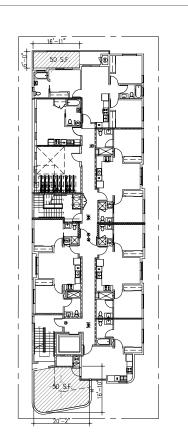
PROJECT

SCALE

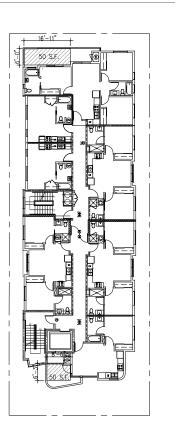
A1.2



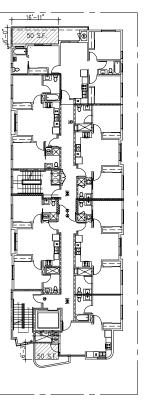
1ST FLOOR



2ND FLOOR



3RD~4TH FLOOR

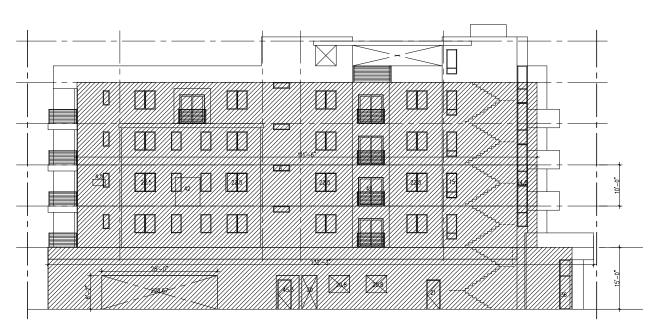


5TH FLOOR



ROOF

OPEN SPACE DIAGRAM



 $\underbrace{ \text{ 3)} \text{ EXTERIOR OPENING CALCULATIONS (WEST WALL)} }_{\text{SCALE: } 3:2^{\circ}=1\cdot0^{\circ}}$

EXTERIOR WALL OPENINGS CALCULATION PER TABLE 705.8

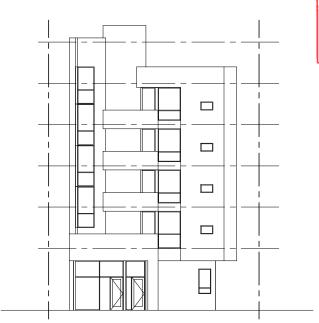
FLR.	SEPARATION DISTANCE	WALL AREA	OPENING AREA	PROVIDED (%)	MAX. %
1F	5 ~ 10FT.	1,905.0	402.57	(21.1%)	25%
2F~5F	5 ~ 10FT.	1,115.0	224.1	(20.1%)	25%



(4) EXTERIOR OPENING CALCULATIONS (EAST WALL)

EXTERIOR WALL OPENINGS CALCULATION PER TABLE 705.8

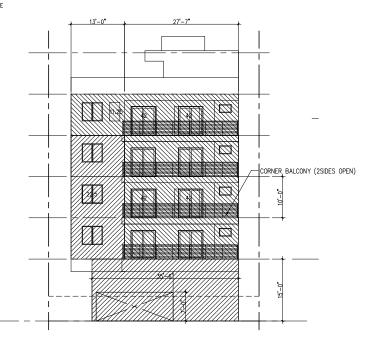
FLR.	SEPARATION DISTANCE	WALL AREA	OPENING AREA	PROVIDED (%)	MAX. %
1F	10 ~ 15FT.	1,775.0	668	(37.6%)	45%
2F∼4F	5 ~ 10FT.	1,193.1	234.75	(19.7%)	25%
5F	5 ~ 10FT.	1,089.1	223.5	(20.5%)	25%



(1) EXTERIOR OPENING CALCULATIONS (SOUTH WALL) SCALE: 3/52" = 1'-0'

EXTERIOR WALL

0 ~ 3FT. SEPARATION DISTANCE EXTERIOR WALL
3 ~ 5FT. SEPARATION DISTANCE EXTERIOR WALL 10 ~ 15FT. SEPARATION DISTANCE EXTERIOR WALL 15 ~ 20FT. SEPARATION DISTANCE EXTERIOR WALL OVER 20FT. SEPARATION DISTANCE



EXTERIOR WALL OPENINGS CALCULATION PER TABLE 705.8

FLR.	SEPARATION DISTANCE	WALL AREA	OPENING AREA	PROVIDED (%)	MAX. %
1F	5 ~ 10FT.	532.5	130.67	(24.5%)	25%
2F~4F	5 ~ 10FT.	130	22.5	(17.3%)	25%
	10 ~ 15FT.	275.8	84	(30.4%)	45%
5F	10 ~ 15FT.	405.8	95.25	(23.4%)	45%

EXHIBIT "A"

Page No. 5 of 14 Case No. DIR-2024-464-TOC-HCA

DESIGN + BUILD

9 1 5 M A T E O ST. # 3 0 4 LOS ANGELES, CA 90021 TEL: 213-612-4563 / FAX: 213-612-4473

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1	TOC VERIFICATION SUBMITTAL	11/18/2022
2	CPIO SUBMITTAL	
3	PRELIMINARY ZONING ASSESSMENT	
4	PLANNING CASE SUBMITTAL	
5	BUILDING PLAN CHECK	
6		

38TH ST. MULTI-FAMILY DEVELOPMENT

1117 W. 38TH ST. LOS ANGELES, CA 90037

BUILDING ELEV.

