

**ATTACHMENT “A”  
PROJECT DESCRIPTION  
BALBOA COVE GROUP, L.P.  
3343 S. SEPULVEDA BLVD., LOS ANGELES, CA 90034**

Entitlement Request for Site Plan Review, Density Bonus with off-menu Incentives, Conditional Use Permit for a Density Bonus that exceeds Sec. 12.22 A.25, Master Conditional Use Permit for alcohol, Zone Variance, Waiver of Dedication and Improvements, and a Director’s Decision for tree reduction.

**Site Address: 3443 S. Sepulveda Boulevard, Los Angeles**

<b>APPLICANT</b>	Jack Nourafshan Balboa Cove Group, LP 6420 Wilshire Boulevard, Unit 1500 Los Angeles, CA 90048	<b>REPRESENTATIVE</b>	Joel B. Miller Gensler 500 S. Figueroa Los Angeles, CA 90071
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**PROJECT DESCRIPTION**

**Project Location**

The Sepulveda Palms Project (the “Project”) is a proposed mixed-use development located on an approximately 2.78-acre site in the Palms-Mar Vista-Del Rey Community Plan area. The Project Site consists of one County Assessor’s parcel (4251-015-006) at 3443 S. Sepulveda Boulevard. The Project site is currently developed with a 37,900-square foot commercial/supermarket building surrounded by a surface parking lot.

The Project site is bounded by Sepulveda Boulevard to the east which is designated a Boulevard II with an existing 50-foot half-width right-of-way. To the south is Palms Boulevard, designated an Avenue II with an existing 42-foot half-width right-of-way. Palms Boulevard, starting at Sepulveda Boulevard and moving west, begins to rise to create an overpass over the San Diego Freeway (I-405). This change in elevation separates the Project site from parcels to the south across Palms Boulevard.

**The Project**

The applicant is proposing to demolish the existing 37,900-square foot commercial supermarket building and construct a mixed-use development consisting of 445 residential units and approximately 50,400 square feet of ground floor retail and approximately 12,600 square feet of restaurant space on the east corner of the site. This results in a net increase of 25,100 square-feet of retail/restaurant space. There will be six residential floors starting at the third level. The proposed residential uses consist of approximately 431,420 square feet of floor area, including a 1,870 square-foot lobby on the north side and 1,900 residential lobby on the south side. The total Project area is approximately 494,420 square feet with a proposed Floor Area Ratio of 4.2:1. The Project will be a total of seven stories with mezzanine above ground level and 90 feet in height.

Table 1: Proposed Project Summary

Use	Units	Proposed Floor Area (Square Feet)
Retail*	-	50,400
Restaurant*	-	12,600
Residential	445	431,420
Total	445	494,420

*\*Although the Project provides for retail and restaurant floor area, the exact tenants have not yet been determined.*

### Land Use and Zoning Designation

The Project site is located within the Palms-Mar Vista-Del Rey Community Plan area, and has a land use designation of Neighborhood Commercial. The Project site has a corresponding existing zoning classification of C2-IVL and R4-1. Approximately 103,336 square feet (85%) of the site is zoned C2-1VL and the remaining portion at the northern end of the site, approximately 14,440 square feet (15%), is zoned R4-1.

### Surrounding Area

Adjacent to the north of the Project site is a 2.58-acre site with an approximate 178,000-square foot, 12-story office building and parking structure built in 1982. This site is zoned C2-1VL, C2-1 and P-1. Across Sepulveda Boulevard to the east is a site zoned C2-1VL, consisting of a CVS Pharmacy, Trader Joe's market, and a drive-thru Coffee Bean and Tea Leaf. Caddy-corner to the Project site, to the east, is a small retail center designated in the C2-1VL zone consisting of food, salon and dental services. Further southeast of this retail center is the Charnock Road Elementary School. The corner lot across Palms Boulevard to the south of the Project site is a vacant lot containing two billboards designated in the C2-1VL zone. Across Palms Boulevard, to the south adjacent to the corner lot, is an R1-1 neighborhood that is separated from the Project site not only by an 84-foot roadway, but also the rise of Palms Boulevard over the San Diego Freeway (I-405). This neighborhood is not visible from the Project site and vice versa. Beyond these immediate sites to the north on both the east and west side of Sepulveda Boulevard to Clover Avenue, all the properties are zoned R4-1 with a Community Plan designation of High-Medium Residential. Across Palms Boulevard to the south on the east and west sides of Sepulveda Boulevard beyond the corner zoned C2-1VL and with the exception of Charnock Road Elementary School, all the other properties are zoned R3-1 with a Community Plan designation of Medium Residential. This pattern continues to Venice Boulevard (and the City limit) where the corners are zoned C2-1 with a General Plan Designation of General Commercial.

The Applicant's request includes Density Bonus (of-menu) Incentives for an increase in FAR to 4.2:1 and an exception to Footnote 1 of the Palms, Mar Vista, Del Rey Community Plan; a waiver of development standards for an increase in permitted height to 90 feet and approval of transitional height; a zero side and rear yard setback in the R4-1 portion of the site; a Conditional Use Permit for a density bonus greater than that permitted per Section 12.22 A.25, a Master Conditional Use to permit the on-site and off-site sale of a full line of alcoholic beverages, a Zone Variance, A Director's Decision to reduce the required

trees, and Site Plan Review.

## Access and Parking

The existing driveways on Palms Boulevard and Sepulveda Boulevard will not be relocated. Access to the Project will be from two driveways at or close to the same locations as the existing driveways, one at the east side of the Site along Sepulveda Boulevard and one on the south side of the site along Palms Boulevard. Parking for the Project will be provided in one subterranean parking level, at-grade, and on the second level. The Project proposes reconstruction of two driveways to access on-site parking, one driveway at the northern portion of the site and one driveway at the southern portion of the site on Palms Boulevard. Both driveways will enter at the ground level and provide access to the subterranean parking. Access to the retail truck loading area will be from Palms Boulevard.

A total of 844 parking spaces are required and provided for the entire Project based on the standard parking rates for restaurant, retail and residential uses. See Table 2 for the Parking Summary.

*Table 2: Required Parking Summary*

Type	Floor Area/Units	Rate	Total Required Parking Spaces
Retail	50,400	1 space/250sf	202
Restaurant	12,600	1 space/100sf	126
Total Required Commercial Parking			<b>328</b>
Residential (per 12.22.A.25 Parking Option 1)	107 Studio Units (Less than 3 Habitable Rooms)	1 spaces/unit	107
	213 1-Bedroom Units (3 Habitable Rooms)	1 spaces/unit	213
	115 2-Bedroom Units (More than 3 Habitable Rooms)	2 space/unit	230
	10 3-Bedroom Units (More than 3 Habitable Rooms)	2 space/unit	20
	Total Required Residential Parking		570
Total Required Parking			<b>898</b>

The ground level (Level 1) of the parking structure will provide approximately 10 commercial parking spaces and 15 residential spaces. Subterranean level 1 will provide 284 parking spaces for retail. Subterranean level 2 will provide 58 retail parking spaces and 235 residential parking spaces. Subterranean level 3 will provide 320 residential parking spaces. This totals to 922 parking spaces provided, 352 for commercial uses and 570 for residential uses.

## Street Improvements

The Project may require the granting of street dedications or easements to accomplish ultimate required

rights-of-way to meet the Mobility Element 2035 adopted by City Council in August 2015.

Currently the right-of-way on Sepulveda Boulevard consists of a 50-foot half-width right-of-way with a 13-foot sidewalk and 37-foot roadway. The design standard for Sepulveda Boulevard is a Boulevard II with a 110-foot right-of-way, 55-foot half-street. The Project will be required to meet a Boulevard II standard which is a 15-foot sidewalk and a 40-foot half roadway. This will require a 5-foot dedication. However, the applicant is seeking a Waiver of Dedication and Improvement pursuant to Sec. 12.37 I of the LAMC.

Palms Boulevard currently has a 42- foot half-width right-of-way that includes a 10.5-foot sidewalk and a 31.5-foot roadway. The design standard for Palms Boulevard is an Avenue II with an 86- foot right-of-way, 43-foot half-street which includes a 15-foot sidewalk and 28-foot roadway. An additional 1-2 foot dedication may be required depending on the centerline location of the right-of-way. Bureau of Engineering issued a preliminary memo dated December 30, 2015, that discusses these requirements.

### Open Space

Based on the number of units and the mix of unit types, 47,625 square feet of usable open space is required. A total of 53,420 square feet of open space is provided for residents, consisting of six courtyards on level three distributed throughout residential units, a Skydeck on level eight, indoor amenity rooms on level three, and private balconies for a portion of the residents. The provided open space is summarized below in Table 3.

*Table 3: Open Space Provided*

Use	Rate	Area in Square Feet
Private Open Space (Balconies)	50 sq. ft. /unit	22,250 sf (445 units)
Level 1 (indoor common)		2,490
Level 3 (outdoor common)		22,850
Level 3 (indoor common)		2,500
Level 8 (outdoor common)		3,330
<b>Total Open Space</b>	-	53,420

### Bicycle Parking

The Project will provide required bicycle parking pursuant to Code as follows in Table 4 and reserves the right to reduce parking as permitted:

*Table 4: Bicycle Parking (Required and Provided)*

Use	Square Feet/Units	Rate	Short-Term Bicycle Parking	Rate	Long-Term Bicycle Parking	Total Required Bicycle Spaces	Provided
Residential	First 25 Units	1:10/du	2.5	1/du	25	27.5	
	75 Units	1:15/du	5.0	1:1.5/du	50	55	
	100 Units	1:20/du	5.0	1:2/du	50	55	
	Remaining 245Units	1:40/du	6.125	1:4/du	62	68.125	
Residential Total							
Restaurant/Retail	63,000	1:2000/sf	31.5	1:2000/sf	31.5	32	
<b>Total</b>						<b>270</b>	<b>272</b>

**ATTACHMENT “B”**  
**DISCRETIONARY APPROVAL REQUESTS FOR A MIXED-USE PROJECT**  
**BALBOA COVE GROUP, L.P.**  
**3343 S. SEPULVEDA BLVD., LOS ANGELES, CA 90034**

The Applicant respectfully requests approval of the following entitlements:

1. Pursuant to **LAMC Section 12.22 A.25**, the Applicant requests a **Density Bonus** by proposing to set aside 11% of the base density as restricted affordable units at a very low income level, or 34 units and parking option 1.
2. Pursuant to **LAMC section 12.24 U26**, the Applicant requests a **Conditional Use Permit** to exceed the 35% density bonus limitation of 12.22A25. Applicant is providing 16% of the base unit count (303) – 16% of 303 = 49 VLI units - which entitles him to a density bonus of 49 units (47.5% of the base); however, the applicant is requesting only 445 total units for a 47% density bonus (over the base).
3. Pursuant to **LAMC Section 12.24 W.1**, The Applicant requests a **Master Conditional Use Permit** to allow for the sale and dispensing of a full line of alcoholic beverages for on-site sales and off-site sales and consumption of alcoholic beverages at the two proposed restaurants, and one retail business (e.g., a grocery store).
4. Pursuant to **LAMC Section 12.27**, The Applicant requests a **Zone Variance** in order to allow 40 commercial parking stalls to be located in a residential zone.
5. Pursuant to **LAMC Section 16.05**, The Applicant requests a **Site Plan Review** for a development of over 50 dwelling units and an increase in of over 50,000 square feet of non-residential floor area that includes the demolition of an existing commercial/retail building with surface parking, and the construction, use, and maintenance of a mixed-use commercial and residential building, comprised of 445 dwelling units, 63,000 square feet of commercial retail within a maximum height of 90 feet.
6. Pursuant to **LAMC Section 12.37 I**, The Applicant requests a **Waiver of Development and/or Improvement** is requested to allow to reallocate the 2-foot roadway dedication of the overall 5 feet right of way dedication required to be reallocated to additional widening of the sidewalk, rather than the roadway, widening the sidewalk from the existing 12 feet, beyond the 15-foot requirement to 17 feet.
7. Pursuant to **LAMC Section 12.21 G.3**, The Applicant Requests a **Director’s Decision** to allow for the payment of an in lieu fee as required by Ordinance No. 185,573. The project will plant 78 trees instead of the requires 112 trees and pay an in lieu fee for the remaining 34 trees that would otherwise be required.

**ATTACHMENT "C"**  
**DENSITY BONUS JUSTIFICATIONS**  
**BALBOA COVE GROUP, L.P.**  
**3343 S. SEPULVEDA BLVD., LOS ANGELES, CA 90034**

**DENSITY BONUS** (LAMC § 12.25 A.25 and 12.24 U. 26)

The proposed Project is requesting a maximum density bonus pursuant to Section 12.22 A. 25. The site has a permitted density of R4, which yields a base unit count of 303 units. Pursuant to Section 12.22 A.25, the Applicant intends to set aside 11% of the base figure for very low income households in return for a 35% density bonus. In addition, the Applicant is seeking a Conditional Use Permit pursuant to Section 12.24 U.26, which allows a density greater than 35% in return for a higher percentage of affordable housing. In this case, the Applicant intends to set aside 49 units for very low income. Forty-nine (49) units is 16% of the base (49 of 303). By providing 16%, then per Section 12.24 U.26, the Applicant is entitled to a density bonus of 47.5% over the base, or 447 units. The Applicant, however, is seeking only 445 total units, or a bonus of 47% (over the base).

