



DEPARTMENT OF CITY PLANNING

APPEAL RECOMMENDATION REPORT

City Planning Commission

Date: September 28, 2023
Time: After 8:30 A.M.
Place: Los Angeles City Hall
200 N. Spring Street, Room 340
Los Angeles, CA 90012

And via Teleconference.
Information will be provided no later than 72 hours before the meeting on the meeting agenda published at <https://planning.lacity.org/about/commissionsboards-hearings> and/or by contacting cpc@lacity.org

Public Hearing: Required
Appeal Status: Not further appealable
Expiration Date: September 28, 2023
Multiple Approval: No

Case No.: DIR-2020-2067-TOC-1A
CEQA No.: ENV-2020-2068-CE
Related Case: DIR-2020-2067-TOC
Council No.: 10 –Hutt
Plan Area: Wilshire
Plan Overlays: None
Certified NC: P.I.C.O.
Land Use Designation: Medium Residential
Zone: [Q]R3-1-O
Applicant: Hi Point M, LLC
Representative: Matthew Hayden, Hayden Planning
Appellants: Katelyn Foley; Annette Wong and Brandon Araujo; John Kim; and Sarah Reed
Appellant: Elaine Johnson, LA GLO Inc.
Representative: Jamie T. Hall, Channel Law Group, LLP

PROJECT LOCATION: 1447 South Hi Point Street

PROPOSED PROJECT: The project involves the demolition of an existing single-family residential structure and the construction, use, and maintenance of a new, five-story, multi-family residential building over one level of subterranean parking. The project will contain 20 dwelling units, of which two units will be set aside for Extremely Low Income Households. The proposed building will encompass approximately 20,093 square feet in total building area. The project proposes to provide 24 automobile parking spaces and 22 bicycle parking spaces.

ACTIONS/APPEALS: Action consistent with the terms of a court issued Writ in *Hi Point Neighbor's Association v. City of Los Angeles*, Los Angeles Superior Court Case No. 21STCP02223 (issued May 25, 2023), that orders the City of Los Angeles to set aside its Tier 3 Transit Oriented Communities Affordable Housing Incentive Program approval in Planning Case No. DIR-2020-2067-TOC.

Determine the project is exempt pursuant to the City's September 15, 2021 Determination in Planning Case No. ENV-2020-2068-CE, and Council File No. 21-0481, and as upheld by the Superior Court in its judgement in *Hi Point Neighbor's Association v. City of Los Angeles*, Los Angeles Superior Court Case No. 21STCP02223, pursuant to CEQA Guidelines, Article 19, Section 15332 (Class 32), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

Receive new evidence, re-hear, and re-decide an appeal of the December 30, 2020, Planning Director's Determination which:

1. Determined based on the whole of the administrative record, that the Project is exempt

from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Article 19, Section 15332 (Class 32), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;

2. Approved with Conditions, pursuant to Los Angeles Municipal Code (LAMC) Section 12.22-A,31, a 70 percent increase in density, consistent with the provisions of the Transit Oriented Communities (TOC) Affordable Housing Incentive Program along with the following three incentives for a qualifying Tier 3 project totaling 20 dwelling units, reserving 2 units for Extremely Low Income (ELI) Household occupancy for a period of 55 years:
 - a. Yards/Setbacks. A 30 percent reduction in the required width of the two (2) side yards to provide a minimum setback of 5 feet 8 inches in lieu of the minimum 8 feet otherwise required;
 - b. Height. A maximum increase of 22 feet in building height to permit a maximum building height of 57 feet in lieu of the maximum 35 feet otherwise permitted; and
 - c. Open Space. A maximum reduction of 25 percent in the required amount of open space.
3. Adopted the Conditions of Approval and Findings.

RECOMMENDED ACTIONS:

1. **Set aside** the previous Tier 3 Transit Oriented Communities Affordable Housing Incentive Program approval in Planning Case No. DIR-2020-2067-TOC, consistent with the terms of a court issued Writ in *Hi Point Neighbor's Association v. City of Los Angeles*, Los Angeles Superior Court Case No. 21STCP02223 (issued May 25, 2023);
2. **Deny** the appeal;
3. **Determine** the project is exempt pursuant to the City's September 15, 2021 Determination in Planning Case No. ENV-2020-2068-CE, and Council File No. 21-0481, and as upheld by the Superior Court in its judgement in *Hi Point Neighbor's Association v. City of Los Angeles*, Los Angeles Superior Court Case No. 21STCP02223, pursuant to CEQA Guidelines, Article 19, Section 15332 (Class 32), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
4. **Sustain** the Planning Director's Determination to conditionally approve the TOC Affordable Housing Incentive Program request to allow a 70 percent increase in density along with the following three incentives for a qualifying Tier 3 project totaling 20 dwelling units, reserving 2 units for Extremely Low Income (ELI) Household occupancy for a period of 55 years:
 - a. Yards/Setbacks. Utilization of the easterly side and rear yard setback requirements of the RAS3 Zone for a project in a commercial zone;
 - b. Height. A maximum increase of 22 feet in building height to permit a maximum building height of 57 feet in lieu of the maximum 35 feet otherwise permitted; and
 - c. Open Space. A maximum reduction of 25 percent in the required amount of open space.
5. **Adopt** the Planning Director's Conditions of Approval and Findings.

VINCENT P. BERTONI, AICP
Director of Planning



Heather Bleemers
Senior City Planner



Esther Ahn
City Planner

ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *Commission Secretariat, Room 532, City Hall, 200 North Spring Street, Los Angeles, CA 90012* (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to these programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1299.

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- Exhibit A – Appeal Documents, Writ Court Document
- Exhibit B – Director’s Determination, DIR-2020-2067-TOC
- Exhibit C – Approved Project Plans
- Exhibit D – Transit-Oriented Communities – Referral Form, ADM-2020-124-TOC
- Exhibit E – Transit Documents

PROJECT ANALYSIS

PROJECT SUMMARY

The proposed project, at 1447 South Hi Point Street, involves the conditional approval of Base and Additional Incentives under the Transit Oriented Communities (TOC) Affordable Housing Incentive Program to allow the demolition of an existing single-family residential structure and the new construction of a five-story, 57-foot-high multi-family residential development above one level of subterranean parking in Wilshire Community Plan area.

The project will contain 20 multi-family dwelling units, of which two (2) units will be set aside for Extremely Low Income Households. The proposed building will encompass approximately 20,093 square feet in total building area, resulting in a Floor Area Ratio (FAR) of approximately 3.78:1. Of the 20 units proposed, two (2) will be one-bedroom units, 10 will be two-bedroom units, and eight (8) will be three-bedroom units. The project proposes to provide 24 automobile parking spaces in addition to 20 long-term bicycle parking spaces and two (2) short-term bicycle parking spaces. A total of 2,492 square feet of open space will be provided, divided among balconies, decks, and a fifth-floor garden area. The project will maintain a 15-foot front yard and 20-foot rear yard, as required by the underlying [Q]R3-1-O Zone but will provide reduced side yard setbacks of a minimum five (5) feet eight (8) inches, in lieu of the otherwise required eight (8) feet required.

PROJECT BACKGROUND

The project site is a single interior lot consisting of approximately 8,839 square feet of lot area. The subject property is rectangular-shaped and has a street frontage of approximately 52 feet along the westerly side of Hi Point Street, with an approximate depth of 170 feet. The subject site is located within the Wilshire Community Plan Area and is zoned [Q]R3-1-O with a corresponding land use designation of Medium Residential. The "Q" Qualified Condition, established pursuant to Ordinance Number 168,193, limits the building height to 35 feet, requires articulation at every 30 feet for building facades exceeding 40 feet (minimum depth of façade modulation is five feet), and prohibits balconies above the first floor which have a line of sight to adjacent existing single-family uses. There is also a prohibition on roof decks; however, this does not apply to the project which provides a top floor terraced patio rather than a roof deck that is usable for residents. The "O" Oil Drilling District, established pursuant to Ordinance Number 112,901, pertains to oil drilling activities and operations which are not a part of the project. The subject property is located within a Transit Priority Area in the City of Los Angeles (ZI-2452), and is not within the boundaries of any other specific plan, community design overlay, or interim control ordinance.

Procedural History

On December 30, 2020, the designee of the Director of Planning issued a Determination to conditionally approve Base and Additional Incentives in accordance with the TOC Affordable Housing Incentive Program for the proposed project. On January 13, 2021, within the required 15-day appeal period, five (5) appeals were filed by the following parties: Katelyn Foley; Annette Wong and Brandon Araujo; John Kim; Sarah Reed; and Elaine Johnson, LA GLO Inc.

On April 8, 2021, the City Planning Commission denied the appeals and sustained the decision by the Director of Planning. On April 13, 2021, two residents filed a CEQA appeal of the Class 32 Categorical Exemption determination. On August 31, 2021, the Planning and Land Use Management (PLUM) Committee, following a hearing, recommended that the City Council deny the residents' appeal. On September 15, 2021, the City Council adopted the PLUM Committee's recommendation and denied the CEQA appeal.

On July 12, 2021, the Hi Point Neighbors' Association filed a Verified Petition for Writ of Mandate in *Hi Point Neighbor's Association v. City of Los Angeles*, Los Angeles Superior Court Case No. 21STCP02223 (*Hi Point Case*). On November 10, 2021, the same party filed the operative Verified First Amended Petition for Writ of Mandate. On March 9, 2023, the County of Los Angeles Superior Court denied in part the First and Third Causes of Action but granted in part the Second Cause of Action. The Court granted in part the Second Cause of Action on the basis there was a lack of substantial evidence in the administrative record to support the Tier 3 TOC incentives of the proposed project. The Court did not set aside the City's analysis of the project under the California Environmental Quality Act ("CEQA"). On May 25, 2023, the Court issued a Writ, that orders the City of Los Angeles to set aside its Tier 3 Transit Oriented Communities Affordable Housing Incentive Program approval in Planning Case No. DIR-2020-2067-TOC.

On August 24, 2023, the CPC considered action pursuant to the Writ, but also received a request from the applicant to re-hear the appeal, receive new evidence, and re-decide the matter subject to the Writ. The CPC granted the request to re-hear, re-decide and receive new evidence. CPC continued its action on the Writ to the CPC meeting of September 28, 2023, and the appeal was re-noticed for the same date.

Surrounding Properties

Surrounding properties are generally developed with commercial, single-family residences, and multi-family residential uses. Properties abutting the subject site to the west are zoned [Q]R3-1-O and improved with three- and four-story apartment buildings. Properties to the east across Hi Point Street are also zoned [Q]R3-1-O and developed with one- to four-story single-family homes, condominiums, and small lot buildings. Properties to the north are zoned [Q]R3-1-O and C4-1-O and include both single-family and multi-family residential structures as well as a McDonald's Drive-Thru restaurant and a commercial strip mall. Properties to the south across Saturn Street are zoned [Q]R3-1-O and R1R3-RG-O and include a mix of single-family residences and multi-story apartment buildings.

Streets and Circulation

Hi Point Street, abutting the property to the east, is designated Local Street – Standard, dedicated to a right-of-way width of 60 feet and is improved with asphalt roadway and concrete curb, gutter, and sidewalk.

Relevant Cases

Subject Property:

Ordinance No. 168,193 – On October 2, 1992, Ordinance No. 168,193 established a permanent Qualified "Q" Condition on the multi-family residential (R3-1) zoned parcels on the project site and surrounding area along Saturn Street. The ordinance requires projects to comply with various development standards, including those related to building height, building mass, and balconies, as well as conditions regulating open space, water and energy conservation, parking, and design.

Surrounding Properties:

The following relevant cases were identified to be within 1,000 feet of the project site:

Case No. DIR-2019-1679-TOC – On May 28, 2020, the designee of the Director of Planning approved Base and Additional Incentives for a qualifying Tier 3 TOC Affordable Housing Incentive Program project involving increased building height, reduced side yards, and reduced open space, in conjunction with the construction, use and maintenance of a new five-story,

approximately 57-foot high apartment building with 14 units, reserving two units for Very Low Income Households, in the [Q]R3-1-O Zone, located at 1529 South Hi Point Street.

Case No. DIR-2018-3378-TOC – On December 10, 2018, the designee of the Director of Planning approved Base and Additional Incentives for a qualifying Tier 3 TOC Affordable Housing Incentive Program project involving increased building height, reduced side yards, and reduced open space, in conjunction with the construction, use and maintenance of a new five-story, 57-foot high apartment building with 40 units, reserving four units for Extremely Low Income Households, in the [Q]R3-1-O Zone, located at 1507-1511 South Hi Point Street.

APPROVED ACTIONS

On December 30, 2020, the designee of the Director of Planning issued a Determination for Case No. DIR-2020-2067-TOC, which determined that the project is categorically exempt from CEQA and approved Base and Additional Incentives under the TOC Affordable Housing Incentive Program. As part of the approval, the project was found to be exempt from CEQA pursuant to CEQA Guidelines, Article 19, Section 15332 (Class 32), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

Transit Oriented Communities Affordable Housing Incentive Program

Measure JJJ was adopted by the Los Angeles City Council on December 13, 2016 and created the Transit Oriented Communities (TOC) Affordable Housing Incentive Program, which establishes incentives for residential or mixed-use projects located within one-half mile of a major transit stop, as defined under existing State law.

The TOC Affordable Housing Incentive Program Guidelines (TOC Guidelines), released on September 22, 2017, establish a tier-based system with development bonuses and incentives based on a project's distance from different types of transit. The largest bonuses are reserved for those areas (tiers) in the closest proximity to significant rail stops or the intersection of major Rapid Bus lines. Required affordability levels are increased incrementally in each higher tier. The incentives provided in the TOC Guidelines describe the range of bonuses available in each tier from particular zoning standards.

The subject property is located within a Tier 3 TOC Affordable Housing Incentive Area, qualified by its proximity to a Major Transit Stop involving the intersection of two qualifying bus routes that cross at Fairfax Ave. and Pico Blvd. The Major Transit Stop was first established by the intersecting bus lines (Metro 217 and Santa Monica Big Blue Bus Rapid 7 Line. Next, the Tier 3 designation for the project site was established by being located within 1500 feet of two Rapid Bus lines (Metro Rapid Line 780 along Fairfax Blvd. and Santa Monica Big Blue Bus Rapid 7 Line). The status of this Tier qualification was approved on February 27, 2020, and the application was filed within the 180-day period before expiration on March 25, 2020. As such, the project is qualified for Tier 3 TOC status by proximity to a Major Transit Stop involving the intersection of two or more rapid bus routes located within 1,500 feet of the subject property as stated in their application and per the definition of Major Transit Stop.

The project is further qualified as a Tier 3 TOC project by setting aside at least ten percent of the total dwelling units for Extremely Low Income households. The project is proposing a total of 20 dwelling units, of which two (2) units will be set aside for Extremely Low Income Households which equates to ten percent of the total units or 18 percent of the 11 base units permitted through the underlying zone of the site. Thus, the project is eligible for Tier 3 Base and up to three (3) Additional Incentives.

Given the above, the proposed project includes the following Base and Additional Incentives for a qualifying Tier 3 project:

Tier 3 Base Incentives

1. **Density** – The underlying [Q]R3-1 zoning of the site permits a maximum residential base density of 11 dwelling units per the LAMC which rounds up to 12 units per the TOC Guidelines. As a Tier 3 qualifying project, in exchange for setting aside 10 percent of the total number of units for Extremely Low Income Households, the TOC Guidelines allow up to a 70 percent density increase, up to a maximum permitted density of 21 dwelling units. In this case, the Director granted a density of 20 units, equating to an additional 8 units, or a 67 percent increase in the maximum allowable density. In exchange, the project is required to set aside 2 units (equivalent to 10 percent of the total number of units) toward Extremely Low Income Households.
2. **Floor Area Ratio (FAR)** – The project site is limited to a maximum FAR of 3 to 1 per the [Q]R3-1 zoning of the site. The TOC Guidelines allow up to a 50 percent increase for a qualifying Tier 3 project which equates to an FAR up to 4.5 to 1. As proposed, the project has a maximum FAR of 3.78 to 1.
3. **Automobile Parking** – The TOC Guidelines state that required automobile parking for all residential units in an Eligible Housing in Tiers 1 through 3, inclusive of disabled and required guest parking, where applicable, shall not exceed 0.5 spaces per bedroom. Further, qualifying Tier 3 developments such as the proposed project, are subject to parking requirements such that required parking for all residential units in an Eligible Housing Development shall not exceed 0.5 spaces per unit. The Director granted a Base Incentive to allow residential automobile parking to be provided consistent with the LAMC and TOC Guidelines.

Tier 3 Additional Incentives

1. **Height** – Eligible Housing Developments in Tier 3 are permitted a maximum increase of two (2) stories and 22 feet in building height. As proposed, the project will utilize a 22-foot increase resulting in a total maximum building height of 57 feet in lieu of the maximum 35 feet otherwise permitted by the underlying [Q]R3-1 zone.
2. **Yards/Setbacks** – The TOC Guidelines allow Eligible Housing Developments in Tier 3 to utilize a 30 percent reduction in the required width or depth of two (2) individual yards or setbacks. In this case, the project will maintain the required front yard and rear yard while utilizing a 30 percent reduction for each side yard. As proposed, the project will provide a minimum side yard setback of 5 feet 8 inches in lieu of the minimum 8 feet otherwise required for each of the two (2) side yards.
3. **Open Space** – Pursuant to LAMC Section 12.21-G,2, the project must provide at a minimum the following usable open space per dwelling unit: 100 square feet for each unit having less than three habitable rooms; 125 square feet for each unit having three habitable rooms; and 175 square feet for each unit having more than three habitable rooms. The project proposes two (2) one-bedroom units, 10 two-bedroom units, and eight (8) three-bedroom units which requires a minimum of 2,875 square feet of usable open space per the LAMC. The TOC Guidelines allow a maximum 25 percent reduction in the minimum open space requirement resulting in a minimum of 2,156 square feet. As proposed, the project will provide 2,492 square feet of usable open space.

APPEAL ANALYSIS

The following statements have been compiled and summarized from the submitted appeals based on the scope of the court issued Writ, and contains responses from staff below. The appeals and court issued Writ in their entirety have been attached herein for reference, as Exhibit A.

APPEAL POINT:

The remaining appellant point is whether the City erroneously concluded that the project qualifies as a Tier 3 TOC project based on its proximity to a Major Transit Stop. The Court found that the TOC qualification was not supported by substantial evidence in the administrative record, specifically regarding the 15-minute service requirements being met.

STAFF RESPONSE:

Projects qualify as a TOC project if they are located within one-half mile of a Major Transit Stop as defined in California Public Resources Code §21155(b). With regards to bus lines, the definition requires an intersection of two or more bus routes with a service interval of 15 minutes or less during the morning and afternoon peak commute periods.

It is clear and undisputed that the Big Blue Bus Route 7 meets the 15-minute service interval limit as the transit schedule explicitly states that service intervals are 12 minutes or less within peak hours (Exhibit E). The main point of contention is whether any other lines (e.g., the Metro 780 or 217) meets the second 15-minute service interval requirement for the Major Transit Stop determination. A second point of contention is whether Rapid Lines, as defined by the TOC Guidelines, are required to have 15-minute service levels.

As stated in the Court issued Writ, the administrative record did not contain sufficient clarity of evidence to demonstrate the existence of a Tier 3 Major Transit Stop at the intersection of Pico and Fairfax. In this case, the TOC Tier 3 documentation included four different bus lines, including two Rapid buses and two non-Rapid buses. The specific transit schedules were not included as part of the record and the record was also unclear as to how each bus line was used in the Tier Verification methodology.

In lieu of any other transit schedules being provided, the appellant presented the schedule for Metro Line 217, dated December 2020, to show that the 15-minute service intervals were not being met. The project, however, was filed within the period of February 27, 2020, and August 25, 2020, which relied upon a different transit schedule that varied drastically from the one presented by the Appellant due to the impact of the COVID-19 pandemic.

Subsequent to the court decision, City Planning has been able to clarify the record and respond to the court's decision. City Planning obtained the correct qualifying transit schedule for Line 217, included in Exhibit E, to supplement the administrative record as requested by the courts. The transit schedule shows the calculations used to determine that its service intervals were within the 15-minute limit as follows: $420 / 29$ Northbound trips during peak hours = 14.4 average minute service interval; $420 / 33$ Southbound trips during peak hours = 12.7 average minute service interval. These calculations align with the TOC Referral Form included in the case file and demonstrate compliance within the 15-minute service interval limit. Transit schedules were adjusted in March 2020 but showed little change and still met the thresholds. The Appellant's use of a transit schedule during the height of the COVID-19 pandemic is not relevant since it was not in effect when the transit verification was made or when the application was received. In addition,

City Planning issued a memo dated August 19, 2020, that stated that pre-COVID bus schedules would be used in lieu of the temporary COVID emergency bus schedules.

Therefore, the subject property is located within a TOC Affordable Housing Incentive Area, qualified by its proximity to a Major Transit Stop that includes the intersection of two bus routes with a 15-minute service interval (Santa Monica Big Blue Bus Rapid 7 Line and Metro Local Line 217) within 1,500 feet of the project site

For the second part of the determination, Planning determines the incentive “Tier Area” under TOC Guidelines, which is based upon the distance to different types of Major Transit Stops described in Chart 1 (Tier Chart). One type of Major Transit Stop is when there are two “Rapid” bus lines that stop at the Major Transit Stop that may be in addition to, or the same as, the bus lines considered in the first step above.

All parties agreed on the fact that the two Rapid buses do intersect along West Pico Boulevard and South Fairfax Avenue (Big Blue Bus Rapid 7 and Metro Rapid 780). The court Writ determined that Rapid bus lines needed to meet the same 15-minute standards as the bus lines that comprise the Major Transit Stop in part one. This is the second point of contention.

Rapid Buses are defined in the TOC Guidelines in the footnote of Chart 1 but do not include any requirement that they have 15-minute level service intervals. This was intentional. Once an intersection has been determined to have the service necessary to be a Major Transit Stop, the intent of the TOC Guidelines was to differentiate them by the distance to different types of transit that services different stops. Intersections with either one or two Rapid Buses servicing them, sometimes in addition to the regular buses used to support the Major Transit Stop service interval, were intended to be eligible for higher incentives than those being serviced by Regular Buses only. Rapid Buses, as defined, provide elevated bus service given a number of characteristics such as the ability to get to major destinations faster due to fewer stops. The lack of 15-minute requirement for Rapid Buses is supported by the text in the first column of Chart 1 that makes clear Regular Buses require 15 min. average peak headways, but this text is not included for Rapid buses. This is the Department’s longstanding interpretation of the Guidelines and Chart 1. The Court did not cite any specific evidence that Rapid Buses require 15 min. average peak headways but appeared to simply infer it based on a subtitle in Chart 1 that says Distance to Major Transit Stop. So, to summarize, the Department always intended for there to be a two-step process: 1) whether the site is located within 1/2 mile of a Major Transit Stop, and 2) which Tier the site is located in depending on the distance from different types of transit including Rapid buses.

The status of this Tier qualification was verified by the Department of City Planning’s Development Services Center for Affordable Housing on February 27, 2020, and the application was filed within the 180-day period before the qualification’s expiration on March 25, 2020 (Exhibit D).

Although the Department’s policy is to honor TOC Tier Verifications made within 180 days of an application being filed, as was done in this case, the site was additionally analyzed for its current conformance with the TOC Guidelines. As of the writing of this report, in September 2023, the same intersecting bus lines that made the site eligible for TOC incentives in early 2020 continue to demonstrate adequate service levels of less than 15 minutes during the peak periods (i.e., the Big Blue Bus Route 7 and Metro 217 – see Exhibit E). In addition, the site is eligible for Tier 3 TOC incentives due to the presence of the Big Blue Bus Rapid 7 and Metro 217 line. The Rapid 7 line’s compliance is discussed above. The 217 line became activated as a Rapid Bus for the purposes of the TOC program and other Departmental policies upon adoption of a Department Memorandum on March 25, 2021 titled Metro NextGen; Rapid Bus Definitions (see Exhibit E). As the memo explains, Metro’s NextGen Bus Plan resulted in the replacement of most Metro Rapid Bus lines with new types of NextGen lines with enhanced service levels. In consultation with Metro

staff, it was determined that the highest level NextGen replacement lines would still retain the attributes of a Rapid Bus line. Figure 1 lists the Metro Bus 217 as a Replacement NextGen Tier 1 Rapid Line for the Metro 780 Rapid Line.

CONCLUSION AND STAFF RECOMMENDATION

For the reasons stated herein, and in the findings of the Director's Determination, the proposed project does comply with the applicable provisions of the Transit Oriented Communities Affordable Housing Incentive Program and the California Environmental Quality Act (CEQA). Planning staff evaluated the proposed project and determined it meets the Transit Oriented Communities Program requirements with the addition of supporting documents for the administrative record. Based on the criteria set forth by the courts and considering the appellant's arguments for appeal, staff finds that the project meets the required findings.

Therefore, it is recommended that the City Planning Commission deny the appeals and sustain the Determination by the Director of Planning.

EXHIBIT A

**Appeal Documents
Writ Court Document**

land

RECEIVED

JUN 02 2023

City Attorney
Land Use/Real Property

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES – STANLEY MOSK COURTHOUSE

HI POINT NEIGHBORS' ASSOCIATION, an
unincorporated association

Case No. 21STCP02223

Petitioner,

**REVISED [PROPOSED]
PEREMPTORY WRIT OF MANDAMUS**

vs.

Judge: Hon. Maurice A. Leiter
Department: 54

CITY OF LOS ANGELES, a municipal
corporation

Respondent,

HI POINT M, LLC. AND DOES 1-25,
Real Parties in Interest.

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Judgment having been entered in this proceeding, ordering that a peremptory writ of
mandate be issued from this Court,

IT IS ORDERED THAT, upon service of this peremptory writ of mandate on the City of
Los Angeles Clerk ("Writ"):

- 1. Respondent City of Los Angeles ("Respondent") shall set aside its Tier 3
Transit Oriented Communities ("TOC") approval in City of Los Angeles Planning
Department Case No. DIR-2020-2067-TOC, for the reasons set forth in the Ruling
attached hereto as Exhibit A.
- 2. Respondent shall make and file a Return to this Writ within one hundred
twenty (120) days after its issuance, setting forth those actions taken to comply with
this Writ, or that an appeal from the Judgment herein has been filed.
- 3. Nothing in this Writ shall limit or control in any way the discretion legally
vested in Respondent.

LET THE FOREGOING WRIT ISSUE.

Date: 05/25/2023



David W. Slayton, Executive Officer / Clerk of Court

K. Encinas

CLERK OF THE SUPERIOR COURT

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EXHIBIT A

MAR 09 2023

Superior Court of California
County of Los Angeles

David W. Clayton, Executive Officer/Clerk of Court

By: N. Marshallan, Deputy

Hi Point Neighbors Association, Petitioner,	Case No.: 21STCP02223
vs. City of Los Angeles, Respondent.	Ruling on Submitted Matter
Hi Point M, LLC and Does 1-25, Real Party in Interest.	

Trial Date: March 6, 2023

Department 54, Judge Maurice Leiter

First Amended Petition for Writ of Mandate

Moving Party: Petitioner, Hi Point Neighbors' Association

Responding Parties: Respondent, City of Los Angeles; Real Party in Interest, Hi Point M, LLC

Ruling: THE FIRST AMENDED PETITION FOR WRIT OF MANDATE IS GRANTED IN PART AND DENIED IN PART.

The Court posted its tentative decision on this matter on February 28, 2023. Trial (in the form of oral argument) was held on March 6, 2023, after which the Court took the matter under submission. This is the Court's ruling on the merits.

I. STATEMENT OF FACTS

A. Measure JJJ, Transit Oriented Communities Affordable Housing Incentive Program

On November 8, 2016, Los Angeles County voters adopted Measure JJJ. (AR 6655-6676.) Measure JJJ sought to address the acute shortage of affordable housing for unhoused and low-income persons, following the dissolution of the Community Redevelopment Agency (which had provided funding for low- and moderate-income housing), and considering the County's outdated General Plan and zoning designations, which failed to address affordable housing challenges. (AR 6656.)

03/15/2023

Measure JJJ contained an incentive program to encourage the development of affordable housing. It sought to spur development of affordable housing in strategic locations, such as near major transit stops, where residents are susceptible to displacement as property values and rents rise. (*Ibid.*) And it created the Transit Oriented Communities (“TOC”) Affordable Housing Incentive Program to provide developers with incentives to develop affordable housing in transit-oriented neighborhoods. (AR 6657.)

On December 13, 2016, the Los Angeles Municipal Code was amended to codify Measure JJJ and the TOC Affordable Housing Incentive Program, in Municipal Code section 12.22 A.31. (Resp. Request for Judicial Notice (“Resp. RJN”), Ex. B at pp. 75-77.) This Code section provides incentives to housing developments “located within a one-half mile radius [2,640 feet] of a Major Transit Stop,” defined by California Public Resources Code section 21064.3 as “[t]he intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute hours.” (*Id.*, Ex. B at p. 75; AR 6947; Pub. Resources Code, § 21064.3, subd. (c).) The incentives include residential density increases and parking reductions. (*Id.*, Ex. B at p. 76.) It directs, “[w]ithin 90 days of enactment of this Ordinance, the Director of Planning [to] prepare TOC Affordable Housing Incentive Program Guidelines (“TOC Guidelines”) that provide the eligibility standards, incentives, and other necessary components of this TOC Incentive Program described herein.” (*Ibid.*)

On May 25, 2017, the Los Angeles City Planning Commission adopted TOC Guidelines. (AR 6939.) The TOC Guidelines specify that only affordable housing developments located within a one-half mile radius of a “major transit stop” qualify for the incentives. (AR 6947.) They establish a “Tier” system, which provides a ranking (Tier 1-4) to each eligible affordable housing based on its proximity to a “major transit stop.” (*Ibid.*) Pertinent to the matter before the Court, the TOC Guidelines provide that affordable housing developments will be ranked as “Tier 3” where (a) the development is located within 750 feet of an intersection of a Regular Bus and Rapid Bus Line; or (b) the development is located within 1,500 feet of an intersection of two Rapid Bus lines. (AR 6948.) The TOC Guidelines define a “Rapid Bus” as “a higher-quality bus service that may include dedicated bus lanes, branded vehicles and stations, high frequency, limited stops at major intersections, intelligent transportation systems, and possible off-board fare collection and/or all door boarding. It includes Metro Bus Rapid Transit line, Metro Rapid 700 lines, Metro Orange and Silver Lines, Big Blue Rapid lines, and the Rapid 6 Culver City.” (*Ibid.*)

The TOC Guidelines state that all eligible affordable housing developments will receive “Base Incentives,” which are residential density increases (an increase in the number of dwelling units permitted under the applicable zoning ordinance, and an increase in the floor area ratio permitted under the applicable zoning ordinance), and parking reductions (a decrease in the number of parking spaces required under the applicable zoning ordinance). (AR 6950, 6952-6954.) The degree of the reduction and/or increase permitted is determined by Tier ranking. (*Ibid.*) And the TOC Guidelines

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provide that eligible affordable housing developments may be granted “[u]p to three Additional Incentives” (AR 6950.), including reductions in yards/setbacks, decreases in open space, increases in maximum lot coverage, decreases in lot width, and increases in development height. (AR 6954-6957.)