PROJECT SHEET NUMBER

SCALE

A1.3



FLOOR PLAN NOTES:

PROPERTY LINE

5 6FT LONG CONC. WHEEL STOP 6 FIRE KNOX BOX, RECESSED 7 FDC CONNECTION 8 CONC. PAVING 9 6"HT. CONC. MOW-STRIP 10 6FT HT. DRIVEWAY METAL SLIDING GATE

- DIMENSIONS SHOWN ARE TAKEN TO FACE OF CONCRETE/MASONRY, CENTER OF
- DIMENSIONS SHOWN ARE TAKEN TO FACE OF CONCRETE/MASONRY, CENTER OF COLUMNS, FACE OF PLASTER FINISHES/(EXTERIOR WALL), OR FACE OF INTERIOR FINISH WALL, U.N.O.

 ALL DIMENSIONS INDICATED AS "CLR" ARE FROM FINISH TO FINISH. PROVIDE COLUMN CORNER GUARDS FOR ALL CORNERS FACING TRAFFIC. PROVIDE FIPE GUARDS AT ALL EMPOSED PIPE. PROVIDE FROM IDENTIFICATION SIGNAGE. FIRE EXTINGUISHERS SHALL BE LOCATED ON EVERY FLOOR OR LEVEL MAX. TRAVEL DISTANCE FROM ANY POINT IN SPACE OR BUILDING NOT TO EXCEED 75 FEET. FINAL LOCATION TO BE CONFIRMED WITH BUILDING INSPECTOR AND ACCURATED.

FLOOR PLAN KEYNOTES

ARCHIECT.

PROVIDE R-30 THERMAL INSULATION AT UNDERSIDE OF ROOF AND R-15 STUD WALLS AT AROUND THE CONDITIONED SPACES, TYP.

2 6FT. MIN. CMU AND METAL FENCE WALL UNDER SEPARATE PERMIT BY G.C. 3 SHORT TERM BIKE FREESTANDING RACK, SARIS MODEL BIKE DOCK #2113 DOUBLE STRIPING OF STALLS SHALL BE PER ZONING CODE SECTION 12.21A5, CHART #5., U.N.O., TYP.

DESIGN + BUILD

TEL: 310-740-1447

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LEGEND:

TOC VERIFICATION SUBMITTAL 11/18/2022 2 CPIO SUBMITTAL PRELIMINARY ZONING ASSESSMEN PLANNING CASE SUBMITTAL

38TH ST. MULTI-FAMILY DEVELOPMENT

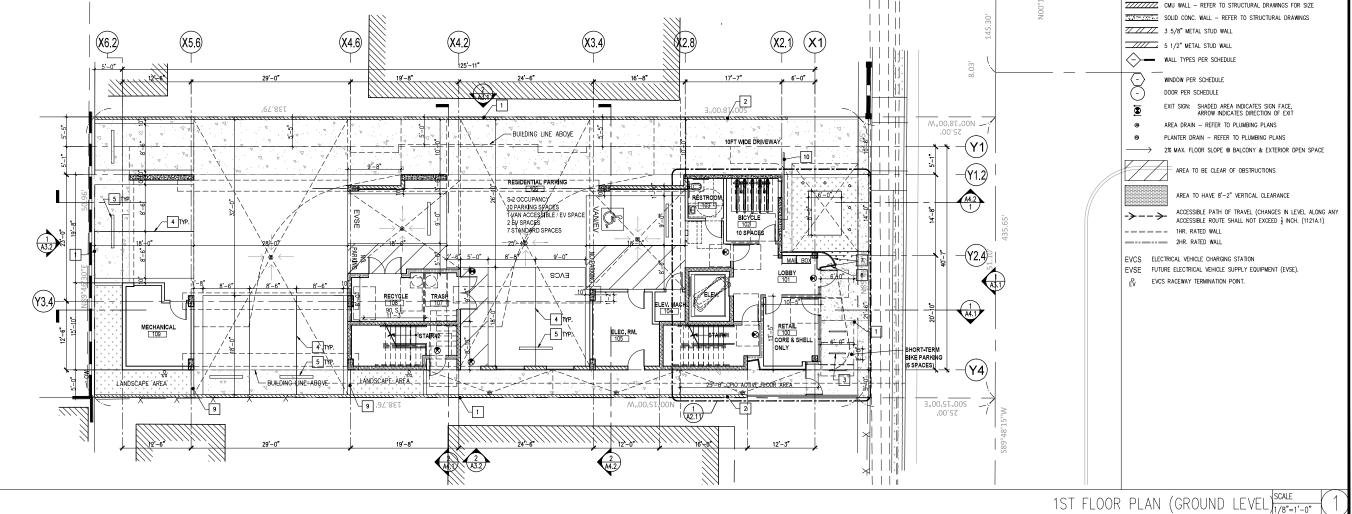
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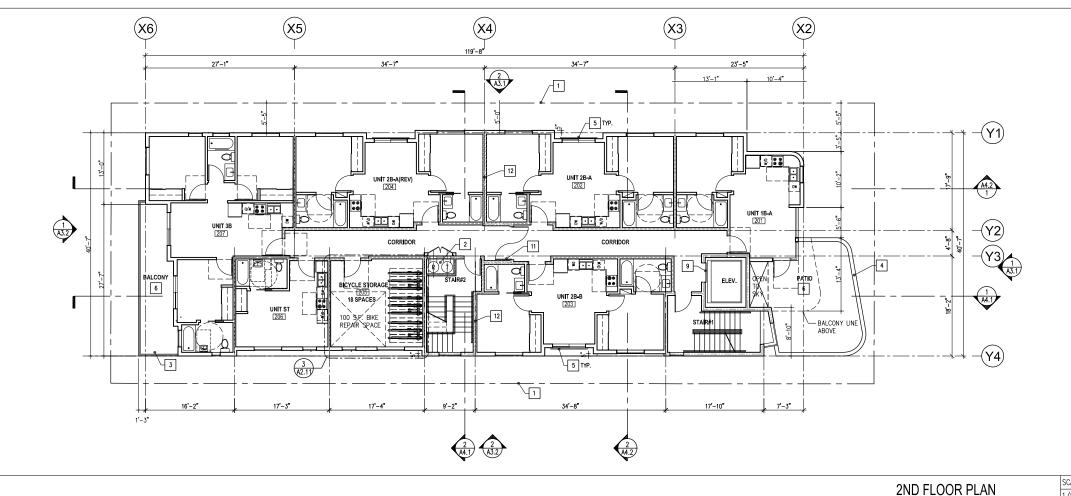
1ST FLOOR PLAN

PROJECT SHEET NUMBER

SCALE

A2.1







Case No. DIR-2024-464-TOC-HCA

FLOOR PLAN KEYNOTES

	1	PROPERTY LINE
	2	TRASH CHUTE W/ FIRE RATED DOOR
	3	42"HT. MIN. PAINTED METAL GUARDRAIL
	4	42"HT. MIN. GUARD WALL
	5	42"HT. MIN. PAINTED METAL GUARD FOR WINDOW FALL PROTECTION
Γ	6	PLI-DEK WATERPROOF DECK COATINGS, LARR# 25375, ICC-ES ESR 209
	7	4"X4" BALCONY SCUPPER IN WALL
	8	4"X4" BALCONY OVERFLOW SCUPPER IN WALL
	9	90min. ELEVATOR DOOR W/ FIRE SMOKE GUARD
Г	10	CLASS I - 4" STANDPIPE W/ 2 1/2" OUTLET
Г	11	2-WAY HORIZONTAL EXIT DOORS, 90MIN.
Г	12	2HR HORIZONTAL SEPARATION WALL
Г	17	

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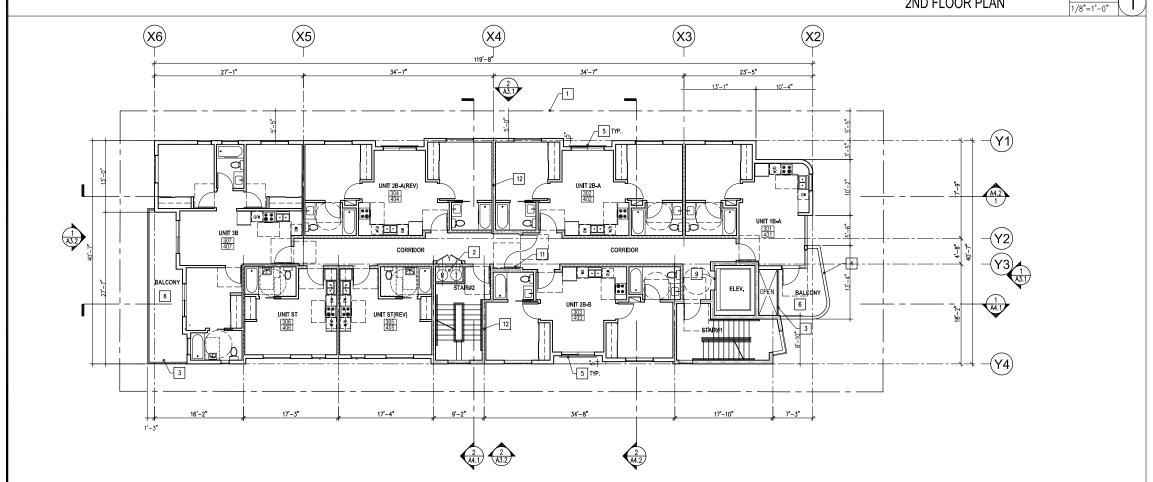
38TH ST. **MULTI-FAMILY DEVELOPMENT**