The Project requests three off-menu incentives to development standards. These are:

1. To increase the (weighted) existing floor area ratio (FAR) from 1.68:1 to an FAR of 4.2:1. This incentive would also address Footnote 1 of the Palms – Mar Vista – Del Rey Community Plan, which limits the FAR to Height District 1.
2. To increase the permitted building height in the C2-1VL zone from 45 feet and three stories to 90 feet and seven stories with a mezzanine. This incentive also includes a waiver from the required transitional height limitations. (Note that there is no current height limitation in the R4-1 portion of the site.)
3. To reduce the required side and rear yard setbacks to zero in the R4-1 portion of the site.

**1. The project substantially complies with the applicable regulations, standards, and provisions of LAMC Sections 12.22 A.25 and 12.24 U26.**

As conditioned by this approval, the subject property complies with all applicable provisions of LAMC Sections 12.22 A.25 and 12.24 U.26. The Project qualifies for a 47.5% density bonus for providing 49 units, or 16% of the base units (16% of 303 = 49) allowable per the existing zoning, restricted for very low-income residents. The quantity of restricted affordable units automatically qualifies the Applicant for increases in density and reduced parking requirements, of which the Applicant is seeking reduced parking requirements through parking option 1. In addition, since the Project sets aside at least 15% of its units for very low-income occupants, it qualifies for three incentives from a menu of concessions as described below.

- A. Density Bonus. LAMC Section 12.22 A.25 allows a 35% density bonus for providing 11% of the Project residential units restricted as affordable very low-income units. The subject property is in the R4-1 and C2-1VL zones, each of which permit a maximum density of 400 square feet of lot area per dwelling unit and would allow a maximum of 303 units by right (based on 120,890 square feet of the net lot, including area pre-dedication). LAMC Section 12.24 U.26 allows for the granting



of a Conditional Use Permit for a greater density bonus when a higher percentage of affordable housing is set aside. In this case, the Applicant has agreed to set aside 49 units for very low income (VLI) households. This is equivalent to 16% of the base unit count (49 of 303 = 16%). By agreeing to set aside 49 units for VLI, the Applicant is entitled to a density bonus of 47.5% pursuant to Section 12.24 U.26. However, the Applicant is seeking only a 47% bonus, or a total of 445 units.

- B. Automobile Parking. LAMC Section 12.22 A.25(d) allows for the reduction of required parking for a project with affordable units. The applicant is requesting Parking Option 1 for a reduction in the amount of required automobile parking at this time. Based on the mix of units, the Project is required to provide 898 automobile parking spaces. The Project will provide a total of 922 parking spaces, without any bicycle parking credits.
- C. Incentives: The three requested incentives or concessions are mentioned above. Additionally, the Project meets the other minimum eligibility criterion, required by LAMC Section 12.22 A.25 (e)(2). As required, the façade of the new building facing Sepulveda Boulevard and Palms Boulevard will be articulated with a change of materials or a break in plane so the façade is not a flat surface. The building will also be oriented toward the street and provide ground floor commercial uses with windows and entrances, as well as balconies and architectural features on street-facing elevations as required. The Project is not in a historic preservation overlay zone. Finally, according to ZIMAS, the Project is also not located in a Hillside area or a Very High Fire Hazard Severity Zone.

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

The proposed Project will incorporate mitigation measures, monitoring measures or alternatives as will be imposed by conditions of approval of the Project entitlements and the Environmental Impact Report issued for this Project in compliance with the California Environmental Quality Act (CEQA).

**3(i) The Incentive is required in order to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5, or Section 50053 for rents for the affordable units; or**

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. The California Health & Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs for very low, low, and moderate-income households. Section 50052.5 addresses owner-occupied housing and Section 50053 addresses rental households. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed 25 percent gross income based on area median income thresholds dependent on affordability levels.

The list of on-menu incentives in 12.22 A.25 were pre-evaluated at the time the Density Bonus Ordinance was adopted to include types of relief that minimize restrictions on the size of the Project. As such, the Department of City Planning will always arrive at the conclusion that the density bonus on-menu incentives are required to provide for affordable housing costs because the incentives, by their nature, increase the size of the Project.

The requested off-menu incentives allow the developer to expand the building envelope by allowing

an increase in FAR and height so larger units can be built than would otherwise be allowed on the proposed residential lot. The 445 proposed units range from 107 studios, 213 one-bedroom, 115 two-bedroom units and 10 three-bedroom units. Without the increase in FAR to 4.2:1 or height to 90 feet, the unit types would have a larger proportion of studios and the development would not be able to provide the 115 two- bedroom units and 10 three bedroom units without exceeding the maximum 1.68:1 (weighted) average FAR on the lot. Without these incentives for the FAR and height increases, either significantly fewer units would have to be provided or each of the 445 proposed units would have to be reduced in size or number of bedrooms. Each of these scenarios would significantly impact the financial viability of the Project.

- (ii) The Incentive will not have 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 is no feasible method to satisfactorily mitigate or avoid the Specific Adverse Impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.**

There is no evidence that the proposed incentives will have a specific adverse impact. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22.A.25(h)). The proposed Project and potential impacts will be analyzed in accordance with the City's Environmental Quality Act (CEQA) Guidelines and the City's L.A. CEQA Thresholds Guide. These two documents establish guidelines and thresholds of significant impact, and provide the data for determining whether or not the impacts of a proposed Project reach or exceed those thresholds. Analysis of the proposed Project involves the preparation of an Environmental Impact Report. Mitigation measures will reduce impacts to less than significant. Therefore, there is no substantial evidence that the proposed Project will have a specific adverse impact on the physical environment, on public health and safety, or on property listed in the California Register of Historic Resources.

**ATTACHMENT “D”**  
**MASTER CONDITIONAL USE FOR ALCOHOL JUSTIFICATIONS**  
**BALBOA COVE GROUP, L.P.**  
**3343 S. SEPULVEDA BLVD., LOS ANGELES, CA 90034**

**MASTER CONDITIONAL USE APPLICATION FOR SALE AND SERVICE OF ALCOHOLIC BEVERAGES (LAMC § 12.24 W, 1)**

The applicant is requesting a Master Conditional Use to permit the sale and dispensing of a full-line of alcoholic beverages at up to two (2) on-site and one (1) off-site venues in conjunction with a 494,420 square-foot, mixed-use residential and commercial development with 445 residential units and approximately 63,000 square feet of commercial space (“Project”). Requested hours of operation for the sale/consumption of alcohol are 8am-2am, daily, described as follows:

- a full-line of alcoholic beverages for on-site consumption at two restaurants, and
- a full-line of alcoholic beverages for off-site consumption in conjunction with retail space.

***GENERAL CONDITIONAL USE FINDINGS:***

- i. **That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.**

The Project site is located at the intersection of Palms Boulevard and Sepulveda Boulevard, directly to the east of the San Diego (I-405) Freeway. Immediately to the north of the Project site is a 12-story office building, three-story parking garage, and surface parking lot. Across Sepulveda Boulevard to the east is a retail center with a coffee shop, pharmacy, grocery store, and mixed commercial venues surrounded by surface parking. Immediately to the south of the Project, across Palms Boulevard, is a fenced vacant lot with storage facilities. The immediate surrounding area includes multi-family residential apartments and additional commercial retail centers.

The Project proposes the demolition of a commercial building with an active off-site alcohol license (State Department of Alcoholic Beverage Control License Number 554862), and the construction of a seven-story mixed-use development with 445 residential units, and 63,000 square feet of commercial floor area, divided between approximately 50,400 square feet of retail space along Sepulveda Boulevard and 12,600 square feet of restaurant space, located at the corner of Palms Boulevard and Sepulveda Boulevard. The Project will offer the sales and service of alcohol at one retail establishment and at two restaurant establishments.

The Project will enhance the built environment in the surrounding Palms – Mar Vista neighborhood, and will provide services that are beneficial to the community and greater region. The redevelopment of this corner lot into a mixed-use residence and commercial venue provides the property with a use that reflects the needs and projected growth of the greater Palms – Mar Vista area. The revitalization of this parcel will create an appealing visual identity for the block, improving the commercial street-front aesthetic and the pedestrian experience.

Palms and Mar Vista are primarily residential communities, and the proposed Project will provide both more range in housing options for all populations of the community, and new retail venues to invigorate the immediate commercial area and improve the livability of the neighborhood. Currently,

the surrounding area offers limited dining options for residents of the area, primarily focusing on coffee or quick take-out options. The proposed shopping and restaurant components of the Project will encourage a more neighborhood and pedestrian-oriented identity instead of the current pass-through nature of this commercial area. The Project serves as a smooth transition between commercial and residential uses by providing an appropriate scale and mixed-use program along a commercial corridor. The Project will improve variety of dining options for on-site and near-by residents while increasing the viability of surrounding commercial establishments with the addition of 445 units of housing. Residents will have more variety in their dining options, enjoying a mix of dining with optional alcoholic beverages. The Project's proposed retail will also serve the community by providing an urban retail experience with neighborhood-oriented shopping establishments.

The Project includes 445 residential units, 49 of which are designated as very low income (VLI) units, on floors three through seven. In 2014, Los Angeles Mayor Eric Garcetti announced his goal of permitting 100,000 new housing units by 2021 to help meet the growing, dire housing demand in the City. The Project will contribute 445 units to help fulfill Mayor Garcetti's goal and address the region wide housing shortage issue. The residential units range from studios to three-bedroom units with a variety of price ranges to provide housing options for all members of the Palms – Mar Vista community, expanding the residential capacity within this desirable neighborhood and supporting commercial activity and development in the area. The residential uses will also maintain an active pedestrian oriented street-front, increasing safety and walkability of the neighborhood.

The restaurants' and market's quality service and offerings, in food and alcohol, will be a benefit to those who are currently residing in Palms – Mar Vista, and will also serve as an attraction and amenity to future residents and guests. The residents of this Project will provide an immediate and steady consumer base for the Project's retail and restaurant uses. Having a walkable community is now recognized as a priority for all ages of residents. The Project will contribute to a more economical and healthier lifestyle by contributing a mixed-use urban environment for a safe and walkable space. The attractive design of the residential lobby and retail street wall, including on-site dining and beverages, will revitalize this currently strip-commercial corner lot and improve the character of this area, creating a positive pedestrian experience with eyes on the street throughout the day and nighttime.

- ii. **That the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.**

The Project's proposed size, operation, and use, including retail, restaurant, and residential, are compatible with the surrounding Palms – Mar Vista neighborhood, and will not adversely affect the health, safety, or welfare of the community. The proposed building is approximately 90 feet (7 stories with Mezzanine level), including three levels of subterranean parking, one level of ground floor commercial with a residential lobby and additional parking, one level above open to the ground floor retail and six-stories of residential units. The proposed height of the building is consistent with development in the immediate area. The building directly to the north of the Project is a twelve-story office tower with a three-story adjacent garage. Additionally, nearby residential units on Sepulveda Boulevard are also multi-story, multi-family developments. The proposed Project is of similar size and massing to the adjacent northerly building, but is only half of its height, staying consistent with both the Project's immediate neighbor and the general scale of the neighborhood.

The redevelopment of the subject site will improve the safety, welfare, and aesthetic of the surrounding uses and neighborhood. The Project's retail and restaurant component with the option to consume alcohol on-site will expand the customer base to all members of the community, into this underutilized street corner. The Project activates the corner of Palms Boulevard and Sepulveda Boulevard with residential tenants frequenting the residential lobby, retail, and dining space, cultivating a pedestrian environment in the area and improving the welfare and safety of the surrounding neighborhood by putting more eyes on the street.

The requested entitlement of the sale of alcoholic beverages for two restaurants and one retail establishment within a mixed-use development is compatible with the surrounding uses, as many of the immediate buildings are commercial in nature with residential beyond. The Project will strengthen this area as a commercial hub while also providing more residences to support the existing and additional commercial establishments. The Project is consistent with current uses as the existing supermarket has an active liquor license on premises (License No. 554862) with no ill effects or harm to the community as a result. The Project will improve the function, design, and economic vitality of the Sepulveda and Palms commercial intersection and will only serve as a positive attraction to the community by providing a more urban, diverse community.