B. Project and Project Site

The proposed project at issue here concerns a rectangular-shaped lot at 1447 South Hi Point Street in Los Angeles (“Project Site”), near the intersection of Pico Boulevard and Fairfax Avenue. (AR 18.) The Project Site is approximately 8,839 square feet and currently has a single-family residence. (*Ibid.*) The Project Site is in the Wilshire Community Plan Area and is zoned [Q]R3-1-O, with a land use designation of “Medium Residential.” (*Ibid.*) Under its current zoning, building height is limited to 35 feet, articulation is required every 30 feet for building facades exceeding 40 feet, and balconies above the first floor which have a line of sight to adjacent homes are prohibited. (*Ibid.*)

The proposed Project would demolish the single-family home and construct a five-story, 57-foot-high multi-family residential development above one level of subterranean parking. (AR 18.) It will contain 20 multi-family dwelling units: two one-bedroom units, ten two-bedroom units, and eight three-bedroom units. (*Ibid.*) It would provide 24 parking spaces, 20 long-term bicycle parking spaces, and two short-term bicycle parking spaces. (*Ibid.*) The building will encompass approximately 20,093 square feet in total building area, with a floor area ratio of approximately 3.78:1. (*Ibid.*)

The properties surrounding the Project Site generally are commercial, single-family residences, and multi-family residential uses. (AR 18.) Properties abutting the Project Site to the west are zoned [Q]R3-1-O and contain three- and four-story apartment buildings. (*Ibid.*) Properties to the east of the Project Site, across Hi Point Street, are also zoned [Q]R3-1-O and are developed with one- to four-story single-family homes, condominiums, and small lot buildings. (*Ibid.*) Properties to the north of the Project Site are zoned [Q]R3-1-O and C4-1-O and include both single-family and multi-family residential structures, as well as a McDonald’s Drive-Thru restaurant and a commercial strip mall. (*Ibid.*) Properties to the south of the Project Site, across Saturn Street, are zoned [Q]R3-1-O and R1R3-RG-O and include a mix of single-family residences and multi-story apartment buildings. (*Ibid.*)

Public buses operate nearby on Pico Boulevard and Fairfax Avenue. (AR 2959.)

C. Administrative History and Approval

On February 27, 2020, Hi Point M, LLC (“Real Party in Interest”) submitted a “Transit-Oriented Communities Referral Form” to the Department of City Planning, which asked the Department to determine whether the Project qualified for incentives under the TOC Affordable Housing Incentive Program and, if so, under which “Tier” the Project may be categorized. (AR 619.) On the same day, the Department concluded that the Project qualified for incentives, because the Project was within a half-mile radius of a “Major

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Transit Stop.” The Department noted, “Santa Monica [Big Blue Bus] 7” and “[Rapid] 7” travel through the intersection [at Pico and Fairfax] and have service intervals of less than 15 minutes. (*Ibid.*) The Department also noted that “Local Line 217” and “Rapid 780” travel through the intersection and have service intervals of 14.4 minutes and 12.7 minutes, respectively. (*Ibid.*) The Department concluded the Project qualified for “Tier 3” categorization because it was (a) within 750 feet of an intersection of a Regular Bus and Rapid Bus Line, or (b) within 1,500 feet of an intersection of two Rapid Bus lines. (AR 619, 6948.)

On May 24, 2020, Real Party in Interest submitted a “Department of City Planning Application” requesting approval of the Project and the issuance of incentives under the TOC Affordable Housing Incentive Program. (AR 646-652.) Real Party in Interest sought: (a) 70% Density Bonus; (b) 50% Floor Area Ratio increase, (c) Parking reduction to .5 spots per unit; (d) 22 feet height increase; (e) 25% open space reduction; and (f) 30% side yard setback reduction. (AR 647.)

On December 30, 2020, the Director of the Department of City Planning approved the application. (AR 2954-2955.) The Director determined the Project is in a “Tier 3” Incentive Area and approved these “Base Incentives:” (a) a density increase of 70 percent, which equates to a maximum density of 21 residential dwelling units; (b) a maximum floor area ration of 4.5 to 1, representing a 50 percent increase in the floor area ratio of the underlying residential zone; and (c) .5 automobile parking spaces per unit. (AR 2955-2956.) The Director also approved these “Additional Incentives:” (a) a 30 percent reduction in the required width of two side yards to provide a minimum setback of five feet eight inches in lieu of the minimum eight feet; (b) an increase of 22 feet in building height, equal to a maximum building height of 57 feet, with limited additional height permitted for roof structures, stairwells, elevator shafts, etc. as permitted by the Los Angeles Municipal Code; and (c) a maximum reduction of 25 percent in the required amount of open space. (AR 2956.) And the Director concluded that the Project was exempt from CEQA pursuant to the “Class 32” Categorical Exemption. (AR 2954.)

On January 13, 2021, nearby residents filed a total of five appeals from the Director’s approval of the Project. (AR 22.) The residents’ appeals challenged: (a) The Director’s conclusion the Project is located in a “Tier 3” TOC Affordable Housing Incentive Area; (b) The Director’s conclusion the Project is exempt from CEQA pursuant to the “Class 32” Categorical Exemption, because the Project will have significant impacts on noise and traffic conditions; (c) whether The Project complies with the Qualified “Q” Conditions of the Project Site’s [Q]R3-1-O zoning; and (d) whether the height of the Project is incompatible with the surrounding neighborhood and will result in loss of sunlight, property values, and community character. (AR 22-25.)

In response to these appeals the Department of City Planning drafted an “Appeals Recommendation Report”, which recommended that the appeals be denied. (AR 22-25.) The Report concluded that: (a) While the Project Site may not be located within 750 feet from a Major Transit Stop, “the project [remains] qualified for Tier 3 TOC status by proximity to a Major Transit Stop involving the intersection of two or more rapid bus

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routes located within 1,500 feet of the subject property” (rapid bus routes, Santa Monica Big Blue Bus Rapid 7 Line and Metro Rapid Line 780); (b) The Project is exempt from CEQA as it satisfied the five requirements applicable to the “Class 32” Categorical Exemption; (c) The Project is in compliance with the Qualified “Q” Condition; and (d) The Project’s height is not incompatible with the surrounding neighborhood. (AR 22-25.)

On April 8, 2021, the City Planning Commission adopted the Department of City Planning’s recommendation and denied the appeals. (AR 288.)

On April 13, 2021, two residents filed a CEQA appeal of the “Class 32” Categorical Exemption finding. (*Ibid.*) On August 31, 2021, the Planning and Land Use Management (“PLUM”) Committee, following a hearing, recommended the City Council deny the residents’ appeal. (AR 295-296.) On September 15, 2021, the City Council adopted the PLUM Committee’s recommendation and denied the CEQA appeal. (AR 317.)

II. THE PETITION AT ISSUE HERE

On July 12, 2021, Hi Point Neighbors’ Association (“Petitioner”) filed a Verified Petition for Writ of Mandate against City of Los Angeles (“Respondent”). On November 10, 2021, Petitioner filed the operative Verified First Amended Petition for Writ of Mandate. This Petition has three causes of action: (1) Violation of Local Zoning—As Applied Challenge to TOC Guidelines; (2) Violation of Local Zoning Law—Project Inconsistent with TOC Guidelines; and (3) Violation of California Environmental Quality Act—Improper Adoption of Exemption.

III. REQUEST FOR JUDICIAL NOTICE

Petitioner’s Request for Judicial Notice is GRANTED, pursuant to Evidence Code section 452, subdivisions (a), (b), and (h).

Respondent’s Request for Judicial Notice is GRANTED, pursuant to Evidence Code section 452, subdivisions (a) and (b).

Real Party in Interest’s Request for Judicial Notice is GRANTED, pursuant to Evidence Code section 452, subdivision (c).

Respondent’s Supplemental Request for Judicial Notice is GRANTED, pursuant to Evidence Code section 452, subdivision (c).

IV. STANDARD OF REVIEW

Each of the three causes of action require a different standard of review.

A. First Cause of Action: As-Applied Challenge to TOC Guidelines

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The First Cause of Action is a challenge to the TOC Guidelines. Petitioner argues the TOC Guidelines are invalid as exceeding the scope of Measure JJJ. (FAP, ¶¶ 32-33.) First, Petitioner contends the "Tiers" in the TOC Guidelines were not permitted by Measure JJJ. (FAP, ¶ 35.) Second, Petitioner contends the "Additional Incentives" in the TOC Guidelines exceed the incentives permitted by Measure JJJ. (FAP, ¶¶ 32-33.) Third, Petitioner argues the TOC Guidelines improperly allow open space reductions and height increases which override [Q] Conditions (such as design guidelines) applicable to the Project Site by Ordinance Number 168193. (FAP, ¶ 38.) Petitioner contends the TOC Guidelines are invalid as exceeding those authorized by Measure JJJ.

These are both facial and as-applied challenges. Petitioner challenges the TOC Guidelines as not authorized by Measure JJJ, and challenges them on the ground that their application resulted in the issuance of invalid "conditions of approval" to the Project. (FAP, ¶ 37.) A facial challenge to a statute or local ordinance contends "the alleged defect is in the [O]rdinance itself, not in the manner or circumstances in which it is being applied." (*County of Sonoma v. Superior Court* (2010) 190 Cal.App.4th 1312, 1324.) "In evaluating a facial challenge, a court considers "only the text of the [challenged enactment] itself," and conducts statutory interpretation to determine the enactment's validity. (*Beach & Bluff Conservancy v. City of Solana Beach* (2018) 28 Cal.App.5th 244, 264.) An as-applied challenge asserts the enforcement of a particular statute or ordinance is invalid. (*Howard Jarvis Taxpayers Assn. v. Weber* (2021) 67 Cal.App.5th 488, 496.)

The California Supreme Court similarly found a combined facial and as-applied challenge in *Travis v. County of Santa Cruz* (2004) 33 Cal.4th 757, 767.) The Ordinance at issue there permitted County residents to develop a second dwelling unit on their property so long as the rent charged for the second dwelling unit did not exceed that established by the Section 8 Program or Chapter 17.1 of the County Code, whichever higher, and the resident of the second dwelling unit was a low-income resident, an elderly resident, or a family member of the owner of the unit. (*Id.* at p. 763.) Travis owned a residential property in the County of Santa Cruz. (*Id.* at p. 764.) He was granted a permit to construct a second dwelling unit on his property, subject to the rent and resident conditions imposed by the Ordinance. (*Ibid.*) Travis filed a Petition for Writ of Mandate against the County of Santa Cruz, challenging the Ordinance on the ground that it violated state law and is unconstitutional.

The Supreme Court found that the petition presented a facial challenge to the Ordinance as invalid and unconstitutional. It also presented an as-applied challenge to the Ordinance, as it placed allegedly improper conditions on his second dwelling unit. (*Travis, supra*, 33 Cal.4th at p. 767.)

The interpretation of a legislative enactment and the determination of the enactment's validity is reviewed de novo. (*Beach & Bluff Conservancy, supra*, 28 Cal.App.5th at p. 264.) To prevail on an as applied challenge, a plaintiff must demonstrate that the application of the statute deprived the individual of a protected right. (*Allen v. City of Sacramento* (2015) 234 Cal.App.4th 41, 56.) In either case, the Court

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begins from “the strong presumption that the ordinance is . . . valid.” [Citations.]” (*Building Industry Assn. of Bay Area v. City of San Ramon* (2016) 4 Cal.App.5th 62, 90.) The court “resolve[s] all doubts in favor of the validity of the ordinance.” [Citation.]” (*Ibid.*) Unless conflict between the two provisions is “clear and unmistakable”, the court must uphold the ordinance. (*Ibid.*) Petitioner bears the burden of demonstrating the ordinance is invalid. (*Ibid.*)

B. Second Cause of Action: Challenge to Respondent’s Tier 3 Finding under TOC Guidelines

The Second Cause of Action alleges that Respondent’s conclusion that the Project qualifies for “Tier 3” is not supported by the evidence. (FAP, ¶¶ 39-60.) It is undisputed that this cause of action is governed by Code of Civil Procedure section 1094.5. (Code Civ. Proc., § 1094.5.)

Code of Civil Procedure “section 1094.5, subdivision (c), does not establish a single standard for judicial review of the evidentiary basis for agency determinations.” (*Bixby v. Pierno* (1971) 4 Cal.3d 130, 137; Code Civ. Proc., § 1094.5, subd. (c).) It articulates two possible standards of review: independent judgment and substantial evidence. (Code Civ. Proc., § 1094.5, subd. (c).) The independent judgment standard applies where an administrative agency’s decision “substantially affects a fundamentally vested right.” (*Bixby, supra*, 3 Cal.3d at p. 144.) In all other scenarios, where an agency’s decision does not “substantially affect a fundamentally vested right,” the substantial evidence standard applies. (*Ibid.*) “The courts must decide on a case-by-case basis whether an administrative decision or class of decisions substantially affects fundamental vested rights” (*Ibid.*)

Petitioner does not advance any substantive arguments that approval of the Project “substantially affects a fundamentally vested right.” Petitioner’s Opening Brief contains a single, conclusory sentence asserting that the Second Cause of Action is subject to independent judgment review. (OB, at p. 12:19-26.) The Court disagrees. The substantial evidence standard of review is applicable to Petitioner’s Second Cause of Action.

Under the substantial evidence standard of review the Court must “examine all relevant evidence in the entire record, considering both the evidence that supports the administrative decision and the evidence against it, in order to determine whether or not the agency decision is supported by ‘substantial evidence.’” [Citation.]” (*Desmond v. County of Contra Costa* (1993) 21 Cal.App.4th 330, 335.) “[T]he petitioner in an administrative mandamus proceeding has the burden of proving that the agency’s decision was invalid and should be set aside, because it is presumed that the agency regularly performed its official duty. When the standard of review is the substantial evidence test . . . it is presumed that the findings and actions of the administrative agency were supported by substantial evidence. [Citations.]” (*Desmond, supra*, 21 Cal.App.4th at pp. 335-336.) The court’s review “is not designed to rectify an imprudent decision by an administrative agency. Administrative mandamus is not to be used to

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control the discretion of an administrative body, but only to ensure that it was not abused. [Citations.] It is for the agency to weigh the preponderance of conflicting evidence, 'as we may reverse its decision only if, based on the evidence before [the agency], a reasonable person could not have reached the conclusion reached by [the agency].' [Citations.]" (*Young v. City of Coronado* (2017) 10 Cal.App.5th 408, 419.)

C. Third Cause of Action: Challenge to Respondent's CEQA Exemption Finding

The Third Cause of Action is brought under the California Environmental Quality Act ("CEQA"). "CEQA is a comprehensive scheme designed to provide long-term protection to the environment." (*Mt. Lion Found. v. Fish & Game Com.* (1997) 16 Cal.4th 105, 112.) "In enacting CEQA, the Legislature declared its intention that all public agencies responsible for regulating activities affecting the environment give prime consideration to preventing environmental damage when carrying out their duties." (*ibid.*) "CEQA is to be interpreted to afford the fullest possible protection to the environment within the reasonable scope of the statutory language." (*ibid.*)

"In order to ensure that the long-term protection of the environment, consistent with the provision of a decent home and suitable living environment for every Californian, shall be the guiding criterion in public decisions, CEQA and its implementing administrative regulations (CEQA Guidelines) establish a three-tier process to ensure that public agencies inform their decisions with environmental considerations." (*Muzzy Ranch Co. v. Solano County Airport Land Use Com'n* (2007) 41 Cal.4th 372, 379-80.)

The Court's inquiry here involves the "second tier." "The second tier concerns exemptions from CEQA review." (*Muzzy Ranch Co., supra*, 41 Cal.4th at p. 380.) In enacting CEQA, the California Legislature recognized that not all "projects" will have a significant effect on the environment, and, therefore, should not be subject to the regulations imposed by CEQA. (*Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086, 1100-1101.) The Legislature instructed the Office of Planning and Research to "prepare and develop proposed guidelines for the implementation of [CEQA]", which "shall include a list of classes of projects that have been determined not to have a significant effect on the environment and that shall be exempt from [CEQA review]. In adopting the guidelines, the Secretary of the Natural Resources Agency shall make a finding that the listed classes of projects referred to in this section do not have a significant effect on the environment." (Pub. Resources Code, §§ 21083, 21084.) "In response to [the California Legislature's] mandate," the Secretary of the Natural Resources Agency has concluded that thirty-three (33) categories of "projects" "do not have a significant effect on the environment" and "are declared to be categorically exempt from the provisions of CEQA." (CEQA Guidelines, §15300.) Where a public agency properly finds that a proposed "project" falls into one of the thirty-three (33) categorical exemptions articulated within the CEQA Guidelines, "no further environmental review is necessary." (*Muzzy Ranch, supra*, 41 Cal.4th at 380.) "The agency need only prepare and file a notice of exemption (see CEQA Guidelines, §§ 15061, subd. (d), 15062, subd. (a)), citing the relevant statute or section of the CEQA Guidelines and

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including a brief statement of reasons to support the finding of an exemption (*id.*, § 15062, subd. (a)(4)).” (*Ibid.*)

An agency’s finding that a proposed project is categorically exempt from CEQA review is reviewed for a prejudicial abuse of discretion. (Pub. Resources Code, § 21168.5. “Abuse of discretion is established if the agency has not proceeded in a manner required by law or if the determination or decision is not supported by substantial evidence.” (*Ibid.*; see also *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 435.) “[O]nce an agency . . . determines, based on substantial evidence in the record, that the project falls within a categorical exemption . . . , the burden shifts to the challenging party . . . to “produce substantial evidence . . .” [citations] . . . that one of the exceptions to [the] categorical exemption applies.’ [Citation.]” (*CREED-21 v. City of San Diego* (2015) 234 Cal.App.4th 488, 514; see *Berkeley Hillside, supra*, 60 Cal.4th at p. 1105 [“As to projects that meet the requirements of a categorical exemption, a party challenging the exemption has the burden of producing evidence supporting an exception.”].)

V. ANALYSIS

Petitioner challenges Respondent’s approval of the Project on three grounds. First, Petitioner contends Respondent’s award of “Additional Incentives” pursuant to the TOC Guidelines was improper because the Guidelines are invalid on their face and as applied. Second, Petitioner argues that Respondent’s finding that the Project qualifies for “Tier 3” incentives is not supported by substantial evidence. Third, Petitioner says Respondent’s determination that the Project qualifies for a “Class 32” Categorical Exemption under CEQA is not supported by substantial evidence. The Court addresses each claim in turn.

A. First Cause of Action—Petitioner’s Challenge to TOC Guidelines

Petitioner raises three facial and as-applied challenges to the TOC Guidelines. Petitioner contends the TOC Guidelines’ “Tier” system was not contemplated by Measure JJJ. Second, Petitioner says Measure JJJ did not contemplate the award of “Additional Incentives.” Third, Petitioner contends the incentives are inconsistent with the [Q] Conditions applicable to the Project Site.

Before reaching these arguments, the Court addresses Respondent’s argument that the first cause of action is barred by the statute of limitations.

1. Petitioner’s First Cause of Action is Not Barred by Statute of Limitations

Respondent argues that First Cause of Action is untimely under Government Code section 65009, subdivision (c)(1)(B), which creates a 90-day statute of limitations period for actions or proceedings challenging several types of local planning and zoning decisions. (Gov. Code, § 65009, subd. (c)(1).) Pertinent here are actions described in Government Code section 65009, subdivision (c)(1)(B) and (c)(1)(E):

(c)(1) Except as provided in subdivision (d), no action or proceeding shall be maintained in any of the following cases by any person unless the action or proceeding is commenced and service is made on the legislative body within 90 days after the legislative body's decision:

...

(B) To attack, review, set aside, void, or annul the decision of a legislative body to adopt or amend a zoning ordinance.

...

(E) To attack, review, set aside, void, or annul any decision on the matters listed in Sections 65901 and 65903, or to determine the reasonableness, legality, or validity of any condition attached to a variance, conditional use permit, or any other permit.

(Gov. Code, § 65009, subd. (c)(1)(B), (c)(1)(E).) The Court of Appeal in *County of Sonoma v. Superior Court* (2010) 190 Cal.App.4th 1312, 1324 stated: “[t]he limitations periods set out in the statute are triggered by specific acts of local land use planning authorities. [Citation.] For the actions described in section 65009, subdivision (c)(1) the 90-day limitations period begins to run from the date on which the challenged decision is made. [Citation.] Thus, where a party brings a facial challenge to a zoning ordinance, [the limitations period described in Government Code section 65009, subdivision (c)(1)(B) is applicable, and] the limitation period begins to run on the date the ordinance becomes effective. [Citation.] If a party challenges conditions attached to a conditional use permit or other permit, [the limitations period described in Government Code section 65009, subdivision (c)(1)(E) is applicable, and] the limitations period runs from the date of final administrative action on the permit.” (*County of Sonoma, supra*, 190 Cal.App.4th at p. 1324.) Therefore, to determine when the statute of limitations begins to run, “one must determine what specific governmental act or acts the [party] . . . sought to challenge.” (*Ibid.*)

Respondent argues that Petitioner’s First Cause of Action presents only a facial challenge to the TOC Guidelines, that subdivision (c)(1)(B) is applicable, and the statute of limitations period began to run when TOC Guidelines were adopted on May 25, 2017. (AR 6939.)

As discussed, the First Cause of Action is both a facial challenge and an as-applied challenge to the TOC Guidelines. It claims the TOC Guidelines exceed the scope of Measure JJJ, and also claims the application of the TOC Guidelines to the Project resulted in “conditions of approval” unauthorized by Measure JJJ. While the facial challenge is barred by subdivision (c)(1)(B), the as-applied challenge is timely under subdivision (c)(1)(E).

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The "Additional Incentives" awarded to the Project are contained in the "Director's Determination" as "Conditions for Approval." These became final on April 13, 2021, when the Department of City Planning issued a Letter of Determination denying the appeals filed against the Director's approval of the award of "Additional Incentives." (AR 289.) Petitioner was required to file the Petition within 90 days, or July 12, 2021. (*Ibid.*; Gov. Code, § 65009, subd. (c)(1)(E).) Petitioner filed the original Petition on July 12, 2021.

The Court recognizes that Petitioner's as-applied challenge includes arguments that also would apply to a facial challenge: the Court must determine whether the "Additional Incentives" and "Tier" system are permitted by Measure JJJ. The Court may do so in considering the as-applied challenge. (*Travis, supra*, 33 Cal.4th at pp. 768-769 ["That the Ordinance could have been facially attacked in an appropriate action at an earlier time, before it was applied to Travis' property, does not make section 65009 subdivision (c)(1)(E) inapplicable to Travis's claim for removal of invalid conditions. This is not a case in which the plaintiff complains of injury *solely* from a law's enactment. [Citation.] Travis complains of injury arising from, and seeks relief from, not simply the Ordinance's enactment or continued presence in the County Code, but the County's imposition on his second unit permit of conditions required by the Ordinance. Having brought his action in a timely way after application of the Ordinance to him, Travis may raise in that action a facial attack on the Ordinance's validity."].)

2. TOC Guideline's Creation of "Tiers" is Not Beyond Measure JJJ

Petitioner focuses on Section 6 of Measure JJJ, which discusses one of the incentives available to affordable housing developments under the TOC Affordable Housing Incentive Program. (AR 6673.) It states, in part,

Residential Density Increase. An Eligible Housing Development shall be granted increased residential density at rates that shall meet or exceed a 35% increase. In establishing density allowances, the Department of City Planning may allow adjustments to minimum square feet per dwelling unit, floor area ratio, or both, and *may allow different levels of density increase depending on the Project's base zone and density.*

(AR 6673-6674 [emphasis added].) Petitioner contends Measure JJJ prohibits varying levels of incentives on any basis other than "the Project's base zone and density." (*Ibid.*) According to Petitioner, "Base Incentives" and "Additional Incentives" based on the Project's proximity to transit—the "Tier" system—is beyond the authority granted by Measure JJJ.

There are several weaknesses in this argument. First, the italicized language relied on by Petitioner is applicable only to one form of incentive (Residential Density Increase); it is not an overarching limitation to all incentives, as Petitioner suggests. Second, Measure JJJ does not expressly prohibit differing incentives based on a criterion other than a Project's base zone and density. Third, Measure JJJ intended to provide flexibility to the Director of the Department of City Planning in drafting the TOC

Guidelines. It expressly give the Director discretion to draft the TOC Guidelines and establish “eligibility standards, incentives, *and other necessary components* of this TOC Incentive Program” (AR 6673 [emphasis added].) Measure JJJ also states that the Director “shall” draft the TOC Guidelines “consistent with [those] purpose[s]”. (AR 6673.) A stated purpose of the TOC Affordable Housing Incentive Program is to encourage the development of affordable housing in transit-rich neighborhoods. (AR 6656-6657.) The Tiers in the TOC Guidelines and the award of more favorable incentives to developments in closest proximity to major transit stops furthers the purpose of Measure JJJ.

The TOC Guidelines’ “Tier” system is not inconsistent with or beyond the scope of Measure JJJ.

3. TOC Guideline’s “Additional Incentives” Are Not Beyond Measure JJJ

Petitioner focuses next on the “Additional Incentives” authorized by the TOC Guidelines. Those include reductions in otherwise required yards/setbacks, decreases in required open space, increases in maximum lot coverage, decreases in lot width, and increases in development height. (AR 6954-6957.) Petitioner argues that Measure JJJ did not contemplate the “Additional Incentives.”

Measure JJJ expressly contemplates the “Base Incentives” included in the TOC Guidelines. (AR 6673-6674.) But Measure JJJ does not prohibit the Director from including additional incentives. Indeed, Measure JJJ allows the Director to draft incentives; those are not limited to the Base Incentives. (AR 6673.) Measure JJJ expressly provides: “[w]ithin 90 days of enactment of this Ordinance, the Director of Planning shall prepare TOC Affordable Housing Incentive Program Guidelines (‘TOC Guidelines’) *that provide the . . . incentives . . . of this TOC Incentive Program*” (*ibid.*)

The “Additional Incentives” in the TOC Guidelines are not inconsistent with Measure JJJ.

4. TOC Guidelines and “Q” Qualified Conditions

The Project Site is in the Wilshire Community Plan Area and is zoned [Q]R3-1-O. (AR 18.) The “Q” Qualified Condition, established by Ordinance Number 168.193, limits building height to 35 feet, requires articulation at every 30 feet for building facades exceeding 40 feet, and prohibits balconies above the first floor which have a line of sight to adjacent existing single-family uses. (*ibid.*) Petitioner contends the TOC Guidelines improperly violate the “Q” Qualified Condition by awarding incentives in excess of permissible height and articulation. (OB, at p. 17:1-7.)

The Court is unpersuaded this argument provides grounds to invalidate the TOC Guidelines. The premise of Petitioner’s First Cause of Action is that the TOC Guidelines are invalid because they are inconsistent with Measure JJJ. But this argument does not concern inconsistency with Measure JJJ; instead it claims a purported inconsistency with

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shows the service interval of Metro Rapid 780 exceeds 15 minutes during the morning and afternoon peak commute hours.

The administrative record includes the bus schedule for Metro Rapid 780 effective as of March 17, 2020. (AR 22 “[T]he definition of a Major Transit Stop was subsequently clarified through City Planning on August 19, 2020 to apply only to transit schedules in place as of March 17, 2020”; OB, at p. 15:15-21.) Appendix A of the TOC Guidelines outlines the methodology for determining whether a particular bus line has a service interval frequency of 15 minutes or less. (*Ibid.*) To determine whether a bus line has an average service interval frequency of 15 minutes or less, one must first determine the number of trips the bus line completes during “peak” morning hours and “peak” afternoon hours, and then divide the number of trips made during “peak” morning and afternoon hours by 420. (AR 6958-6959.) 420 represents the total number of minutes during the peak hours of 6:00 AM to 9:00 AM (morning “peak” hours) and 3:00 PM to 7:00 PM (afternoon “peak” hours). (AR 619 [footnote 2], 6958-6959.) Appendix A specifies that the calculation must be completed separately for each direction the bus line travels. “If one or both directions fail to meet the 15 minutes frequency limit, the entire bus line is ineligible for a Major Transit Stop.” (*Ibid.*)

Metro Rapid 780 travels eastbound and westbound. (AR 1982.) The Court finds it makes approximately 12 eastbound trips during the morning “peak” hours, and approximately 12 eastbound trips during the afternoon “peak” hours. (AR 1982, 6958-6959.) Dividing the total number of eligible “peak” hour trips (24 total trips) by 420 yields an average service interval for Metro Rapid 780 Eastbound of approximately 17.5 minutes, which is above the 15-minute requirement for a “Major Transit Stop”. (AR 6947.)

Metro Rapid 780 westbound yields similar results. It makes approximately 11 trips during the morning “peak” hours, and approximately 12 trips during the afternoon “peak” hours. (AR 1982, 6958-6959.) The Court divides the total of 23 “peak” hour trips by 420, yielding in an average service interval for Metro Rapid 780 Westbound of approximately 17.5 minutes.

These calculations are greater than the 15-minute requirement for a “Major Transit Stop.” (AR 6947.) The Metro Rapid 780 Bus Line is ineligible for inclusion in a Major Transit Stop and does not support Respondent’s “Tier 3” finding. (AR 6959.)

Respondent’s Opposition does not address this argument, nor does it refer to any portion of the administrative record which provides a calculation different than the Court’s, or those provided during the residents’ appeals.

Real Party in Interest’s remaining arguments are unpersuasive.

Real Party in Interest argues the “Tier 3” category does not contain a 15-minute service requirement. But an overarching eligibility requirement for the TOC Affordable Housing Incentive Program is proximity to a “Major Transit Stop,” which is defined as the

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intersection of two or more bus lines “with a service interval of 15 minutes or less during the morning and afternoon peak commute periods.” (AR 6947.) While the definition of “Tier 3” does not itself mention the 15-minute service interval requirement, this requirement is located under the heading “Type of Major Transit Stop.” It follows that the “Two Rapid Buses” which intersect must qualify for inclusion within a “Major Transit Stop,” and must satisfy the 15-minute service interval requirement. (*Ibid.*)

Real Party in Interest also argues that the 15-minute service requirement is met if the Court “combines” the intervals of service provided by Metro Rapid 780 and Metro Local Line 217. (Real Party in Interest’s Opposition Brief (“RPI Opp.”), at pp. 8:12-9:3.) Real Party contends that Metro Rapid 780 and Metro Local Line 217 “follow the same [bus] route from the intersection of Venice and Fairfax to the intersection of Hollywood and New Hampshire.” (*Id.*, at p. 8:19-21.) According to Real Party, if the Court were to combine the number of trips made by both bus line during “peak” morning and afternoon commute hours, and divide by 420, the average service interval would be less than 15 minutes. (*Id.*, at p. 8:19-23.)

There are two problems with this argument. First, Real Party in Interest provides no clear authority for the proposition that bus lines may be so combined. Los Angeles Municipal Code section 12.22 A.31 and the TOC Guidelines are silent on whether bus lines may be combined to meet the 15-minute service interval requirement. (AR 6945-6957.) The sample calculation in Appendix A of the TOC Guidelines considers only whether a single bus line meets the 15-minute service interval requirement. While neither expressly prohibits Respondent from combining multiple bus lines, neither allows it. Real Party in Interest has not shown that Los Angeles Municipal Code section 12.22 A.31 or the TOC Guidelines allow combining bus lines to satisfy the 15-minute service interval requirement.