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2ND ~ 4TH FLOOR **PLANS**

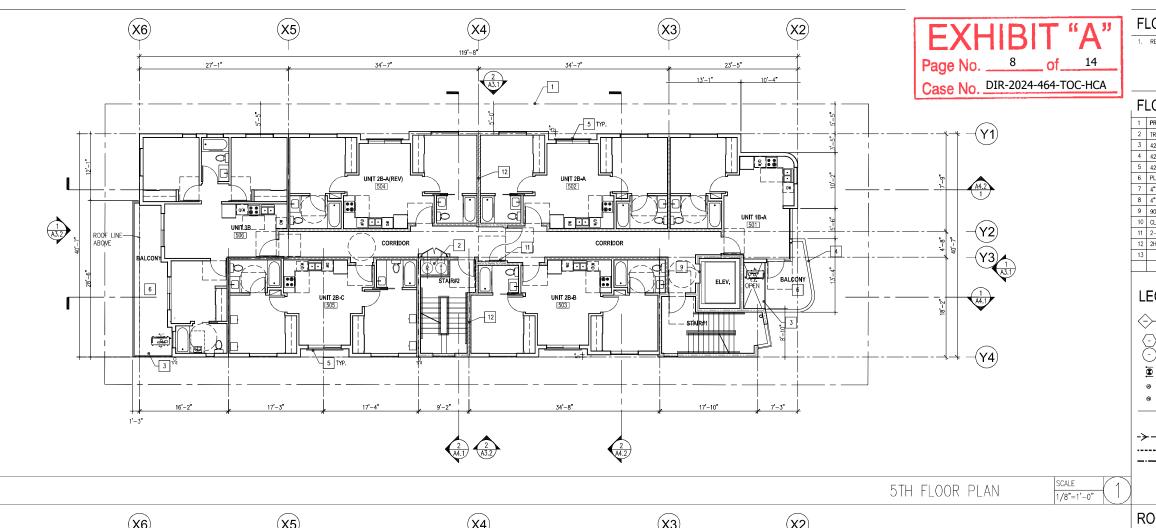
PROJECT

A2.2



3RD ~ 4TH FLOOR PLAN

SCALE 1/8"=1'-0"



FLOOR PLAN GENERAL NOTES

1. REFER TO TYPICAL FLOOR PLAN NOTES ON SHEET A2.2.

FLOOR PLAN KEYNOTES

PROPERTY LINE
 TRASH CHUTE W/ FIRE RATED DOOR
 42°HT, MIN, PAINTED METAL GUARDRAIL
 42°HT, MIN, GUARD WALL
 42°HT, MIN, PAINTED METAL GUARD FOR WINDOW FALL PROTECTION
 PUI-DEK WATERPROOF DECK COATINGS, LARR# 25375, ICC-ES ESR 2097

7 4"X4" BALCONY SCUPPER IN WALL
8 4"X4" BALCONY OVERFLOW SCUPPER IN WALL

9 90min. ELEVATOR DOOR W/ FIRE SMOKE GUARD 10 CLASS I - 4" STANDPIPE W/ 2 1/2" OUTLET

11 2-WAY HORIZONTAL EXIT DOORS, 90MIN.
12 2HR HORIZONTAL SEPARATION WALL

12 2HR HORIZONTAL SEPARATION

LEGEND:

WALL TYPES PER SCHEDULE

WINDOW PER SCHEDULE

DOOR PER SCHEDULE

EXIT SIGN: SHADED AREA INDICATES SIGN FACE, ARROW INDICATES DIRECTION OF EXIT

AREA DRAIN - REFER TO PLUMBING PLANS
PLANTER DRAIN - REFER TO PLUMBING PLANS

2% MAX. FLOOR SLOPE @ BALCONY & EXTERIOR OPEN SPACE

->--> ACCESSIBLE PATH OF TRAVEL (CHANGES IN LEVEL ALONG ANY ACCESSIBLE ROUTE SHALL NOT EXCEED \$\frac{1}{2}\$ INCH. (1121A.1)

1HR. RATED WALL

1

ROOF PLAN KEYNOTES

1 CLASS 'A' 3-PLY BUILT-UP ROOFING SYSTEM W/ COOL ROOFING CAP SHEET W/ SRI VALUE OF AT LEAST 75 OR BOTH A 3-YEAR ACED SOLAR REFLECTANCE OF AT LEAST 0.63 AND A THERMAL ENTANCE OF AT LEAST 0.03 AND A THERMAL ENTANCE OF AT LEAST 0.75 BY CERTAINTED SYSTEM TYPE D-11 WITH FIRESTONE ACRYLITOP PC-100 COATING, ICC ESR-1388 OR EQ. SEE SPEC SHEET ON T.16.