**iii. That the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.**

The Project is located within the Palms – Mar Vista – Del Rey Community Plan, and has a land use designation of Neighborhood Commercial. The site is zoned R4-1 and C2-1VL, which allows the requested residential and commercial uses by right with the sale of alcohol as an added, conditional use. The requested entitlements will serve the intent of the General Plan for Neighborhood Commercial by providing commercial uses that are oriented to the residents of the Project and neighborhood, developing mixed service shopping hubs that contain both retail and restaurants, and promoting pedestrian activity by emphasizing streetscaping. The sale of on-site and off-site alcoholic beverages is authorized through the Conditional Use Permit approval of specific findings by the Zoning Administrator. The request is in keeping with the goals for a "Neighborhood Commercial" area which promotes the development of diverse commercial venues to fill daily needs including restaurants and grocery stores to reduce daily automobile trips and encourage walking.

Located within the Palms – Mar Vista – Del Rey Community Plan, the Project's mixed residential and commercial uses fulfills the Community Plan's goal of creating neighborhood-oriented commercial districts within close proximity to housing. In addition, the Project addresses issues identified by the Community Plan including:

- A lack of cohesiveness and continuity of complimentary uses along commercial frontages,
- Unsightly strip commercial with poor visual identity, lack of parking and convenient access and oriented to pass-through traffic rather than neighborhood and pedestrian-oriented.
- Inadequate transition between commercial and residential uses

The Project purposefully fulfills goals set forth by the community plan:

*Objective 1-2*

*To reduce vehicular trips and congestion by developing new housing in proximity to services and facilities.*

The Project directly combines both desired services of retail and dining with needed new residential uses. The close proximity of the new retail and restaurant establishments with both the proposed housing and existing nearby residences will contribute to creating an environment where pedestrians are the priority. Further, the Project is located on two transit corridors, Sepulveda and Palms which are serviced by several major bus lines and within a mile-and-a-half from the Metro rail Expo Line. These existing transit services and existing nearby commercial establishments, including a market located across Sepulveda Boulevard, will reduce vehicular trips and prevent congestion across nearby streets.

*Policy 2-1.1*

*New commercial uses should be located in existing established commercial areas or shopping centers.*

The Project is replacing a former grocery store with new housing units and ground floor commercial street frontage, preserving the existing, established commercial area. The ground floor retail and restaurant services will complement the existing retail lots located on all corners of the Sepulveda and Palms intersection.

*Objective 1-4*

*To promote the adequacy and affordability of multiple-family housing and increase its accessibility to more segments of the population.*

The Project will provide 445 multi-family housing units, 49 of which will be designated affordable units and reserved for very low-income tenants. Of the 445 units, there will be 107 studios, 213 one-bedroom units, 115 two-bedroom units and 10 three-bedroom units. The Project's residential program aims to increase housing options for all members of the Palms-Mar Vista community.

*Policy 1-4.1*

*Promote greater individual choice in type, quality, price and location of housing.*

The Project will be providing 445 residential units with 49 affordable units, ranging in type from studios to three-bedroom units. The 49 affordable units will give future residents access to the same amenities and location benefits as market rate units. The Project defies the perception that housing affordability comes at a cost of personal health, lack of amenities, or poor quality. The requested entitlements, including the service of alcohol at the commercial component of the development, seek to improve quality and provide greater amenity choices in this location for future residents.

*Objective 2.1*

*To conserve and strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services within existing commercial areas.*

The Project strengthens existing commercial establishments within the community by providing 445 residential units to support local, community businesses. In addition, the Project will provide 63,000 square feet of commercial floor area at the intersection of Sepulveda and Palms, immediately surrounded by compatible commercial uses. The requested entitlement to serve

alcohol within the commercial floor area of the building will strengthen the viability of the proposed restaurants and retail establishments.

*Policy 2-2.1*

*Encourage Pedestrian-oriented design in designated areas and in new development.*

The Project's design with commercial street frontage and streetscaping promotes an engaging street experience for visitors and residents. The Project will reinforce positive pedestrian activity through re-energizing the Site with new commercial uses, including the option to purchase alcohol, to attract a greater range of the community. Located directly adjacent to other commercial, office, and residential uses, the Project places residents within walking distance from services and places commercial within walking distance of nearby residential and office uses.

The Project and requested entitlements substantially conform to the purpose, intent, and provisions of the General Plan and Community Plan.

### **ADDITIONAL FINDINGS**

**i. Explain how the proposed use will not adversely affect the welfare of the pertinent community.**

The Project and requested entitlements will not adversely affect the welfare of the surrounding community. The Project site has previously been utilized for commercial activity, including the sale of alcoholic beverages under State Department of Alcoholic Beverage Control License Number 554862. The requested entitlements of one off-site sales and two on-site sales of alcohol (at two restaurants) will not impact the community negatively, as the Site currently has a conditional use for off-site sales of alcohol. Restoring this commercial lot with neighborhood serving retail venues, with the added amenity of residential uses and restaurants will improve the aesthetic and character of the neighborhood, initiating positive development to improve the area's safety and walkability. The Project will bring additional economic value for the residents, business owners, and City through increased property values, and will create local jobs for residents including restaurant staff, retail staff, security, etc.

The new additional residents provided by the Project will improve the pedestrian experience and increase safety as the streets will be more activated. The Project will also improve the aesthetic of this corner, increasing its physical appeal as well as reiterating the safety of the area.

This Project will bring new uses and opportunities to the Site, without encumbering to the immediate community due to its function. Neighboring uses will not be burdened by the additional visitors and residents as the Project provides sufficient parking, and is within direct access to multiple bus routes and within close proximity to the Sepulveda Station and the Palms Station on the Metro Expo Line.

To additionally protect the welfare and concerns of the surrounding community, conditions will be set forth by the City, the Los Angeles Police Department, and the State Department of Alcoholic Beverage Control to ensure no ill effects result from the granting of these entitlements. The requested entitlements will improve the building, amenities, and community, and the applicant welcomes all opportunities to protect the welfare of the neighborhood through these entitlements.

**ii. Explain how the approval of the application will not result in or contribute to an undue concentration of such establishments.**

The Project is located within a neighborhood commercial center where a variety of uses are permitted and encouraged to support the needs of the immediate community. The requested entitlements will meet the needs of the residents of the Project and the surrounding area, offering retail and dining services that would be desirable in a neighborhood commercial environment, within close proximity of residential and office uses. The requested entitlements will not result in or contribute to an undue concentration of establishments.

As of April 23, 2018, according to the Department of Alcoholic Beverage Control, in Census Tract No. 2717.02 within which the Project is located, the maximum number of on-site licenses permitted is four (4), with two (2) existing, and the maximum number of off-site licenses permitted is two (2), with four (4) existing. Of the two establishments with on-site licenses, one has Type 41 License for on-site sales and consumption of beer and wine, and one has a Type 48 License Type for on-site general sales and consumption for a public premises. Of the four establishments with off-site licenses, all have a Type 21 License for general off-site sales. There are two (2) establishments within 600 feet of the Property that sell alcohol, including the CVS Pharmacy and Trader Joe's Market located east of the Project Site, across Sepulveda Boulevard. There are no alcohol establishments between 600 and 1,000 feet from the Project Site.

Previously, the Project Site was licensed for off-site sales under State Department of Alcoholic Beverage Control License Number 554862 for the sale of beverages at the former Haggen grocery market. The request for off-site sales at one retail establishment will therefore not be an intensification of use or concentration, as the site has previously been permitted for the off-site sales of alcohol. The request for two on-site licenses will not cause an undue concentration as there are currently only two licenses utilized of the four allowed within the census tract, leaving two additional licenses available. Due to the existing license and availability of on-site licenses within the census tract, the issuance of the requested licenses will not result in an undue concentration.

The requested entitlements are also necessary for the financial and conceptual success of the Project, as residents and visiting patrons expect such amenities in dining establishments and markets. Granting the requested entitlements will allow the other positive benefits of the Project to be successful, including improved security and physical presence.

As part of the application process, the Applicant's representative will meet with the Los Angeles Police Department, and review security, training, and other proposed conditions for the Project. The Project will include any conditions necessary to limit any adverse impacts caused by the service of alcohol within the multiple venues of the Project.

**iii. Explain how the approval of the application will not detrimentally affect nearby residential zones or uses.**

The Project will not detrimentally affect nearby residentially zoned uses. The Project is located within a neighborhood commercial center, so some diversity among its uses is not uncommon. The requested entitlement for service of alcohol does not represent the introduction of these uses to the area as the subject site was previously licensed (License No. 554862) and both the adjacent Trader Joe's and CVS Pharmacy currently offer alcohol beverage sales. The nearby residential uses are



familiar with and expect certain retail venues to offer the sale of alcoholic beverages. The additional restaurant licenses and requested entitlements will not detrimentally affect nearby commercial, office or residential uses.

The Project will include 445 new residential units, and has in its best interest to serve the needs of their residents by making certain that establishments offering alcohol are operated in a responsible manner. The Project's commercial venues are within a contained environment, where monitoring is facilitated and the property owner retains responsibility for strict oversight and compliance with all regulations and conditions.

As part of this application, venues serving alcohol will have conditions tailored to the specific use of the sale and service of alcoholic beverages. The conditions will limit any potential nuisance for the surrounding area, including close residential neighbors and the Project's own residences. Additionally, the Project will provide security for the building, ensuring that while residents, patrons, and guests enjoy the amenities offered, no nearby uses will be disturbed. There are four sensitive uses identified within 1,000 feet of the Property. The Church of Jesus Christ of Latter Day Saints (3400 Sawtelle Blvd.) and Charnock Road Elementary School (11133 Charnock Rd.) are within 600 feet of the property. Mar Vista Recreation Center (11430 Woodbine St.) and Windward School (11350 Palms Blvd.) are within 1000 feet of the property.

#### **QUESTIONS REGARDING THE PHYSICAL DEVELOPMENT OF THE SITE**

- a) *What is the total square footage of the building or center the establishment is located in?*

The Project consists of a mixed-use residential and commercial development with 494,420 square feet of floor area including 445 residential apartments, 50,400 square feet of retail floor area, and 12,600 square feet of restaurant floor area.

- b) *What is the total square footage of the space the establishment will occupy?*

The total retail space is approximately 63,000 square feet. This space is planned to several retail establishments, however the amount of retail establishments has not been identified at this time. The restaurant space, located at the corner of Palms and Sepulveda, will be approximately 12,600 square feet. As information regarding retail tenants is not yet known, it will be determined at the time of the Plan Approval process.

- c) *What is the total occupancy load of the space as determined by the Fire Department?*

This information is unknown at this time. However, all establishments seeking approval to sell and dispense alcoholic beverages would not exceed the maximum occupancy loads as determined by the Department of Building and Safety and the Fire Department.

- d) *What is the total number of seats that will be provided indoors/outdoors?*

To be determined at the time of Plan Approvals for individual venues.

e) *If there is an outdoor area, will there be an option to consume alcohol outdoors?*

To be determined.

f) *If there is an outdoor area, is it on private property or the public right-of-way, or both?*

Private property.

i. *If an outdoor area is on the public right-of-way, has a revocable permit been obtained?*

Not applicable.

g) *Are you adding floor area?*

Yes.

i. *If yes how much is enclosed? Outdoors?*

53,420 square feet outdoor space provided

h) *Parking*

i. *How many parking spaces are available on the site?*

352 commercial parking spaces will be provided on-site. 570 residential parking spaces will be provided on-site.

ii. *Are they shared or designated for the subject use?*

The commercial on-site parking will be shared amongst the retail and restaurant uses of the Project. The residential parking will be exclusively designated for the residents of the property.

iii. *If you are adding floor area, what is the parking requirement as determined by the Department of Building & Safety?*

328 commercial parking spaces are required. 570 residential parking spaces are required.

iv. *Have any arrangements been made to provide parking off-site?*

No, all parking is to be provided on-site. The development will meet the Los Angeles Municipal Code standards.

1. *If yes, is the parking secured via a private lease or a covenant/affidavit approved by the Department of Building & Safety? N/A*
2. *Please provide a map showing the location of the off-site parking and the distance, in feet, for pedestrian travel between the parking area the use it is to serve. N/A*
3. *Will valet service be available? No*

4. *Will the service be for a charge?* N/A

- i) *Is the site within 1,000 feet of any schools (public, private or nursery schools), churches or parks?*

Yes.

Within 600 feet:

The Church of Jesus Christ of Latter Day Saints (3400 Sawtelle Blvd.)  
Charnock Road Elementary School (11133 Charnock Rd.)

Within 1000 feet:

Mar Vista Recreation Center (11430 Woodbine St.)  
Windward School (11350 Palms Blvd.)

- j) *For massage parlors and sexual encounter establishments, is the site within 1,000 feet of any other Adult Entertainment Businesses as defined by LAMC 12.70 B17?*

N/A

#### **QUESTIONS REGARDING THE OPERATION OF THE ESTABLISHMENT**

- a. *What are the proposed hours of operation and which days of the week will the establishment be open?*

As this is a mixed-use development, Project hours of operation will be 24 hours, 7 days a week. Although specific tenants have not been identified for the retail and restaurant spaces, individual venue hours of operation will be assumed 8 am until 2 am.