Second, even if the Municipal Code or the TOC Guidelines could be read to permit combining bus lines, the administrative record does not show that Respondent combined these bus lines in making its determination. Respondent’s finding that the intersection of Pico Boulevard and Fairfax Avenue qualifies as a “Major Transit Stop” is vague, without analysis. (AR 22.) Neither the Director’s Determination (AR 2959, 2962) nor the Appeal Recommendation Report (AR 20, 22) discusses how the intersection of Pico Boulevard and Fairfax Avenue satisfies the 15-minute service interval requirement. They merely state the conclusion that the intersection qualifies. Neither appears to contemplate combining bus lines to make this determination. (*Ibid.*) The Transit-Oriented Affordable Housing Referral Form (AR 619) is similarly vague, merely naming bus lines and concluding the 15-minute service interval requirement has been satisfied. (AR 619.)

The Court’s inquiry “will be limited to a determination of whether or not the findings are supported by substantial evidence in light of the whole record.” (*Strumsky v. San Diego County Employees Retirement Assn.* (1974) 11 Cal.3d 28, 32.) Respondent must “set forth findings to bridge the analytical gap between the raw evidence and ultimate decision or order.” (*Sky Posters, Inc. v. Department of Transportation* (2022) 78 Cal.App.5th 644, 667-668 [“Reference, in section 1094.5, to the reviewing court’s duty to

compare the evidence and ultimate decision to 'the findings' . . . leaves no room for the conclusion that the Legislature would have been content to have a reviewing court speculate as to the administrative agency's basis for decision."].)

The administrative record contains no finding that the intersection of Pico Boulevard and Fairfax Avenue constitutes a Major Transit Stop because Respondent combined bus lines to satisfy the 15-minute service interval requirement. The Court will not infer that Respondent made such a finding or speculate on whether it might have done so.¹

Respondent's finding the Project qualifies for "Tier 3" categorization and incentives, based on the conclusion that the Project is within 1,500 feet of a "Major Transit Stop" including the intersection of "Two Rapid Buses," is not supported by substantial evidence. A writ of mandate setting aside the "Tier 3" incentives awarded under the TOC Affordable Housing Incentive Program is warranted. The Petition as to the Second Cause of Action is GRANTED.

C. Third Cause of Action—Petitioner's Challenge to Respondent's "Class 32" Categorical Exemption Finding

The Third Cause of Action challenges Respondent's finding that environmental review pursuant to CEQA is not required because the Project qualifies for a "Class 32" Categorical Exemption. (FAP, ¶¶ 61-69.) First, Petitioner argues the Project does not satisfy the first and fourth conditions of CEQA Guidelines section 15332. (CEQA Guidelines, § 15332; OB, at pp. 17-24.) Second, Petitioner contends the "unusual circumstances" and/or "cumulative effects" exceptions apply and prohibit the Categorical Exemption. (*Id.*, at p.24-25.)

1. The Record Contains Substantial Evidence That the Project Satisfies the Conditions for a "Class 32" Categorical Exemption

CEQA Guidelines section 15332 lists five conditions that must be satisfied to qualify for a "Class 32" Categorical Exemption. (*Ibid.*) It states:

Class 32 consists of projects characterized as in-fill development meeting the conditions described in this section.

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

¹ On the eve of trial, Respondent filed a Request for Judicial Notice of a Department of City Planning Director's Determination approving TOC Incentives for an unrelated project. Respondent contends this shows that bus lines are routinely combined to satisfy the 15-minute service interval requirement for a "Major Transit Stop." This document does not show that the Municipal Code or the TOC Guidelines permit combining bus lines, or that such a calculation was made for the project before the Court.

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

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

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

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

Petitioner focuses on subdivisions (a) and (d). Petitioner argues the Project fails to satisfy (a) because substantial evidence demonstrates the Project is inconsistent with the general plan and zoning designations applicable to the Project Site. Petitioner argues the Project fails to satisfy (d) because substantial evidence demonstrates the Project would have a significant effect on noise and air quality.

a. Subdivision (a)—Substantial Evidence Supports the Finding that the Project is Consistent with Applicable General Plan and Zoning Designations

Petitioner argues the Project fails to comply with the applicable "Q" Qualified Conditions. As discussed, the Project Site is within the Wilshire Community Plan Area; it is zoned [Q]R3-1-O, with a corresponding land use designation of "Medium Residential." (AR 18.) The "Q" Qualified Conditions impose various land use requirements, including these:

Section 2. Pursuant to Section 12.32-K of the Los Angeles Municipal Code and the amendments thereto, the following limitations are hereby imposed upon the use of that property shown in Section 1 hereof which are subject to the Permanent "Q" Qualified Classification.

1. Covenant: Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heirs or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.

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3. Building Mass: For any building façade greater than forty (40) feet in length, articulation shall be required for every thirty (30) feet. Minimum depth of modulation of the façade shall be five (5) feet.

...

5. Energy Conservation: Prior to the construction of any project, the Department of Water and Power and the Southern California Gas Company shall be consulted regarding feasible energy conservation features which can be incorporated into the design of the project.

...

10. Open Space: A minimum of 100 square feet of usable open space shall be provided for each dwelling unit. Parking area, driveways, front yard setback areas and rooftops shall not be included as open space. To be considered as usable open space[,] the project shall meet the following criteria:

- a. Private Open Space: Patios and yards (located at ground level or the first habitable room level) which are part of a single dwelling unit and are enclosed by solid screen material at least four feet in height may be included as usable open space provided said areas have a horizontal dimension of at least 15 feet in width.
- b. Common Usable Open Space: Each common usable open space area . . . shall have an average width of 20 feet with no width less than 15 feet at any point.

...

Common open space areas shall incorporate recreational amenities such as swimming pools, spas, picnic tables, benches, tot lots, ball courts, barbecue areas, sitting areas, etc. to the satisfaction of the Department of City Planning.

A minimum of 50 percent of the common usable open space areas shall be planted in ground cover, shrubs or trees[.]

(AR 2289-2291.)

Petitioner argues the Project is inconsistent with these conditions because: (a) The Conditions of Approval failed to require Real Party in Interest to record the contemplated covenant before any permits may be issued; (b) The Project failed to provide articulation at every 30 feet of the building height; (c) The Conditions of Approval

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do not require Real Party in Interest to consult with the Department of Water and Power and the Southern California Gas Company prior to the construction of the Project to determine energy conservation designs; and (d) The Project fails to provide the requisite open space per dwelling unit.

Respondent argues that the Project is not required to comply with all the “Q” Qualified Conditions. According to Respondent, the requirements of the “Q” Qualified Conditions may be amended by the “Base Incentives” and “Additional Incentives” under the TOC Affordable Housing Incentive Program. (*Ibid.*) Respondent’s reading of the “Q” Qualified Conditions and the TOC Affordable Housing Incentive Program is supported by the Los Angeles Municipal Code.

On August 18, 1992, Ordinance Number 168193 codified the “Q” Qualified Conditions. (AR 2294.) It amended Los Angeles Municipal Code section 12.04 (entitled “Zones-Districts-Symbols”) by effectively re-zoning the Project Site and neighboring properties, placing a “Q” designation in the zoning classification (i.e., “[Q] R3-1-O”). (AR 2288.) Those properties zoned with the “Q” designation would be subject to the land-use requirements and limitations in the “Q” Qualified Conditions. (AR 2287-2288.)

Los Angeles Municipal Code section 12.22 enumerates approximately 35 “[e]xceptions” to the land use restrictions and requirements in Los Angeles Municipal Code sections 12.04 through 12.21.6. (L.A. Municipal Code, § 12.22 [entitled, “Exceptions.”].) Where an “[e]xception” is applicable, a property may be used in a way different than the zone permits. (L.A. Municipal Code, § 12.22.) It is undisputed that the TOC Affordable Housing Incentive Program is included in Los Angeles Municipal Code section 12.22 A.31, as one of the 34 specified “[e]xceptions” to the zoning land-use restrictions in Los Angeles Municipal Code sections 12.04 through 12.21.6. (L.A. Municipal Code, § 12.22, subd. A.31.) While the “Q” Qualified Conditions are applicable to the Project Site as a zoning designation, the Project may stray from their requirements by virtue of the Project’s eligibility for the TOC Affordable Housing Incentive Program. (*Ibid.*; *Bay Area Citizens v. Association of Bay Area Governments* (2016) 248 Cal.App.4th 966, 999 [“ ‘If the statutory language is clear, our task is, at an end, for there is no need for judicial construction.’ ”].)

The Court now turns to the “Q” Qualified Conditions, and finds the project is not inconsistent with those conditions.

i. Section 2, Subsection 1 of “Q” Qualified Condition -- “Covenant”

Section 2, subsection 1 of the “Q” Qualified Conditions states: “Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder’s Office. The agreement shall run with the land and shall be binding on any subsequent owners, heirs or assigns.” (AR 2289.) Petitioner contends the Project fails to comply with this section because Respondent failed to include, as a condition of approval for the

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Project, a requirement that Real Party in Interest record the covenant. (OB, at pp. 21:23-22:3.)

The Court is not persuaded the Project is inconsistent with this section. Petitioner has failed to demonstrate that the covenant was not recorded by Real Party in Interest's various predecessors. The "Q" Qualified Conditions were created more than 30 years ago. (AR 2294.) This section does not require all owners of the Project Site to record the contemplated covenant. (AR 2289.) It merely requires the owner of the Project Site who requests a permit *first* following the effective date of the Ordinance to record the contemplated covenant, which will then "run with the land." (AR 2289.) Petitioner fails to show a prior owner of the Project Site had not recorded the covenant.

**ii. Section 2, Subsection 3 of "Q" Qualified Conditions --
"Building Mass"**

Section 2, subsection 3 of the "Q" Qualified Conditions provides: "For any building greater than forty (40) feet in length, articulation shall be required for every thirty (30) feet. Minimum depth of modulation of the façade shall be five (5) feet." (AR 2289.) Petitioner contends the Project fails to provide sufficient articulation in relation to the building's length. (OB, at pp. 17:28-18:2.) Specifically, Petitioner argues that, while the southern elevation of the Project is approximately 132 feet in length (which would require approximately four articulations pursuant to the "Q" Qualified Conditions), the Project provides only "one articulation 20 feet, 8 inches from the western façade." (*Ibid.*)

Substantial evidence in the administrative record supports Respondent's conclusion the Project is consistent with this section. The plans depict approximately five corridors on the southern façade, which are exposed and visible from the exterior with a glass railing. (AR 187, 195.) The Department of City Planning determined the five exposed corridors provide sufficient articulation for the building's length. (AR 24.) Petitioner argues that the exposed corridors do not constitute sufficient "modulation of the façade because "the [term] "façade" is defined as the boundary of an exterior walls of the structure, which are not changed by exposed corridors." (OB, at p. 18:5-7.)

Petitioner's definition of the term "façade" comes not from the definitions provided within the "Q" Qualified Conditions but from "LawInsider.com." (Petitioner's Request for Judicial Notice, Ex. 1.) The Court is not persuaded that this definition governs. And the Court must give "great weight" to the Department of City Planning's determination that the exterior corridors provide a sufficient modulation of the building's "façade." (*Berkley Hills Watershed Coalition v. City of Berkley* (2019) 31 Cal.App.5th 880, 896 ["a city's interpretation of its own ordinance, "is entitled to great weight unless it is clearly erroneous or unauthorized."].)

**iii. Section 2, Subsection 5 of "Q" Qualified Conditions --
"Energy Conservation"**

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Section 2, subsection 5 of the "Q" Qualified Conditions provides: "Prior to the construction of any project, the Department of Water and Power and the Southern California Gas Company shall be consulted regarding feasible energy conservation features which can be incorporated into the design of the project." (AR 2289.) Petitioner contends there is no evidence demonstrating Real Party in Interest consulted with either the Department of Water and Power or the Southern California Gas Company regarding feasible energy conservation features for the Project. (OB, at p. 22:6-11.)

The Project is not inconsistent with this section. Under Section 2, subsection 5 consultation with the Department of Water and Power and the Southern California Gas Company is required "*prior to the construction of any project.*" (AR 2289.) It does not require consultation before obtaining approval for the Project, only before construction. Real Party was not required to consult with either the Department of Water and Power or the Southern California Gas Company for the purpose of obtaining approval for the Project.

**iv. Section 2, Subsection 10 of "Q" Qualified Conditions -
- "Open Space"**

Petitioner maintains the Project is incompatible with various "Open Space" requirements in Section 2, subsection 10 of the "Q" Qualified Conditions.

Petitioner first focuses on the mandate that all patios and yards which are "private open space" must "have a horizontal dimension of at least 15 feet in width." (AR 2290.) Petitioner argues that, while the Plans say the Project provides 50 square feet of "private open space" of patios and yards, the patios are not 15 feet in width. (OB, at p. 19:7-10.) Petitioner cites to the Project Plans, on pages 184 through 186 of the administrative record. (*Ibid.*; AR 184-186.) But the Plans referenced do not display the measurements of the relevant patios on the first floor, and the legend provides no further guidance. (*Ibid.*) Petitioner has not proved this contention.²

Petitioner next focuses on the requirement that "[c]ommon open space areas shall incorporate recreational amenities such as swimming pools, spas, picnic tables, benches, tot lots, ball courts, barbecue areas, sitting areas, etc. to the satisfaction of the Department of City Planning." (AR 2291.) Petitioner contends "no amenities are provided for the 950 square feet of rear yard space shown on the Plans." (OB, at p. 19:11-12.) But the 950 square feet of rear yard space clearly provides picnic tables and benches. (AR 182.) These are "recreational amenities" pursuant to the "Q" Qualified Conditions (i.e., "[c]ommon open space areas shall incorporate recreational amenities such as . . . picnic tables, benches . . .") (AR 2291.)

² Even if Petitioner demonstrated the patios are less than 15 feet in width, this would be insufficient to demonstrate the Project has failed to provide the requisite amount of open space. Due to an "Additional Incentive" provided to the Project (25 percent reduction in the amount of open space), the Project is required to provide approximately 1,500 in open space. (AR 15.) The Plans show the Project provides approximately 2,492 square feet in open space. (AR 181.)

Petitioner then points to the mandate that “[e]ach common usable open space area shall have a total area of at least 400 square feet and shall have an average width of 20 feet with no width less than 15 feet at any point.” (AR 2291.) Petitioner contends the “rear yard area has an average width less than 20 feet with widths as narrow as 4 feet[.]” But the Project Plans unambiguously state the rear yard of the Project is approximately 20 square feet in width. (AR 182.)

Next, Petitioner directs us to the requirement that “rooftops shall not be included as open space.” (AR 2290.) Petitioner says the “fifth floor garden,” which is approximately 592 square feet, may not be counted towards the “open space requirement” because it is “located on the roof of the fourth story.” (OB, at p. 19:17-18.) The Court is unpersuaded that the fifth-floor garden may not be counted towards the minimum open space requirements. Notably, following review of the Project’s Plans, the fifth-floor garden is not on the rooftop of the Project, as Petitioner would suggest, but is on an exposed deck on the fifth floor. (AR 6540.) The rooftop is above the fifth floor. (AR 6541.)

Petitioner also points to the requirement that “[a] minimum of 50 percent of the common usable open space areas shall be planted in ground cover, shrubs or trees” (AR 2291.) Petitioner contends “the Project fails to landscape 50 percent of common open space as *virtually none of the open space that meets the [Q] Conditions* provides landscaping.” (OB, at pp. 19:23-20:1 [emphasis added].) The Court already has concluded the open space provided by the Project complies with the “Q” Qualified Conditions.

Petitioner’s contention that the Project fails to qualify for a “Class 32” Categorical Exemption because it is inconsistent with the “Q” Qualified Conditions is unpersuasive. Substantial evidence demonstrates the Project is sufficiently “consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.”

b. Subdivision (d)—Substantial Evidence Supports the Finding the Project Would Not Result in Significant Effects to Air Quality or Noise

CEQA Guidelines section 15332(d) requires that “[a]pproval of the project not result in any significant effects relating to traffic, noise, air quality, or water quality.” Petitioner argues that Respondent’s determination the Project will not have a substantial effect on noise and air quality is not supported by substantial evidence.

i. Air Quality Impacts and Greenhouse Gas Emissions

Petitioner’s argument concerning air quality centers on the Greenhouse Gas (“GHG”) emissions resulting from the Project. (OB, at p. 22:12-24.) Respondent concluded the Project would not have a significant effect upon air quality. (AR 23.) Respondent based its conclusion on “a March 2020 . . . Air Quality Technical Report

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prepared by ZMassociates Environmental Corporation International.” (*Ibid.*) The ZM Report assessed the Project’s effect on air quality by employing the South Coast Air Quality Management District (“SCAQMD”) Final Localized Significance Threshold Methodology, published in July 2008. (AR 6621.) Noting that the “Regional Construction Threshold” for Localized Significance with respect to GHG emissions is 3,000 CO₂e/year, the ZM Report concluded the GHG emissions created by the Project would be only 70.69 CO₂e/year. (AR 6624.) Petitioner contends this finding is erroneous because the SCAQMD “threshold for significance” employed by the ZM Report is outdated, and a more recent “threshold for significance” should have been used. (OB, at p. 22:14-24.) Relying on a report prepared by the consulting entity SWAPE, Petitioner argues the suggested “SCAQMD 2035 efficiency target of 3.0 MT CO₂e/SP/year” should have been employed to assess the Project’s impact upon GHG emissions. (*Ibid.*)

Respondent makes two arguments in response. First, Respondent contends the air quality assessment does not require analysis of potential GHG emissions. (Resp. Opp., at pp. 10:24-11:4.) Respondent contends subdivision (d) merely requires it to analyze potential substantial impacts to “air quality.” Respondent cites to Appendix G of the CEQA Guidelines, which is a sample “Environmental Checklist Form” that may be used to conduct an initial study of a Project’s potential environmental impacts. (CEQA Guidelines, Appendix G.) The sample includes a list of “[e]nvironmental [f]actors” which may be “[p]otentially [a]ffected” by a project’s development; it shows “Air Quality” and “Greenhouse Gas Emissions” in separate categories. (*Ibid.*) Second, if the Court concludes GHG emissions fall within the scope of an analysis of air quality impacts, Respondent contends the standard used in the ZM Report is appropriate.

The Court is not persuaded by Respondent’s interpretation of the language of subdivision (d). Although “Air Quality” and “Greenhouse Gas Emissions” are listed separately in Appendix G, this also shows that analysis of GHG emissions is relevant in considering whether the Project will have a significant impact on air quality. Indeed, the ZM Report, on which Respondent relies, analyzes GHG emissions. (AR 6624.) Moreover, Respondent has provided no case law or statute supporting its contention that an analysis of air quality would not include an analysis of GHG emissions.

Respondent’s second argument is meritorious. As stated, Petitioner contends Respondent employed an outdated “threshold of significance.” (OB, at p.22:14-24.) But CEQA Guidelines section 15064.4 expressly states that an agency has “discretion to select the model or methodology it considers most appropriate to enable decision makers to intelligibly take into account the project’s incremental contribution to climate change.” (CEQA Guidelines, § 15064.4, subd. (c).) This discretion reflects “the existing CEQA principle that there is no iron-clad definition of ‘significance.’[Citation.]” (*Center for Biological Diversity v. Department of Fish & Wildlife* (2015) 62 Cal.4th 204, 221.) At oral argument, Petitioner conceded that Respondent has discretion to determine the most appropriate model or methodology to assess the Project’s impact on GHG emissions.

The Court is not persuaded that Respondent’s use of the threshold of significance in SCAQMD’s Final Localized Significance Threshold Methodology (2008) was an abuse

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of discretion. Petitioner has not shown that the threshold of significance employed by Respondent was superseded by the threshold of significance set forth by the SCAQMD. As noted, Petitioner relies on a recommendation by the consulting entity SWAPE, which opines that Respondent should have used the SCAQMD 2035 efficiency target of 3.0 metric tons of carbon dioxide equivalents per service population per year. (AR 3158-3159.) SWAPE cites to a publication by a separate non-profit agency named Association of Environmental Professionals. (AR 3158, fn. 22.) But this publication does not establish that SCAQMD adopted this new threshold of significance for GHG emissions, or that they supersede the threshold used by Respondent. (*Ibid.*) Rather, this publication is a recommended "action plan" based on the opinions of its authors, the Association of Environmental Professionals. (*Ibid.*) This does not establish that Respondent abused its discretion in applying the threshold of significance in SCAQMD's Final Localized Significance Threshold Methodology (2008) to assess the Project's impact upon GHG emissions.

Respondent did not commit an abuse of discretion by concluding CEQA Guidelines section 15332(d) was satisfied, and the Class 32 Categorical Exemption properly may be applied.

ii. Construction and Operational Noise Impacts

Petitioner's challenge to Respondent's determination concerning noise impacts centers on construction-related noise and operational noise.

Petitioner challenges Respondent's conclusion that construction-related noise will not exceed the maximum decibel limit in Los Angeles Municipal Code section 112.05 of approximately 75 dB(A). The Court is not persuaded by Petitioner's contentions. Substantial evidence in the administrative record, including the expert conclusions in the ZM Report, supports Respondent's conclusion. (AR 6619.) The ZM Report states: "[d]ue to the small project size, the limited number of construction vehicles, limited number of construction equipment, and small size of construction equipment compared to much larger projects, the proposed project will not result in exceedance of City of Los Angeles noise ordinances." (*Ibid.*)

Petitioner challenges this with an opposing expert report produced by Project opponents during an administrative hearing. (OB, at pp. 23:1-24:1.) This report was prepared by RK Engineering; it concludes the construction-related noise caused by the Project "would result in expected noise levels ranging from 78.5 dB(A) to 117 dB(A)." (AR 3333.) But differing expert opinion is not determinative in a substantial evidence review. (*We Advocate Through Environmental Review v. County of Siskiyou* (2022) 78 Cal.App.5th 683, 699 [holding, "'a disagreement among experts does not make an EIR inadequate'" and is not determinative in a substantial evidence review].)

Petitioner's arguments concerning operational noise fare no better. Respondent's conclusion is supported by factual findings reached by Department of City Planning staff in a Recommendation Report. (AR 91.) The Department of City Planning concluded:

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"[n]oise generated through human conversation and activities (particularly in outdoor recreational spaces, such as balconies and patios), landscape maintenance, or trash collection would not exceed the recommended noise compatibility guidelines. Any new stationary sources of noise, such mechanical HVAC equipment, installed on the proposed development will be required to comply with LAMC Sections 112.02 and 112.05 which prohibit noise from air conditioning, refrigeration, heating, pumping, and filtering equipment from exceeding the ambient noise level at neighboring occupied properties by more than five dBA. In addition, the project is not expected to generate a substantial number of vehicle trips which could in turn generate additional noise. The proposed project is expected to generate a negligible increase in ambient noise from operation." (*Ibid.*)

Petitioner questions the Department of City Planning's findings, citing to a differing expert report which concludes "it is highly probable that a noise level exceedance would occur from mechanical equipment operating on the project site." (AR 3333.) Again, differing expert opinions are insufficient and this one also appears speculative. (*We Advocate Through Environmental Review, supra*, 78 Cal.App.5th at p. 699; CEQA Guidelines, § 15384, subd. (a) [substantial evidence does not include "speculation"].)

2. Petitioner Has Failed to Demonstrate the "Unusual Circumstances" Exception or the "Cumulative Impacts" Exception are Applicable

Petitioner argues that the "unusual circumstances" and/or "cumulative impacts" exception apply. (OB, at pp. 24:16-25:18.) Under the CEQA statutory scheme, the thirty-three categorical exemptions are not absolute. (*North Coast Rivers Alliance v. Westlands Water Dist.* (2014) 227 Cal.App.4th 832, 850 (*North Coast Rivers*)). They "are subject to exceptions that defeat the use of the exemption." (*Ibid.*) Where an exception to an exemption applies, the public agency "must 'conduct an initial study to determine if the project may have a significant effect on the environment.' [Citation.]" (*Muzzy Ranch, supra*, 41 Cal.4th at p. 381.) It is Petitioner's burden to show such an exception applies. (*CREED 21, supra*, 234 Cal.App.4th at p. 514.)

a. "Unusual Circumstances" Exception

The "unusual circumstances" exception of CEQA Guidelines section 15300.2, provides: "[a] categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances." (State CEQA Guidelines, § 15300.2, subd. (c).)

The California Supreme Court in *Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086 sets forth a two-part, "bifurcated approach" to determine whether a public agency abused its discretion in concluding an "unusual circumstances" exception was inapplicable. (*Id.* at pp. 1114-1115.) First, the reviewing court must review the administrative record to determine whether there is substantial evidence supporting Respondent's determination that the Project does not present unusual circumstances. A project presents "unusual circumstances" when it will have a significant

effect on the environment. (*Berkeley Hillside, supra*, 60 Cal.4th at p. 1105.) Second, the court determines whether the evidence presents a “fair argument” of “a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.” (*Berkeley Hillside, supra*, 60 Cal.4th at p. 1114.) A “fair argument” may be made where the administrative record includes substantial evidence reflecting “it [could] be “fairly argued”” that “there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.” (*Id.* at p. 1112.)

Petitioner focuses on construction-related noise and GHG emissions, arguing that substantial evidence demonstrates these are “unusual circumstances.”

The Court concludes substantial evidence in the record fails to demonstrate the Project presents “unusual circumstances.” Petitioner has failed to establish the Project encompasses “unusual” features which would cause a significant effect on the environment. The Court already has determined Petitioner’s arguments concerning noise and GHG emissions are unavailing. Petitioner has failed to satisfy the first prong of the “bifurcated approach” of *Berkeley Hillside*. (*Berkeley Hillside, supra*, 60 Cal.4th at p. 1105.)

In this case, the second prong of the *Berkeley Hillside* analysis dovetails with the first. Substantial evidence does not present a “fair argument” the Project will have a significant impact on the environment.

The Court concludes Petitioner has failed to satisfy that the “unusual circumstances” exception applies.

b. “Cumulative Impacts” Exception

The “cumulative impacts” exception, in CEQA Guidelines section 15300.2, subdivision (b), provides: “[a]ll exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.” “Cumulative impacts” refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.” (CEQA Guidelines, § 15355.) “The individual effects may be changes resulting from a single project or a number of separate projects.” (CEQA Guidelines, § 15355, subd. (a).) “The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impact can result from individually minor but collectively significant projects taking place over a period of time.” (CEQA Guidelines, § 15355, subd. (b).) The challenging party has the “burden to produce evidence that there was a fair argument that the cumulative impact exception applied.” (*Aptos Residents Assn. v. County of Santa Cruz* (2018) 20 Cal.App.5th 1039, 1052.)

Petitioner argues that three other developments near the Project have been approved by Respondent and “likely [will] be developed concurrently” with the Project,

03/13/2023

resulting in a significant cumulative impact to air quality. (OB, at p. 25:4-18.) The development projects are: (a) 1444 Hi Point Street (VTT-74364-SL); (b) 1437 Hi Point Street (DIR-2009-2189-SPR-DB); and (c) 1500 Hi Point Street ((DIR-2020-1870-TOC-HCA). (*Ibid.*) Petitioner cites to the SWAPE Report, which concludes the additional projects and the development at the Project Site “will occur in close proximity at the same time, thus resulting in a potentially significant cumulative impact.” (AR 3152-3153.)

Petitioner has failed to demonstrate a fair argument that the cumulative impacts of successive projects, including the Project at issue here, would have a significant effect on the environment. The contentions in the SWAPE Report appear to be speculative. Petitioner fails to confirm whether the additional development projects will occur at the same time as the development of the Project Site, suggesting only that they “would likely be developed” at the same time. (OB, at p. 25:9-10.) And while the SWAPE Report concludes: “[the] projects at 1447 and 1500-1512 ½ South Hi Point Street will occur in close proximity at the same time[,]” the Report fails to articulate any facts—such as a development schedule for the referenced projects—supporting this conclusion. (AR 3152.)

The Court finds no prejudicial abuse of discretion in Respondent’s determination of a categorical exemption. The Petition as to the Third Cause of Action is DENIED.

VI. CONCLUSION

Petitioner’s First Amended Writ of Mandate is GRANTED in part and DENIED in part. It is DENIED with respect to the First and Third Causes of Action. It is GRANTED with respect to the Second Cause of Action.

A writ of mandate is issued ordering Respondent to vacate and set aside approval of the Project, including Respondent’s award of “Tier 3” TOC Incentives under the TOC Affordable Housing Incentive Program. Petitioner shall submit a proposed writ of mandate within 10 days.

Date: March 9, 2023.



Judge Maurice Leiter

0011512023

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 54

21STCP02223

April 21, 2023

**HI POINT NEIGHBORS' ASSOCIATION, AN
UNINCORPORATED ASSOCIATION vs CITY OF LOS
ANGELES, A MUNICIPAL CORPORATION**

8:30 AM

Judge: Honorable Maurice A. Leiter

CSR: None

Judicial Assistant: N. Marshalian

ERM: None

Courtroom Assistant: R. Manzo

Deputy Sheriff: None

APPEARANCES:

For Petitioner(s): Jamie T. Hall (via LACourtConnect)

For Respondent(s): Ernest J. Guadiana (via LACourtConnect); Donna Wong (via LACourtConnect) for Morgan Linscott Hector

NATURE OF PROCEEDINGS: Order to Show Cause Re: Submission of Proposed Judgment

The matter is called for hearing.

The Order to Show Cause Re: Submission of Proposed Judgment is held and argued.

After argument, the Court rules as follows:

On April 21, 2023 the Court heard argument concerning Respondent's and Real Party's objection to Petitioner's proposed judgment and proposed writ. The Court orders:

1. The first sentence of the last paragraph of the Court's March 9, 2023 Ruling is amended as follows: "A writ of mandate is issued ordering Respondent to set aside approval of the Project, including Respondent's award of 'Tier 3' TOC Incentives under the TOC Affordable Housing Incentive Program."
2. Paragraph 3 of the proposed judgment shall state: "A peremptory writ of mandate shall issue ordering Respondent to set aside its Tier 3 Transit Oriented Communities ('TOC') approval in City of Los Angeles Planning Department Case No. DIR-2020-2067-TOC, for the reasons set forth in the Ruling on Submitted Matter in this action dated March 9, 2023."
3. Paragraph 1 of the proposed writ shall state: "Respondent City of Los Angeles ('Respondent') shall set aside its Tier 3 Transit Oriented Communities ('TOC') approval in City of Los Angeles Planning Department Case No. DIR-2020-2067-TOC, for the reasons set forth in the Ruling attached hereto as Exhibit A."

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 54

21STCP02223

April 21, 2023

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**HI POINT NEIGHBORS' ASSOCIATION, AN
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Judge: Honorable Maurice A. Leiter

CSR: None

Judicial Assistant: N. Marshalian

ERM: None

Courtroom Assistant: R. Manzo

Deputy Sheriff: None

Petitioner shall submit a revised proposed judgment and proposed writ within 10 days of service of this Order.

Certificate of Mailing is attached.



APPLICATIONS:

APPEAL APPLICATION

Instructions and Checklist

Related Code Section: Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

Purpose: This application is for the appeal of Department of City Planning determinations authorized by the Los Angeles Municipal Code (LAMC).