2 PUI-DEK WATERPROOF DECK COATINGS, LARR# 25375, ICC-ES ESR 2097

3 PARAPET WALL WITH METAL COPING, HEIGHT PER ELEVATION

4 SCHIRDER AND DOWNSOCHT

4 SCUPPER AND DOWNSPOUT
5 ROOF DRAIN AND OVERFLOW SCUPPER

6 CRICKET CONSTRUCTION. MAINTAIN 4% MIN. ROOF SLOPE
7 SOLAR ZONE: AREA OF FUTURE INSTALLATION OF ELECTRICAL SOLAR PANEL

B LINE OF RECESSED BALCONY/DECK BELOW
 3FT WIDE MIN. ROOF WALK PAD

10 CLASS I - 4" STANDPIPE W/ 2 1/2" OUTLET

11 INSTALL 1" CONDUIT PATHWAY TO INVERTER AND MAIN SERVICE PANEL IN THE FIRST FLOOR ELECTRICAL ROOM

12 INSTALL TWO PLUMBING PATHWAYS (SUPPLY AND RETURN) FROM SOLAR ZONE
TO WATER HEATER IN THE FIRST FLOOR GARAGE.

3 PROVIDE METAL GUARDRAIL OVER THE PARAPET WITHIN 10FT FROM ROOF
EQUIPMENT. TOP OF THE GUARDRAIL TO BE MIN. 42*HT. FROM ADJ. ROOF SUR

14 TIEBACK ANCHOR FOR FACADE ACCESS)

SOLAR ZONE NOTES

- 1. AREA REQUIRED: TOTAL ROOF AREA=2,060 X 15% = 309 REQ'D.
- THE SOLAR ZONE SHALL BE FREE OF OBSTRUCTIONS AND BE SETBACK AT LEAST TWO TIMES THE HEIGHT OF ANY OBSTRUCTION, INCLUDING BUT NOT LIMITED TO, VENTS, CHIMNEYS, EQUIPMENTS, PARAPETS AND STAIRWELLS.
- 3. FOR ROOF SLOPES >2:12, PROVIDE A MINIMUM 3 FOOT WIDE CLEAR ACCESS PATHWAY (MEASURE FROM THE LOAD BEARING WALL TO THE SOLAR ZONE) TO THE RIDGE ON ALL SIDE OF EACH ROOF SLOPE WHERE SOLAR ZONES ARE LOCATED.
- 4. THE MAIN SERVICE PANEL SHALL HAVE A MINIMUM BUSBAR RATING OF 200
- 5. THE MAIN ELECTRICAL SERVICE PANEL SHALL HAVE A RESERVED SPACE TO ALLOW FOR INSTALLATION OF A DOUBLE POLE CIRCUIT BREAKER FOR A FUTURE SOLAR ELECTRIC INSTALLATION. THE RESERVED SPACE SHALL BE POSITIONED AT THE OPPOSITE (LOAD) END FROM THE INPUT FEEDER LOCATION OR MAIN CIRCUIT LOCATION AND SHALL BE PERMANENTLY MARKED AS "FOR FUTURE SOLAR ELECTRIC".
- INSTALL 1" CONDUIT PATHWAY TO INVERTER AND MAIN SERVICE PANEL IN THE FIRST FLOOR ELECTRICAL ROOM.
- FOR FUTURE WATER-HEATING SYSTEM, INSTALL TWO PLUMBING PATHWAYS (SUPPLY AND RETURN) FROM SOLAR ZONE TO WATER HEATER IN THE FIRST FLOOR GARAGE.

SSPStudio Architectur
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SANTA MONICA, CA 90401 USA
TEL: 310-740-1447

DESIGN + BUILD

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38TH ST. MULTI-FAMILY DEVELOPMENT