- b. *Will there be entertainment such as a piano bar, dancing, live entertainment, movies, karaoke, video game machines, etc...? Please specify:*

The applicant is not requesting live entertainment. However, the applicant does request the use of televisions and piped-in music throughout the restaurant.

- c. *Will there be minimum age requirements for entry? If yes, what is the minimum age requirement and how will it be enforced?*

As the venues are bona-fide restaurants and a general retail with the additional amenity of alcohol sales, there will not be a minimum age for entry. However, age verification will be needed for all sales of alcohol.

- d. *Will there be any accessory retail uses on the site? What will be sold?*

The Project includes retail components within its boundaries. The exact nature of the accessory retail uses is unknown at this time, and specific tenants are still being identified. The conditional use for off-site sales of alcohol is requested for one retail establishment, which will have items of retail sales including alcohol.

e. *Security*

i. *How many employees will you have on the site at any given time?*

The total number of employees is not yet known at this time, but will be disclosed as part of the Plan Approval Process.

ii. *Will security guards be provided on-site?*

Yes, it is anticipated that security will be provided as part of the larger development; however, the quantity is not known at this time. If at the time of the Plan Approval, it is determined that additional security guards are necessary for a proposed tenant, then the responsibility to provide the security shall fall to the operator.

iii. *Has LAPD issued any citations or violations?*

No.

f. *Alcohol*

i. *Will there be beer & wine only, or a full-line of alcoholic beverages available?*

The applicant is requesting a full-line of alcoholic beverages for both on-site and off-site sales.

ii. *Will “fortified” wine (greater than 16% alcohol) be sold?*

It is possible that a tenant may wish to serve “fortified wine,” however, since specific tenants have not been identified this application requests such permission. Specific tenants will be determined at the time of the Plan Approval process.

iii. *Will alcohol be consumed on any adjacent property under the control of the applicant?*

No

iv. *Will there be signs visible from the exterior that advertise the availability of alcohol?*

It is possible that a tenant may wish to feature exterior advertising for alcohol availability; however, since specific tenants have not been identified, this information is not yet known, and will be determined at the time of the Plan Approval process.

v. *Food*

1. *Will there be a kitchen on the site?*

The on-site sales will be in a bona-fide restaurant, featuring a full kitchen. The retail establishment may feature prepared food items as well, but alcohol will only be sold for off-site consumption.

2. *Will alcohol be sold without a food order?*

Alcohol may be sold within the restaurants while patrons wait for food orders. As the market is off-site sales, alcohol will be sold without food orders.

3. *Will the sale of alcohol exceed the sale of food items on a quarterly basis?*

The sale of alcohol will not exceed the sale of food items at the restaurant venue. It is not known at this time if alcohol sales will exceed other retail items at the off-site sales retail establishment.

4. *Provide a copy of the menu if food is to be served.*

As tenants have not been identified, this information is not available at this time.

vi. *On-Site*

1. *Will a bar or cocktail lounge be maintained incidental to a restaurant?*

As tenants have not been identified, this information will be determined during the Plan Approval process for individual venues.

a. *If yes, the floor plans must show the details of the cocktail lounge and the separation between the dining and lounge facilities.*

2. *Will off-site sales of alcohol be provided accessory to on-site sales ("Take Out")?*

The restaurants will not offer off-site sales as an accessory service. Only the retail establishment will offer off-site sales of alcohol.

a. *If yes, a request for off-site sales of alcohol is required as well.*

N/A.

3. *Will discounted alcoholic drinks ("Happy Hour") be offered at any time?*

It is anticipated that the restaurants will have a "Happy Hour" or offer other promotional pricing on alcoholic beverages.

vii. *Off-Site*

1. *Will cups, glasses or other containers be sold which might be used for the consumption of alcohol on the premises?*

As tenants have not been identified, this information will be determined at the time of Plan Approvals for individual venues.

2. *Will beer or wine coolers be sold in single cans, or will wine be sold in containers less than 1 liter (750 ml)?*

As tenants have not been identified, this information will be determined at the time of Plan Approvals for individual venues.

***CALDERA BILL (CA Business and Professions Code Section 23958 and 23958.4)***

- a. *Is this application a request for on-site or off-site sales of alcoholic beverages?*

Both on-site and off-site sales of alcoholic beverages are requested.

- i. *If yes, is the establishment a bona-fide eating place (restaurant) or hotel/motel?*

The Applicant proposes to provide bona-fide eating establishments with a full-line of alcohol sales. The Applicant is also proposing a retail establishment with sales of a full-line of alcoholic beverages.

1. *If no, contact the CA Department of Alcoholic Beverage Control (ABC) to determine whether the proposed site is located in an area whereby:*

- a) *Issuance of a license to serve alcohol on-site or off-site would tend to create a law enforcement problem, or*

Issuances of licenses to serve alcohol on-site or off-site would not tend to create a law enforcement problem. Crime statistics by reporting division are no longer offered from the Department of Alcoholic Beverages, and were unable to be collected from the Los Angeles Police Department. The Project is located within the Los Angeles Police Department's West Bureau, Pacific Division. Within a one-mile radius of the Project site, there have been 569 crimes within the past six months, as identified by the Los Angeles Police Department's Crime Mapping service. Of those crimes, 45 crimes were related to alcohol/ drug violations or Driving Under the Influence (DUI). All except two of the 45 crimes related to alcohol/ drug violations took place within Culver City, unrelated to the Project Site. The two crimes that occurred within a one-half mile radius of the Project Site were both drug violations and unrelated to the Project Site.

According to the Los Angeles Police Department's COMPSTAT statistics, in the West Los Angeles Area, there were 40 violent crimes during the period of March 18, 2018, to April 18, 2018, and 169 violent crimes in the 2018 year to date. During this same period, the City as a whole has experienced 2,080 violent crimes during in the past month, and 7,599 violent crimes in the 2018 year to date.

As described in the above findings, the Project area already features various commercial activities including restaurants, markets, and drug stores that feature the

sale and service of alcoholic beverages. As exemplified by the limited number of crimes related to alcohol within a one-mile radius and the lack of crimes related to alcohol in the immediate vicinity, the issuance of additional licenses to serve alcohol on-site or off-site will not create a law enforcement problem. Additionally, private security will be provided for the Project site that will work in conjunction with law enforcement to continue creating a safe environment and not add burden to existing law enforcement branches.

b) *If issuance would result in, or add to an undue concentration of licenses.*

The issuance would not add to an undue concentration of licenses. As of April 23, 2018, according to the Department of Alcoholic Beverage Control, in Census Tract No. 2717.02 within which the Project is located, the maximum number of on-site licenses permitted is four (4), with two (2) existing, and the maximum number of off-site licenses permitted is two (2), with four (4) existing. Of the two establishments with on-site licenses, one has Type 41 License for on-site sales and consumption of beer and wine, and one has a Type 48 License Type for on-site general sales and consumption for a public premises. Of the four establishments with off-site licenses, all have a Type 21 License for general off-site sales. There are two (2) establishments within 600 feet of the Property that sell alcohol, including the CVS Pharmacy and Trader Joe's Market located east of the Project Site, across Sepulveda Boulevard. There are no alcohol establishments between 600 and 1,000 feet from the Project Site.

The number of permitted licenses is based on the population of the census tract, and in the most recent census update, the population was reported to be 4,134 residents. The request for two on-site licenses will not cause an undue concentration as there are currently two on-site licenses available of the four allowed. Additionally, the Project site previously has an off-site license for a Type 21 license at the former Hagen site, so the requested entitlement will not be an intensification of use. Because of these reasons, the issuance of the requested licenses will not result in an undue concentration.

b. *If ABC has determined that an eligible use is in an area of high crime or undue concentration of licenses, the City Council will need to make the finding that the issuance of the license is required for public convenience or necessity.*

The Applicant is seeking a Conditional Use Permit for the Project site to provide the ability to serve alcoholic beverages for on-site sales and consumption at two restaurants and continued off-site sales at one retail venue. The proposed Project will be "located in existing established commercial areas or shopping centers" (Objective 2-1.1, Palms – Mar Vista – Del Ray Community Plan) to "reduce vehicular trips and congestion by developing new housing in proximity to services and facilities" (Objective 1-2, Palms – Mar Vista – Del Ray Community Plan) and will "encourage Pedestrian-oriented design in designated areas and in new development," (Objective 2-2.1, Palms – Mar Vista – Del Ray Community Plan). The serving of alcoholic beverages is a standard amenity

and can be an expected amenity associated with food service establishments. The retail establishment for the off-site sales of alcohol has not been determined at this time. The approval of the Master CUB for the Project would be desirable to the public convenience.

The Project aims to provide convenient access to quality restaurants and retail venues, creating a vibrant area for street life within a safe and secure environment. Therefore, an essential and desirable service will be performed by providing alcohol sales within a carefully controlled, high-quality mixed-use development, with appropriate security measures in place. With the ability to purchase alcohol at the commercial venues, local employees, guests, and residents would be de-incentivized to travel outside the neighborhood for shopping and dining, thus aiding in the relief of traffic congestion and reducing miles traveled. The issuance of a Conditional Use Permit for alcohol on the Project site is required for public convenience.

The objective of the Project is to create an inviting, pedestrian-friendly mixed-use (commercial and residential) development, consistent with the goals of the Community Plan. Dining and shopping with the availability of alcohol sales is a desired element of a quality urban experience. The success of the restaurant and retail depends on the ability to provide this service to their patrons. Such activities are a natural, vital extension of restaurant use, and a function of the pedestrian-friendly environment. The issuance of the CUP is for the public convenience and necessity.

#### ***ADDITIONAL REQUIREMENTS FOR MASTER CUBs/CUXs***

At this time, the square footage of each particular restaurant is unknown, as is the specific address or suite/unit number corresponding to each CUB request. The tenant-operator of each alcohol establishment is also unknown. As stated previously in the responses of this document, more information will be available once tenants have been selected and a separate Plan Approval will be required from the Los Angeles Planning Department for each future tenant.

Type	Restaurant	Retail	Total
On-site	2	0	2
Off-site	0	1	1



**ATTACHMENT “E”  
ZONE VARIANCE JUSTIFICATIONS  
BALBOA COVE GROUP, L.P.  
3343 S. SEPULVEDA BLVD., LOS ANGELES, CA 90034**

Pursuant to **LAMC Section 12.27**, The Applicant requests a **Zone Variance** in order to allow 40 commercial parking stalls to be located in a residential zone.

**BACKGROUND**

The proposed project is located at 3443 South Sepulveda Blvd (“Project”). The current zoning designation is C2-1VL and R4-1 within one legal lot and one land use designation “Neighborhood Commercial.” The Project is a planned mixed-use development consisting of approximately 63,000 square feet of ground retail (C2 zone exclusively), and 445 residential units (in both the C2 and R4 zones). To satisfy the retail and residential parking requirements, the Project will also include three (3) levels of subterranean parking and one at grade, with 570 residential spaces total and 352 retail spaces total. Forty (40) of the 352 retail spaces are located within the R4 zone. The Project will provide residential units, including affordable housing to a range of households of varying income levels, without removing any existing housing. In order to construct such a project that would provide much-needed housing in Los Angeles, a variance from Code Section 12.21 of the LAMC is requested in order to allow 40 commercial parking stalls to be located in a residential zone.

**1. 1. Explain why the strict application of the zone code would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.**

The planned mixed-use project proposes 40 commercial parking spaces in the R4-1VL zone. The variance is requested so that commercial parking could be located in the first level of the below grade parking, in the current R4-1 zone. The parking would be easily accessible by customers which helps ensure the commercial viability of the retail uses and its most efficient use of lot area. The strict application of the zone code would require a redesign of the parking layout. Allocating stalls on an additional subterranean level is a financial hardship for the Project, inconsistent with the general purposes and intent of the zoning regulations, and an impediment to providing a mixed-use development.

**2. Describe the special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.**

There are special circumstances applicable to the subject property when compared to surroundings properties in the same zone and vicinity, to permit commercial circulation and parking in a R4 zone. The subject site is a dual zoned lot, and requires special consideration for a development to be successful. The site is comprised of one legal lot and one land use designation (“Neighborhood Commercial”), yet it has two zones. This oversight should have been corrected during the City’s AB 283 program in the 1980’s so that the entire site would have been correctly zoned C2, but because the R4 zone is within the hierarchal zoning classification, it remained as is.

Compared with the R4 lots across the street on Sepulveda Blvd, this lot is unique because it has dual zoning, and its General Plan designation is “Neighborhood Commercial.” The Neighborhood District land use designation has corresponding commercial zones: C1, C1.5, C4, C2. The R4 zone designation is inconsistent with the Land use (as stated under the framework Element of the General Plan), although R4 uses are allowed in the C2 zone.