A. APPELLATE BODY/CASE INFORMATION

1. APPELLATE BODY

- Area Planning Commission, City Planning Commission, City Council, Director of Planning, Zoning Administrator

Regarding Case Number: DIR-2020-2067-TOC

Project Address: 1447 South Hi Point St.

Final Date to Appeal: 01/14/2021

2. APPELLANT

- Appellant Identity: Representative, Property Owner, Applicant, Operator of the Use/Site

Person, other than the Applicant, Owner or Operator claiming to be aggrieved

Person affected by the determination made by the Department of Building and Safety

- Representative, Applicant, Owner, Operator, Aggrieved Party

3. APPELLANT INFORMATION

Appellant's Name: John Kim

Company/Organization:

Mailing Address: 5939 W Parkcrest Place

City: Los Angeles State: CA Zip: 90035

Telephone: (646) 706-3889 E-mail: electricturbo@gmail.com

a. Is the appeal being filed on your behalf or on behalf of another party, organization or company?

- Self, Other:

b. Is the appeal being filed to support the original applicant's position? Yes No

4. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): _____

Company: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-mail: _____

5. JUSTIFICATION/REASON FOR APPEAL

a. Is the entire decision, or only parts of it being appealed? Entire Part

b. Are specific conditions of approval being appealed? Yes No

If Yes, list the condition number(s) here: _____

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- The reason for the appeal
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- Specifically the points at issue
- Why you believe the decision-maker erred or abused their discretion

6. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature: John Kim Date: 1/12/21

GENERAL APPEAL FILING REQUIREMENTS

B. ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES

1. Appeal Documents

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d. Notice Requirement

- Mailing List - All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC
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SPECIFIC CASE TYPES - APPEAL FILING INFORMATION

C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITES (TOC)

1. Density Bonus/TOC

Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

NOTE:

- Density Bonus/TOC cases, only the *on menu or additional incentives* items can be appealed.
- Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the Citywide Planning Commission.

- Provide documentation to confirm adjacent owner or tenant status, i.e., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, drivers license, bill statement etc.

D. WAIVER OF DEDICATION AND OR IMPROVEMENT

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

NOTE:

- Waivers for By-Right Projects, can only be appealed by the owner.
- When a Waiver is on appeal and is part of a master land use application request or subdivider's statement for a project, the applicant may appeal pursuant to the procedures that governs the entitlement.

E. TENTATIVE TRACT/VESTING

1. Tentative Tract/Vesting - Appeal procedure for Tentative Tract / Vesting application per LAMC Section 17.54 A.

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F. BUILDING AND SAFETY DETERMINATION

- 1.** Appeal of the Department of Building and Safety determination, per LAMC 12.26 K 1, an appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.

a. Appeal Fee

- Original Applicant - The fee charged shall be in accordance with LAMC Section 19.01B 2, as stated in the Building and Safety determination letter, plus all surcharges. (the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code)

b. Notice Requirement

- Mailing Fee - The applicant must pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt as proof of payment.

- 2.** Appeal of the Director of City Planning determination per LAMC Section 12.26 K 6, an applicant or any other aggrieved person may file an appeal, and is appealable to the Area Planning Commission or Citywide Planning Commission as noted in the determination.

a. Appeal Fee

- Original Applicant - The fee charged shall be in accordance with the LAMC Section 19.01 B 1 a.

b. Notice Requirement

- Mailing List - The appeal notification requirements per LAMC Section 12.26 K 7 apply.
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G. NUISANCE ABATEMENT

1. Nuisance Abatement - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

NOTE:

- Nuisance Abatement is only appealable to the City Council.

a. Appeal Fee

Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1.

2. Plan Approval/Compliance Review

Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4.

a. Appeal Fee

Compliance Review - The fee charged shall be in accordance with the LAMC Section 19.01 B.

Modification - The fee shall be in accordance with the LAMC Section 19.01 B.

NOTES

A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

***Please note** that the appellate body must act on your appeal within a time period specified in the Section(s) of the Los Angeles Municipal Code (LAMC) pertaining to the type of appeal being filed. The Department of City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.*

This Section for City Planning Staff Use Only		
Base Fee:	Reviewed & Accepted by (DSC Planner):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

I'm appealing based on reasons listed below:

1. The height of the building (5 stories/ 57ft) would be the tallest in the area that could obstruct our rooftop deck view (south) resulting in long-term damages and property devaluation. The current tallest townhomes/apartments in the area are around 3-stories tall.
2. The 20-unit apartment with the underground garage (24 parking spaces) would bring heavy traffic congestions in the already narrow street (Hi Point St.) where two cars can barely pass from each way simultaneously.
3. The construction with such a large project with the underground garage would add more blockages impacting our free access to the street where there already have been 2-3 constructions currently going on the same street for the past 2-3 years. Also It would be adding more excessive noise and construction debris/dusts affecting quality of the living life and health.



APPLICATIONS:

APPEAL APPLICATION

Instructions and Checklist

Related Code Section: Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

Purpose: This application is for the appeal of Department of City Planning determinations authorized by the Los Angeles Municipal Code (LAMC).

A. APPELLATE BODY/CASE INFORMATION

1. APPELLATE BODY

- Area Planning Commission City Planning Commission City Council Director of Planning
- Zoning Administrator

Regarding Case Number: DIR-2020-2067-TOC

Project Address: 1447 South Hi Point St.

Final Date to Appeal: 01/14/2021

2. APPELLANT

Appellant Identity:
(check all that apply)

- Representative Property Owner
- Applicant Operator of the Use/Site

Person, other than the Applicant, Owner or Operator claiming to be aggrieved
Sarah Reed

Person affected by the determination made by the **Department of Building and Safety**

- Representative Owner Aggrieved Party
- Applicant Operator

3. APPELLANT INFORMATION

Appellant's Name: Sarah Reed

Company/Organization: _____

Mailing Address: 5937 W Parkcrest Place

City: Los Angeles State: CA Zip: 90035

Telephone: (619) 254-7581 E-mail: sarah.millan@gmail.com

a. Is the appeal being filed on your behalf or on behalf of another party, organization or company?
 Self Other: _____

b. Is the appeal being filed to support the original applicant's position? Yes No

4. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): _____

Company: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

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5. JUSTIFICATION/REASON FOR APPEAL

a. Is the entire decision, or only parts of it being appealed? Entire Part

b. Are specific conditions of approval being appealed? Yes No

If Yes, list the condition number(s) here: _____

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- The reason for the appeal
- How you are aggrieved by the decision
- Specifically the points at issue
- Why you believe the decision-maker erred or abused their discretion

6. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature: Sarah Reed Date: 1/12/21

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B. ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES

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NOTE:

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D. WAIVER OF DEDICATION AND OR IMPROVEMENT

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

NOTE:

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b. Notice Requirement

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NOTE:

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Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1.

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This Section for City Planning Staff Use Only		
Base Fee:	Reviewed & Accepted by (DSC Planner):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

To Whom it may concern:

I am appealing the recently approved plan on 3 main grounds: The excessive height of the property, the added density to the neighborhood, and the level of disturbance to the community as a whole.

First, the height of the approved plan is currently two stories above the currently permitted height requirements for this zone. All other properties on the 1400 block of South Hi Point St, between Saturn and Pico, are no higher than four stories. Those homes that are four stories, and therefore, above the 3-story height requirement, are open rooftops that do not necessarily block additional light from their neighbors. A building of this height would tower over our residences and would be disproportionately large compared to all other residences on our block. This would significantly damage the uniformity and aesthetic of our community. The proposed project also lays directly in the path of the sunlight that illuminates our home throughout the day. A project of this scale would block essentially all natural light in our home.

We are also concerned about the increase in population density that the proposed project would create in our community. There are now constant fights for street parking and egress from driveways in our community that did not exist just a few years ago before numerous projects were approved erecting communities on lots that were previously single-family homes. This is an issue even despite the construction of parking garages because there are more vehicles than there are parking spaces.

The approval of yet another large-scale construction project within our block is an additional concern. There are currently 2 active construction sites adjacent to our home (1437 Hi Point St) and directly across the street (1444 Hi Point St). There is yet another large-scale project within approximately 100 yards. These multiple ongoing active projects have led to severe congestion in our street in mornings and on weekends. There have been numerous instances where traffic on our block has completely stopped and residents had no way to enter or exit their driveway. This chaos gets in the way of our ability to live our lives and be productive members of our community. There has been constant noise in the past 2 years from every direction. During the period of the pandemic, this noise has interfered with the work of community members who have been forced to work from home but now have to combat the noise. Another project of this scale will further compound these issues.

These are only a few of the concerns we have about the proposed project. Any possible benefits of such a project are heavily outweighed by negatives: worsening congestion in our community, loss of a community character, and decrease in the value of nearby properties, among others. We, along with numerous members of our community, strongly protest this project and appreciate your consideration.



APPLICATIONS:

APPEAL APPLICATION

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(check all that apply)

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- Applicant Operator of the Use/Site
- Person, other than the Applicant, Owner or Operator claiming to be aggrieved

Person affected by the determination made by the **Department of Building and Safety**

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I certify that the statements contained in this application are complete and true:

Appellant Signature: Katelyn Foley Date: 1/12/21

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- 1.** Appeal of the *Department of Building and Safety* determination, per LAMC 12.26 K 1, an appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.

a. Appeal Fee

- Original Applicant - The fee charged shall be in accordance with LAMC Section 19.01B 2, as stated in the Building and Safety determination letter, plus all surcharges. (the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code)

b. Notice Requirement

- Mailing Fee - The applicant must pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt as proof of payment.

- 2.** Appeal of the *Director of City Planning* determination per LAMC Section 12.26 K 6, an applicant or any other aggrieved person may file an appeal, and is appealable to the Area Planning Commission or Citywide Planning Commission as noted in the determination.

a. Appeal Fee

- Original Applicant - The fee charged shall be in accordance with the LAMC Section 19.01 B 1 a.

b. Notice Requirement

- Mailing List - The appeal notification requirements per LAMC Section 12.26 K 7 apply.
- Mailing Fees - The appeal notice mailing fee is made to City Planning's mailing contractor (BTC), a copy of receipt must be submitted as proof of payment.

G. NUISANCE ABATEMENT

1. Nuisance Abatement - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

NOTE:

- Nuisance Abatement is only appealable to the City Council.

a. Appeal Fee

Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1.

2. Plan Approval/Compliance Review

Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4.

a. Appeal Fee

Compliance Review - The fee charged shall be in accordance with the LAMC Section 19.01 B.

Modification - The fee shall be in accordance with the LAMC Section 19.01 B.

NOTES

A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

Please note that the appellate body must act on your appeal within a time period specified in the Section(s) of the Los Angeles Municipal Code (LAMC) pertaining to the type of appeal being filed. The Department of City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.

This Section for City Planning Staff Use Only		
Base Fee:	Reviewed & Accepted by (DSC Planner):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

To Whom it may concern:

I received notice of a new plan directly next door to my property, and I am appealing the project for three reasons: 1) height that will block natural light coming into my home and drastically reduce my property value, 2) additional density in a neighborhood that was formerly homes and is now overrun with apartment buildings, and 3) an additional construction project in a neighborhood with two active construction projects in the same block, and multiple demolition and construction projects in the next block south.

First, the building plans show 4 levels, the 4th of which is not a rooftop deck like other properties in the block but is an enclosed floor. This height will eliminate sunlight coming into the Parkcrest Place homes and block the south view from the rooftop deck – a major selling point when I purchased the home and a driver of devaluation if blocked.

Secondly, our neighborhood has gone through a massive transition from single-family homes to small lot townhouses and apartments in the past several years. This transition is putting a major strain on the street, which is congested with vehicles and parked cars at all hours of the day. We are also close to several commercial businesses on Pico Blvd, which further augment the number of individuals in the vicinity on a daily basis.

Finally, there are currently 2 active construction sites adjacent to our home (1437 Hi Point St) and directly across the street (1444 Hi Point St). There is yet another large-scale project within approximately 100 yards, and demolition notices have been placed on 1459 Hi Point St. These projects have introduced significant noise from early morning to late night hours and congestion from workers entering and exiting the area. They often block our driveway and work before and past daytime hours, disrupting us while we work from home but also waking us up in the mornings.

I do not believe that the individual planning this property at all considered the wellbeing of neighbors, property values in the neighborhood, or the number of simultaneous construction projects occurring. I find the proposal detrimental to my community and my wellbeing and I strongly appeal its approval as a homeowner and taxpayer in Los Angeles. I implore further investigation into whether another project in this neighborhood is aligned with the greater good of my community.

Sincerely,

Katelyn Foley

Owner, 5935 W Parkcrest Pl



APPLICATIONS:

APPEAL APPLICATION

Instructions and Checklist

Related Code Section: Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

Purpose: This application is for the appeal of Department of City Planning determinations authorized by the Los Angeles Municipal Code (LAMC).

A. APPELLATE BODY/CASE INFORMATION

1. APPELLATE BODY

- Area Planning Commission City Planning Commission City Council Director of Planning
- Zoning Administrator

Regarding Case Number: DIR-2020-2067-TOC; ENV-2020-2068-CE

Project Address: 1447 South Hi Point

Final Date to Appeal: 01/14/2020

2. APPELLANT

Appellant Identity:
(check all that apply)

- Representative Property Owner
- Applicant Operator of the Use/Site

Person, other than the Applicant, Owner or Operator claiming to be aggrieved

Elaine Johnson

Person affected by the determination made by the **Department of Building and Safety**

- Representative Owner Aggrieved Party
- Applicant Operator

3. APPELLANT INFORMATION

Appellant's Name: Elaine Johnson

Company/Organization: L A GLO Inc.

Mailing Address: 1451 S. Hi Point

City: Los Angeles State: CA Zip: 90035

Telephone: (213) 700-4140 E-mail: hipointapts@gmail.com

a. Is the appeal being filed on your behalf or on behalf of another party, organization or company?

Self Other: _____

b. Is the appeal being filed to support the original applicant's position? Yes No

4. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): Jamie T. Hall
Company: Channel Law Group, LLP
Mailing Address: 8383 Wilshire Blvd., Suite 750
City: Beverly Hills State: CA Zip: 90211
Telephone: (310) 982-1760 E-mail: jamie.hall@channellawgroup.com

5. JUSTIFICATION/REASON FOR APPEAL

- a. Is the entire decision, or only parts of it being appealed? Entire Part
- b. Are specific conditions of approval being appealed? Yes No

If Yes, list the condition number(s) here: _____

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- The reason for the appeal How you are aggrieved by the decision
- Specifically the points at issue Why you believe the decision-maker erred or abused their discretion

6. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature: *Caine Johnson* Date: 1.13.21

GENERAL APPEAL FILING REQUIREMENTS

B. ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES

1. Appeal Documents

- a. **Three (3) sets** - The following documents are required for each appeal filed (1 original and 2 duplicates) Each case being appealed is required to provide three (3) sets of the listed documents.

- Appeal Application (form CP-7769)
- Justification/Reason for Appeal
- Copies of Original Determination Letter

b. Electronic Copy

- Provide an electronic copy of your appeal documents on a flash drive (planning staff will upload materials during filing and return the flash drive to you) or a CD (which will remain in the file). The following items must be saved as individual PDFs and labeled accordingly (e.g. "Appeal Form.pdf", "Justification/Reason Statement.pdf", or "Original Determination Letter.pdf" etc.). No file should exceed 9.8 MB in size.

c. Appeal Fee

- Original Applicant - A fee equal to 85% of the original application fee, provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.
- Aggrieved Party - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

d. Notice Requirement

- Mailing List - All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC
- Mailing Fee - The appeal notice mailing fee is paid by the project applicant, payment is made to the City Planning's mailing contractor (BTC), a copy of the receipt must be submitted as proof of payment.

SPECIFIC CASE TYPES - APPEAL FILING INFORMATION

C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITES (TOC)

1. Density Bonus/TOC

Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

NOTE:

- Density Bonus/TOC cases, only the *on menu or additional incentives* items can be appealed.
- Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the Citywide Planning Commission.
- Provide documentation to confirm adjacent owner or tenant status, i.e., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, drivers license, bill statement etc.

D. WAIVER OF DEDICATION AND OR IMPROVEMENT

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

NOTE:

- Waivers for By-Right Projects, can only be appealed by the owner.
- When a Waiver is on appeal and is part of a master land use application request or subdivider's statement for a project, the applicant may appeal pursuant to the procedures that governs the entitlement.

E. TENTATIVE TRACT/VESTING

1. Tentative Tract/Vesting - Appeal procedure for Tentative Tract / Vesting application per LAMC Section 17.54 A.

NOTE: Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.

- Provide a copy of the written determination letter from Commission.

F. BUILDING AND SAFETY DETERMINATION

- 1.** Appeal of the Department of Building and Safety determination, per LAMC 12.26 K 1, an appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.

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a. Appeal Fee

- Compliance Review - The fee charged shall be in accordance with the LAMC Section 19.01 B.
- Modification - The fee shall be in accordance with the LAMC Section 19.01 B.

NOTES

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This Section for City Planning Staff Use Only		
Base Fee:	Reviewed & Accepted by (DSC Planner):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

Channel Law Group, LLP

8383 Wilshire Blvd.
Suite 750
Beverly Hills, CA 90211

Phone: (310) 347-0050
Fax: (323) 723-3960
www.channellawgroup.com

JULIAN K. QUATTLEBAUM, III
JAMIE T. HALL *
CHARLES J. McLURKIN

Writer's Direct Line: (310) 982-1760
jamie.hall@channellawgroup.com

*ALSO Admitted in Texas

January 13, 2020

VIA ELECTRONIC UPLOAD

City of Los Angeles
Dept. of City Planning
221 N. Figueroa St., Suite 1350
Los Angeles, CA 90012

Re: Justifications of Appeal of Transit Oriented Community Project Located at 1447 South Hi Point Street (DIR-2020-2067-TOC; ENV-2020-2068-CE)

To Whom It May Concern:

This firm represents Elaine Johnson ("Appellant"). This letter outlines the justifications for the appeal of the Transit Oriented Community Project located at 1447 S. Hi Point Street ("Project"), which was approved by the Planning Director on December 30, 2020.

1. Appellant's Standing

Appellant is the President of the L A GLO, Inc., which is the owner of the adjacent apartment complex located at 1451 S. Hi Point Street. As such, Appellant has standing to file this appeal because Appellant is an owner of adjacent property. Documentation pertaining to property ownership and the corporation and its officers/directors is attached hereto as **Exhibit A**. A utility bill demonstrating ownership is also included. Appellant is aggrieved because the Project will result in loss of privacy, sunlight and create excessive noise. Appellant's tenants will be unduly impacted - especially in light of the fact that many are forced to work from home due to the current pandemic.

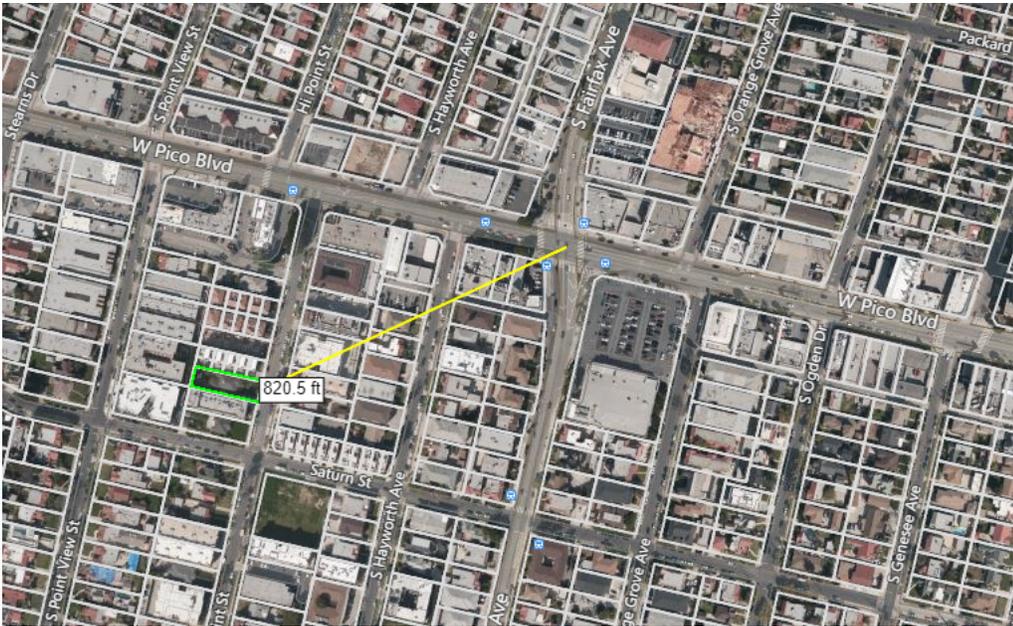
2. The Proposed Project

According to the Determination Letter issued for the Project, the project proposes the demolition of one (1) existing single-family residential structure, and the construction, use, and maintenance of a new (5) five-story, 57-foot-high multi-family residential building with 20 dwelling units over one (1) level of subterranean parking. There are 11 non-protected trees on the site, which will be removed due to construction, and one (1) non-protected tree in the public

right-of-way, which will remain. The proposed building will encompass approximately 20,093 square feet in total building area, resulting in a Floor Area Ratio (FAR) of approximately 3.78:1

3. The City erroneously concluded that the Project Qualifies as a Tier 3 Project; The Project is not located within 750 feet of a Major Transit Stop.

The Director’s Determination states as follows: “the project is located within a Tier 3 Transit Oriented Communities Affordable Housing Incentive Area qualified by its proximity to the intersection of a Major Transit Stop. The project site is located within 750 feet of the intersection of one Rapid Bus Line (Metro Rapid Line 780) and one Regular Bus Line (Local Line 7) at the intersection of Pico Boulevard and Fairfax Avenue. As such, the project meets the eligibility for a TOC Housing Development to be located within 750 feet of a Major Transit Stop.” The Director erred in making this determination. As shown below, the distance from the closest point of the lot to the middle of the Pico Boulevard/Fairfax Avenue intersection is approximately 820.5 feet.



4. The Project Does Not Adhere to Applicable Design Guidelines

The City’s TOC Guidelines specifically state that “[p]rojects seeking to obtain Additional Incentives shall be subject to any applicable design guidelines, including any Community Plan design guidelines, Specific Plan design guidelines and/or Citywide Design Guidelines and may be subject to conditions to meet design performance. The conditions shall not preclude the ability to construct the building with the residential density permitted by Section VI.” The City adopted Q Conditions for the area in 1992 via Ordinance No. 168193 which contains several design criteria. The Ordinance states that: “For any building façade greater than forty (40) feet in length, articulation shall be required for every thirty (30) feet. Minimum depth of modulation of the façade shall be five (5) feet.” Appellant contends that this is a design guideline and that the required articulation and depth of modulation has not been provided.

5. The Project is Not Exempt From CEQA

The City is improperly processing the proposed project using an Exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, 15332, Article 19 (Class 32 Infill Development). The proposed project is not eligible for a Categorical Exemption under CEQA. As detailed herein, an Environmental Impact Report (EIR) or Mitigated Negative Declaration (MND) must be prepared for the project, in conformance with the requirements of the CEQA.

a. CEQA Standard for Use of a Categorical Exemption

The City is improperly claiming that “there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.” However, substantial evidence demonstrates that the project is not eligible for a Class 32 – Infill Development Exemption. As detailed in CEQA Guidelines Section 15332, to use a Class 32 Exemption, a project must meet the following conditions:

15332. IN-FILL DEVELOPMENT PROJECTS

Class 32 consists of projects characterized as in-fill development meeting the conditions described in this section.

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (c) The project site has no value as habitat for endangered, rare or threatened species.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- (e) The site can be adequately served by all required utilities and public services.

Note: Authority cited: Section 21083, Public Resources Code. Reference: Section 21084, Public Resources Code.

The proposed project is not consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations, and therefore does not comply with CEQA Guidelines Section 15332(a). The Project is not consistent with Ordinance No. 168193 which outlined the Q Conditions applicable for the area. See Ordinance No. 168193 attached as **Exhibit B**. In addition, the proposed project would result in significant construction noise impacts requiring mitigation, and therefore does not comply with CEQA Guidelines Section 15332(d), which precludes use of a Class 32 Exemption for projects that would result in significant effects relating to traffic, noise, air quality, or water quality.

In addition, as detailed in CEQA Guidelines Section 15300.2, there are exceptions to when a Categorical Exemption may be used:

15300.2. EXCEPTIONS

- (a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its

impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

- (b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.
- (c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.
- (d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.
- (e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.
- (f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The proposed project is not eligible for a Categorical Exemption pursuant to CEQA Guidelines Sections 15332(b) and 15332(c) due to both impacts associated with unusual circumstances and the potential for cumulative impacts. The City cannot act on the project until the appropriate environmental documentation has been prepared for the project.

b. Noise Impacts

A noise study for the project was prepared by ZMassociates Environmental Corporation. According to the Director's Determination, "the study concluded that the project would not result in any significant impacts and that no mitigation measure are necessary." However, the Director's Determination notes that "standard, industry-wide best practices for construction in urban or otherwise noise-sensitive areas would ensure that construction noise does not exceed the noise limit imposed by LAMC Section 112.05. These could include erecting temporary noise barriers around the project's perimeter, using mufflers to dampen noise from internal combustion engines, and warming-up or staging equipment away from sensitive receptors." These so-called "standard, industry-wide best practices" are mitigation measures, and the City cannot deem a project exempt by utilizing mitigation measures. There is no such thing as a "mitigated" categorical exemption. In evaluating whether a categorical exemption may apply, the City **may not rely on mitigation measures** as a basis for concluding that a project is categorically exempt, or as a basis for determining that one of the significant effects exceptions does not apply. *Salmon*

Protection & Watershed Network v. County of Marin (2004) 125 Cal.App.4th 1098. In addition, the City's ability to enforce mitigation measures and standard conditions of approval has been shown to be problematic for other projects.

Notwithstanding these measures, the proposed project will result in significant noise impacts during construction in the absence of mitigation. The Determination Letter itself admits that "[c]omplete elimination of construction activity noise is technically infeasible." Although the mitigation measures, if feasible, may reduce noise levels at 50 feet from the source to 75 dBA Lmax50 consistent with the standards in the LAMC, there are residences within 25 feet of the source, which would likely experience noise levels in excess of 75dBA. There are sensitive receptors in the form of small lot subdivisions located to the north and a multi-family residence owned by Ms. Johnson located to the south.

Finally, there are numerous other ongoing development projects in close proximity to the project site and the City has completely failed to evaluate the cumulative impacts that would prevent the City from deeming the Project exempt from CEQA.

Conclusion

For the aforementioned reasons, the appeal of the Director's Determination for the Project should be granted. Please note that Appellant reserves the right to supplement the bases of this appeal. I may be contacted at 310-982-1760 or at jamie.hall@channellawgroup.com if you have any questions, comments or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Jamie T. Hall", written in a cursive style.

Jamie T. Hall

Exhibit A

LA County Assessor Data

Owner



LA GLO INC

Address

1451 HI POINT

Parcel ID

5068012034

County

Los Angeles, CA

Municipality

Los Angeles

Place

Los Angeles city

Transfer Date

2013-08-01

Sale Price

\$3,400,034.00

Market Value (Land)

\$2,017,611.00

Market Value (Building)

\$1,793,431.00

Acreage

0.20 (calculated)

State of California Secretary of State



21

FILED In the office of the Secretary of State of the State of California

FEB 16 2010

This Space For Filing Use Only

STATEMENT OF INFORMATION

(Domestic Stock and Agricultural Cooperative Corporations)

FEES (Filing and Disclosure): \$25.00. If amendment, see Instructions.

IMPORTANT - READ INSTRUCTIONS BEFORE COMPLETING THIS FORM

1. CORPORATE NAME (Please do not alter if name is preprinted.)

L.A. Glo, Inc.

C1169756

S

DUE DATE:

COMPLETE ADDRESSES FOR THE FOLLOWING (Do not abbreviate the name of the city. Items 2 and 3 cannot be P.O. Boxes.)

Table with 4 rows and 4 columns: Item number, Address, City, State, ZIP Code. Includes entries for Principal Executive Office and Principal Business Office.

NAMES AND COMPLETE ADDRESSES OF THE FOLLOWING OFFICERS (The corporation must have these three officers. A comparable title for the specific officer may be added; however, the preprinted titles on this form must not be altered.)

Table with 3 rows and 4 columns: Item number, Title, Name, Address, City, State, ZIP Code. Lists Elaine Johnson as CEO, Secretary, and CFO.

NAMES AND COMPLETE ADDRESSES OF ALL DIRECTORS, INCLUDING DIRECTORS WHO ARE ALSO OFFICERS (The corporation must have at least one director. Attach additional pages, if necessary.)

Table with 3 rows and 4 columns: Item number, Name, Address, City, State, ZIP Code. Lists Elaine Johnson as a director.

11. NUMBER OF VACANCIES ON THE BOARD OF DIRECTORS, IF ANY: 0

AGENT FOR SERVICE OF PROCESS (If the agent is an individual, the agent must reside in California and Item 13 must be completed with a California street address (a P.O. Box address is not acceptable). If the agent is another corporation, the agent must have on file with the California Secretary of State a certificate pursuant to Corporations Code section 1505 and Item 13 must be left blank.)

Table with 2 rows and 4 columns: Item number, Name, Address, City, State, ZIP Code. Lists Elaine Johnson as the agent for service of process.

TYPE OF BUSINESS

14. DESCRIBE THE TYPE OF BUSINESS OF THE CORPORATION: Manufacturing of Real Estate

15. BY SUBMITTING THIS STATEMENT OF INFORMATION TO THE CALIFORNIA SECRETARY OF STATE, THE CORPORATION CERTIFIES THE INFORMATION CONTAINED HEREIN, INCLUDING ANY ATTACHMENTS, IS TRUE AND CORRECT.

2-8-2010 DATE, Elaine Johnson TYPE/PRINT NAME OF PERSON COMPLETING FORM, President TITLE, Elaine Johnson SIGNATURE

CUSTOMER SERVICE

1-800-DIAL-DWP (342-5397)
Monday-Friday: 7 a.m. - 7 p.m.
Saturday: 7 a.m. - 2 p.m.
Sunday and holidays: Closed
Available 24/7 for emergency & outage calls

Paying Your Bill



AUTOMATIC PAYMENT

Automatically pay from your checking, savings or credit card by logging in at www.ladwp.com/billpay



ONLINE

Pay from your checking, savings or credit card any time by logging in at www.ladwp.com/myaccount



BY PHONE

Pay from your checking, savings or credit card any time by calling 1-877-MYPAYDWP (1-877-697-2939)



BY MAIL

Place your payment stub and your check or money order in the envelope provided with the bill.



IN PERSON

Via payment drop box

The 2019 Power Content Label is included in this bill.



Save Energy. Save Water. Repeat. ladwp.com/save



CONSOLIDATED BILL

Account Summary

Previous Account Balance		\$ 1,446.69
Payment Received 10/30/20	<i>Thank you</i>	-1,446.69
Remaining Balance		\$ 0.00
New Charges		+ 1,610.66

Total Amount Due \$ 1,610.66

Summary of New Charges

Details on following pages.