1117 W. 38TH ST. LOS ANGELES, CA 90037

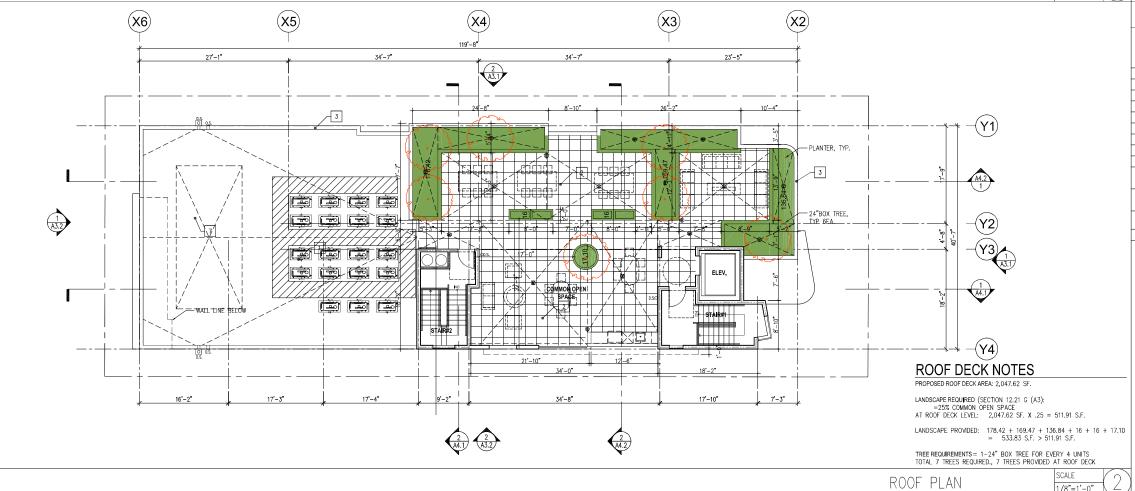
TITL C

5TH FLOOR & ROOF PLAN

PROJECT SHEET NUMBER

SCALE

A2.3





SSPStudio Architecture
1424 4th STREET, SUITE 700
SANTA MONICA, CA 90401 USA

DESIGN + BUILD

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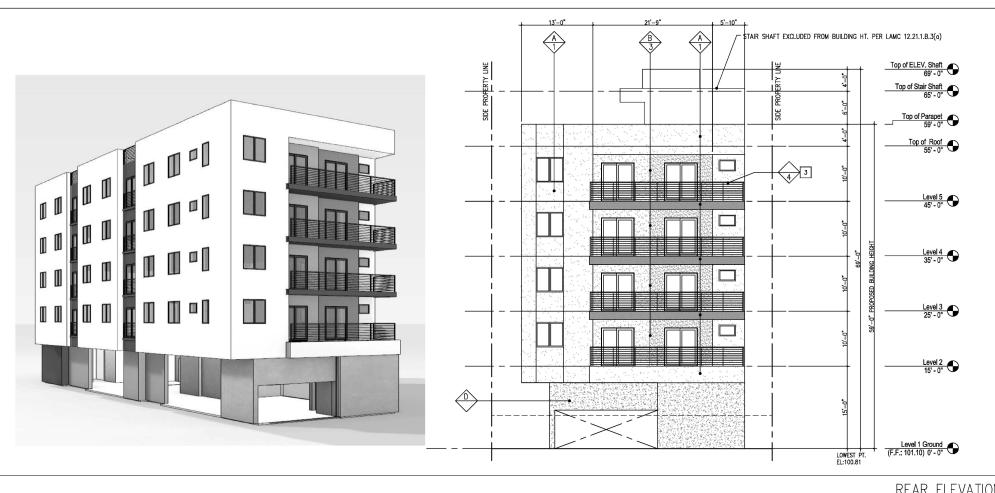
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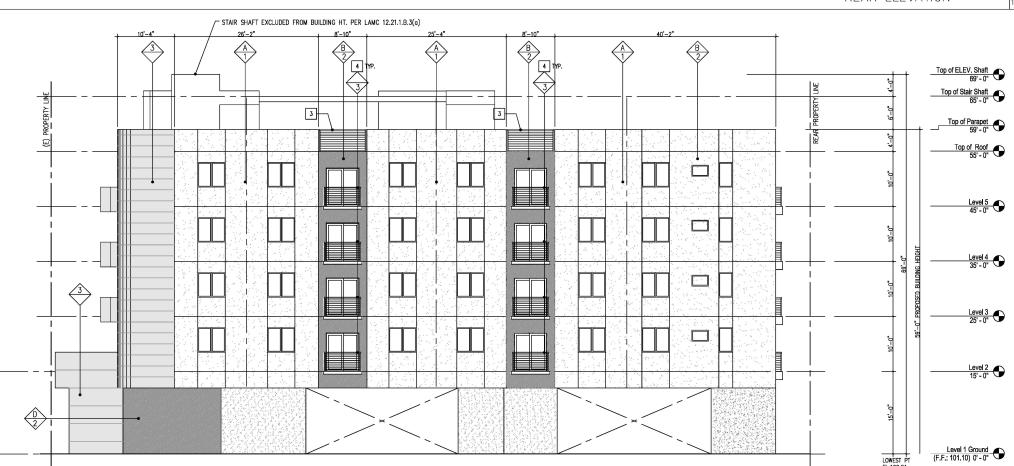
A3.1



REAR ELEVATION

EAST SIDE ELEVATION

1/8"=1'-0"



KEYNOTES

EXTERIOR FINISH LEGEND: 7/8" EXTERIOR PORTLAND CEMENT PLASTER OVER METAL LATH OVER WEATHER RESISTANT MOISTURE BARRIER. SMOOTH SAND FINISH

7/8" EXTERIOR PORTLAND CEMENT PLASTER OVER
METAL LATH OVER WEATHER RESISTANT MOISTURE
BARRIER. SMOOTH STEEL TROWEL FINISH PRE-FINISHED ALUMINUM PANEL SIDING OVER WEATHER RESISTANT MOISTURE BARRIER. (SILVER COLOR)

CONCRETE OR CONC. MASONRY WALL (NATURAL GRAY COLOR, U.N.O.)