Allowing the commercial circulation in the R4 zone will provide the best circulation for the site because of its zoning and location and mixed-use nature of the project.

Furthermore, the existing commercial building, and its adjacent parking, has been on the property since 1957. Thus, the commercial use has been legal, nonconforming as long as the R4 zone existed because a commercial use is not permitted in a residential zone. The City had an opportunity to correct this situation under its AB 283 program, but failed to do so.

Finally, the 60-foot wide R4 zone is an isolated island between the C2 zoning over the balance of the property and the commercial zone and use of the adjacent property to the north.

**3. Explain why the variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships is denied to the property in question.**

The variance for commercial circulation and parking in the R4 zone is necessary for the preservation and enjoyment of a substantial property right and use possessed by other properties in the same zone and vicinity. The variance request is not a self-imposed hardship. There are unique circumstances at play. The surrounding properties are primarily developed for uses allowed by their zoning as is the Project site. However, because the Project site is made up of two different zones, special circumstances apply that would cause practical difficulties if the commercial circulation were not permitted in the R4 zone.

**4. Explain why the granting of the variance would not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the subject property is located.**

The Project is not materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity. The project exhibits outstanding design and its features would make it highly desirable for this community.

The commercial parking, conveniently located close to the proposed retail, is aesthetically designed and self-contained, and from the exterior would be screened by retail.

The requested entitlements would allow for the development of this integrated mixed-use Project which would encourage pedestrian activity and movement. It would, in fact, enhance the public streets by improving streetscapes and creating an attractive, pedestrian friendly, landscaped environment, while replacing existing underutilized, aging facility with an attractive, visually compatible, and appropriately-scaled mixed use development. The project does not remove any existing housing.

Finally, the limited number of commercial parking spaces in the R4 zone is completely invisible to the public because it is within a parking garage where it cannot be seen by the public. No one is likely to

distinguish the parking stalls in the R4 zone from those in the C2 zone. In fact, in the past, the same R4 zone has been used as surface commercial parking for the existing commercial building.

**5. Explain why the granting the variance would not adversely affect any element of the General Plan.**

The granting of the variance will not adversely affect any element of the General Plan, as the area is designated "Neighborhood Commercial".

Allowing retail access and parking within an enclosed building in the R4 zone will not affect the character of the development. Furthermore, the General Plan supports mixed use developments that will meet the demands of the growing population in the City and the provision of housing for all levels of income.

**ATTACHMENT “F”**  
**SITE PLAN REVIEW JUSTIFICATIONS**  
**BALBOA COVE GROUP, L.P.**  
**3343 S. SEPULVEDA BLVD., LOS ANGELES, CA 90034**

Pursuant to **LAMC Section 16.05**, The Applicant requests a **Site Plan Review** for a development of over 50 dwelling units and an increase in of over 50,000 square feet of non-residential floor area that includes the demolition of an existing commercial/retail building with surface parking, and the construction, use, and maintenance of a mixed-use commercial and residential building, comprised of 445 dwelling units, 63,000 square feet of commercial retail within a maximum height of 90 feet. A total of 898 parking spaces are required and 922 parking spaces will be provided for the proposed development.

**1. The Project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan.**

The Los Angeles General Plan sets forth goals, objectives, and programs that guide both Citywide and community specific land use policies. The General Plan is comprised of a range of State-mandated elements, including, but not limited to, Land Use, Housing, Mobility, Noise, and Safety. The City’s Land Use Element is divided into 35 community plans that establish parameters for land use decisions within those sub-areas of the City. The Project site is located entirely within the boundaries of the Palms – Mar Vista – Del Rey Community Plan (Community Plan) area and is designated for “Neighborhood Commercial” land uses. As explained more fully below, the proposed Project would be in substantial conformance with the purposes, intent, and provisions of the General Plan, the Palms – Mar Vista – Del Rey Community Plan, General Plan Framework, and the West Los Angeles Transportation Improvement and Mitigation Specific Plan. The West Los Angeles Transportation Improvement and Mitigation Specific Plan, however, does not contain any applicable development standards that will impact the proposed Project. The Project site also does not have a specific land use designation in the General Plan Framework Element.

***Framework Element***

The Framework Element of the General Plan establishes general policies and the vision for the future of the City of Los Angeles based on projected population growth. Land use, housing, urban form and neighborhood design, open space, economic development, transportation, and infrastructure and public services are all addressed in the context of accommodating future City-wide population increases. The Project site does not have a specific land use designation in the Framework Element but is consistent with many of the Element’s goals, objectives, and policies.

**Land Use**

The Project is consistent with the Land Use goals, objectives, and policies identified in the Framework Element. To wit: “It is the intent of the General Plan Framework Element to encourage new development in proximity to rail and bus transportation corridors and stations.”

**Objective 3.1**

*Accommodate a diversity of uses that support the needs of the City’s existing and future residents, businesses, and visitors.*

#### Objective 3.2

*To provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicle trips, vehicle miles traveled, and air pollution.*

#### Objective 3.4

*Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.*

#### Policy 3.4.1

*Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram.*

#### Goal 3C

*Multi-family neighborhoods that enhance the quality of life for the City's existing and future residents.*

#### Objective 3.7

*Provide for the stability and enhancement of multi-family residential neighborhoods and allow for growth in areas where there is sufficient public infrastructure and services and the residents' quality of life can be maintained or improved.*

#### Objective 3.8

*Reinforce existing and establish new neighborhood districts which accommodate a broad range of uses that serve the needs of adjacent residents, promote neighborhood activity, are compatible with adjacent neighborhoods, and are developed as desirable place to work and visit.*

#### Policy 3.15.4

*Design and site new development to promote pedestrian activity and provide adequate transitions with adjacent residential uses.*

The Project will be in close proximity to other neighborhood-serving retail uses and existing multi-family residences that exist along Sepulveda Boulevard. The mixed-use Project's location at the intersection of Palms Boulevard and Sepulveda Boulevard will preserve this existing stable residential neighborhood and low-intensity commercial area while supporting the City's intent that the majority of new commercial and mixed-use (integrated commercial and residential) development be located near transit and along the City's major boulevards (Policy 3.4.1).

The Project is consistent with the existing neighborhood district while providing multi-family residential and commercial uses along a primary transit corridor (Objective 3.4). Developments

oriented around transit can knit together many of our human activities: residential, employment, shopping, entertainment, and recreation/open space. The convenience of the Project's location along Sepulveda Boulevard offers accessibility to major bus lines including the Venice / Sepulveda Metro Bus Line 733, Line 33, BBB17, and BBB8. The Project provides access to the Metro Expo Line through several nearby stations including Palms Station (~1.3 miles), Culver City Station (~2 miles), Westwood/Rancho Park Station (~1.12 miles), and Expo/Sepulveda Station (~1.2 miles), incentivizing future residents and visitors to use public transportation. The Metro Bus Line BBB17 services the Project site at the intersection of Sepulveda and Palms and can connect residents or visitors to the Palms Metro Station on the Expo Line. Public transit is now associated with benefits including economic, sustainability, and personal health, increasing ridership and reducing the need for automobile trips and miles traveled (Objective 3.2).

Constructing 445 units of new housing in this specific location will significantly increase the livability adjacent to this major transportation corridor and contributes to addressing forecasted population growth by integrating land use with transportation planning. The Project complies with SB 375 and AB 32 by contributing to a reduction in greenhouse gas emissions through integrated land use, housing, and transportation planning. The key component of greenhouse gas emissions is the reduction of emissions from passenger vehicles which represents about one-third of overall greenhouse gas emissions in the United States. Land use is among the top strategies to reduce such emissions. Compact development, which includes a mix of land uses, access and proximity to transit, and concentration of population and employment, can reduce traffic congestion, lower infrastructure costs, and reduce household expenses related to transportation and energy, according to a 2010 report published by the Urban Land Institute (*Land Use and Driving: The Role Compact Development Can Play in Reducing Greenhouse Gas Emissions, Evidence from Three Recent Studies*): "The key to successful compact development is a land use pattern that has a high-quality pedestrian network and a variety of land uses within walking distance of each other." The Project's location along a major bus corridor, proximity to Metro Rail Stations, and proximity to a variety of land uses including residential, office, and commercial uses give residents and visitors the choice to not drive at all or park only once.

The Project offers a mix of land uses, including housing and neighborhood retail, which will provide a holistic residential experience for new and existing residents. By offering a mix of both residences and commercial uses, residents may live, shop, work, and dine within the boundaries of the Project, serving to reduce vehicular trips for residents and neighbors and creating a more inclusive and desirable living environment for the community, both of which support the neighborhood environment of the surrounding area (Objective 3.2; Objective 3.8). In addition, existing uses within walking distance include grocery stores, the Stoner Recreation Center, fitness gyms, schools, various retail services, and numerous office buildings, further strengthening the walkability and all-inclusive environment of the community. As a result, the Project will "accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors" (Objective 3.1).

### Housing

As stated in the Framework Element, "Currently, the City of Los Angeles has insufficient vacant properties to accommodate the cumulative amount of population growth which has been forecasted. The supply of land zoned for residential development is the most constrained in the context of population growth forecasts. Thus, should growth and new development in the City occur, most likely it will require the recycling and/or intensification of existing developed properties or conversion of

certain uses...” The Project features the redevelopment of an underutilized property with a mix of land uses, including housing.

#### Objective 4.2

*Encourage the location of new multi-family housing development to occur in proximity to transit stations, along some transit corridors, and within some high activity areas with adequate transitions and buffers between higher-density developments and surrounding lower-density residential neighborhoods.*

The Project will build 445 units of multi-family residential units in close proximity to major bus lines and Metro Stations on the Expo Line in a mixed commercial and multi-family residential corridor. It is the type of new housing desired by the City (Objective 4.2). Currently, to the north is a 12-story office building. Across Sepulveda Boulevard, to the northeast is a retail center including a Trader Joe’s market, CVS pharmacy, and Coffee Bean. Across Palms Boulevard, on the south-east corner of the Palms and Sepulveda intersection is another retail center. Across Palms Boulevard to the south is currently a vacant commercial lot. Adjacent to the lot to the west is the only single-family neighborhood in the vicinity, separated from the Project site both physically and visually by the rise of Palms Boulevard over the I-405 freeway. Beyond the retail centers in both directions on Sepulveda Boulevard are multi-family residential buildings. This Project will offer new venues for eating, shopping, and socializing to new residents and those who live in the surrounding apartments and single-family homes. The Project unites sustainable planning practices by integrating housing with a mix of land uses and transportation nearby.

#### Urban Form and Neighborhood Design

In terms of Urban Form and Neighborhood Design, the Project’s architectural elements would encourage foot traffic in front of and onto the site. It is consistent with the intent of the design objectives and policies.

#### Objective 5.9

*Encourage proper design and effective use of the built environment to help increase personal safety at all times of the day.*

##### Policy 5.9.1

*Facilitate observation and natural surveillance through improved development standards which provide for common areas, adequate lighting, clear definition of outdoor spaces, attractive fencing, use of landscaping as a natural barrier, secure storage areas, good visual connections between residential, commercial, or public environments and grouping activity functions such as child care or recreation areas.*

##### Policy 5.9.2

*Encourage mixed-use development which provides for activity and natural surveillance after commercial business hours through the development of ground floor retail uses and sidewalk cafes...*

The existing commercial building is set back into the site, surrounded by surface parking and removed from the pedestrian interface. The proposed Project is designed to attract and increase pedestrian activity by facing the proposed retail and restaurant space towards both Sepulveda Boulevard and Palms Boulevard. Interest at the street level is created by maintaining retail frontages along the building edges, engaging pedestrians and providing a visually appealing street wall. People will walk the adjacent streets and spend time in the restaurants and retail center throughout the day, increasing pedestrian activity (Objective 5.9; Policy 5.9.2). As a mixed-use Project, there will be residents and visitors on site throughout the day and night, acting as natural surveillance (Objective 5.9; Policy 5.9.1; Policy 5.9.2). In addition to enhanced security measures such as adequate lighting and clear definition of spaces, these design features will put eyes on the street and the Project site.

#### Open Space and Conservation

The Project is consistent with the purpose of the Open Space objectives and policies.

##### Objective 6.4

*Ensure that the City's open spaces contribute positively to the stability and identity of the communities and neighborhoods in which they are located or through which they pass.*

##### Policy 6.4.8

*Maximize the use of existing public open space resources at the neighborhood scale and seek new opportunities for private development to enhance the open space resources of the neighborhoods.*

- a. Encourage the development of public plazas, forested streets, farmers markets, residential commons, rooftop spaces, and other spaces that function like open space in urbanized areas of the City with deficiencies of natural open space, especially in targeted growth areas.*
- b. Encourage the improvement of open space, both on public and private property, as opportunities arise...*

The Project provides various types of open space including six separate residential courtyards, club/amenity rooms, a skydeck, and private balconies for a portion of the residential units. The six courtyards, located on the third floor distributed throughout the residential units, range in size and offer different recreational opportunities. The Project's open space mimics every desired level of privacy from the balconies providing personal open space, to smaller courtyards providing common open space for some residents, and finally to the large central courtyard intended to unite the residential community. Residential amenities within the courtyards include a podium level pool, lounge area, and a variety of hardscapes and landscapes (Objective 6.4, Policy 6.4.8).