Los Angeles Department of Water and Power Charges			
 800-342-5397	Electric Charges	2,680 kWh	\$581.55
	Water Charges	70 HCF	\$499.90
	Fire Service Charges	10/16/20 - 12/21/20	\$147.71
	Total LADWP Charges		\$ 1,229.16

LADWP provides billing services for the Bureau of Sanitation. All money collected for the services listed in the City of Los Angeles Bureau of Sanitation Charges section is forwarded to them.

City of Los Angeles Bureau of Sanitation Charges			
 800-773-2489	Sewer Charges		\$379.37
	Solid Waste Charges		\$2.13
	Total Sanitation Charges		\$ 381.50

Total New Charges \$ 1,610.66

THIS IS YOUR BILL

AUTOMATIC PAYMENT

ACCOUNT NUMBER
731 938 7001

AUTO PAYMENT Jan 8, 2021

AMOUNT \$ 1,610.66

Your payment is scheduled to be paid automatically on the date shown above, from the account you designated .

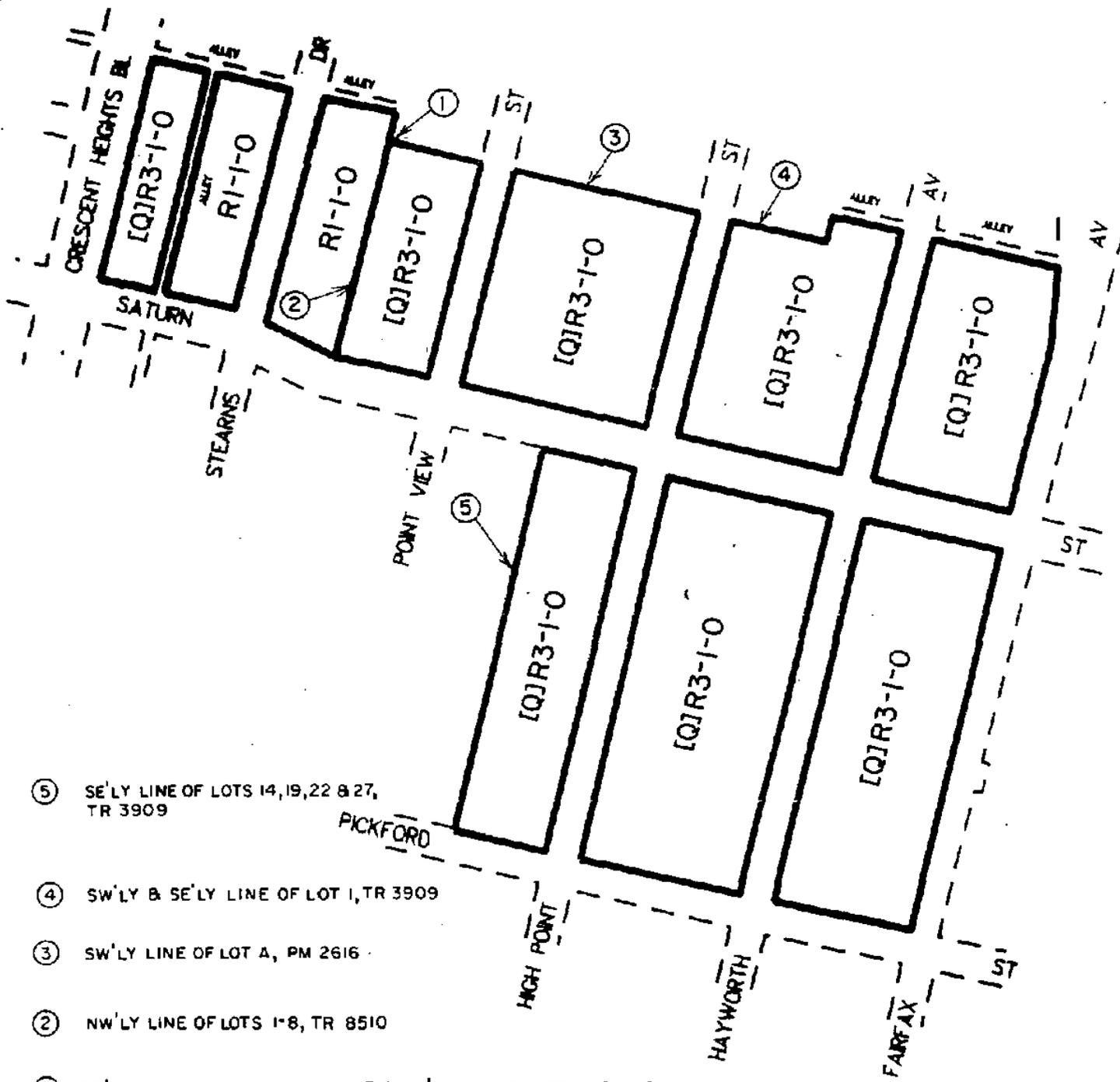
Exhibit B

ORDINANCE NO. 168193

An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zones and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1, of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:



- ⑤ SE'LY LINE OF LOTS 14, 19, 22 & 27, TR 3909
- ④ SW'LY & SE'LY LINE OF LOT 1, TR 3909
- ③ SW'LY LINE OF LOT A, PM 2616
- ② NW'LY LINE OF LOTS 1-8, TR 8510
- ① SE'LY LINE OF LOT 253, TR 7887 & NE'LY LINE OF LOT 8, TR 8510



0 200 400



SCALE IN FEET

ZM 518	DM 5714	CPC 89-0658 ZC
--------	---------	----------------

DIG / *[Signature]*
 CM (129B173)

(Pico Fairfax)

PERMANENT [Q] QUALIFIED CONDITIONS

Section 2. Pursuant to Section 12.32-K of the Los Angeles Municipal Code and the amendments thereto, the following limitations are hereby imposed upon the use of that property shown in Section 1 hereof which are subject to the Permanent "Q" Qualified classification.

1. Covenant: Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heirs or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.
2. Building Heights: No building or structure located on the subject property shall exceed 35 feet in height, as defined by Municipal Code Section 12.03.
3. Building Mass: For any building facade greater than forty (40) feet in length, articulation shall be required for every thirty (30) feet. Minimum depth of modulation of the facade shall be five (5) feet.
4. Balconies (Adjacent to single family): Above the first floor there shall be no balconies which have a line of sight to any adjacent existing single family use, unless the latter is the last such use among abutting properties and such properties are designated for multi-family or less restrictive uses by the General Plan.
5. Energy Conservation: Prior to the construction of any project, the Department of Water and Power and the Southern California Gas Company shall be consulted regarding feasible energy conservation features which can be incorporated into the design of the project.
6. Graffiti Removal and Deterrence: The owners and all successors shall acknowledge applicability of the graffiti removal and deterrence requirements of the Municipal Code to this project as contained in Sections 91.8101(f), 91.8904.1 and 91.1707(e), particularly with regard to the following:
 - a. The first nine feet of exterior walls and doors, measured from grade, shall be built and maintained with a graffiti resistant finish consisting of either a hard, smooth, permeable surface such as ceramic tile, baked enamel or a renewable coating of an approved, anti-graffiti material or a combination of both [Sec. 91.1707(e)].

- b. The period for compliance with a graffiti removal order issued by the Building and Safety Department is 15 days following which period with failure to perform, the city or its contractor is empowered to enter upon the premises to remove such graffiti with costs accruing to the owner (91.8904.1); and
 - c. The period for compliance with a subsequent order for a subsequent occurrence is three days (91.8904.1B).
 - d. In addition to a, b and c above, exterior walls of new residential buildings of other than glass may be covered with clinging vines, screened by oleander trees or similar vegetation capable of covering or screening entire walls up to the height of at least 9 feet, excluding windows and signs.
7. Landscaped Buffer: Properties adjacent to a single-family zone shall provide a landscaped buffer along the side property line and along the rear property line. Walkways and driveways shall be permitted to cross any buffer. However, no buildings or structures may be permitted within the buffer with the exception of retaining walls and fences. This condition is not intended to limit the buildable area used to calculate the floor area ratio.
8. Landscaping - Plan: All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained, including an automatic irrigation plan, in accordance with a landscape plan prepared by a licensed landscape architect, licensed architect, or landscape contractor to the satisfaction of the Planning Department.
9. Landscaping - Xeriscape: Maintenance of the landscaping which will be required shall be in compliance with the Xeriscape Ordinance (No. 163,532), which imposes numerous water conservation measures in landscape installation and maintenance.
10. Open Space: A minimum of 100 square feet of usable open space shall be provided for each dwelling unit. Parking areas, driveways, front yard setback areas and rooftops shall not be included as open space. To be considered as usable open space the project shall meet the following criteria:
 - a. Private Open Space: Patios and yards (located at ground level or the first habitable room level) which are part of a single dwelling unit and are enclosed by solid screen material at least four feet in height may be included as usable open space provided said areas have a horizontal dimension of at least 15 feet in width.

- b. **Common Usable Open Space:** Each common usable open space area shall have a total area of at least 400 square feet and shall have an average width of 20 feet with no width less than 15 feet at any point.

Recreation rooms at least 600 square feet in area may qualify as common open space, but shall not exceed more than 25 percent of total open space required.

Common open space areas shall incorporate recreational amenities such as swimming pools, spas, picnic tables, benches, tot lots, ball courts, barbecue areas, sitting areas, etc. to the satisfaction of the Department of City Planning. (Note: amenities that meet the Department of Recreation and Parks specifications pursuant to Section 17.12F LAMC may be credited against fees required under Section 12.33 of the LAMC).

A minimum of 50 percent of the common usable open space areas shall be planted in ground cover, shrubs or trees and shall include at least one 24-inch box tree for every three dwelling units (Trees shall be planted within open space areas). An automatic irrigation system shall be provided for all required landscaped areas. Landscaped areas located on top of a parking garage or deck shall be contained within permanent planters at least 30 inches in depth (12 inches for lawn/ground cover) and properly drained.

- c. **Noise Impact Mitigation:** Active recreational uses such as swimming pools and barbecue areas, shall not be located immediately adjacent to residential uses, to the satisfaction of the Department of City Planning.
11. **Parking:** The location of parking areas shall be arranged and located in areas which will not be detrimental to residents of adjacent properties. Tandem parking may be used only for the spaces which are assigned and designated for a single residential unit.
12. **Parking Garage and Screening:** A parking garage shall be permitted to rise a maximum of five feet in height above the natural existing grade. Above-grade parking shall be visually screened from frontage streets by landscaping and/or architectural features to the satisfaction of the Planning Department.
13. **Parking - Guest:** Guest parking signs shall be clearly posted at building entrances. The signs shall be in large, easy to read lettering and shall indicate the general location of guest parking. Sign wording shall be to the satisfaction of the Planning Department and shall indicate the number of reserved guest parking spaces. If any guest parking is located behind security gates, the following shall apply:

- (a) A remote electronic gate opening system shall be installed so that the security gate can be opened from each residential unit served by the secured guest parking;
- (b) An electronic intercommunication system shall be installed. The system shall be readily accessible to the drivers of guest vehicles and to the units served by the secured guest parking;
- (c) The security gate shall be set back at least 18 feet from the vehicles and to prohibit blockage or interference with the public right of way by waiting guest vehicles;
- (d) Alternatives to the provisions of this condition may be approved by the Planning Department provided that the intent of readily accessible guest parking facilities and no interference with the public right of way is assured.

14. Parking - Residential: Any multiple residential use of the subject property shall provide for resident parking on the subject property as required by Municipal Code Section 12.21-A.4(a), or any amendment thereto, and guest parking at a ratio of at least one quarter space per rental dwelling unit and one half space per condominium dwelling unit in excess of that required by the Municipal Code. Any designated guest parking shall be clearly identified and readily accessible to guest of the project.

- a. Tandem parking may be used only for the spaces which are assigned and designated for a single residential unit. Guest parking shall not be tandem.
- b. Guest parking signs shall be clearly posted at building entrances. The signs shall be in large, easy to read lettering and shall indicate the general location of guest parking. Sign wording shall be to the satisfaction of the Planning Department and shall indicate the number of reserved guest parking spaces.
- c. If any guest parking is located behind security gates, the following shall apply:
 - 1) A remote electronic gate opening system shall be installed so that the security gate can be opened from each residential unit served by the secured guest parking.
 - 2) An electronic intercommunication system shall be installed. The system shall be readily accessible to the drivers of guest vehicles and to prohibit blockage or interference with the public right of way by waiting guest vehicles.
 - 3) The security gate shall be set back at least 18 feet from the public right of way so as to provide a waiting area for guest vehicles and to prohibit blockage or interference with the public right of way by waiting guest vehicles.

- 4) Alternatives to the provisions of this condition may be approved by the Planning Department provided that the intent of readily accessible guest parking facilities and no interference with the public right of way is assured.
15. Plans: Prior to the issuance of building permits, detailed development plans, including a complete landscape plan and irrigation plan, shall be submitted to the satisfaction of the Planning Department.
16. Street Trees: Street trees shall be planted at a ratio of at least one for every 500 square feet of lot area not utilized for buildings.
17. Trash and Other Storage: Open areas devoted to trash storage or other storage shall not be located adjacent to a residential use or shall be buffered so as not to result in noise, odor or debris impacts on any adjacent residential use.
18. Walls: Except where prohibited by law, a solid decorative masonry block wall, a minimum of 6 feet in height, shall be constructed along any common property line between the subject property and any adjoining property containing a single family residential use, if no such wall already exists along said property line. There shall be no openings, except for a lockable gate provided for landscape maintenance work or as may be required by the Municipal Code. A wall is not required along any common property line with an adjoining multi-family residential use.
19. Water Conservation: The Department of Water and Power shall be consulted regarding feasible water conservation features which can be incorporated in the design of any project.

Sec. 3 The City Clerk shall certify to the passage of this ordinance and cause the same to be published in some daily newspaper printed and published in the City of Los Angeles.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of AUG 18 1992

EDIAS MARTINEZ, City Clerk,

By [Signature]
Deputy.

AUG 26 1992

Approved.....

[Signature]
Mayor.

Approved as to Form and Legality

LAJ 415443 9/1

JAMES K. HAHN, City Attorney,

By.....
Deputy.

File No. 89-0792-51

City Clerk Form 23

Pursuant to Sec. 97.8 of the City Charter,
disapproval of this ordinance recommended
for the City Planning Commission _____

JUL 22 1992

See attached report
[Signature]
Director of Planning



APPLICATIONS:

APPEAL APPLICATION

Instructions and Checklist

Related Code Section: Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

Purpose: This application is for the appeal of Department of City Planning determinations authorized by the Los Angeles Municipal Code (LAMC).

A. APPELLATE BODY/CASE INFORMATION

1. APPELLATE BODY

- Area Planning Commission City Planning Commission City Council Director of Planning
- Zoning Administrator

Regarding Case Number: DIR-2020-2067-TOC

Project Address: 1447 Hi Point Street

Final Date to Appeal: 1/14/2021

2. APPELLANT

Appellant Identity:
(check all that apply)

- Representative Property Owner
- Applicant Operator of the Use/Site

Person, other than the Applicant, Owner or Operator claiming to be aggrieved
Annette Wong and Brandon Araujo

Person affected by the determination made by the **Department of Building and Safety**

- Representative Owner Aggrieved Party
- Applicant Operator

3. APPELLANT INFORMATION

Appellant's Name: Annette Wong and Brandon Araujo

Company/Organization: _____

Mailing Address: 5931 West Parkcrest Place

City: Los Angeles State: CA Zip: 90035

Telephone: 310 980 8268 E-mail: annette.wong1@gmail.com

a. Is the appeal being filed on your behalf or on behalf of another party, organization or company?

- Self Other: _____

b. Is the appeal being filed to support the original applicant's position? Yes No

4. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): _____

Company: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-mail: _____

5. JUSTIFICATION/REASON FOR APPEAL

a. Is the entire decision, or only parts of it being appealed? Entire Part

b. Are specific conditions of approval being appealed? Yes No

If Yes, list the condition number(s) here: 5(a), 5(b)

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- The reason for the appeal
- How you are aggrieved by the decision
- Specifically the points at issue
- Why you believe the decision-maker erred or abused their discretion

6. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature:  _____ Date: 1/12/21

GENERAL APPEAL FILING REQUIREMENTS

B. ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES

1. Appeal Documents

a. **Three (3) sets** - The following documents are required for each appeal filed (1 original and 2 duplicates) Each case being appealed is required to provide three (3) sets of the listed documents.

- Appeal Application (form CP-7769)
- Justification/Reason for Appeal
- Copies of Original Determination Letter

b. Electronic Copy

Provide an electronic copy of your appeal documents on a flash drive (planning staff will upload materials during filing and return the flash drive to you) or a CD (which will remain in the file). The following items must be saved as individual PDFs and labeled accordingly (e.g. "Appeal Form.pdf", "Justification/Reason Statement.pdf", or "Original Determination Letter.pdf" etc.). No file should exceed 9.8 MB in size.

c. Appeal Fee

- Original Applicant - A fee equal to 85% of the original application fee, provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.
- Aggrieved Party - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

d. Notice Requirement

- Mailing List - All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC
- Mailing Fee - The appeal notice mailing fee is paid by the project applicant, payment is made to the City Planning's mailing contractor (BTC), a copy of the receipt must be submitted as proof of payment.

SPECIFIC CASE TYPES - APPEAL FILING INFORMATION

C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITES (TOC)

1. Density Bonus/TOC

Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

NOTE:

- Density Bonus/TOC cases, only the *on menu or additional incentives* items can be appealed.
- Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the Citywide Planning Commission.
- Provide documentation to confirm adjacent owner or tenant status, i.e., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, drivers license, bill statement etc.

D. WAIVER OF DEDICATION AND OR IMPROVEMENT

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

NOTE:

- Waivers for By-Right Projects, can only be appealed by the owner.
- When a Waiver is on appeal and is part of a master land use application request or subdivider's statement for a project, the applicant may appeal pursuant to the procedures that governs the entitlement.

E. TENTATIVE TRACT/VESTING

1. Tentative Tract/Vesting - Appeal procedure for Tentative Tract / Vesting application per LAMC Section 17.54 A.

NOTE: Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.

- Provide a copy of the written determination letter from Commission.

F. BUILDING AND SAFETY DETERMINATION

- 1.** Appeal of the Department of Building and Safety determination, per LAMC 12.26 K 1, an appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.

a. Appeal Fee

- Original Applicant - The fee charged shall be in accordance with LAMC Section 19.01B 2, as stated in the Building and Safety determination letter, plus all surcharges. (the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code)

b. Notice Requirement

- Mailing Fee - The applicant must pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt as proof of payment.

- 2.** Appeal of the Director of City Planning determination per LAMC Section 12.26 K 6, an applicant or any other aggrieved person may file an appeal, and is appealable to the Area Planning Commission or Citywide Planning Commission as noted in the determination.

a. Appeal Fee

- Original Applicant - The fee charged shall be in accordance with the LAMC Section 19.01 B 1 a.

b. Notice Requirement

- Mailing List - The appeal notification requirements per LAMC Section 12.26 K 7 apply.
- Mailing Fees - The appeal notice mailing fee is made to City Planning's mailing contractor (BTC), a copy of receipt must be submitted as proof of payment.

G. NUISANCE ABATEMENT

1. Nuisance Abatement - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

NOTE:

- Nuisance Abatement is only appealable to the City Council.

a. Appeal Fee

- Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1.

2. Plan Approval/Compliance Review

Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4.

a. Appeal Fee

- Compliance Review - The fee charged shall be in accordance with the LAMC Section 19.01 B.
- Modification - The fee shall be in accordance with the LAMC Section 19.01 B.

NOTES

A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

***Please note** that the appellate body must act on your appeal within a time period specified in the Section(s) of the Los Angeles Municipal Code (LAMC) pertaining to the type of appeal being filed. The Department of City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.*

This Section for City Planning Staff Use Only		
Base Fee:	Reviewed & Accepted by (DSC Planner):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

EXHIBIT B

**Director's Determination
DIR-2020-2067-TOC**

- b. **Height.** A maximum increase of 22 feet in building height to permit a maximum building height of 57 feet in lieu of the maximum 35 feet otherwise permitted; and
 - c. **Open Space.** A maximum reduction of 25 percent in the required amount of open space.
3. **Adopt** the attached Findings.

CONDITIONS OF APPROVAL

Pursuant to LAMC Section 12.22-A,31, the following conditions are hereby imposed upon the use of the subject property:

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the applicant, stamped "Exhibit A," and attached to the subject case file. Minor deviations may be allowed in order to comply with the provisions of the LAMC or the project conditions. Changes beyond minor deviations required by other City Departments or the LAMC may not be made without prior review by the Department of City Planning, Expedited Processing Section, and written approval by the Director of Planning. Each change shall be identified and justified in writing.
2. **On-site Restricted Affordable Units.** Two units (2), or equal to 10 percent of the total number of dwelling units, shall be designated for Extremely Low Income Households, as defined by the Los Angeles Housing and Community Investment Department (HCIDLA) and California Government Code Section 65915(c)(2).
3. **Changes in On-site Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units or change parking numbers shall be consistent with LAMC Section 12.22-A,31.
4. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the HCIDLA to make ten percent of the total number of dwelling units available to Extremely Low Income Households, for sale or rental as determined to be affordable to such households by HCIDLA for a period of 55 years. In the event the applicant reduces the proposed density of the project, the number of required set-aside affordable units may be adjusted, consistent with LAMC Section 12.22-A,31, to the satisfaction of HCIDLA, and in consideration of the project's SB 330 Determination. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by the HCIDLA. Refer to the Density Bonus Legislation Background section of this determination.
5. **Base Incentives.**
 - a. **Residential Density.** The project shall be limited to a maximum density of 21 residential dwelling units (equal to a maximum density increase of 70 percent), including On-site Restricted Affordable Units.
 - b. **Floor Area Ratio (FAR).** The project shall be permitted a maximum FAR of 4.5 to 1, representing a 50% increase in FAR of the underlying residential zone.

c. **Parking.**

- i. **Automobile Parking.** Automobile parking shall be provided consistent with LAMC Section 12.22-A,31. The proposed development, a Tier 3 project, shall not be required to exceed 0.5 automobile parking spaces per unit. A greater number of parking spaces may be provided at the applicant's discretion.
- ii. **Bicycle Parking.** Bicycle parking shall be provided consistent with LAMC Section 12.21-A,16. In the event that the number of On-Site Restricted Affordable Units should increase or the composition of such units should change, then no modification of this determination shall be necessary and the number of bicycle parking spaces shall be re-calculated consistent with LAMC Section 12.21-A,16.
- iii. **Unbundling.** Required parking may be sold or rented separately from the units, with the exception of all Restricted Affordable Units which shall include any required parking in the base rent or sales price, as verified by HCIDLA.

6. **Additional Incentives.**

- a. **Yard/Setback.** The project shall be permitted a 30 percent reduction in the required width of two (2) side yards to provide a minimum setback of 5 feet 8 inches in lieu of the minimum 8 feet otherwise required.
- b. **Height.** The project shall be permitted an increase of 22 feet in building height, equal to a maximum building height of 57 feet, with limited additional height permitted for roof structures, stairwells, elevator shafts, etc. as permitted by the LAMC. For any increase in height over 11 feet, the building shall be stepped back at least 15 feet from the exterior face of the ground floor of the building along any street frontage.
- c. **Open Space.** The project shall be permitted a maximum reduction of 25 percent in the required amount of open space.

Design Conformance Conditions

7. **Landscaping.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning. The landscape plan shall indicate landscape points for the project equivalent to 10 percent more than otherwise required by LAMC Section 12.40 and Landscape Ordinance Guidelines.
 - a. **Tree Requirement.** The project shall provide at least the minimum number of trees on-site to comply with the landscape requirement (LAMC Section 12.21 G(a)(3)). Pursuant to Ordinance No. 170,978, required trees shall not be palm trees.
8. **Building Materials.** Each façade of the building shall incorporate a minimum of three (3) different building materials. Windows, doors, balcony/deck railings, and fixtures (such as lighting, signs, etc.) shall not count towards this requirement.
9. **Trash.** All trash collection and storage areas shall be located on-site and not visible from the public right-of-way.

10. **Mechanical Equipment.** All mechanical equipment on the roof shall be screened from view. The transformer, if located in the front yard, shall be screened with landscaping on all exposed sides (those not adjacent to a building wall).
11. **Maintenance.** The subject property (including all trash storage areas, associated parking facilities, sidewalks, yard areas, parkways, and exterior walls along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.
12. **Lighting.** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way, nor from above.

Administrative Conditions

13. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building & Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building & Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building & Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
14. **Notations on Plans.** Plans submitted to the Department of Building & Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
15. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
16. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
17. **Department of Building & Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building & Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building & Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
18. **Department of Water and Power.** Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Rules Governing Water and Electric Service. Any corrections and/or modifications to plans made subsequent to this determination in order to accommodate changes to the project due to the under-grounding of utility lines, that are outside of substantial compliance or that affect any part of the exterior design or appearance of the project as approved by the Director, shall

require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.

19. **Enforcement.** Compliance with and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
20. **Expiration.** In the event that this grant is not utilized within three years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
21. **Expedited Processing Section Fee.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
22. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the

defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the applicant otherwise created by this condition.

PROJECT BACKGROUND

The project site is a single interior lot consisting of approximately 8,839 square feet of lot area. The subject property is rectangular-shaped and has a street frontage of approximately 52 feet along the westerly side of Hi Point Street, with an approximate depth of 170 feet. The subject site is located within the Wilshire Community Plan Area and is zoned [Q]R3-1-O with a corresponding land use designation of Medium Residential. The "Q" Qualified Condition, established pursuant to Ordinance Number 168,193, limits the building height to 35 feet, requires articulation at every 30 feet for building facades exceeding 40 feet (minimum depth of façade modulation is five feet), and prohibits balconies above the first floor which have a line of sight to adjacent existing single-family uses. There is also a prohibition on roof decks; however, this does not apply to the project which provides a top floor terraced patio rather than a roof deck that is usable for residents. The "O" Oil Drilling District, established pursuant to Ordinance Number 112,901, pertains to oil drilling activities and operations which are not a part of the project. The subject property is located within a Transit Priority Area in the City of Los Angeles (ZI-2452), and is not within the boundaries of any other specific plan, community design overlay, or interim control ordinance.

The project site is located within a Tier 3 Transit Oriented Communities Affordable Housing Incentive Area, qualified by its proximity to the intersection of a Major Transit Stop. The project site is located within 750 feet of the intersection of one Rapid Bus Lines (Metro Rapid Line 780) and one Regular Bus Line (Local Line 7) at the intersection of Pico Boulevard and Fairfax Avenue. As such, the project meets the eligibility requirements for a TOC Housing Development to be located within 750 feet of a Major Transit Stop.

The project proposes the demolition of one (1) existing single-family residential structure, and the construction, use, and maintenance of a new (5) five-story, 57-foot-high multi-family residential building with 20 dwelling units over one (1) level of subterranean parking. There are 11 non-

protected trees on the site, which will be removed due to construction, and one (1) non-protected tree in the public right-of-way, which will remain. The proposed building will encompass approximately 20,093 square feet in total building area, resulting in a Floor Area Ratio (FAR) of approximately 3.78:1. Of the 20 units proposed, two (2) will be one-bedroom units, 10 will be two-bedroom units, and eight (8) will be three-bedroom units. The project proposes to provide 24 automobile parking spaces in addition to 20 long-term bicycle parking spaces and two (2) short-term bicycle parking spaces. A total of 2,492 square feet of open space will be provided, divided among balconies, decks, and a fifth floor garden area. The project will maintain a 15-foot front yard and 20-foot rear yard, as required by the underlying [Q]R3-1-O Zone, but will provide reduced side yard setbacks of a minimum five (5) feet eight (8) inches, in lieu of the otherwise required eight (8) feet required, through utilization of a TOC incentive, as discussed below.

The project meets all eligibility requirements for the TOC Affordable Housing Incentive Program. As such, the project is eligible for Base Incentives and up to three (3) additional incentives. As base incentives, the project is eligible to (1) increase the maximum allowable number of dwelling units permitted by 70 percent, (2) increase the maximum allowable FAR by 50 percent, and (3) provide automobile parking at a ratio of 0.5 spaces per unit. The project is seeking a 70 percent density increase from 12 units to 20 units and an increase in FAR to 3.78:1 and will provide at least the minimum number of parking spaces required. As Additional Incentives, the project is requesting (1) a maximum 22-foot increase in building height, (2) a maximum reduction of 30 percent in the required width of both side yard setbacks, and (3) a maximum reduction of 25 percent in the required amount of open space. The project meets the TOC Guideline requirements of providing at least 11 percent of the base units for Extremely Low Income Households in exchange for being granted the additional incentives. The project is setting aside two (2) units for Extremely Low Income Households, which equates to 18 percent of the 11 base units permitted through the underlying zoning of the site.

SURROUNDING PROPERTIES

Surrounding properties are generally developed with commercial, single-family residences, and multi-family residential uses. Properties abutting the subject site to the west are zoned [Q]R3-1-O and improved with three- and four-story apartment buildings. Properties to the east across Hi Point Street are also zoned [Q]R3-1-O and developed with one- to four-story single-family homes, condominiums, and small lot buildings. Properties to the north are zoned [Q]R3-1-O and C4-1-O, and include both single-family and multi-family residential structures as well as a McDonald's Drive-Thru restaurant and a commercial strip mall. Properties to the south across Saturn Street are zoned [Q]R3-1-O and R1R3-RG-O, and include a mix of single-family residences and multi-story apartment buildings.

STREETS

Hi Point Street, abutting the property to the east, is designated Local Street – Standard, dedicated to a right-of-way width of 60 feet and is improved with asphalt roadway and concrete curb, gutter, and sidewalk.

HOUSING REPLACEMENT

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

Assembly Bill 2222 (AB 2222) amended the State Density Bonus Law to require applicants of density bonus projects filed as of January 1, 2015 to demonstrate compliance with the housing replacement provisions which require replacement of rental dwelling units that either exist at the time of application of a Density Bonus project, or have been vacated or demolished in the five-year period preceding the application of the project. This applies to all pre-existing units that have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; subject to any other form of rent or price control; or occupied by Low or Very Low Income Households.

On September 28, 2016, the Governor signed Assembly Bill 2556 (AB 2556) which further amended the State Density Bonus Law. The amendments took effect on January 1, 2017. AB 2556 clarifies the implementation of the required replacement of affordable units in Density Bonus projects, first introduced by AB 2222. AB 2556 further defines "equivalent size" to mean that as a whole, the new units must contain at least the same total number of bedrooms as the units being replaced.

In addition to the requirements of California State Density Bonus Law, on October 9, 2019, the Governor signed into law the Housing Crisis Act of 2019 (SB 330). SB 330 creates new state laws regarding the production, preservation and planning for housing, and establishes a statewide housing emergency until January 1, 2025. During the duration of the statewide housing emergency, SB 330, among other things, creates new housing replacement requirements for Housing Development Projects by prohibiting the approval of any proposed housing development project on a site that will require the demolition of existing residential dwelling units or occupied or vacant "Protected Units" unless the proposed housing development project replaces those units.

The Department of Housing and Community Investment (HCIDLA) has determined, per the Housing Crisis Act of 2019 (SB 330) Replacement Unit Determination, dated December 3, 2020, that there are no units subject to replacement pursuant to the requirements of the Housing Crisis Act of 2019 (SB 330).