EXTERIOR PAINT COLORS:

P1 DUNN EDWARDS DEW380 WHITE (TYPICAL BUILDING MAIN COLOR)

P2 DUNN EDWARDS DE6356 DARK GRAY (ACCENT COLOR) P3 DUNN EDWARDS DE5516 ACCENT GREEN (ACCENT COLOR)

P4 DUNN EDWARDS DET618 GRAY
(LIGHT GRAY WALL & EXTERIOR DOORS)

P4 DUNN EDWARDS DE6350
(METAL RAILING & WINDOW FRAME)



1 PROPERTY LINE 2 CLEAR ANODIZED ALUMINUM STOREFRONT SYSTEM, ARCADIA TC670 SERIES OR EQ. 3 42"MIN. HT. PAINTED METAL BALCONY RAILING 4 42"MIN, HT. PAINTED METAL RAILING WINDOW SAFE GUARD 5 STUCCO CONTROL JOINT PER 7A/A9.2, TYP. 6 STUCCO REVEAL JOINT PER 7B/A9.2. TYP. 7 BUILDING ADDRESS SIGN, ALUM CUTOUT LETTER 8 METAL SECURITY GRILLE 9 SHEET METAL COPING 10 STUCCO FINISH OVER 6" CMU WALL. 11 STUCCO FINISH OVER 8" CONC. WALL. 12 SIDING FINISH OVER 8" CONC. WALL. 13 ALUMINUM DIMENSIONAL SIGNS, 2" thk