## Economic Development

The Project is consistent with the purpose of the Economic Development objectives and policies.

### Objective 7.2

*Establish a balance of land uses that provides for commercial and industrial development which meets the needs of local residents, sustains economic growth, and assures maximum feasible environmental quality.*

#### Policy 7.2.2

*Concentrate commercial development entitlements in areas best able to support them, including community and regional centers, transit stations, and mixed-use corridors. This concentration prevents commercial development from encroaching on existing residential neighborhoods.*

#### Policy 7.2.3

*Encourage new commercial development in proximity to rail and bus transit corridors and stations.*

#### Policy 7.2.5

*Promote and encourage the development of retail facilities appropriate to serve the shopping needs of the local population when planning new residential neighborhoods or major residential developments.*

### Objective 7.6

*Maintain a viable retail base in the City to address changing resident and business shopping needs.*

#### Policy 7.6.3

*Facilitate the inclusion of shopping facilities in mixed-use developments that serve the needs of local residents and workers.*

#### Policy 7.8.3

*Encourage mixed-use development projects, which include revenue generating retail, to offset the fiscal costs associated with residential development.*

### Objective 7.9

*Ensure that the available range of housing opportunities is sufficient, in terms of location, concentration, type, size, price/rent range, access to local services and access to transportation, to accommodate future population growth and to enable a reasonable portion of the City's work force to both live and work in the City.*

#### Policy 7.9.3

*Concentrate future residential development along mixed-use corridors, transit corridors and other development nodes identified in the General Plan Framework Element, to optimize the impact of City capital expenditures on infrastructure improvements.*

The Project will contribute to the economic development of the community and the City by providing a mix of uses – residential and retail – that will work towards sustaining economic growth (Objective 7.2). The Project proposes 445 residential units, 49 of which will be reserved for very low-income tenants, will provide a variety of types and sizes from studios to three-bedroom units to appeal to all demographics and family sizes (Objective 7.9). Further, the location of the Project, next to transit, will reduce the need for reliance on automobiles for mobility, which will reduce transportation costs and increase affordability of the area (Objective 7.9). The proposed mixed-use development would concentrate growth at the intersection of Sepulveda Boulevard and Palms Boulevard, both of which are major transportation and mixed-use corridors featuring many bus lines and connector routes to other public transit facilities (Policy 7.2.2; Policy 7.2.3; Objective 7.9). The types of retail proposed within the Project’s 63,000 square feet of commercial floor area are neighborhood-serving uses, such as a small-scale specialty stores and restaurants that would cater to both on-site and nearby residents and visitors (Objective 7.6; Policy 7.6.3). The Project will not cause commercial encroachment on existing neighborhoods as the site abuts the I-405 freeway, is adjacent to a 12-story office building, and follows the current pattern of mixed-use development along Sepulveda Boulevard.

### ***Housing Element***

The Project is consistent with the purpose of the Housing Element’s objectives and policies.

#### ***Policy 1.1.3***

*Facilitate new construction of a variety of housing types that address current and projected needs of the city’s households.*

#### ***Policy 1.1.7***

*Strengthen the capacity of the development community to develop affordable housing.*

#### ***Goal 2***

*A City in which housing helps to create safe, livable and sustainable neighborhoods.*

#### ***Objective 2.2***

*Promote sustainable neighborhoods that have mixed-income housing, jobs, amenities, services and transit.*

#### ***Policy 2.2.3***

*Promote and facilitate a jobs/housing balance at a citywide level.*

#### ***Policy 2.2.5***

*Provide sufficient services and amenities to support the planned population while preserving the neighborhood for those currently there.*

#### ***Objective 2.4***

*Promote livable neighborhoods with a mix of housing types, quality design and a scale and character that respects unique residential neighborhoods in the City.*

Policy 2.4.2

*Develop and implement design standards that promote quality residential development.*

Objective 2.5

*Promote a more equitable distribution of affordable housing opportunities throughout the City.*

Objective 2.5.2

*Foster the development of new affordable housing units citywide and within each Community Plan area.*

The Project will provide 49 affordable (VLI) housing units within the 445 new residential units, ranging from studios to three-bedroom units to accommodate a variety of household sizes and price ranges and contribute to the housing supply for small households comprised of one or two persons as well as families (Policy 1.1.3, Objective 2.5, Policy 2.5.2). The recreational amenities offered on-site, including landscaped courtyard area, and a swimming pool with lounge area, will support the planned populations; likewise, the retail opportunities will enhance the quality of life for current residents and workers nearby, and provide additional amenities for new residents (Policy 2.2.5). Due to the mix of land uses proposed for the Project and the connectivity to the street and transit, there will be more pedestrian street activity, increasing the natural security and safety of the neighborhood (Goal2).

The pedestrian-oriented design and transit-oriented location of the Project encourages walkability and sustainability for residents and visitors (Goal 2, Objective 2.2). With access to existing bus lines and the Expo Line, this Project will address the particular needs of the City's demographics from coming-of-age millennials to the growing senior population, many of whom are unable to drive but intend on maintaining an independent lifestyle or many whom are accepting lifestyles that limit automobile use and choose to walk, take public transit, and ride bicycles more (Policy 1.1.3, Objective 2.2).

The Project will satisfy Residential Design Guidelines and will be an aesthetically-pleasing development featuring a contemporary style, private balconies, on-site amenities, and attractive landscaping both around the development and within courtyards and walkways (Policy 2.4.2). The scale and the design of the new development will be compatible with the character of the existing commercial development and multi-family buildings in the neighborhood, as well as the single-family homes, though they are not in the immediate vicinity of the Project. As a result, the Project's location respects and preserves the existing residential neighborhoods by maintaining the multi-family and retail development along Sepulveda Boulevard and Palms Boulevard consistent with the current development (Objective 2.4).

According to the City's Housing Element 2013-2021, the City of Los Angeles will need a variety of housing units to accommodate evolving household types and sizes. The City has continuously gained residents since its founding and is expected to have 4,320,600 residents by 2035. Households without children, especially those headed by householders ages 55 and older, are expected to increase in the next decade. More than half (55.3%) of the City's households have only one or two persons, according to the 2010 Census. The City has been pursuing a sustainable strategy for long-term growth, which

encourages growth in “higher-intensity commercial and mixed-use districts, centers and boulevards, and in proximity to transit.” During the new eight-year cycle of the Housing Element, the City “will witness rapid build-out of the region’s transit network, much of it concentrated” in Los Angeles.

As stated by the Housing Element, *“It is the overall housing goal of the City of Los Angeles to create for all residents a city of livable and sustainable neighborhoods with a range of housing types, sizes and costs in proximity to jobs, amenities and services. In keeping with decades of federal Housing Acts and the Universal Declaration of Human Rights that declared housing as a human right, the City will work towards ensuring that housing is provided for all residents.”* The Project will help the City meet its overarching housing goal by constructing 445 new units, ranging from studios to three-bedroom units, near a major transit corridor, jobs, and amenities, contributing to a livable and sustainable neighborhood.

#### ***Land Use Element (Community Plan)***

The Project substantially conforms to the purpose, intent and provisions of the Palms – Mar Vista – Del Rey Community Plan. The purpose of the Community Plan’s goals and objectives is to maintain the community’s distinctive character by:

*“Preserving and enhancing the positive characteristics of existing residential neighborhoods while providing a variety of compatible housing opportunities.”*

*“Improving the function, design and economic vitality of commercial and industrial areas.”*

*“Maximizing development opportunities around future transit systems while minimizing any adverse impacts.”*

*“Preserving and strengthening commercial and industrial developments to provide a diverse job-producing economic base and through design guidelines and physical improvements enhance the appearance of these areas.”*

The following Goals, Objectives, and Policies in the West Los Angeles Community Plan area applicable to the Project:

#### **Residential**

##### **Objective 1-1**

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

##### **Policy 1-1.1**

*Provide for adequate multi-family residential development.*

Policy 1-1.2

*Protect the quality of residential environment and the appearance of communities with attention to site and building design.*

Policy 1-1.3

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

Policy 1-1.4

*Promote neighborhood preservation, particularly in multi-family neighborhoods.*

Objective 1-2

*To reduce vehicular trips and congestion by developing new housing in proximity to services and facilities.*

Policy 1-2.1

*Locate higher residential densities near commercial centers and major bus routes where public service facilities and infrastructure will support this development.*

Objective 1-3

*To preserve and enhance the varied and distinct residential character and integrity of existing residential neighborhoods.*

Policy 1-3.1

*Require architectural compatibility and landscaping for new infill development to protect the character and scale of existing residential neighborhoods.*

Policy 1-3.2

*Proposals for change to planned residential density should consider factors of neighborhood character and identity, compatibility of land uses, impacts on livability, public services and facilities and on traffic levels. To promote distinctive commercial districts and pedestrian-oriented areas.*

Objective 1-4

*To promote the adequacy and affordability of multiple-family housing and increase its accessibility to more segments of the population.*

Policy 1-4.1

*Promote greater individual choice in type, quality, price and location of housing.*

Policy 1.4-2

*Ensure that new housing opportunities minimize displacement of residents.*

The Project proposes the redevelopment of an existing commercial building, with the construction of a mixed-use, multi-family residential building along a major transportation corridor

and in close proximity to major bus lines along Sepulveda Boulevard and within a mile and a half from three Expo Line Metro Stations (Objective 1-1; Policy 1-1.1). As the Project Site is currently solely commercial, no residents will be displaced as a result of this development; this Project will only serve to increase and improve housing availability in the neighborhood (Policy 1.4-2). Further, the Project increases the availability and affordability of housing in the community by reserving a portion of affordable units for very low-income tenants and providing a range of unit sizes (Objective 1-4, Policy 1-4.1). The Project combines commercial and residential uses to create a mixed-use, active development where residents of the development and the neighborhood are in close proximity to services and amenities. Due to the mixed-use nature of the Project, as well as the direct access to public transit, the Project will reduce residents' reliance on vehicular trips and reduce further traffic congestion in the neighborhood (Objective 1-2; Policy 1-2.1, Policy 1-3.2).

Currently, to the north of the Project Site is a 12-story office building. Across Sepulveda Boulevard to the east is a retail center. Across Palms Boulevard, on the south-east corner of the intersection is another retail center. Across the street to the south is a vacant commercial lot. Adjacent to the vacant lot across Palms Boulevard to the west is the only single-family neighborhood in the vicinity; this area is completely separated from the Project site both physically and visually by the rise of Palms Boulevard over the I-405 freeway, separating low density character of the single-family residences from immediate interaction with the Project site (Policy 1-1.3). Beyond the retail centers in both directions on Sepulveda Boulevard are multi-family buildings. As the Project is bounded on most sides by multi-family or commercial developments, it will be compatible with the existing neighborhood features along the Sepulveda corridor, preserving the character and scale of the area (Policy 1-1.4).

The high-quality architecture of the proposed mixed-use Project will be aesthetically intriguing to improve the function, design and economic vitality of the commercial as well as the multi-family neighborhood (Policy 1-3.1). The aesthetics of the proposed development is consistent with adjacent uses as well as surrounding area.

#### Commercial

Commercial land use in the Palms – Mar Vista – Del Rey Community Plan area is primarily small-scale and neighborhood-oriented.

##### Objective 2-1

*To conserve and strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services within existing commercial areas.*

##### Policy 2-1.1

*New commercial uses should be located in existing established commercial areas or shopping centers.*

##### Policy 2-1.3

*Ensure the viability of existing neighborhood stores and businesses which support the needs of local residents and are compatible with the neighborhood.*

Policy 2-1.4

*Require that commercial projects be designed and developed to achieve a high level of quality, distinctive character and compatibility with surrounding uses and development.*

Policy 2-2.4

*Promote mixed use projects along designated transit corridors and in appropriate commercial centers.*

Objective 2-3

*To enhance the appearance of commercial districts.*

Policy 2-3.1

*Require that the design of the new development be compatible with adjacent development, community character and style.*

The proposed Project will be a mixed-use development with neighborhood commercial uses, located at the intersection of Palms Boulevard and Sepulveda Boulevard on the site of an existing grocery store. The other three corners of the intersection are also designated neighborhood commercial land uses with existing neighborhood commercial buildings (Policy 2-3.1). The proposed development enhances the appearance of this commercial intersection by introducing active streetscapes with street adjacent active store-fronts (Objective 2.3). The proposed Project will serve to conserve and strengthen the commercial nature of the intersection while providing new residences to support surrounding retail businesses, maintaining and enhancing the commercial element of the site's former use (Objective 2-1; Policy 2-1.1).