The project proposes a 20-unit residential development with two (2) units restricted to Extremely Low Income Households as well as eight (8) three-bedroom units. As such, the project meets the eligibility requirement for providing replacement housing consistent with California Government Code Sections 65915(c)(3) (State Density Bonus Law) and 66300 (Housing Crisis Act of 2019). The Determination made by HCIDLA is attached to the subject case file and provides additional information.

TRANSIT ORIENTED COMMUNITIES AFFORDABLE HOUSING INCENTIVE PROGRAM ELIGIBILITY REQUIREMENTS AND APPLICATION AND APPROVALS

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

1. ***On-Site Restricted Affordable Units.*** *In each Tier, a Housing Development shall provide On-Site Restricted Affordable Units at a rate of at least the minimum percentages described below. The minimum number of On-Site Restricted Affordable Units shall be calculated based upon the total number of units in the final project.*

- a. *Tier 1 - 8% of the total number of dwelling units shall be affordable to Extremely Low Income (ELI) income households, 11% of the total number of dwelling units shall be affordable to Very Low (VL) income households, or 20% of the total number of dwelling units shall be affordable to Lower Income households.*
- b. *Tier 2 - 9% ELI, 12% VL or 21% Lower.*
- c. *Tier 3 - 10% ELI, 14% VL or 23% Lower.*
- d. *Tier 4 - 11% ELI, 15% VL or 25% Lower.*

The project site is located within a Tier 3 TOC Affordable Housing Incentive Area. As part of the proposed development, the project is required to reserve ten percent of the total number of on-site dwelling units for Extremely Low Income Households. The project will reserve a total of two (2) on-site dwelling units for Extremely Low Income Households, which equates to ten percent of the 20 total dwelling units proposed as part of the Housing Development. As such, the project meets the eligibility requirement for On-Site Restricted Affordable Units.

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

As defined in the TOC Guidelines, a Major Transit Stop is a site containing a rail station or the intersection of two or more bus routes with a service interval of 15 minutes or less during the morning and afternoon peak commute periods. The project site is located within 750 feet of the intersection of one Rapid Bus Lines (Metro Rapid Line 780) and one Regular Bus Line (Local Line 7) at the intersection of Pico Boulevard and Fairfax Avenue. As such, the project meets the eligibility requirements for a TOC Housing Development to be located within 750 feet of a Major Transit Stop.

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

Pursuant to the Determination made by the Housing and Community Investment Department (HCIDLA) dated December 3, 2020, the proposed project is not required to provide any replacement units. The project proposes a 20-unit residential development with two (2) units restricted to Extremely Low Income Households as well as eight (8) three-bedroom units. Therefore, the project meets the eligibility requirement for providing replacement housing consistent with California Government Code Section 65915(c)(3).

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

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

5. ***Base Incentives and Additional Incentives.*** *All Eligible Housing Developments are eligible to receive the Base Incentives listed in Section VI of the TOC Guidelines. Up to three Additional Incentives listed in Section VII of the TOC Guidelines may be granted based upon the affordability requirements described below. For the purposes of this section below “base units” refers to the maximum allowable density allowed by the zoning, prior to any density increase provided through these Guidelines. The affordable housing units required per this section may also count towards the On-Site Restricted Affordable Units requirement in Section IV.1 above (except Moderate Income units).*
 - a. *One Additional Incentive may be granted for projects that include at least 4% of the base units for Extremely Low Income Households, at least 5% of the base units for Very Low Income Households, at least 10% of the base units for Lower Income Households, or at least 10% of the base units for persons and families of Moderate Income in a common interest development.*
 - b. *Two Additional Incentives may be granted for projects that include at least 7% of the base units for Extremely Low Income Households, at least 10% of the base units for Very Low Income Households, at least 20% of the base units for Lower Income Households, or at least 20% of the base units for persons and families of Moderate Income in a common interest development.*
 - c. *Three Additional Incentives may be granted for projects that include at least 11% of the base units for Extremely Low Income Households, at least 15% of the base units for Very Low Income Households, at least 30% of the base units for Lower Income Households, or at least 30% of the base units for persons and families of Moderate Income in a common interest development.*

As an Eligible Housing Development, the project is eligible to receive the Base Incentives listed in the TOC Guidelines. The project is seeking three (3) Additional Incentives: 1) a maximum 22-foot increase in building height; (2) a maximum reduction of 30 percent in the required width of both side yard setbacks; and (3) a maximum reduction of 25 percent in the required amount of open space. The project may be granted three (3) Additional Incentives for reserving at least 11 percent of the base units for Extremely Low Income Households. The project is setting aside two (2) units for Extremely Low Income Households, which equates to approximately 18 percent of the 11 base units permitted through the underlying zoning of the site. As such, the project meets the eligibility requirements for both on-site restricted affordable units and Base and Additional Incentives.

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

The project is not seeking additional incentives beyond the three (3) permitted in exchange for reserving at least of reserving at least 11 percent of the base units for Extremely Low Income Households. The project is setting aside two (2) units for Extremely Low Income Households, which equates to 18 percent of the 11 base units permitted through the underlying zoning of the site. As such, the project need not adhere to the labor standards required in LAMC Section 11.5.11, and this eligibility requirement does not apply.

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

The proposed building is located on one (1) lot. The entirety of the lot is located within a Tier 3 TOC Affordable Housing Incentive Area. Therefore, this eligibility requirement does not apply.

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

The applicant has not selected a Lower Tier and is not providing the percentage of On-Site Restricted Affordable Housing units required for any lower Tier. As such, this eligibility requirement does not apply.

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

The project does not consist of 100 percent On-Site Restricted Affordable units. It is not eligible for or seeking an increase in Tier. As such, this eligibility requirement does not apply.

10. **Design Conformance.** *Projects seeking to obtain Additional Incentives shall be subject to any applicable design guidelines, including any Community Plan design guidelines, Specific Plan design guidelines and/or Citywide Design Guidelines and may be subject to conditions to meet design performance. The conditions shall not preclude the ability to construct the building with the residential density permitted by Section VI.*

The project seeks three (3) Additional Incentives and therefore has demonstrated conformance to the Citywide Design Guidelines. The proposed development has been conditioned to ensure a well-designed project and compliance with the Design Guidelines. The project has been conditioned to provide a pedestrian-friendly environment through the provision of landscaping, a prominent entryway, and screening of any mechanical equipment or parking areas from the public right-of-way. The project has also been conditioned to incorporate a variety of building materials to create visually interesting building façades and minimize impacts on surrounding properties.

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

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

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

- a. *The incentives are not required 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.*

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 extremely low, very low, and lower 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 Additional Incentives in the Transit Oriented Communities Guidelines were pre-evaluated at the time the Transit Oriented Communities Affordable Housing Incentive Program Ordinance was adopted to include types of relief that minimize restrictions on the size of the project. As such, the Director will always arrive at the conclusion that the Additional Incentives are required to provide for affordable housing costs because the incentives by their nature increase the scale of the project.

Height. The requested incentive for an increase in building height is expressed in the Menu of Incentives in the TOC Guidelines which permit exceptions to zoning requirements that results in building design or construction efficiencies that facilitate the creation of affordable housing. Specifically, a Tier 3 project is permitted a maximum increase of two (2) stories and 22 feet in building height, resulting in a total maximum building height of 57 feet in lieu of the maximum 35 feet otherwise permitted by the underlying [Q]R3-1-O zone. This requested incentive will allow the developer to increase the height of the structure to allow the units reserved for affordable housing to be constructed and increase the overall space dedicated to residential uses. These incentives support the applicant's decision to reserve two (2) units for affordable housing.

Yard/Setback. The requested side yard incentive, including two (2) side yard reductions of a maximum of 30 percent, is expressed in the Menu of Incentives in the Transit Oriented Communities Guidelines which permit exceptions to zoning requirements that result in building design or construction efficiencies that facilitate the creation of affordable housing. This requested incentive will allow the developer to expand the building footprint and allow for the construction of more units, including affordable units, while remaining in compliance with all other applicable zoning regulations. These incentives support the applicant's decision to reserve two (2) units for affordable housing.

Open Space. The requested open space incentive, including a 25% reduction in the permitted open space area, is expressed in the Menu of Incentives in the Transit

Oriented Communities Guidelines which permit exceptions to zoning requirements that result in building design or construction efficiencies that facilitate affordable housing costs. The requested incentive allows the developer to utilize more of the total building square footage for residential units, which facilitates the creation of more affordable units, while remaining in compliance with all other applicable zoning regulations. The incentive further supports the applicant's decision to reserve two (2) units for Extremely Low Income Households and facilitates the creation of affordable housing units.

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

There has been no evidence provided that indicated that the proposed incentives will 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. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22.A.25(b)). The project does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. According to ZIMAS, the project is located in a Methane Zone. As a result, the project will be required to comply with all applicable regulations which will prevent any adverse impacts. The project is not located on a substandard street in a Hillside area or a Very High Fire Severity Zone. The project is required to comply with all other pertinent regulations including those governing construction, use, and maintenance, and will not create any significant direct impacts on public health and safety. Therefore, there is no substantial evidence that the proposed project, and thus the requested incentive, will have a specific adverse impact on the physical environment, on public health and safety or the physical environment, or on any Historical Resource.

ADDITIONAL MANDATORY FINDINGS

2. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone X, which is categorized as an area with a minimal chance of flood hazard.
3. A project qualifies for a Class 32 Categorical Exemption if it is developed on an infill site and meets the following five applicable conditions: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations; (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; (c) The project site has no value as habitat for endangered, rare or threatened species; (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) The site can be adequately served by all required utilities and public services.

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

The proposed project is consistent with applicable general plan designation, applicable policies, and applicable zoning designations. The subject property is located within the Wilshire Community Plan Area, which is one of the 35 Community Plans that make up the Land Use Element of the General Plan. The Community Plan designates the subject property with a land use designation of Medium Residential, corresponding to the R3 Zone. The subject property is zoned [Q]R3-1-O and is thus consistent with the existing land use designation. The “Q” Qualified Condition, established pursuant to Ordinance Number 168,193, limits the building height to 35 feet, requires articulation at every 30 feet for building facades exceeding 40 feet (minimum depth of façade modulation is five feet), and prohibits balconies above the first floor which have a line of sight to adjacent existing single-family uses. The “O” Oil Drilling District, established pursuant to Ordinance Number 112,901, pertains to oil drilling activities and operations, which are not a part of the project. The subject property is also within a Transit Priority Area in the City of Los Angeles (ZA-2452). The site is not located within the boundaries, or subject to, any additional specific plan, community design overlay, or interim control ordinance.

Consistent with the Wilshire Community Plan, the proposed 20-unit apartment development would add new and desirable multi-family housing and contribute to the City’s affordable housing stock. The proposed project meets the intent of the following Goals, Objectives, and Policies of the Wilshire Community Plan:

- Goal 1: Provide a safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the Wilshire Community.*
- Policy 1-1.3: Provide for adequate multi-family residential development.*
- Objective 1-2: Reduce vehicular trips and congestion by developing new housing in close proximity to regional and community commercial centers, subway stations and existing bus route stops.*
- Policy 1-2.1: Encourage higher density residential uses near major public transportation centers.*
- Objective 1-4: Provide affordable housing and increased accessibility to more population segments, especially students, the handicapped and senior citizens.*
- Policy 1.4-1: Promote greater individual choice in type, quality, price and location of housing.*

The project will result in a net increase of 19 units at the site, locating new, higher density residential near transit lines and neighborhood services. The resulting development will thus be located in a manner that has the potential to reduce vehicular trips. The project will also provide a mix of market rate and affordable units, thereby promoting the provision of adequate housing for all persons relative to income, including students, senior citizens, and persons with disabilities as all new development would require

compliance with the Americans with Disabilities Act. The project meets all applicable design guidelines and standards, and is a multi-family development with an appropriate, context-sensitive scale. The project has been conditioned and designed to contribute towards a pedestrian-friendly environment that is safe for all modes of transportation. Furthermore, the project features an attractive and high-quality architectural design and is located within close proximity to the intersection of two local bus lines. The provision of well-designed multi-family housing, which includes restricted affordable units, ensures a project that will complement the existing neighborhood while also providing valuable housing stock to current and future residents. Therefore, the proposed project is consistent with the General Plan policies and zoning regulations within the City of Los Angeles.

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

The subject property is located wholly within the Wilshire Community Plan Area within the City of Los Angeles. The subject site consists of a single lot that total approximately 8,838 square feet, or approximately 0.20 acres, in size. The project site is substantially surrounded by urban uses and is not located near any areas designated for farmland or agricultural uses. The neighborhood is fully built-out with a variety of multi-family and commercial uses that are consistent with their General Plan land use designations and zoning. Pico Boulevard, which is half a block away from the project site, is also a heavily trafficked, major corridor that is well-serviced by public transit and various commercial uses and amenities.

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

The existing site consists of one lot improved with one (1) single-family residential structure, which will be demolished as part of the project. The project site is located in a well-established urban area which is fully developed with residential and commercial uses. The project site has no value as habitat for endangered species, rare, or threatened species. A tree report, prepared by Harmony Gardens on March 17, 2020, states that there are 11 non-protected trees existing on the subject property and one (1) tree in the public right-of-way, which is expected to remain. While the remaining trees are subject to removal and replacement per the Los Angeles Municipal Code, none of these trees are protected or habitat for endangered, rare, or threatened species.

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

Traffic

The proposed project involves the construction, use, and maintenance of a new five-story, 20-unit residential apartment building with one (1) level of subterranean parking. Based upon the existing mobility and circulation networks near the proposed project, the creation of 19 net new units will not result in significant traffic impacts in the community. Per the Los Angeles Department of Transportation (LADOT) determination dated March 4, 2020 and attached to the subject case file, the proposed project is not required to conduct a vehicle miles traveled (VMT) analysis as the project is beneath LADOT thresholds of significance. The determination also states that there is no VMT analysis

required and thus, the project does not need to be referred further to LADOT. Therefore, the project is not expected to result in any significant impact relating to traffic.

Noise

A Noise Technical Report was prepared by ZMassociates Environmental Corporation on March of 2020 for the subject property. Given that the project would be required to comply with all existing and applicable noise regulations, the study concluded that the project would not result in any significant impacts and that no mitigation measure are necessary. Although noise and vibration arising from construction is unavoidable, these impacts would be temporary and limited to the duration of the construction in any one location. The level of construction noise for the proposed project would be managed within the City of Los Angeles day and time ordinance. The report also states that due to the small project size, the limited number of construction vehicles, limited number of construction equipment, and small size of construction equipment compared to much larger projects, the proposed project will not result in exceedance of the City of Los Angeles noise ordinances. The report states that standard, industry-wide best practices for construction in urban or otherwise noise-sensitive areas would ensure that construction noise does not exceed the noise limit imposed by LAMC Section 112.05. These could include erecting temporary noise barriers around the project's perimeter, using mufflers to dampen noise from internal combustion engines, and warming-up or staging equipment away from sensitive receptors. Complete elimination of construction activity noise is technically infeasible; however, incorporation of the best available noise reduction methods will minimize impacts on the residential uses bordering the project site. Compliance with the various local regulatory measure will further minimize any adverse construction noise impact potential.

As the project is a residential development, the project is not expected to generate significant permanent operational noise impacts. Noise generated through human conversation and activities (particularly in outdoor recreational spaces, such as balconies and patios), landscape maintenance, or trash collection would not exceed the recommended noise compatibility guidelines. Any new stationary sources of noise, such mechanical HVAC equipment, installed on the proposed development will be required to comply with LAMC Sections 112.02 and 112.05 which prohibit noise from air conditioning, refrigeration, heating, pumping, and filtering equipment from exceeding the ambient noise level at neighboring occupied properties by more than five dBA. In addition, the project is not expected to generate a substantial number of vehicle trips which could in turn generate additional noise. The proposed project is expected to generate a negligible increase in ambient noise from operation.

Through compliance with all existing regulations governing both construction and operational noise, any noise impacts resulting from the project will be less than significant.

Air Quality

The South Coast Air Quality Management District (SCAQMD) is the agency primarily responsible for comprehensive air pollution control in the South Coast Air Basin and reducing emissions from area and point stationary, mobile, and indirect sources. SCAQMD prepared the 2012 Air Quality Management Plan (AQMP) to meet federal and

state ambient air quality standards. A significant air quality impact may occur if a project is inconsistent with the AQMP or would in some way represent a substantial hindrance to employing the policies or obtaining the goals of that plan. As the project will result in the net increase of 43 residential units, it is not expected to conflict with, or obstruct, the implementation of the AQMP and SCAQMD rules. The project is consistent with current zoning regulations and policies within the City of Los Angeles, allowing for the proposed development on the subject site. The project would also comply with the 2017 Los Angeles Green Building Code (LAGBC), which builds upon and sets higher standards than those in the 2016 California Green Building Standards Code. Additionally, the project's infill location would promote the concentration of development in an urban location with extensive infrastructure and access to public transit facilities, thus reducing the vehicle miles traveled for employees, residents, and visitors. Therefore, project impacts related to air quality will be less than significant.

During construction, appropriate dust control measures would be implemented as part of the proposed project during each phase of development, as required by SCAQMD Rule 403 - Fugitive Dust. Specifically, Rule 403 control requirements include, but are not limited to, applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, utilizing a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the project site, and maintaining effective cover over exposed areas.

Best Management Practices (BMP) will be implemented that would include (but not be limited to) the following:

- Unpaved demolition and construction areas shall be wetted at least three times daily during excavation and construction, and temporary dust covers shall be used to reduce emissions and meets SCAQMD Rule 403;
- All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust;
- General contractors shall maintain and operate construction equipment to minimize exhaust emissions; and
- Trucks shall not idle but be turned off.

By implementing BMPs, all construction-related impacts will be less than significant and temporary in nature. No permanent significant impacts are anticipated to occur from construction.

Furthermore, an Air Quality Technical Report was prepared by ZMassociates Environmental Corporation on March of 2020, which is included in the subject case file. The study quantifies the estimated daily construction and operational emissions for various pollutants from the project site using CalEEMod simulations. Based on the simulation results, none of the construction and operational emissions are expected to exceed the South Coast Air Quality Management District (SCAQMD) air quality significance thresholds. Furthermore, the report finds that the project is consistent with all applicable aspects of the City's General Plan Air Quality Element. The study does not recommend any mitigation measures as all construction and operational emissions are

expected to be far below the thresholds considered by SCAQMD to be significant under CEQA guidelines. Potential impacts related to air quality from the project will therefore be less than significant.

Water Quality

With regard to water quality, a significant impact would occur if the project would: 1) exceed wastewater treatment requirements of the Los Angeles Regional Water Quality Control Board (LARWQCB); 2) increase water consumption or wastewater generation to such a degree that the capacity of facilities currently serving the project site would be exceeded; or 3) increase surface water runoff, resulting in the need for expanded off-site storm water drainage facilities. All wastewater from the project would be treated according to requirements of the National Pollutant Discharge Elimination System (NPDES) permit authorized by the LARWQCB. Therefore, the proposed project would result in a less than significant impact related to wastewater treatment requirements.

Additionally, prior to any construction activities, the project applicant would be required to coordinate with the City of Los Angeles Bureau of Sanitation (BOS) to determine the exact wastewater conveyance requirements of the proposed project, and any upgrades to the wastewater lines in the vicinity of the project site that are needed to adequately serve the proposed project would be undertaken as part of the project. Therefore, the proposed project would not result in a significant impact related to water or wastewater infrastructure.

Lastly, development of the proposed project would maintain existing drainage patterns; site generated surface water runoff would continue to flow to the City's storm drain system. The proposed project would not create or contribute runoff water that would exacerbate any existing deficiencies in the storm drain system or provide substantial additional sources of polluted runoff. Therefore, the proposed project would not result in a significant impact related to existing storm drain capacities.

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

The site is currently and adequately served by the City's Department of Water and Power, the City's Bureau of Sanitation, the Southern California (SoCal) Gas Company, the Los Angeles Police Department, the Los Angeles Fire Department, Los Angeles Unified School District, Los Angeles Public Library, and other public services. In addition, the LAGBC requires new construction to meet stringent efficiency standards for both water and power, such as high-efficiency toilets, dual-flush water closets, minimum irrigation standards, LED lighting, etc. As a result of these new building codes, which are required of all projects, it can be anticipated that the proposed project will not create any impact on existing utilities and public services through the net addition of 19 new dwelling units.

The City has further considered whether the proposed project is subject to any of the six exceptions set forth in State CEQA Guidelines Section 15300.2 that would prohibit the use of any categorical exemption. Planning staff has determined that none of the exceptions apply to the proposed project, as described below.

- (a) Location.** *Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located. A project that is ordinarily insignificant in its effect on the environment may in a particularly sensitive environment be significant. Therefore, these classes may not be utilized where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.*

As the proposed project is not defined as a Class 3, 4, 5, 6 or 11 project, this exception is non-applicable. The project site is in an urbanized area in the City of Los Angeles. The project site is not located in a particularly sensitive environment and is not located on a site containing wetlands, endangered species, or wildlife habitats; therefore, this exception is not applicable.

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

The development of the project site with 20 dwelling units is consistent with the zone and land use designation of the site, as designated by the Wilshire Community Plan, and as permitted by the City's TOC Affordable Housing Incentive Program pursuant to LAMC 12.22-A.31. A successive project of the same type and nature would reflect a development that is consistent with the underlying land use designation and the Los Angeles Municipal Code, and thus would be subject to the same regulations and requirements, including development standards and environmental impacts. The impacts of each subsequent project will be mitigated if necessary, and thus will not result in a cumulative impact.

The project would not result in a cumulatively considerable contribution to any impact. The threshold of significance for a cumulatively considerable contribution to a traffic impact is the same as the threshold of significance for a project impact. Therefore, since the project would not exceed that threshold it would have neither a project-specific significant impact nor the potential to result in a cumulatively considerable contribution to a significant traffic impact. The same is true for air quality thresholds of significance; the project does not have the potential to result in a project-specific significant air quality impact, and therefore, does not have the potential to result in a cumulatively considerable contribution to a significant air quality impact. Upon review of similar development projects within 500 feet of the project site, there are two planned projects at 1444 Hi Point Street and 1437 Hi Point Street which are both expected to be completed by 2020-2021, well before this project is set to commence. Both are small and well below impact thresholds evaluated above. Even if both projects were to take place at the same timeframe, cumulative effects would still be well below all significant thresholds.

Regulatory Compliance Measures (RCMs) in the City of Los Angeles regulate impacts related to Air Quality, Construction Noise/Vibrations, Operational Noise/Vibrations, and Transportation/traffic. Numerous Los Angeles Municipal Code Sections provide requirements for construction activities and ensure impacts from construction related noise, traffic, and parking are less than significant. The Noise Regulation Ordinance, No.

144,331, provides regulatory compliance measures related to construction noise and maximum noise levels for all activities. LAMC Section 62 provides specific regulatory compliance measures related to construction traffic and parking. LAMC Section 41 requires construction site postings listing representative contact information and permitted construction/demolition hours as established by the Department of Building and Safety. Additionally, there is insufficient evidence to conclude that significant impacts will occur based on past project approvals or in progress entitlement applications and that the proposed project will have adverse impacts on the cumulative impacts of construction noise and transportation/traffic in this area. Further, there is insufficient evidence to conclude that the proposed project will be under construction at the same time as projects within the vicinity. Thus, this exception does not apply.

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

The project proposes to construct a 20-unit multi-family residential development with two levels of subterranean parking. The project site is comprised of approximately 8,838 square feet of lot area located in an urbanized area within the City of Los Angeles. The project consists of residential uses and operations that are compatible with the surrounding urban development and consistent with the underlying zoning. The project site is a long-established neighborhood and is surrounded by various residential, commercial, and civic uses. The site does not demonstrate any unusual circumstances, and the project will not generate any significant impacts regarding traffic, noise, air quality, or water quality. There are no special districts or other known circumstances that indicate a sensitive surrounding environment. Thus, there are no unusual circumstances which may lead to a significant effect on the environment.

- (d) Scenic Highways.** *A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.*

Based on a review of the California Scenic Highway Mapping System, the subject site is not located along a California State Scenic Highway and will not impact any identified scenic resources, including trees, historic buildings, rock outcroppings, or other similar resources, within a highway officially designated as a State Scenic Highway. Furthermore, the street is not designated as a scenic highway in the General Plan, Wilshire Community Plan, or City of Los Angeles Zone Information & Map Access System (ZIMAS). Therefore, this exception does not apply.

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

Based on a review of the California Department of Toxic Substances Control “Envirostor Database,” no known hazardous waste sites are located on the project site. There are

also no listed sites within the immediate vicinity of the project site. The subject property has been previously developed with residential uses which are not expected to utilize hazardous waste or materials that pose significant constraint on the site.

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

The project site has not been identified as a historic resource by local or state agencies, and the project site has not been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, or the Los Angeles Historic-Cultural Monuments Register. While the existing structure was built in 1946, the project site is not identified as a historic resource subject to historic preservation review, nor is it located within a Historic Preservation Overlay Zone. Additionally, the project does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. For these reasons, construction of the proposed project would not constitute a substantial adverse change in the significance of a historic resource as defined by CEQA, and this exception does not apply to the proposed project.

Therefore, it has been determined, based on the whole of the administrative record, that the project is exempt from CEQA pursuant to CEQA Guidelines, Section 15332 (Class 32), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

TRANSIT ORIENTED COMMUNITIES AFFORDABLE HOUSING INCENTIVE PROGRAM BACKGROUND

Measure JJJ was adopted by the Los Angeles City Council on December 13, 2016. Section 6 of the Measure instructed the Department of City Planning to create the Transit Oriented Communities (TOC) Affordable Housing Incentive Program, a transit-based affordable housing incentive program. The measure required that the Department adopt a set of TOC Guidelines, which establish incentives for residential or mixed-use projects located within ½ mile of a major transit stop. Major transit stops are defined under existing State law.

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

TIME LIMIT – OBSERVANCE OF CONDITIONS

All terms and conditions of the Director's Determination shall be fulfilled before the use may be established. Pursuant to LAMC Section 12.25-A,2, the instant authorization is further conditional upon the privileges being utilized within **three years** after the effective date of this determination and, if such privileges are not utilized, building permits are not issued, or substantial physical construction work is not begun within said time and carried on diligently so that building permits do not lapse, the authorization shall terminate and become void.

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

Verification of condition compliance with building plans and/or building permit applications are done at the Development Services Center of the Department of City Planning at either Figueroa Plaza in Downtown Los Angeles, West Los Angeles Development Services Center, or the Marvin Braude Constituent Service Center in the Valley. In order to assure that you receive service with a minimum amount of waiting, applicants are encouraged to schedule an appointment with the Development Services Center either by calling (213) 482-7077, (310) 231-2901, (818) 374-5050, or through the Department of City Planning website at <http://cityplanning.lacity.org>. The applicant is further advised to notify any consultant representing you of this requirement as well.

Section 11.00 of the LAMC states in part (m): "It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code shall be guilty of a misdemeanor unless that violation or failure is declared in that section to be an infraction. An infraction shall be tried and be punishable as provided in Section 19.6 of the Penal Code and the provisions of this section. Any violation of this Code that is designated as a misdemeanor may be charged by the City Attorney as either a misdemeanor or an infraction. Every violation of this determination is punishable as a misdemeanor unless provision is otherwise made, and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment."

TRANSFERABILITY

This determination runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions of this grant. If any portion of this approval is utilized, then all other conditions and requirements set forth herein become immediately operative and must be strictly observed.

APPEAL PERIOD - EFFECTIVE DATE

The Determination in this matter will become effective after January 14, 2021 unless an appeal there from is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of this Determination, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. Forms are available on-line at www.cityplanning.lacity.org.

Planning Department public offices are located at:

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

**Marvin Braude San Fernando Valley
Constituent Service Center**
6262 Van Nuys Boulevard, Suite 251
Van Nuys, CA 91401
(818) 374-5050

**West Los Angeles Development
Services Center**
1828 Sawtelle Boulevard, 2nd Floor
Los Angeles, CA 90025
(310) 231-2901

Pursuant to LAMC Section 12.22-A,25(f), only abutting property owners and tenants can appeal the Transit Oriented Communities Affordable Housing Incentive Program portion of this determination. Per the Density Bonus Provision of State Law (Government Code Section §65915) the Density Bonus increase in units above the base density zone limits and the appurtenant parking reductions are not a discretionary action and therefore cannot be appealed. Only the requested incentives are appealable. Per Section 12.22-A,25 of the LAMC, appeals of Density Bonus Compliance Review cases are heard by the City Planning Commission.

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedures Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

Note of Instruction Regarding the Notice of Exemption: Applicant is hereby advised to file the Notice of Exemption for the associated categorical exemption after the issuance of this letter. If filed, the form shall be filed with the County of Los Angeles, 12400 Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152 (b). More information on the associated fees can be found online here: <https://www.lavote.net/home/county-clerk/environmental-notices-fees>. The best practice is to go in person and photograph the posted notice in order to ensure compliance. Pursuant to Public Resources Code Section 21167 (d), the filing of this notice of exemption starts a 35-day statute of limitations on court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations, **and the possibility of a CEQA appeal**, being extended to 180 days.