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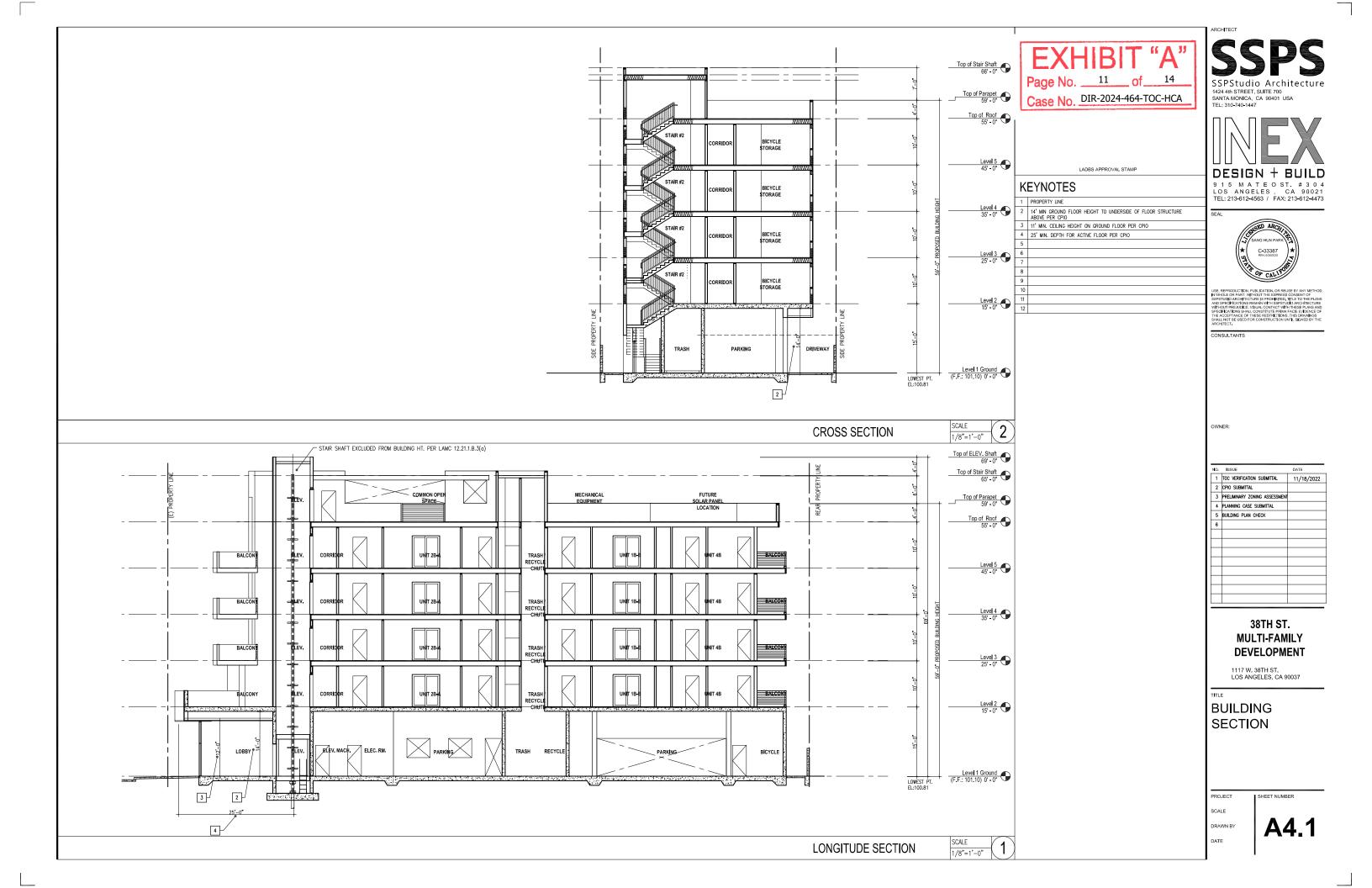
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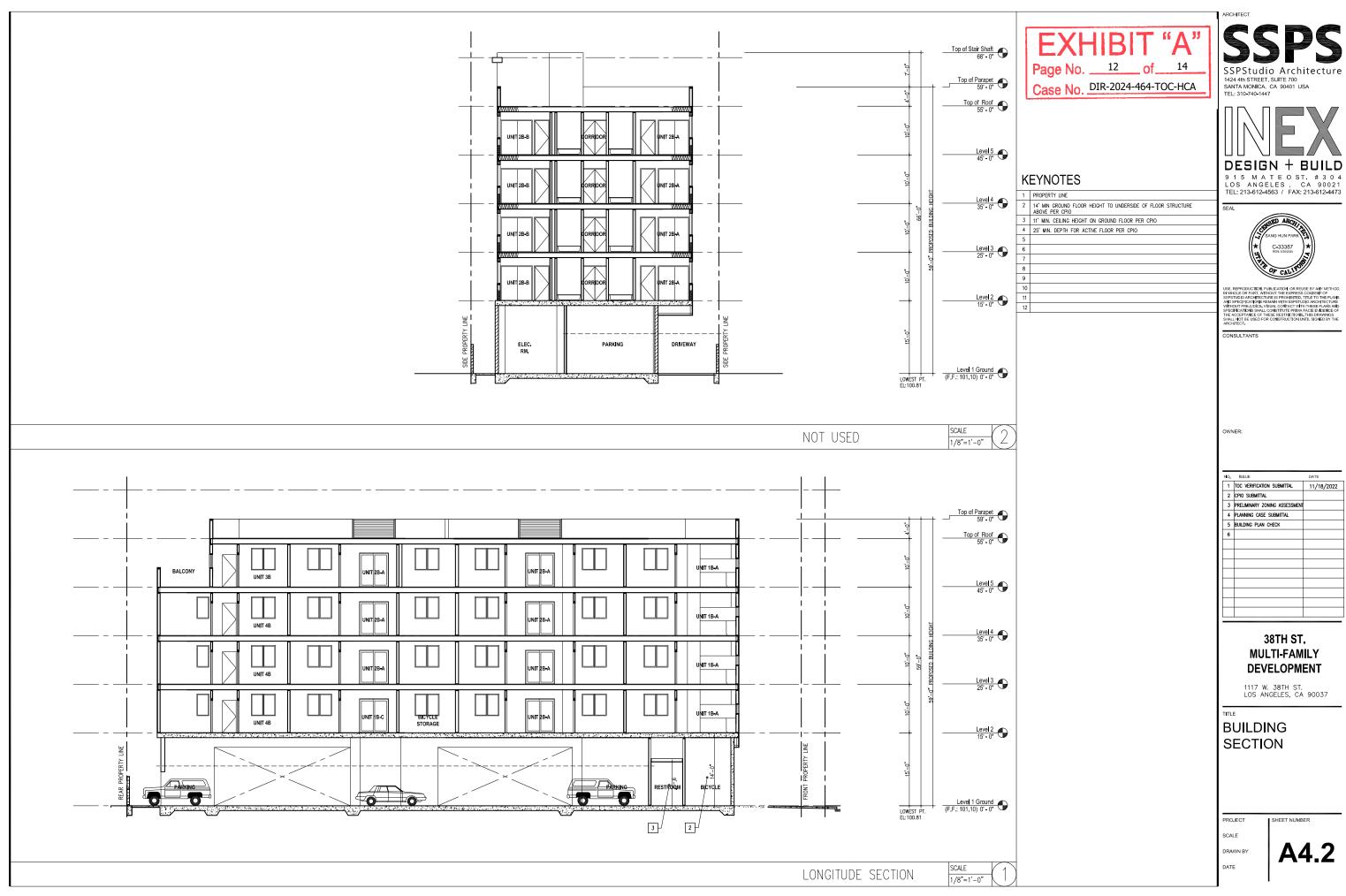
BUILDING ELEV.

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A3.2





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