Sepulveda Boulevard is a highly frequented transit corridor for both automobiles and public transit. The major bus lines that run along Sepulveda Boulevard connect to three of the Metro Expo Stations (Palms Station, Culver City Station, and Expo/ Sepulveda Station) as well as major Los Angeles destinations such as UCLA and Culver City. Residents and workers at the development will benefit from the Project's direct access and linkages to the greater Los Angeles region via public transit (Policy 2-2.4).

The commercial elements of the Project have been specifically designed to highlight and enhance the pedestrian environment, improving neighborhood walkability and the distinctive mixed-use nature of the area (Policy 2-1.4). The retail and restaurant uses are oriented to directly address the Sepulveda Boulevard and Palms Boulevard sidewalks, providing an interactive and enhanced streetscape aesthetic. The Project also provides public open space that fronts Sepulveda Boulevard, creating a heightened quality of life and reinforcing the Project's compatibility with the surrounding residential uses.

Recreation and Parks Facilities – Open Space

Objective 5-1

*To preserve existing open spaces resources and where possible develop new open space.*

Policy 5-1.1

*Encourage the retention of passive and visual open space which provides a balance to urban development of the community.*

The proposed Project includes open space resources for its residents on-site in the form of six residential courtyards, a sky deck, club/lounge rooms, and private balconies (Objective 5-1). Within the courtyards, the Project provides a swimming pool, lounge areas, and a variety of hardscapes and landscapes at the podium level, adding supplementary open space for residents. The courtyards are distributed throughout the residential units to maintain visual connection to open space and access to natural lighting to balance the density of the development (Policy 5-1.1).

***Mobility Element 2035***

The Project is consistent with the Mobility Element 2035, including the 2010 Bicycle Plan, a component of the Mobility Element. The Mobility Element guides development of a citywide transportation system with the goal of ensuring the efficient movement of people and goods. The Mobility Element recognizes that primary emphasis must be placed on maximizing the efficiency of existing and proposed transportation infrastructure through advanced transportation technology, reduction of vehicle trips, and focused growth in proximity to public transit.

The Project would advance numerous goals and policies contained in the Mobility Element. Chief among them is a key policy initiative to “Consider the strong link between land use and transportation.” To achieve these initiatives, the Mobility Element recommends implementation of numerous specific policies, including the following:

Policy 2.3

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

Policy 2.10

*Facilitate the provision of adequate on- and off-street loading areas.*

Policy 3.3

*Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.*

Policy 3.4

*Provide all residents, workers and visitors with affordable, efficient, convenient, and attractive services.*

Policy 3.8

*Provide bicyclists with convenient, secure and well-maintained bicycle facilities.*



#### Policy 4.8

*Encourage greater utilization of Transportation Demand Management (TDM) strategies to reduce dependence on single-occupancy vehicles.*

The Project advances the above-referenced policies by creating a mixed-use development along Sepulveda Boulevard, a major transit corridor and gateway to two Metro rail stations (Culver City Station and Expo/ Sepulveda Station). Sepulveda Boulevard provides substantial public transit opportunities, including Culver City Routes 6 and 6R (with access to the Metro Expo/ Sepulveda Station), and Santa Monica's Big Blue Bus Route 12 (with access to the Metro Culver City Station). The development of the Project with residential and commercial uses would promote pedestrian activity and circulation and would create direct connections between the new Project and the Metro transit infrastructure, in express conformity with the Mobility Element's policies and objectives.

In 2008, the California State Legislature adopted AB 1358 (The Complete Streets Act), which requires local jurisdictions to "plan for a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways, defined to include motorists, pedestrians, bicyclists, children, persons with disabilities, seniors, movers of commercial goods, and users of public transportation, in a manner that is suitable to the rural, suburban or urban context..." The City updated its Mobility Element to comply with the Complete Streets Act. The City's Mobility Element Update includes six goals: Safety First; World Class Infrastructure; Access for All Angelenos; Informed Choices; Clean Environment and Healthy Communities; and Smart Investments. The Project would help achieve the following policies under the Access for All Angelenos goal:

*"Encourage a mix of land uses that serve residents' daily needs in areas near transit and prioritize land uses that generate high levels of transit ridership at major transit stops."*

*"Evaluate transportation projects and development projects based on the land use context to account for the full benefits and impacts on all modes of transportation, not just automobiles."*

*"Support land use decisions that result in fewer vehicle trips by providing greater proximity and access to neighborhood services."*

*"Improve access to major regional destinations and job centers."*

The Project will construct 445 new residential units and neighborhood-serving retail uses in direct proximity of bus lines and within a short transit distance of two Metro stations. Future residents, employees, and visitors of this Project could generate substantial ridership at this transit stop, due to the mix of land uses and the Project's proximity to the Expo Line Extension to Santa Monica. The Project will allow future residents, employees, and visitors another option to access the site via transit instead of having to drive, reducing road congestion and improving overall air quality.

In regard to the 2010 Bicycle Plan, Sepulveda Boulevard is designated as a future Bicycle Lane. The project is also a part of the Backbone Bicycle Network, a 719-mile "interconnected system of streets that facilitates 24/7 bicyclist mobility on key arterials." Comprised primarily of bicycle lanes, the

Backbone Bicycle Network is intended to connect employment centers, transit stations, retail centers, and other resources together.

#### Goal 1

*Increase the number and types of bicyclists who may bicycle in the City.*

#### Policy 1.2.7

*Develop and implement citywide bicycling parking standards.*

#### Programs

- A. *Private Property Bicycle Parking Standard for Commercial and Industrial Projects*
- B. *Private Property Bicycle Parking Standard for Residential Projects*

The Project will comply with Ordinance No. 185,480, which amended the Municipal Code to increase bicycle parking requirements, including both long-term and short-term bicycle parking. The Project will provide a total of 220 long-term and 52 short-term bicycle parking spaces. The provision of dedicated safe and secure bicycle parking will encourage bicycle use among the residents, employees, and visitors to the Project site.

The Project is consistent with the Land Use/Transportation Policy adopted in 1993 by the City of Los Angeles and the Los Angeles County Metropolitan Transportation Authority (Metro). Although the Land Use/Transportation Policy was adopted in 1993, it established a clear vision for transit-oriented development in the City's future. Some of the objectives from 20 years ago are still relevant today and consistent with good planning practices, including "accommodate mixed commercial/residential use development." The Project is consistent with the policy's Guiding Principles, particularly:

*"Develop compact quality pedestrian oriented mixed-use neighborhoods within walking distance to rail transit stations and other transit centers."*

*"Develop and apply urban design standards to ensure the development of a high-quality and safe and secure urban environment."*

The Project is consistent with the intent of the Land Use and Housing elements of the policy. "The intent of the Land Use policy is to concentrate mixed commercial/residential uses, neighborhood-oriented retail, employment opportunities, and civic and quasi-public uses around transit stations, while protecting and preserving surrounding low-density neighborhoods from encroachment of incompatible land uses." The Project will add 445 residential units and 63,000 square feet of commercial space along the Sepulveda corridor. The character of the neighborhood, which consists of a mix of neighborhood commercial and mid-rise multiple-family residential buildings, will be preserved. The Project will also "facilitate the development of uses directly related to the needs of the surrounding community, such as convenient neighborhood oriented retail and personal services." Although specific tenants have yet to be identified, neighborhood-serving uses will be offered on site, providing convenience to both existing and future residents and employees.

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

The proposed Project will construct 445 residential units, and 63,000 square feet of commercial uses, including 50,400 square feet of ground floor retail and approximately 12,600 square feet of restaurant space along Sepulveda Boulevard. The Project will include approximately 53,420 square feet of common and private open space including, an outdoor courtyard/ plaza, which features a podium level pool, lounge area, entertainment pavilion, and a variety of hardscapes and landscapes. Approximately 922 parking spaces will be provided across three levels of subterranean parking and one at-grade parking level. Short-term and long-term bicycle parking of 272 spaces will be located on-site at ground level.

The building is consistent with the neighborhood commercial and multi-family buildings in the surrounding area, and would be compatible with existing and future development on neighboring properties. The surrounding area of Sepulveda and Palms Boulevards are comprised of neighborhood commercial developments at the corners with multi-family developments throughout the blocks. Adjacent to the north of the Project site is a 12-story office building and parking structure. Across Sepulveda Boulevard to the east is neighborhood commercial development consisting of a CVS Pharmacy, Trader Joe's market, and a drive-thru Coffee Bean and Tea Leaf. Caddy-corner to the site is another single-story retail center. Across Palms Boulevard, on the corner to the south, is a vacant commercial lot. Across Palms Boulevard, to the south adjacent to the corner, is an R1-1 neighborhood that is separated from the Project site not only by an 84-foot roadway, but also the rise of Palms Boulevard over the San Diego Freeway (I-405). This neighborhood is not visible or accessible from the Project site and vice versa. Beyond these immediate sites to the north on both the east and west side of Sepulveda Boulevard to Clover Avenue, all the properties are zoned R4-1 with a Community Plan designation of High-Medium Residential. Across Palms Boulevard to the south on the east and west sides of Sepulveda Boulevard beyond the corner zoned C2-1VL and with the exception of Charnock Road Elementary School, all the other properties are zoned R3-1 with a Community Plan designation of Medium Residential. The Project's mixed-use nature is consistent with the existing development pattern of the area.

The Project will be seven stories (plus mezzanine), six of which will be residential, with the commercial component fronting Sepulveda Boulevard on the ground floor of the building. Directly adjacent to the building is a 12-story office use building. The arrangement, mass, and height of the Project's will be compatible with the height of the surrounding buildings in the neighborhood.

Vehicular access to the Project will be provided on Sepulveda Boulevard via two new driveways, one at the northern end of the site along Sepulveda Boulevard and one at the southern end of the Site along Palms Boulevard. The existing access points will be removed. These access points are designed so as to avoid any pedestrian/vehicular conflicts and to respect the pedestrian orientation of the Project. The loading area of the Project will be accessed via Palms Boulevard.

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

The Project will improve habitability and livability for its residents and neighbors by putting residents in close proximity to retail amenities on-site and creating active street frontage with improved streetscape to enhance the pedestrian experience and improve walkability of the area. Residents of the mixed-use Project will be able to enjoy over 53,420 square feet of open space amenities such as the five residential courtyards including a pool recreation area and club room facilities. In addition, 445 of the 445 residential units will have private balconies as an open space amenity. The Project provides over 5,795 square feet of usable open space above the requirement of 47,625 square feet for 445 residential units. This transit-oriented development will include approximately 63,000 square feet of commercial uses, including retail and restaurant uses on the ground floor. Residents of the mixed-use Project will be able to dine, shop, live, and work on-site or potentially nearby. The Project will substantially improve the immediate neighborhood and habitability by providing commercial facilities within close proximity to so many housing developments.

**ATTACHMENT “G”**  
**DIRECTOR’S DECISION JUSTIFICATIONS**  
**BALBOA COVE GROUP, L.P.**  
**3343 S. SEPULVEDA BLVD., LOS ANGELES, CA 90034**

Pursuant to **LAMC Section 12.21 G.3**, A Director’s Decision is being request to allow for a reduction in Code required trees from 112 trees to 78 on-site trees. The Applicant will pay the in-lieu fee for each tree that is not planted pursuant to the requirement.

**1. That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.**

The Project site is located at the northwest corner of Palms Boulevard and Sepulveda Boulevard, directly to the east of the San Diego (I-405) Freeway. Immediately to the north of the Project site is a 12-story office building, three-story parking garage, and surface parking lot. Across Sepulveda Boulevard to the east is a retail center with a coffee shop, pharmacy, grocery store, and mixed commercial venues surrounded by surface parking. Immediately to the south of the Project, across Palms Boulevard, is a fenced vacant lot with storage facilities. The immediate surrounding area includes multi-family residential apartments and additional commercial retail centers.

The Project proposes the demolition of a commercial building with an active off-site alcohol license (State Department of Alcoholic Beverage Control License Number 554862), and the construction of a seven-story mixed-use development with 445 residential units, and 63,000 square feet of commercial floor area, divided between approximately 50,400 square feet of retail space along Sepulveda Boulevard and 12,600 square feet of restaurant space, located at the northwest corner of Palms Boulevard and Sepulveda Boulevard. The Project will offer the sales and service of alcohol at one retail establishment and at two restaurant establishments.

The Project will enhance the built environment in the surrounding Palms – Mar Vista neighborhood, and will provide services that are beneficial to the community and greater region. The redevelopment of this corner lot into a mixed-use residence and commercial venue provides the property with a use that reflects the needs and projected growth of the greater Palms – Mar Vista area. The revitalization of this parcel will create an appealing visual identity for the block, improving the commercial street- front aesthetic and the pedestrian experience.