Vincent P. Bertoni, AICP
Director of Planning

Approved by:



Heather Bleemers, Senior City Planner

Prepared by:



Esther Ahn, City Planner

Attachments:
Exhibit A: Architectural Plans and Landscape Plans

EXHIBIT C

Approved Project Plans

GENERAL NOTES

A. GENERAL

- ALL WORK SHALL BE EXECUTED IN ACCORDANCE WITH THE 2017 EDITION OF THE LOS ANGELES BUILDING CODES AND ORDINANCES OF THE STATE OF CALIFORNIA.
- ALL DIMENSIONS AND CONDITIONS SHALL BE CHECKED AND VERIFIED ON THE JOB SITE BY EACH SUBCONTRACTOR BEFORE HE BEGINS HIS WORK. ANY ERRORS, OMISSIONS, OR DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE GENERAL CONTRACTOR BEFORE CONSTRUCTION BEGINS.
- ALL DIMENSIONS TAKE PRECEDENCE OVER SCALE. NOTE THAT DIMENSIONS ARE TO CENTER LINE OR FACE OF FINISH MATERIAL.
- THE BUILDINGS REQUIRE FIRE PROTECTION AS FOLLOWS (SEE CODE ANALYSIS):
 - FIRE EXTINGUISHERS-PORTABLE TYPE 2A SHALL BE PROVIDED. DISTANCE FROM APARTMENT ENTRY DOOR TO FIRE EXTINGUISHER SHALL BE 75 MAXIMUM PROVIDE FIRE EXTINGUISHERS AS REQUIRED BY THE FIRE DEPARTMENT FIRE INSPECTOR.
 - PROVIDE FIRE EXTINGUISHER WITH A RATING OF 10BC FOR GARAGE.
- MECHANICAL VENTILATION: ALL BATHROOMS, TOILET ROOMS, POWDER ROOMS AND LAUNDRY ROOMS SHALL BE VENTILATED TO PROVIDE A COMPLETE CHANGE OF AIR 5 TIMES PER HOUR. SUCH MECHANICALLY OPERATED EXHAUST SYSTEM SHALL BE CONNECTED DIRECTLY TO THE OUTSIDE. FAN SHALL BE OPERATED FROM A LIGHT SWITCH THE POINT OF SWITCHING SHALL BE AT LEAST 3 FEET FROM ANY OPENING THAT ALLOWS AIR ENTRY INTO OCCUPIED PORTIONS OF THE BUILDING.
- LEGAL EXITS SHALL BE OPENABLE FROM THE INSIDE WITHOUT USE OF KEY, SPECIAL KNOWLEDGE OR EFFORT. ALL EXIT HARDWARE SHALL BE OF AN APPROVED TYPE. DEAD OR FLUSH BOLTS (THUMBS OPERATED) AND SIMILAR DEVICES ARE PROHIBITED.
- EXIT 2-HOUR CONSTRUCTION BEHIND ALL TUBS LOCATED ADJACENT TO 2-HOUR FIRE DIVISION WALLS.
- EXIT/ENTRANCE DOOR MUST OPEN OVER A LANDING NOT MORE THAN 1/2' BELOW THE THRESHOLD AND HAVE A LENGTH NOT LESS THAN (36"/42"/60"/84")
- PROVIDE ULTRA LOW FLUSH WATER CLOSETS (1.6 GAL./FLUSH MAX) AND LOW FLOW SHOWER HEADS WITH A PRESSURE BALANCE OR THERMOSTATIC MIXING VALVE FOR ALL NEW CONSTRUCTION. EXISTING SHOWER HEADS AND TOILETS MUST BE ADAPTED FOR LOW WATER CONSUMPTION.
- TRENCHES OR EXCAVATIONS OF 9" OR MORE IN DEPTH INTO WHICH A PERSON IS REQUIRED TO DESCEND SHALL OBTAIN THE NECESSARY PERMIT FROM THE STATE OF CALIFORNIA DIVISION OF INDUSTRIAL SAFETY.
- A PERMIT FROM THE DEPARTMENT OF PUBLIC WORKS IS REQUIRED FOR A PROTECTION FENCE OR CANYON ON OR OVER ANY STREET OR PUBLIC SPACE.
- NO MEDICINE CABINETS, ELECTRIC PANELS, VENTS, OR WALL HEATERS SHALL PERCEDE 2-HOUR DIVISION WALLS.
- PROVIDE APPROVED STUCCO WEEP SCREENS AT SILL PLATE OF ALL STUCCO WALLS. STUCCO FINISH SHALL NOT EXTEND BELOW FINISH GRADE.
- BATHROOM FLOORS OVER WOOD SHALL HAVE WATER-PROOF PROTECTION. PROVIDE RESILIENT FLOORING OVER 1/2" FELT BONDED TO PLYWOOD SUBFLOOR.
- "AN APPROVED SEISMIC GAS SHUT-OFF VALVE WILL BE INSTALLED ON THE FUEL GAS LINE ON THE DOWN STREAM SIDE OF THE UTILITY METER AND BE RIGIDLY CONNECTED TO THE EXTERIOR OF THE BUILDING OR STRUCTURE CONTAINING THE FUEL GAS PIPING."
- ALL EXTERIOR OPENINGS EXPOSED TO THE WEATHER SHALL BE FLASHED IN SUCH A MANNER AS TO MAKE THEM WATERPROOF. ALL FLASHING, COUNTER FLASHING AND COPING WHEN OF METAL SHALL BE 28 GA. G.I. MINIMUM.
- ALL FLOOR ROOF AND FLOOR SHEATHINGS SHALL BE INSPECTED AND APPROVED BY BUILDING INSPECTOR BEFORE COVERING.

- FIRE BLOCK AT MID-HEIGHT WALLS OVER 8'-0" HIGH.
- COMFORT HEATING WILL BE PROVIDED TO EVERY DWELLING UNIT AS REQUIRED BY CODE.
- PROVIDE HIGH NONABSORBENT WALL ADJACENT TO SHOWER AND APPROVED WATER RESISTANT MATERIAL FOR SHOWER ENCLOSURE AND WINDOWS WITHIN 9" OF FLOOR OF SHOWER OR BATHUB FLOOR.
- CONDUCT ALL ROOF DRAINAGE UNDER SIDEWALK TO STREET BY MEANS OF AN APPROVED NONSERVICIOUS DEVICE.
- BATHUB AND SHOWER UNITS, INCLUDING BACKING, SHALL BE OF TYPE APPROVED BY THE PLUMBING DEPARTMENT.
- TELEVISION ANTENNA SHALL BE LOCATED 7' ABOVE FLAT ROOFS.
- ALL STAIRS SHALL HAVE 8" MAXIMUM RISE AND 9" MINIMUM TREAD (7" RISE AND 11" TREADS AT PUBLIC STAIRS).
- PROVIDE U.L. APPROVED SMOKE AND FIRE DETECTORS WITHIN 12" OF CEILING AND WERE SHOWN ON PLANS. HARD WIRED WITH BATTERY BACKUP.
- PROVIDE SMALL APPLIANCE CIRCUITS IN KITCHEN - 12 OUTLET MAX ON 20 AMP SERVICE - 9 OUTLETS MAX ON 15 AMP CIRCUIT.
- ANTI-GRAFFITI COATING BY GENESIS COATINGS, INC. (LA RR#25042-T) FOR LOWER 9'-0" OF BUILDING.
- TOILET ROOM FLOORS SHALL HAVE A SMOOTH, HARD NON-ABSORBENT SURFACE SUCH AS PORTLAND CEMENT, CERAMIC TILE OR OTHER APPROVED MATERIAL THAT EXTENDS UPWARD ONTO THE WALLS AT LEAST 8 INCHES.
- AN ATO CERTIFICATE OF INSPECTION FOR ALL GULLED LAMINATED TIMBER SHALL BE SUBMITTED TO A BUILDING AND SAFETY DIVISION INSPECTOR PRIOR TO ERECTION.

- NON-REMOVABLE THUMB TURN WHICH IS INDEPENDENT OF THE DEADLOCKING LATCH AND WHICH MUST BE SEPARATELY OPERATED. SHALL NOT BE CONSIDERED AS A SYSTEM WHICH REQUIRES SPECIAL KNOWLEDGE OR EFFORT WHEN USED IN DWELLING UNITS. THE DOOR KNOB AND THE THUMB TURN WHICH OPERATES THE DEADBOLTS SHALL NOT BE SEPARATED BY MORE THAN 8 INCHES.
- WOOD PANEL TYPE DOORS MUST HAVE PANELS AT LEAST 9/16 IN. THICK WITH SHAPED PORTIONS NOT LESS THAN 1/4 IN. THICK AND INDIVIDUAL PANELS MUST BE NO MORE THAN 300 SQ. IN. IN AREA. MILLIONS SHALL BE CONSIDERED A PART OF ADJACENT PANELS EXCEPT MILLIONS NOT OVER 8 INCHES LONG MAY HAVE AN OVERALL WIDTH OF NOT LESS THAN 2 INCHES. STILES AND RAILS SHALL BE OF SOLID LUMBER IN THICKNESS WITH OVERALL DIMENSIONS OF NOT LESS THAN 1 3/8 INCHES AND 2 INCHES IN WIDTH. SLIDING DOORS SHALL BE PROVIDED WITH A DEVICE IN THE UPPER CHANNEL OF THE MOVING PANEL TO PROHIBIT RAISING AND REMOVING OF THE MOVING PANEL IN THE CLOSED OR PARTIALLY OPEN POSITION.
- SLIDING GLASS DOORS SHALL BE EQUIPPED WITH LOCKING DEVICES AND SHALL BE SO CONSTRUCTED AND INSTALLED THAT THEY REMAIN INTACT AND ENGAGED WHEN SUBJECTED TO THE TESTS SPECIFIED IN SECTION 9717.1.
- METAL OR WOODEN OVERHEAD OR SLIDING DOORS SHALL BE SECURED WITH A CYLINDER LOCK. PADLOCK WITH A MIN. 9/32" DIAMETER HARDENED STEEL SHACKLE AND BLOTTED, HARDENED STEEL HASPS. METAL SLIDE BOARD, BOLT OR EQUIVALENT DEVICE UNLESS SECURED BY EQUIVALENT OPERATED.
- PROVIDE METAL GUIDES AT TOP AND BOTTOM OF METAL ACCORDION GRATE OR GRILLE TYPE DOORS AND CYLINDER LOCKS OR PADLOCKS. CYLINDER GUARDS SHALL BE INSTALLED ON ALL CYLINDER LOCKS UNLESS THE CYLINDER PROJECTS BEYOND THE FACE OF THE DOOR OR IS OTHERWISE ACCESSIBLE TO GRIPPING TOOLS.
- GLAZING:
 - IN B, F, M, AND S OCCUPANCIES, PANES OF GLAZING WITH AT LEAST ONE DIMENSION GREATER THAN 5 IN. BUT LESS THAN 48 IN. SHALL BE CONSTRUCTED OF TEMPERED OR APPROVED BURGULARY-RESISTANT MATERIAL OR PROTECTED WITH METAL BARS OR GRILLES.
 - GLAZED OPENINGS WITHIN 4' OF THE DOOR LOCK WHEN THE DOOR IS IN THE CLOSED POSITION, SHALL BE FULLY TEMPERED GLASS OR APPROVED BURGULARY RESISTANT MATERIAL, OR SHALL BE PROTECTED BY METAL BARS, SCREENS OR GRILLES HAVING A MAXIMUM OPENING OF 2". THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO VIEW PORTS OR WINDOWS WHICH DO NOT EXCEED 2' IN THEIR GREATEST DIMENSIONS.
- LOWELED WINDOWS SHALL BE PROTECTED BY METAL BARS OR GRILLES WITH OPENINGS THAT HAVE AT LEAST ON DIMENSION OF 9" OR LESS, WHICH ARE CONSTRUCTED TO PRECLUDE HUMAN ENTRY.
- OTHER OPENABLE WINDOWS SHALL BE PROVIDED WITH SUBSTANTIAL LOCKING DEVICES. IN B, F, M AND S OCCUPANCIES, SUCH DEVICES SHALL BE GUARDED STEEL SHACKLES AND BOLTED, HARDENED STEEL HASPS.
- SLIDING WINDOWS SHALL BE PROVIDED WITH A DEVICE IN THE UPPER CHANNEL OF THE MOVING PANEL TO PROHIBIT RAISING AND REMOVING OF THE MOVING PANEL IN THE CLOSED OR PARTIALLY OPEN POSITION.
- SLIDING WINDOWS SHALL BE EQUIPPED WITH LOCKING DEVICES AND SHALL BE SO CONSTRUCTED AND INSTALLED THAT THEY REMAIN INTACT AND ENGAGED WHEN SUBJECTED TO THE TESTS SPECIFIED IN 9717.2.
- ANY RELEASE FOR METAL BARS, GRILLES, GRATES OR SIMILAR DEVICES CONSTRUCTED TO PRECLUDE HUMAN ENTRY THAT ARE INSTALLED SHALL BE LOCATED ON THE INSIDE OF THE ADJACENT ROOM AND AT LEAST 24 INCHES FROM THE CLOSEST OPENING THROUGH SUCH METAL BARS, GRILLES.

- GRATES OR SIMILAR DEVICES THAT EXCEEDS TWO INCHES IN ANY DIMENSION OTHER THAN DOORS OR GLAZED OPENINGS.
- ALL OTHER OPENINGS MUST BE PROTECTED BY METAL BARS OR GRILLES WITH OPENINGS OF NOT LESS THAN 6 INCHES IN ONE DIMENSION.
- PROVIDE SECURITY LIGHTING FOR GARAGE AND/OR EXTERIOR PARKING AREA SERVING DWELLING UNITS OR GUESTROOMS AND FOR RECEPTION ROOM, SERVICE ROOMS ACCESSORY TO APARTMENT HOUSES, AND AT EVERY DOOR IN A SECURITY OPENING. SECURITY LIGHTING SHALL HAVE A SURFACE ILLUMINATION OF 0.2 FOOT-CANDELS AT THE FLOOR LEVEL.
- WINDOWS IN CORRIDOR WALLS SHALL BE PROTECTED BY FIXED GLASS OF 3/4" RATING IN STEEL FRAMES. TOTAL AREA OF WINDOW IN A CORRIDOR SHALL NOT EXCEED 25% OF THE AREA OF A COMMON WALL WITH ANY ROOM.

- THE BUILDING DESIGN MEETS THE REQUIREMENTS OF TITLE 24, PART 2, CHAPTER 2-5.3.
- INSULATION INSTALLER SHALL POST IN A CONSPICUOUS LOCATION IN THE BUILDING A CERTIFICATE SIGNED BY THE INSTALLER AND BUILDER STATING THAT THE INSULATION CONFORMS WITH THE REQUIREMENTS OF TITLE 24, CHAPTER 2-5.3 AND THAT THE MATERIALS INSTALLED CONFORM WITH THE REQUIREMENTS OF TITLE 20, CHAPTER 2, SUB CHAPTER 4, ARTICLE 3.
- ALL INSULATION MATERIALS SHALL BE CERTIFIED BY THE MANUFACTURER AS COMPLYING WITH THE CALIFORNIA QUALITY STANDARDS FOR INSULATING MATERIAL.
- DOORS AND WINDOWS BETWEEN CONDITIONED SPACES AND OUTSIDE OR UNCONDITIONED SPACES SUCH AS GARAGES AND COMPARTMENTS FOR CENTRAL AIR GAS FURNACES SHALL BE FULLY WEATHERSTRIPPED.
- MANUFACTURED DOORS AND WINDOWS SHALL BE CERTIFIED AND LABELED IN COMPLIANCE WITH THE APPROPRIATE INFLTRATION STANDARDS LISTED IN TABLE 2-5.3.9 FOR THE ENERGY REGULATIONS.
- ALL FAN SYSTEMS EXHAUSTING AIR FROM THE BUILDING SHALL BE PROVIDED WITH BACK DRAFT DAMPERS.
- CAULK AROUND ALL PLUMBING AND ELECTRICAL PENETRATIONS INTO THE BUILDING ENVELOPE.
- CAULK AND SEAL AROUND ALL WINDOW AND DOOR FRAMES AND BETWEEN WALL SOLE PLATES AND FLOORS AND BETWEEN EXTERIOR WALL PANELS.
- DUCTS SHALL BE CONSTRUCTED, INSTALLED AND INSULATED ACCORDING TO CHAPTER 10 OF THE 1997 CITY OF LOS ANGELES MECHANICAL CODE. ALL JOINTS OF THE DUCT SYSTEM SHALL BE TIGHTLY SEALED WITH MASTIC OR TAPE.
- STORAGE TYPE WATER HEATERS AND STORAGE TANKS FOR SOLAR WATER HEATING SYSTEMS SHALL BE EXTERNALLY WRAPPED WITH INSULATION OF R-12 OR GREATER, UNLESS SO INTERNALLY INSULATED.
- PROVIDE MINIMUM R-13 INSULATION ON WATER HEATER INLET AND OUTLET PIPE FOR FIRST FIVE FEET IN UNCONDITIONED SPACE.
- INSULATE RECIRCULATING HOT WATER PIPING IN UNHEATED SPACES.
- GAS FIRED HOUSEHOLD HEATING AND COOLING APPLIANCES, SHOWER HEADS AND FAUCETS SHALL COMPLY WITH THE APPLIANCE EFFICIENCY STANDARDS.
- GENERAL LIGHTING IN KITCHENS AND BATHROOMS SHALL HAVE AN EFFICIENCY OF NOT LESS THAN 25 LUMENS / WATTS. (SPECIFY FLUORESCENT LIGHTING).

- DOORS TO UNIT FROM INTERIOR CORRIDORS AND FIRE-RATED SHAFT ENCLOSURES ARE REQUIRED TO HAVE A MIN. STC RATING OF 26. LAMINATED 1 3/4" SOLID CORE DOORS WITH RESILIENT STOPS AND GASKETS MEET THIS REQUIREMENT. DOORS MUST BE SELF-AUTO-CLOSING UPON SMOKE DETECTION.
- ELECTRICAL OUTLET BOXES IN OPPOSITE FACES OF SEPARATION WALLS SHALL BE SEPARATED HORIZONTALLY BY 24" AND NOTE THAT BACK AND SIDES OF BOXES WILL BE SEALED WITH 1/4" RESILIENT SEALANT AND BACKED WITH 2" MINIMUM MINERAL FIBER INSULATION, (TV, TELEPHONE, AND INTERCOM OUTLETS MUST BE INSTALLED IN BOXES INCLUDING).
- CARPETS OR SIMILAR SURFACE MATERIALS WHICH ARE PART OF THE FLOOR-CEILING ASSEMBLY MUST BE INSTALLED AND INSPECTED BEFORE THE CERTIFICATE OF OCCUPANCY IS ISSUED AND MAY BE REPLACED ONLY BY OTHER FLOOR COVERING THAT PROVIDES THE REQUIRED IMPACT SOUND INSULATION.
- AN APPROVED PERMANENT RESILIENT ACOUSTICAL SEALANT SHALL BE PROVIDED ALONG THE JOINT BETWEEN THE FLOOR AND THE SEPARATION WALLS.
- FLOOR-CEILING ASSEMBLIES SHALL BE SEALED, LINED OR INSULATED.
- ALL PENETRATIONS INTO SOUND RATED PARTITIONS OF FLOOR, CEILING ASSEMBLIES SHALL BE SEALED WITH APPROVED PERMANENT RESILIENT SEALANT.
- ALL RIGID CONDUIT, DUCTS, PLUMBING PIPES, APPLIANCE VENTS LOCATED IN SOUND ASSEMBLIES SHALL BE ISOLATED FROM THE BUILDING CONSTRUCTION BY MEANS OF RESILIENT SLEEVES, MOUNTS OR MINIMUM 1/4" THICK APPROVED RESILIENT MATERIAL.
- VENTS LOCATED IN SOUND ASSEMBLIES SHALL BE ISOLATED FROM THE BUILDING CONSTRUCTION BY MEANS OF RESILIENT SLEEVES, MOUNTS OR MINIMUM 1/4" THICK APPROVED RESILIENT MATERIAL.
- METAL VENTILATING AND CONDITIONED AIR DUCTS LOCATED IN SOUND ASSEMBLIES SHALL BE LINED. (EXCEPTION: DUCTS SERVING ONLY EXISTING KITCHEN COOKING FACILITIES, AND BATH ROOMS NEED NOT BE LINED.)
- MINERAL FIBER INSULATION SHALL BE INSTALLED IN JOIST SPACES TO A POINT 12" BEYOND THE PIPE OR DUCT, WHENEVER A PLUMBING PIPE OR DUCT PENETRATES A FLOOR ASSEMBLY OR WHERE SUCH UNIT PENETRES THROUGH THE PLANE OF THE FLOOR ASSEMBLY FROM WITHIN A WALL. THIS REQUIREMENT IS NOT APPLICABLE TO FIRE PIPE, GAS LINE OR ELECTRICAL CONDUIT.
- WALL MOUNTED LAVATORIES AND TOILETS ARE NOT PERMITTED ON SOUND RATED PARTITIONS.

- THE ENERGY CERTIFICATE OF COMPLIANCE SHALL BE MADE A PART OF THESE PLANS.
- USE SOLID JOISTS IN ALL TUBS.
- CONTRACTOR SHALL OBTAIN A PERMIT FOR ALL ROOF DRAINS CONSTRUCTION UNDER SIDEWALK AND THRU CONC. CURB FROM DEPT. OF PUBLIC WORKS.
- WATER HEATER MUST BE STRAPPED TO WALL.
- SMOKE AND FIRE DAMPERS MUST BE INSTALLED IN THE FOLLOWING LOCATIONS PER SEC. 716.8.1:
 - DUCT PENETRATIONS OF FIRE WALLS, EXCEPT EXIT ENCLOSURES AND EXIT PASSAGEWAYS WHERE THEY ARE NOT ALLOWED TO PENETRATE.
 - DUCTS PENETRATING HORIZONTAL ASSEMBLIES. 716.8
 - TEMPORARY PEDESTRIAN PROTECTION SHALL BE PROVIDED AS REQUIRED BY SECTION 303.7
 - COMPLIANCE W/ CHAPTER 67' IS FLOOR AT DOORS) TO INDIVIDUAL UNITS, AT EXTERIOR DOORS TO THE MAIN BLDG., AT DOORS BETWEEN THE R-1 AND S-3 OCCUPANCIES AND AT ALL DOORS TO THE GROUP B/FAM/R5 OCCUPANCY.
 - THE EXIT SIGNS SHALL ALSO BE CONNECTED TO AN EMERGENCY ELECT. SYSTEM PROVIDED FROM STORAGE BATTERIES, UNIT EQUIPMENT OR AN ON-SITE GENERATOR SET, AND THE SYSTEM SHALL BE INSTALLED IN ACCORDANCE W/ THE ELEC. CODE AND PROVIDE ILLUMINATION OF NOT LESS THAN 50 MIN. IN CASE OF PRIMARY POWER LOSS.
 - THE POWER SUPPLY FOR MEANS OF EGRESS ILLUMINATION SHALL NORMALLY BE PROVIDED BY THE PREMISES OF ELECTRICAL SUPPLY. IN THE EVENT OF ITS FAILURE, ILLUMINATION SHALL BE AUTOMATICALLY PROVIDED FROM AN EMERGENCY SYSTEM FOR GROUP 1, DIV. 1, AND 1.2 OCCUPANCIES AND FOR ALL OTHER OCCUPANCIES WHERE THE MEANS OF EGRESS SYSTEM SERVES AN OCCUPANT LOAD OF 100 OR MORE.
 - CONTINUOUS DRYWALL BEHIND ALL TUBS IS REQUIRED UNLESS THE WALLS ARE WITHIN THE UNIT, AND NON-BEARING BACK TO BACK TUBS WITH A COMMON PLUMBING WALL ARE IMPRACTICAL IN 1-HR. BUILDINGS.
 - CONTINUOUS DRYWALL IS REQUIRED BEHIND ALL ELEC. SERVICE PANELS, FIRE HOUSES AND MEDICINE CABINETS.
 - RECESSED CEILING LIGHT FIXTURES MUST BE BOXED AROUND W/ 5/8" TYPE "X" DRYWALL TO MAINTAIN THE 1-HR CEILING ASSEMBLY.
 - THE PATH OF EXIT TRAVEL TO AND WITHIN EXITS IN THIS BUILDING SHALL BE IDENTIFIED BY EXIT SIGNS CONFORMING TO THE REQUIREMENTS OF SECTION 1003.2.8. EXIT SIGNS SHALL BE READILY VISIBLE FROM ANY DIRECTION OF APPROACH AND LOCATED AS NECESSARY TO CLEARLY INDICATE THE DIRECTION OF EGRESS TRAVEL. NO POINT SHALL BE MORE THAN 100 FEET FROM THE NEAREST VISIBLE SIGN.
 - EXIT SIGNS SHALL BE INTERNALLY OR EXTERNALLY ILLUMINATED, WHEN THE FACE OF AN EXIT SIGN IS ILLUMINATED FROM AN EXTERNAL SOURCE, IT SHALL HAVE AN INTENSITY OF NOT LESS THAN 5 FOOT CANDLES FROM EITHER OF TWO ELECTRIC LAMPS, INTERNALLY ILLUMINATED SIGNS SHALL BE LISTED & LABELED AND INSTALLED IN ACCORDANCE W/ THE MANUFACTURER'S INSTRUCTIONS.
 - A SIGN ADJACENT TO THE REQUIRED UNLOCKED MAIN EXIT DOOR WITH LETTERING STATING "THIS DOOR MUST REMAIN UNLOCKED DURING BUSINESS HOURS" WILL BE POSTED.
 - ALL ELEVATOR FITS SHALL BE EQUIPPED WITH A DRAIN TO PREVENT THE ACCUMULATION OF WATER. THE WATER AND OTHER LIQUIDS COLLECTED IN THE BOTTOM OF AN ELEVATOR SHAFT MAY NOT BE DISCHARGED TO THE SANITARY SEWER OR STORM DRAIN.
 - THIS BUILDING AND GARAGE MUST BE EQUIPPED W/ AN AUTOMATIC FIRE EXTINGUISHING SYSTEM COMPLYING W/ NFPA-13. SPRINKLER SYSTEM TO BE APPROVED BY PLUMBING SECTION PRIOR TO INSTALLATION.

DATE	ISSUED FOR	DATE	REVISIONS



URIU & ASSOCIATES
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1447 S HI POINT ST.

CODE ANALYSIS

PROJECT SUMMARY	INCENTIVES
ZONE (O)R3-1-O - TIER 3	30% REDUCTION IN SIDE YARDS
LOT AREA (52X170)	25% REDUCTION IN OPEN SPACE
8,838.5 SF	21 FT INCREASE IN HEIGHT
ALLOW. DENSITY (8,838.5/800)	
12 UNITS	
DENSITY BONUS (12X1.7)	
21 UNITS	

PROPOSED DEVELOPMENT	915 SF
1 UNIT 101 - 2 BR / 2 BA UNITS @ 915 SF	915 SF
3 UNIT 201, 301, & 401 - 3 BR / 3 BA UNITS @ 1,206 SF	3,618 SF
1 UNIT PH-1 - 1 BR / 1 BA UNITS @ 570 SF	570 SF
5 UNIT 102, 202, 302, 402, & PH-2 - 2 BR / 2 BA UNITS @ 857 SF	4,285 SF
5 UNIT 103, 203, 303, 403, & PH-3 - 2 BR / 2 BA UNITS @ 943 SF	4,715 SF
5 UNIT 104, 204, 304, 404, & PH-4 - 3 BR / 3 BA UNITS @ 1,269 SF	6,345 SF
20 UNITS TOTAL (8-3BR/3BA + 11-2BR/2BA + 1-1BR/1BA)	20,448 SF

BI-CYCLE PARKING REQUIRED/PROVIDED	22 SPACES - 20 LONG/2 SHORT TERM
PARKING REQUIRED-TIER 3 RESIDENTIAL (20X0.5)	10 SPACES
PARKING PROVIDED	24 SPACES @ STD/1/4 COMP/1 ADA
GARAGE AREA	7,766 SF/ 200 = 38 OCCUP.

OPEN SPACE PROVIDED	950 SF
PRIVATE OPEN SPACE (19 X 50 SF)	950 SF
REAR YARD	950 SF
5TH FLOOR GARDEN	592 SF
TOTAL	2,492 SF

ALLOW AREA (42 X 140 X 3) X1.5	26,460 SF
FLOOR AREA PROVIDED	
ZONING AREA	20,322 SF
BUILDING AREA	31,808 SF (R-24,042 SF + S-2,766 SF)
SCHOOL FEE AREA	21,457 SF

* SEE SHT. A2 FOR ADD. DETAIL
BUILDING TYPE - PLANNING 5 STORY OVER BASEMENT
- BUILDING 5 STORY OVER BASEMENT
CONSTRUCTION TYPE III-A / I-A
OCCUPANCY TYPE 2 / S-2
BUILDING HEIGHT (Q) COND. 35 FT + 22 FT TIER 3 57'-0"

ALLOW AREA - TYPE III-A
BASIC R2 BASIC: 24,000 X 2 = 48,000 SF
PROVIDE 2-HR SEPARATION BETWEEN R2/S2
BUILDING EQUIPPED W/ AUTOMATIC FIRE SPRINKLER SYSTEM,
COMPLYING W/ NFPA-13.
PROVIDE FIRE ALARM SYSTEM
PROVIDE EMERGENCY RESPONDER RADIO COVERAGE PER LAFC 510

SHEET INDEX

A1	GENERAL INFORMATION
A2	SITE PLAN & ROOF PLAN
A2.1	FAR & OPEN SPACE DIAGRAM
A3	GARAGE PLAN
A4	1ST & 2ND FLOOR PLAN
A5	3RD & 4TH FLOOR PLAN
A6	5TH FLOOR PLAN
A7	ELEVATIONS
A8	ELEVATIONS
A9	SECTIONS
A10	SECTIONS

ABBREVIATIONS

A.C.	ASPHALT CONCRETE	DWG.	DRAWING	H.W.	HOT WATER	RES.	RESAWN
AC.	ACOUSTIC TILE	DWR.	DRAWER	HWD.	HARDWOOD	R.V.	ROOF VENT
ADJ.	ADJUSTABLE	E.J.	EXPANSION JOINT	I.D.	INSIDE DIMENSION	RWD.	REDWOOD
ALUM.	ALUMINUM	ELEV.	ELEVATION	INT.	INTERIOR	S.	SINK
A.T.	ASPHALT TILE	ELEC.	ELECTRIC	JAN.	JANITOR	S.B.	SPLASH BLOCK
BD.	BOARD	EL.	ELEVATOR	LAV.	LAVATORY	SH.	SHELF
BLDG.	BUILDING	EQUIP.	EQUIPMENT	L.P.	LOW POINT	SHT.	SHEET
BLKG.	BLOCKING	EXIST.	EXISTING	L.V.	LOUVER VENT	SHTG.	SHEATHING
B.M.	BENCH MARK	EXT.	EXTERIOR	LT.	LIGHT	SHTG.	SHEATHING
BOT.	BOTTOM	F.D.	FLOOR DRAIN	MAX.	MAXIMUM	S.S.	SERVICE SINK
BR.	BRICK	F.E.	FIRE EXTINGUISHER	M.C.	MEDICINE CABINET	SECT.	SECTION
CAB.	CABINET	F.G.	FINISH GRADE	M.C.B.	METAL CORNER BEAD	STD.	STANDARD
C.B.	CATCH BASIN	F.H.C.	FIRE HOUSE CABINET	M.H.	MANHOLE	STL.	STEEL
CEM.	CEMENT	F.J.	FLOOR JOIST	MET.	METAL	STPG.	STRIPPING
C.I.	CAST IRON	FIN.	FINISH	MFR.	MANUFACTURER	SQ.	SQUARE
CLR.	CLEAR	FLR.	FLOOR	MIN.	MINIMUM	T.C.	TOP OF CURB
C.J.	CEILING JOIST	F.L.	FLOW LINE	M.	MIRROR	T & G	TONGUE & GROOVED
CLG.	CEILING	F.O.C.	FACE OR CONCRETE	MISC.	MISCELLANEOUS	TH.	THICK
COL.	COLUMN	F.O.M.	FACE OF MASONRY	M.O.	MASONRY OPENING	THRES.	THRESHOLD
COMPO.	COMPOSITION	F.O.S.	FACE OF STUDS	N.I.C.	NOT IN CONTRACT	TEL.	TELEPHONE
CONC.	CONCRETE	FS.	FLOOR SINK	OB.	OBSCURE	T.PL.	TOP OF PLATE
CONT.	CONTINUOUS	F.T.	FOOT	O.C.	ON CENTERS	TR.	TRANSOM
CORR.	CORRUGATED	FUR.	FURRING	O.F.	OVER FLOW	TRANS.	TRANSFORMER
CSK.	COUNTERSUNK	GA.	GAUGE	OPNG.	OPENING	T.O.W.	TOP OF WALL
C.W.	COLD WATER	GALV.	GALVANIZED	PART.	PARTITION	TYP.	TYPICAL
DET.	DETAIL	G.I.	GALVANIZED IRON	PL.	PLATE	V.	VENT
D.F.	DRINKING FOUNTAIN	GL.	GLASS GLAZING	PLAS.	PLASTER	VERT.	VERTICAL
DIAM.	DIAMETER	GR.	GRADE	PLY.	PLYWOOD	W.C.	WATER CLOSET
DIM.	DIMENSION	GYP.	GYPSPUM BOARD	P.P.	POWER POLE	WD.	WOOD
DIV.	DIVISION	H.B.	HOSE BRIBE	R.	RISER-RADIUS	WARD.	WARDROBE
DN.	DOWN	HDW.	HARDWARE	R.D.	ROOF DRAIN	W.H.	WATER HEATER
DR.	DOOR	HORIZ.	HORIZONTAL	REINF.	REINFORCING	W.I.	WROUGHT IRON
DS.	DOWNSPOUT	H.P.	HIGH POINT	R.J.	ROOF JOIST	W.M.	WIRE MESH
D.W.	DISHWASHER	HT.	HEIGHT	ROS	ROUGH SAWN	WT.	WEIGHT