Palms and Mar Vista are primarily residential communities, and the proposed Project will provide both more range in housing options for the populations of the community, and new retail venues to invigorate the immediate commercial area and improve the livability of the neighborhood. Currently, the surrounding area offers limited dining options for residents of the area, primarily focusing on coffee or quick take-out options. The proposed shopping and restaurant components of the Project will encourage a more neighborhood- and pedestrian-oriented identity instead of the current pass- through nature of this commercial area. The Project serves as a smooth transition between commercial and residential uses by providing an appropriate scale and mixed-use program along a commercial corridor. The Project will improve variety of dining options for on-site and near-by residents while increasing the viability of surrounding commercial establishments with the addition of 445 units of housing. Residents will have more variety in their dining options, enjoying a mix of dining with optional alcoholic beverages. The Project’s proposed retail will also serve the community by providing an urban retail experience with neighborhood-oriented shopping establishments.

The Project includes 445 residential units, 49 of which are designated affordable, below-market-rate units (VLI), on floors three through seven. In 2014, Los Angeles Mayor Eric Garcetti announced his goal of permitting 100,000 new housing units by 2021 to help meet the growing, dire housing demand in the City. The Project will contribute 445 units to help fulfill Mayor Garcetti's goal and address the region wide housing shortage issue. The residential units range from studios to three-bedroom units with a variety of price ranges to provide housing options for all members of the Palms – Mar Vista community, expanding the residential capacity within this desirable neighborhood and supporting commercial activity and development in the area. The residential uses will also maintain an active pedestrian oriented street-front, increasing safety and walkability of the neighborhood.

The restaurants' and market's quality service and offerings, in food and alcohol, will be a benefit to those who are currently residing in Palms – Mar Vista, and will also serve as an attraction and amenity to future residents and guests. The residents of this Project will provide an immediate and steady consumer base for the Project's retail and restaurant uses. Having a walkable community is now recognized as a priority for all ages of residents. The Project will contribute to a more economical and healthier lifestyle by contributing a mixed-use urban environment for a safe and walkable space. The attractive design of the residential lobby and retail street frontage, including on-site dining and beverages, will revitalize this currently strip-commercial corner lot and improve the character of this area, creating a positive pedestrian experience with eyes on the street throughout the day and nighttime.

**2. That the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.**

The Project's proposed size, operation, and use, including retail, restaurant, and residential, are compatible with the surrounding Palms – Mar Vista neighborhood, and will not adversely affect the health, safety, or welfare of the community. The proposed building is approximately 90 feet (7 stories plus mezzanine), including three levels of subterranean parking, one level of ground floor commercial with a residential lobby and additional parking, one level (plus mezzanine) above open to the ground floor retail and six-stories of residential units. The proposed height of the building is consistent with development in the immediate area. The building directly to the north of the Project is a twelve-story office tower with a three-story adjacent garage. Additionally, nearby residential units on Sepulveda Boulevard are also multi-story, multi-family developments. The proposed Project is of similar size and massing to the adjacent northerly building, but is only about half of its height, staying consistent with both the Project's immediate neighbor and the general scale of the neighborhood.

The redevelopment of the subject site will improve the safety, welfare, and aesthetic of the surrounding uses and neighborhood. The Project's retail and restaurant component with the option to consume alcohol on-site will expand the customer base to all members of the community, into this underutilized street corner. The Project activates the corner of Palms Boulevard and Sepulveda Boulevard with residential tenants frequenting the residential lobby, retail, and dining space, cultivating a pedestrian environment in the area and improving the welfare and safety of the surrounding neighborhood by putting more eyes on the street.

The requested entitlement of the sale of alcoholic beverages for two restaurants and one retail establishment within a mixed-use development is compatible with the surrounding uses, as many of the immediate buildings are commercial in nature with residential beyond. The Project will strengthen this area as a commercial hub while also providing more residences to support the existing and additional commercial

establishments. The Project is consistent with current uses as the former supermarket has an active liquor license on premises (License No. 554862) with no ill effects or harm to the community as a result. The Project will improve the function, design, and economic vitality of the Sepulveda and Palms commercial intersection and will only serve as a positive attraction to the community by providing a more urban, diverse community.

**3. That the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.**

The Project is located within the Palms – Mar Vista – Del Rey Community Plan, and has a land use designation of Neighborhood Commercial. The site is zoned R4-1 and C2-1VL, which allows the requested residential and commercial uses by right with the sale of alcohol as an added, conditional use. The requested entitlements will serve the intent of the General Plan for Neighborhood Commercial by providing commercial uses that are oriented to the residents of the Project and neighborhood, developing mixed service shopping hubs that contain both retail and restaurants, and promoting pedestrian activity by emphasizing streetscaping. The sale of on-site and off-site alcoholic beverages is authorized through the Conditional Use Permit approval of specific findings by the Zoning Administrator. The request is in keeping with the goals for a “Neighborhood Commercial” area which promotes the development of diverse commercial venues to fill daily needs including restaurants and grocery stores to reduce daily automobile trips and encourage walking.

Located within the Palms – Mar Vista – Del Rey Community Plan, the Project’s mixed residential and commercial uses fulfills the Community Plan’s goal of creating neighborhood-oriented commercial districts within close proximity to housing. In addition, the Project addresses issues identified by the Community Plan including:

- A lack of cohesiveness and continuity of complimentary uses along commercial frontages,
- Unsightly strip commercial with poor visual identity, lack of parking and convenient access and oriented to pass-through traffic rather than neighborhood and pedestrian-oriented.
- Inadequate transition between commercial and residential uses

The Project purposefully fulfills goals set forth by the community plan:

*Objective 1-2*

*To reduce vehicular trips and congestion by developing new housing in proximity to services and facilities.*

The Project directly combines both desired services of retail and dining with needed new residential uses. The close proximity of the new retail and restaurant establishments with both the proposed housing and existing nearby residences will contribute to creating an environment where pedestrians are the priority. Further, the Project is located on two transit corridors, Sepulveda and Palms Boulevard which are serviced by several bus lines and within a mile-and-a-half from the Metro rail Expo Line. These existing transit services and existing nearby commercial establishments, including a market located across Sepulveda Boulevard, will reduce vehicular trips and prevent congestion on nearby streets.

*Policy 2-1.1*

*New commercial uses should be located in existing established commercial areas or shopping centers.*

The Project is replacing a former grocery store with new housing units and ground floor commercial street frontage, preserving and enhancing the existing, established commercial area. The ground floor retail and restaurant services will complement the existing retail lots located on all corners of the Sepulveda and Palms intersection.

#### *Objective 1-4*

*To promote the adequacy and affordability of multiple-family housing and increase its accessibility to more segments of the population.*

The Project will provide 445 multi-family housing units, 49 of which will be designated affordable units and reserved for very low-income tenants. Of the 445 units, there will be 107 studios, 213 one-bedroom units, 115 two-bedroom units and 10 three-bedroom units. The Project's residential program aims to increase housing options for all members of the Palms-Mar Vista community.

#### *Policy 1-4.1*

*Promote greater individual choice in type, quality, price and location of housing.*

The Project will be providing 445 residential units with 49 affordable units (VLI), ranging in type from studios to three-bedroom units. The 49 affordable units will give future residents access to the same amenities and location benefits as market rate units. The Project defies the perception that housing affordability comes at a cost of personal health, lack of amenities, or poor quality. The requested entitlements, including the service of alcohol at the commercial component of the development, seek to improve quality and provide greater amenity choices in this location for future residents.

#### *Objective 2.1*

*To conserve and strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services within existing commercial areas.*

The Project strengthens existing commercial establishments within the community by providing 445 residential units to support local, community businesses. In addition, the Project will provide 63,000 square feet of commercial floor area at the intersection of Sepulveda and Palms Boulevards, immediately surrounded by compatible commercial uses. The requested entitlement to serve alcohol within the commercial floor area of the building will strengthen the viability of the proposed restaurants and retail establishments.

#### *Policy 2-2.1*

*Encourage Pedestrian-oriented design in designated areas and in new development.*

The Project's design with commercial street frontage and streetscaping promotes an engaging street experience for visitors and residents. The Project will reinforce positive pedestrian activity through re-energizing the site with new commercial uses, including the option to purchase alcohol, to attract a greater range of the community. Located directly adjacent to other commercial, office, and residential uses, the Project places residents within walking distance from services and places commercial within walking distance of nearby residential and office uses. The Project and requested entitlements substantially conform to the purpose, intent, and provisions of the General Plan and Community Plan.



**ATTACHMENT “H”**  
**WAIVER OF DEVELOPMENT AND/OR IMPROVEMENT JUSTIFICATIONS**  
**BALBOA COVE GROUP, L.P.**  
**3343 S. SEPULVEDA BLVD., LOS ANGELES, CA 90034**

Pursuant to **LAMC Section 12.37 I**, A Waiver of Development and/or Improvement is being requested to reallocate the 2-foot roadway dedication (of the overall 5 feet right-of-way dedication) required on Sepulveda Boulevard to be reallocated to additional widening of the sidewalk, rather than the roadway, widening the sidewalk from the existing 12 feet to 17 feet, beyond the 15-foot requirement.

**Mobility Plan 2035 Street Classification: Boulevard II**

	Existing	Required	Required Dedication	Proposed Dedication	Proposed Dimensions
Right-of-Way (property line to property line)	Half: 50'	Half: 55'	5'	5'	Half: 55'
	Full: 100'	Full: 110'			Full: 110'
Roadway (curb to curb)	Half: 37'	Half: 40'	3'	0'	Half: 37'
	Full: 74'	Full: 80'			Full: 74'
Sidewalk Width	13'	15'	2'	5'	18'

**1. The dedication or improvement requirement does not bear a reasonable relationship to any project impact.**

We acknowledge that the Mobility Plan 2035 identifies Sepulveda Blvd as a Boulevard II. This dedication calls for 5-foot right-of-way dedication. It is our intent to comply with this dedication. However, our preference is to leave the roadway bed the same width as it is currently (37 feet) and put all of the required additional dedication (5 feet) into the sidewalk to widen it from the existing 13 feet, beyond the 15-foot requirement to 18 feet total. The proposed 18-foot sidewalk would enhance the pedestrian experience, and add additional room for on-street amenities such as bike racks and potential outdoor dining.

The proposed project has no unmitigated traffic impacts, even with no roadway widening. Therefore, the City's typical roadway widening would have no impact on traffic flow.

**2. The dedication or improvement is not necessary to meet the City's mobility needs for the next 20 years based on guidelines the Streets Standards Committee has established.**

We are accepting the dedication requirement; however, we prefer to prioritize the pedestrian over the vehicle. The roadway improvement is not necessary to meet the City's mobility needs; however, the expansion of the sidewalk would meet many of the City's goals and policies for pedestrians in the Mobility Plan.

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

Rather than expanding the roadway 3-feet and the sidewalk 2-feet, expanding the sidewalk an additional 5-feet to 18-feet wide in total will ensure high quality pedestrian access by providing wider than required walking environment. This will provide a safe and comfortable walking environment for pedestrians.

*2.15 Allocation of Transportation Funds: Expand funding to improve the built environment for people who walk, bike, take transit, and for other vulnerable roadway users.*

Rather than expanding the roadway 3-feet and the sidewalk 2-feet, expanding the sidewalk an additional 5-feet to 18-feet wide in total will further promote walking as an alternative to driving, reducing vehicle miles traveled and GHG emissions. As mentioned in the Mobility Plan, there are other benefits to investing in complete streets, including economic revitalization, improved safety and reduced GHG emissions.

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

*3.2 People with Disabilities: Accommodate the needs of people with disabilities when modifying or installing infrastructure in the public right-of-way.*

Rather than expanding the roadway 3-feet and the sidewalk 2-feet, expanding the sidewalk an additional 5-feet to 18-feet wide in total would help in encouraging alternative modes of transportation such as walking, and further accommodate the needs of people with disabilities.

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

Rather than expanding the roadway 3-feet and the sidewalk 2-feet, expanding the sidewalk an additional 5-feet to 18-feet wide in total could provide more space for more on street amenities such as bike parking without obstructing the pedestrian walkway. In addition, bike parking can be a benefit to the street fronting retail, by attracting more customers by being a bike friendly business and accommodating more visitors.

### **3. The dedication or improvement requirement is physically impractical.**

The widening of the street would prove unnecessarily expensive relative to the resulting benefits. This scenario is reflected in policy. 2.17 of the Mobility Plan, shown below:

*2.17 Street Widenings: Carefully consider the overall implications (costs, character, safety, travel, infrastructure, environment) of widening a street before requiring the widening, even when the existing right of way does not include a curb and gutter or the resulting roadway would be less than the standard dimension.*

We are accepting the dedication requirement, but simply reallocating the 3-foot road dedication to the pedestrian. Although the improvements can be physically implemented, the 3-foot roadway widening would not accomplish anything in terms of roadway capacity. Additionally, it would involve very costly relocation of existing overhead utilities. The proposed expansion of the sidewalk to 18-feet in overall

width is a win for the City by providing more space for pedestrians.