SYMBOLS

	ELEVATION LETTER
	SHEET WHERE DRAWN
	PLAN SECTION OR DETAIL NUMBER
	SHEET WHERE DRAWN
	DOOR TYPE
	WINDOW TYPE
	SECURITY OPENING
	WOOD STUD PARTITION
	1-HOUR FIRE RESISTIVE CONSTRUCTION
	HARD WIRED STATE FIRE MARSHALL APPROVED SMOKE DETECTOR W/ BATTERY BACKUP, LOW BATTERY SIGNAL, AND WITH APPROVED CARBON MONOXIDE ALARM.
	DOUBLE RECEPTICAL @ +12" U.O.N.
	DOUBLE RECEPTICAL - 1/2 HOT
	DOUBLE RECEPTICAL - GFI
	WALL MOUNTED LT. FIXT.
	FLUOR. FIXT.
	CEILING MOUNTED LT. FIXT.
	RECESSED LT. FIXT.
	TELEPHONE JACK
	EXHAUST FAN - SEE NOTE 5A /A1
	TV OUTLET
	EXIT SIGN - SEE NOTES F13&14/A1

LEGAL DESCRIPTION

FR OF LOT 10, ARB 2 OF TRACT 3909, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN MB 44, PAGE 82 OF MISC. RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 5068 012 033
PIN: 129B173 594
ADDRESS: 1447 S HI POINT ST.
LOS ANGELES, CA 90035
OWNER:
TOY TRUST
550 SOUTH HILL STREET, SUITE 1420
LOS ANGELES, CA 90013
310 866 8321

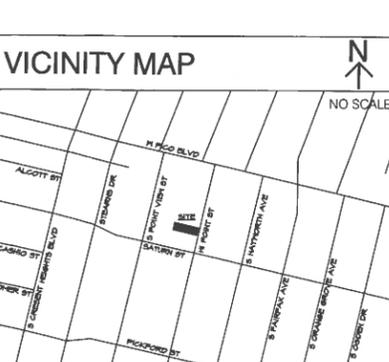
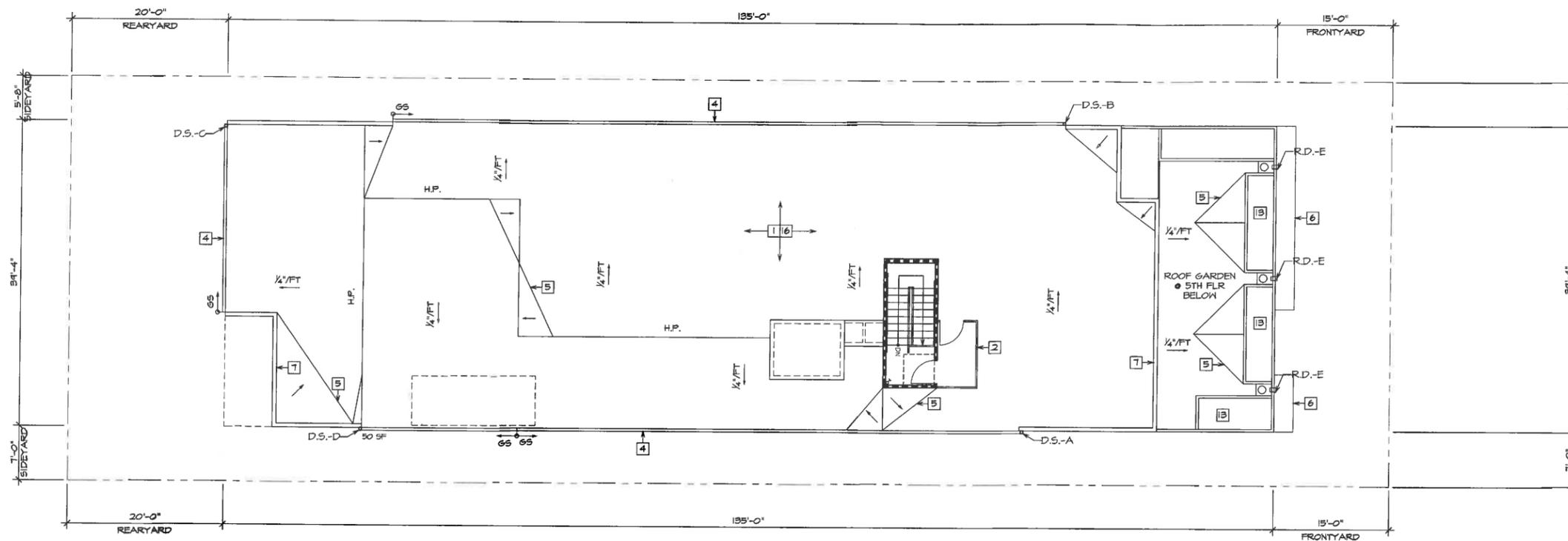


EXHIBIT "A"
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Case No. DIR-2020-2667-100

SHEET TITLE	GENERAL INFORMATION
JOB TITLE	1447 S HI POINT ST LOS ANGELES, CA 90035
DRAWN	
CHECKED	
JOB	1947
SHEET	A1



ROOF REFERENCE NOTES:

- 1 BUILT-UP ROOF-CLASS 'A' - 1B ROOF SYSTEMS ICC-ES # ESR 2052 SEE SHEET 3/A15
- 2 42" H.I. GUARDRAIL & GATE WHERE OCCURS
- 3 WARNING STRIPE & HANDRAIL EXTENSIONS AS PER 11A-6A/D4r
- 4 G.I. GUTTER
- 5 CRICKET
- 6 BALCONY BELOW
- 7 PARAPET WALL
- 8 AREA FOR FUTURE SOLAR POWER SYSTEM - SEE CALCS. SOLAR PANEL LOCATIONS TO BE APPROVED UNDER SEPARATE PERMIT.
- 9 1"Ø METAL CONDUIT CONNECT TO METERING EQUIPMENT / INVERTER
- 10 PATHWAY FROM SOLAR ZONE TO METERING EQUIP.
- 11 ROUTING OF PLUMBING FROM WATER HTR TO SOLAR ZONE
- 12 CONNECT TO WATER HEATING SYSTEM
- 13 PLANTER, SEE 3/A2.1
- 14 BENCH, TYP., SEE 5/A2.1
- 15 TABLE, TYP., SEE 4/A2.1
- 16 MAGOAT DECK SYSTEM RR# 25483

LEGEND

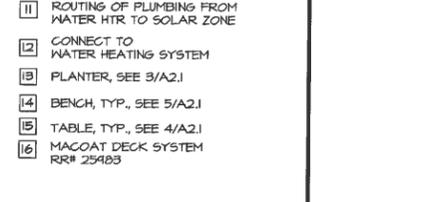
- 1-HR WALL
- 2-HR WALL
- CLASS 1 - 4" STANDPIPE W/ 2 1/2" OUTLET
- EXIT SIGN - SEE NOTES F13414/A1
- WATER CURTAIN
- EXIST. GRADE
- FINISHED GRADE
- WEATHER BASED IRRIGATION CONTROLLER SEE SHEET A19
- G.S.---GUTTER SLOPE
- D.S.---DOWN SPOUT
- RD---ROOF DRAIN
- CLASS 1 - 4" STANDPIPE W/ 2 1/2" OUTLET

SITE REFERENCE NOTES:

- 1 ADA PATH OF TRAVEL
- 2 NON-FILTRATION PLANTER
- 3 CONCRETE STAIRS/STEPS - SEE D4r
- 4 WARNING STRIPE & HANDRAIL EXTENSIONS AS PER 11A-6A/D4r
- 5 LINE OF BALCONY ABOVE
- 6 6'-0" HIGH H.I. GATE & FENCE
- 7 42" HIGH WROUGHT IRON RAILING
- 8 STORMWATER/FILTRATION PLANTER
- 9 6'-0" HIGH CMU WALL & PROPERTY LINE
- 10 SHORT TERM BICYCLE PARKING
- 11 100% OF HARDSCAPE TO BE UNCOLORED CONCRETE W/ SMOOTH CEMENT FINISH and w/ SOLAR REFLECTANCE OF AT LEAST 0.30 AS DETERMINED PER ASTM E418 or ASTM C1544.
- 12 MAILBOXES.
- 13 WEATHER BASED IRRIGATION CONTROLLER
- 14 FIRE DEPARTMENT CONNECTION
- 15 2'-6"x4' MIN. WHEEL CHAIR REFUGE. THIS AREA TO BE IN ACCORDANCE w/ SECTION 1007.1.3 THRU 1007.1.6
- 16 PROVIDE INSTRUCTIONS AND TWO-WAY COMMUNICATION PER SECTIONS 1007.6.3 & 1007.6.4
- 17 INVERTER & METERING EQUIPMENT FOR SOLAR POWER SYSTEM
- 18 EXIST. CURB BREAK TO BE REMOVED -INSTALL NEW CURB, GUTTER AND SIDEWALK
- 19 NEW XX'-0" CURB BREAK

GRADE PLANE
 PLANNING LOWEST POINT EL. 129.50
 BUILDING (129.38+129.41+130.30+129.34) / 4 = 129.62

DATE	REVISIONS



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SHEET TITLE
 SITE PLAN & ROOF PLAN

JOB TITLE
 1447 S HI POINT ST
 LOS ANGELES, CA 90035

DRAWN

CHECKED

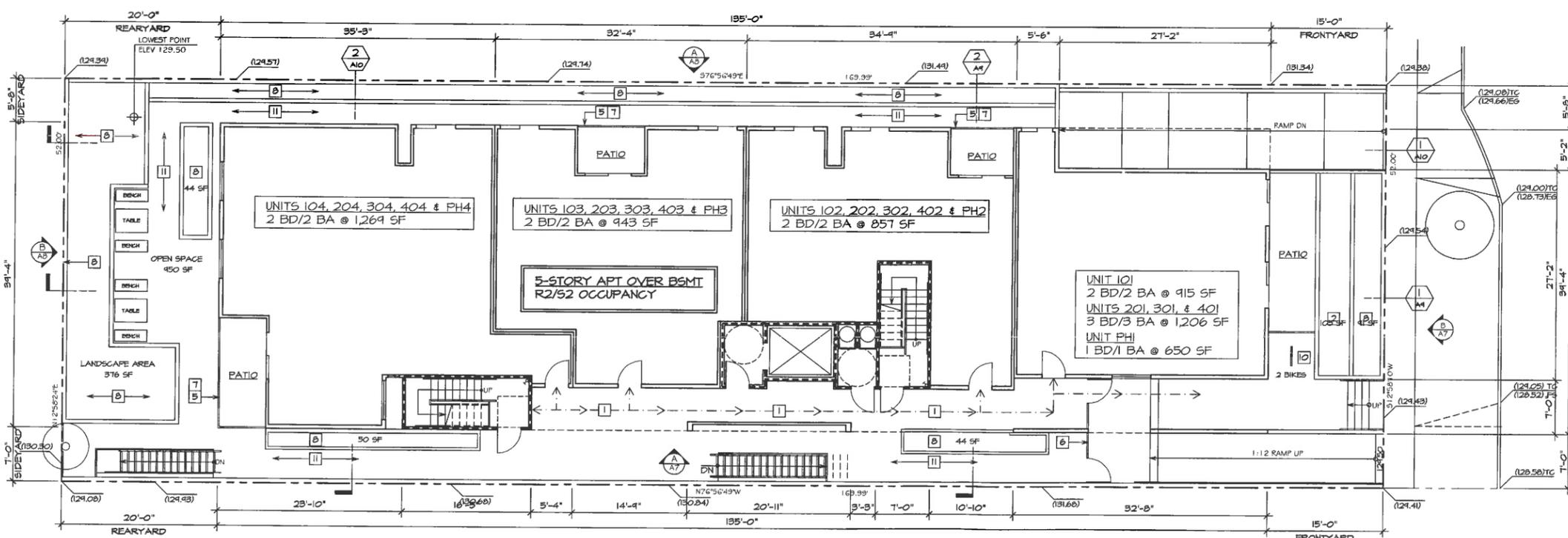
JOB
 1947

SHEET
 A2

1 SITE PLAN
 1/8"=1'-0"

2 ROOF PLAN
 1/8"=1'-0"

NOTE:
 1. ALL ROOF DRAINS & DOWNSPOUTS TO FLOW TO STORMWATER FILTRATION PLANTERS (LID). SEE SHEETS G2-G9.1



1 SITE PLAN
 1/8"=1'-0"

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ZONING FLOOR AREA
 (NET FLOOR AREA W/ BALCONIES LESS ELEVATOR, STAIRS, ENCLOSED SHAFTS & OPEN TO SKY OPEN SPACE)

1ST FLR (4,866 SF - 473 SF)	3,243 SF
2ND FLR (4,928 SF - 744 SF)	4,184 SF
3RD FLR (4,928 SF - 744 SF)	4,184 SF
4TH FLR (4,928 SF - 744 SF)	4,184 SF
5TH FLR (4,392 SF - 744 SF)	3,648 SF
TOTAL	20,043 SF

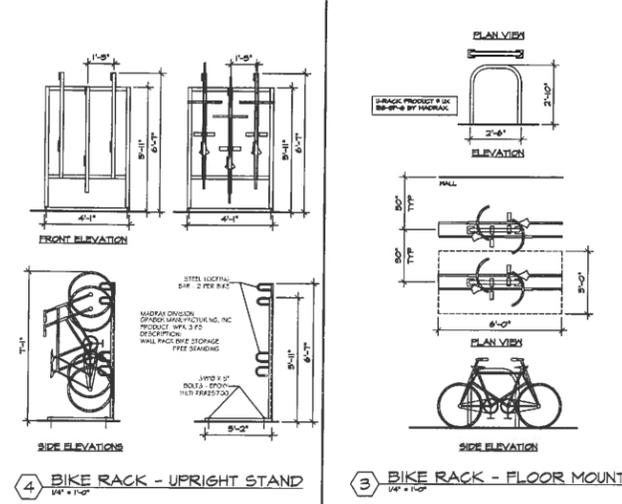
BUILDING FLOOR AREA
 (NET FLOOR AREA INCL. BALCONIES, ELEV., STAIRS & ENCLOSED SHAFTS LESS OPEN TO SKY OPEN SPACE)

1ST FLR (4,866 SF - 518 SF)	4,288 SF	1200=34 OCCUP.
2ND FLR (4,928 SF - 344 SF)	4,574 SF	1200=23 OCCUP.
3RD FLR (4,928 SF - 344 SF)	4,574 SF	1200=23 OCCUP.
4TH FLR (4,928 SF - 344 SF)	4,574 SF	1200=23 OCCUP.
5TH FLR (4,392 SF - 344 SF)	4,043 SF	1200=20 OCCUP.
TOTAL	24,034 SF	149 OCCUP.

SCHOOL FEE FLOOR AREA
 (GROSS FLOOR AREA W/ BALCONIES LESS ELEVATOR, STAIRS, ENCLOSED SHAFTS & OPEN TO SKY OPEN SPACE)

1ST FLR (5,041 SF - 473 SF)	4,124 SF
2ND FLR (5,154 SF - 744 SF)	4,415 SF
3RD FLR (5,154 SF - 744 SF)	4,415 SF
4TH FLR (5,154 SF - 744 SF)	4,415 SF
5TH FLR (4,603 SF - 744 SF)	3,854 SF
TOTAL	21,228 SF

- ELECTRICAL SYSTEM SHALL HAVE SUFFICIENT CAPACITY TO SIMULTANEOUSLY CHARGE ALL DESIGNATED "EV" SPACES AT FULL RATED AMPERAGE BASED ON LEVEL 2 EVSE. A SEPARATE ELECTRICAL PERMIT IS REQUIRED.
- A LABEL STATING "EV CAPABLE" SHALL BE POSTED IN A CONSPICUOUS PLACE AT THE SERVICE PANEL OR SUBPANEL AND THE "EV" CHARGING SPACE.
- WHERE ONLY A SINGLE CHARGING SPACE IS REQUIRED INSTALL A MIN. 1-INCH (INSIDE DIAMETER) RACEWAY TO ACCOMMODATE A DEDICATED 208/240 VOLT BRANCH CIRCUIT. RACEWAY SHALL ORIGINATE AT THE MAIN SERVICE OR SUBPANEL & TERMINATE IN CLOSE PROXIMITY TO THE PROPOSED LOCATION OF THE CHARGING SYSTEM INTO A LISTED CABINET, BOX OR ENCLOSURE.
- WHERE MULTIPLE CHARGING SPACES ARE REQUIRED, SHOW LOCATION & TYPE OF EVSE, RACEWAY METHOD, ONLY UNDERGROUND RACEWAY & RELATED UNDERGROUND EQUIPMENT ARE REQUIRED TO BE INSTALLED AT THE TIME OF CONSTRUCTION. ELECTRIC CALCULATIONS SHALL VERIFY THAT THE SYSTEM HAS SUFFICIENT CAPACITY TO SIMULTANEOUSLY CHARGE ALL DESIGNATED "EV" SPACES AT FULL RATED AMPERAGE BASED ON LEVEL 2 EVSE.
- THE SERVICE PANEL OR SUBPANEL CIRCUIT DIRECTORY SHALL IDENTIFY THE OVERCURRENT PROTECTIVE DEVICE SPACE(S) RESERVED FOR FUTURE EV CHARGING PURPOSES AS EV CAPABLE IN ACCORDANCE WITH THE LOS ANGELES ELECTRICAL CODE.
- THE MAIN SERVICE PANEL SHALL HAVE A MIN BUSBAR RATING OF 200 AMPS.
- THE MINIMUM LENGTH OF EACH EVCS SHALL BE 18 FEET. THE MINIMUM WIDTH OF EACH EVCS SHALL BE 4 FEET. ONE IN EVERY 25 EVCS, BUT NOT LESS THAN ONE, SHALL ALSO COMPLY WITH THE FF:
 - 8 FT. WIDE AISLE NEXT TO A 4 FT EVCS OR A 5 FT WIDE AISLE NEXT TO A 12 FT WIDE EVCS.
 - THE SURFACE SLOPE FOR THIS EVCS AND THE AISLE SHALL NOT EXCEED ONE UNIT VERTICAL IN 40 UNITS HORIZONTAL (2.083 PERCENT SLOPE) ON ANY DIRECTION.
- THE EV SPACE SHALL EITHER BE LOCATED ADJACENT TO AN ACCESSIBLE PARKING SPACE MEETING THE REQUIREMENTS OF LABC CHAPTER 11A TO ALLOW THE USE OF EV CHARGER FROM ACCESSIBLE PARKING SPACE, OR BE LOCATED ON AN ACCESSIBLE ROUTE TO THE BUILDING AS DEFINED IN CHAPTER 2 OF THE LABC.

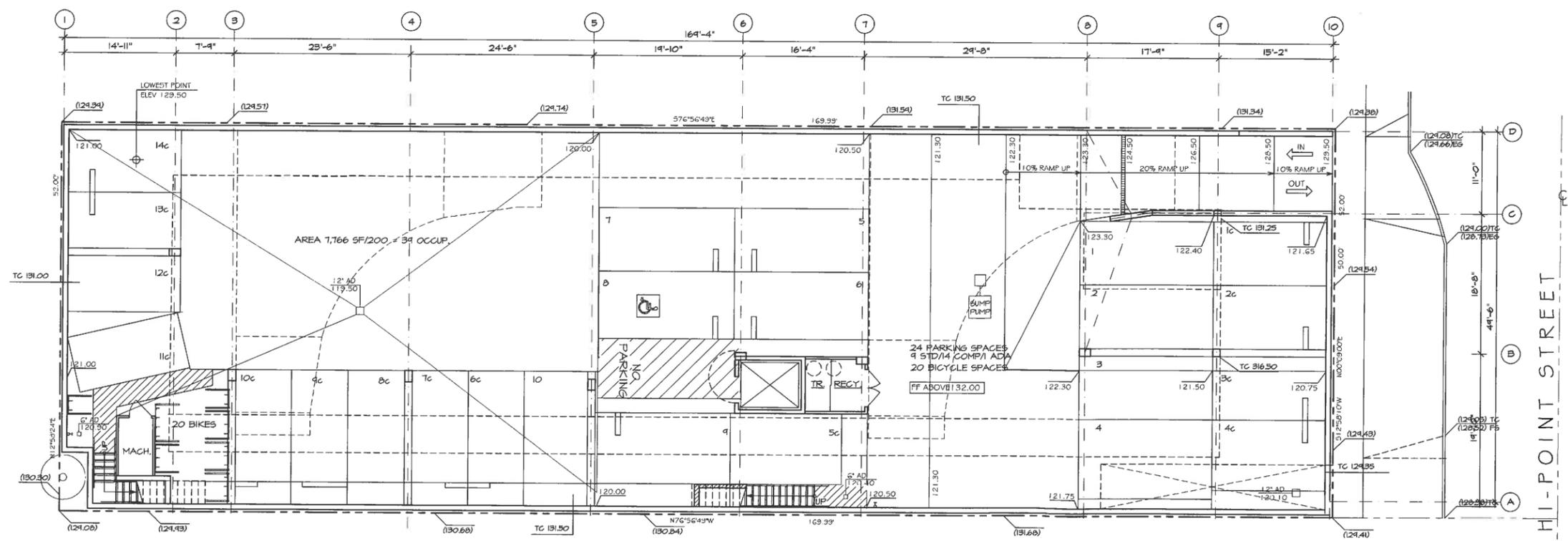


2 EVCS / EVSE NOTES

GARAGE PLAN REFERENCE NOTES:

- ADA PATH OF TRAVEL
- CONCRETE STAIR/STEPS - SEE D4r
- WARNING STRIPE & HANDRAIL EXTENSIONS AS PER 11A-6A/D4r
- LINE OF BUILDING ABOVE
- LONG TERM BIKE RACK WALL MOUNT
- LONG TERM BIKE RACK FLOOR MOUNT
- CONCRETE WHEEL STOP, TYP
- PAINTED PARKING STRIPES, TYP.
- 12" HIGH PAINTED WHITE LETTERS
- MAINTAIN 8'-2" CLEAR HEIGHT
- 1 1/2-HR SELF-CLOSING DOORS- W/ SMOKE SEAL 5/AIS
- ACC SIGN AS PER SECT. 1109A.8.B/D1
- 5% OF 24 SPACES=1 OUTLETS REQUIRED/ 1 PROVIDED. FOR FUTURE INSTALLATION OF ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE) IN EACH ONE
- FOR FUTURE INSTALLATION OF ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE) IN EACH ONE - SEE GREEN BLDGS. NOTES ON A10
- INVERTER & METERING EQUIPMENT
- 100 SF BIKE MAINTENANCE
- 6" CURB
- 2 1/2" METAL STUDS W/ 2-LAYERS 5/8" GYP. DVL TYPE X - 2HR

- LEGEND
- CONC. WALL - 2-HR. RATED
 - CONC. BLK WALL-2-HR RATED
 - CLASS 1 - 4" STANDPIPE W/ 2 1/2" OUTLET
 - EXIT SIGN - SEE NOTES FB314/A1
 - AUTOMATIC SPRINKLER PROVIDED AT TOP OF CHUTE AND IN TERMINAL ROOM
 - 208/240V/40 AMP GROUNDED AC OUTLET, TYP. 5% OF 19 SPACES= 1 OUTLETS REQUIRED/1 PROVIDED
 - ELECTRIC VEHICLE
 - EXIST. GRADE
 - FINISHED GRADE



1 GARAGE PLAN 1/8"=1'-0"

GRADE PLANE
 PLANNING LOWEST POINT EL. 129.50
 BUILDING
 (129.38+129.41+130.30+129.34) / 4 = 129.62

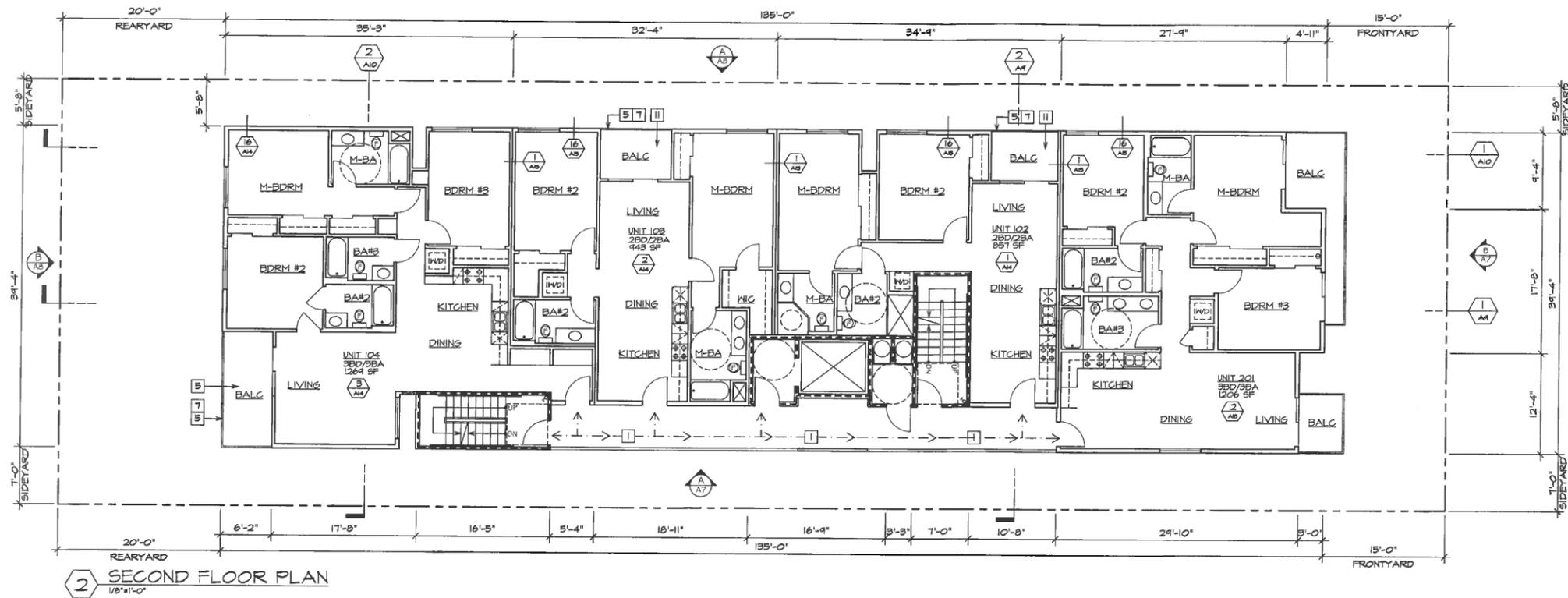
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 Case No. DR-2020-2067-TOL

DATE	ISSUED FOR	DATE	REVISIONS

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 GLENDALE, CA 91208
 (818) 242-2330

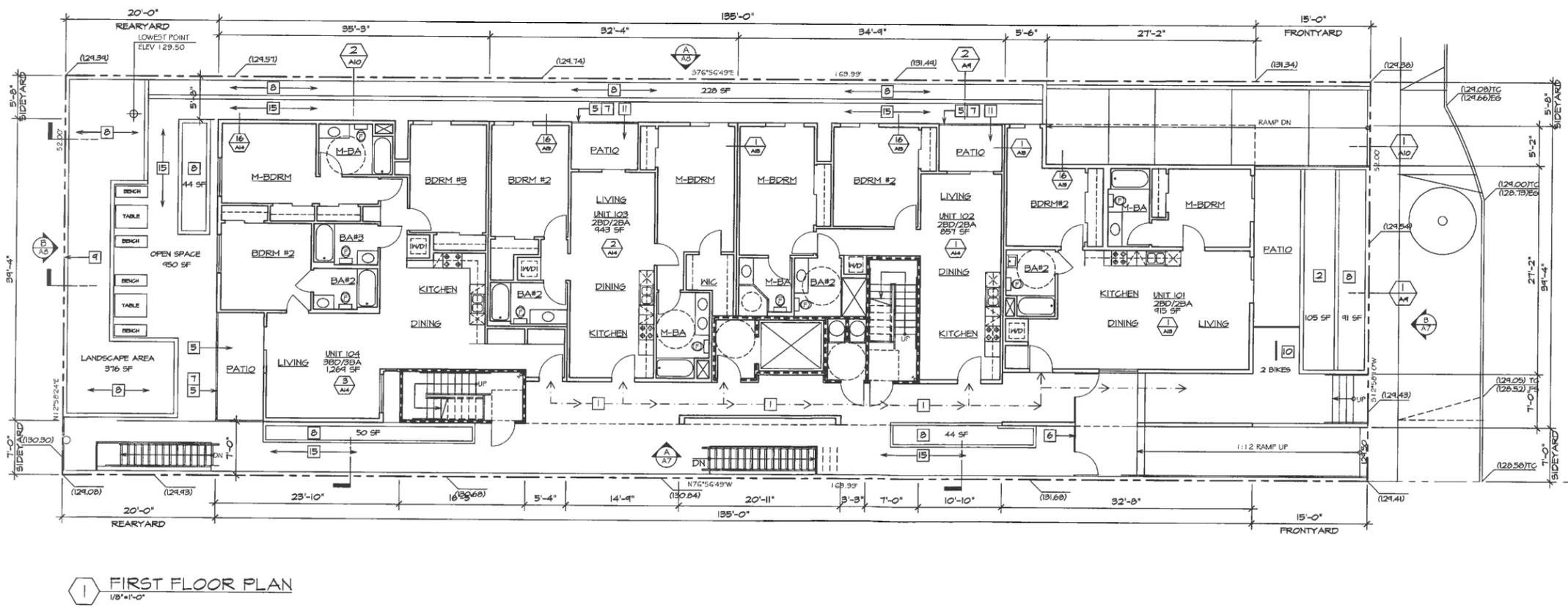
SHEET TITLE: BASEMENT GARAGE PLAN
 JOB TITLE: 1447 S HI POINT ST
 LOS ANGELES, CA 90035

DRAWN: [Signature]
 CHECKED: [Signature]
 JOB: 1947
 SHEET: A3



- LEGEND**
- 1-HR WALL
 - 2-HR WALL
 - PLUMBING WALL
 - CLASS 1 - 4" STANDPIPE W/ 2 1/2" OUTLET
 - EXIT SIGN - SEE NOTES F13 & 14/A1
 - WATER CURTAIN, SEE 4/A3, TYP
 - 100.00 EXIST. GRADE
 - 100.00 FINISHED GRADE

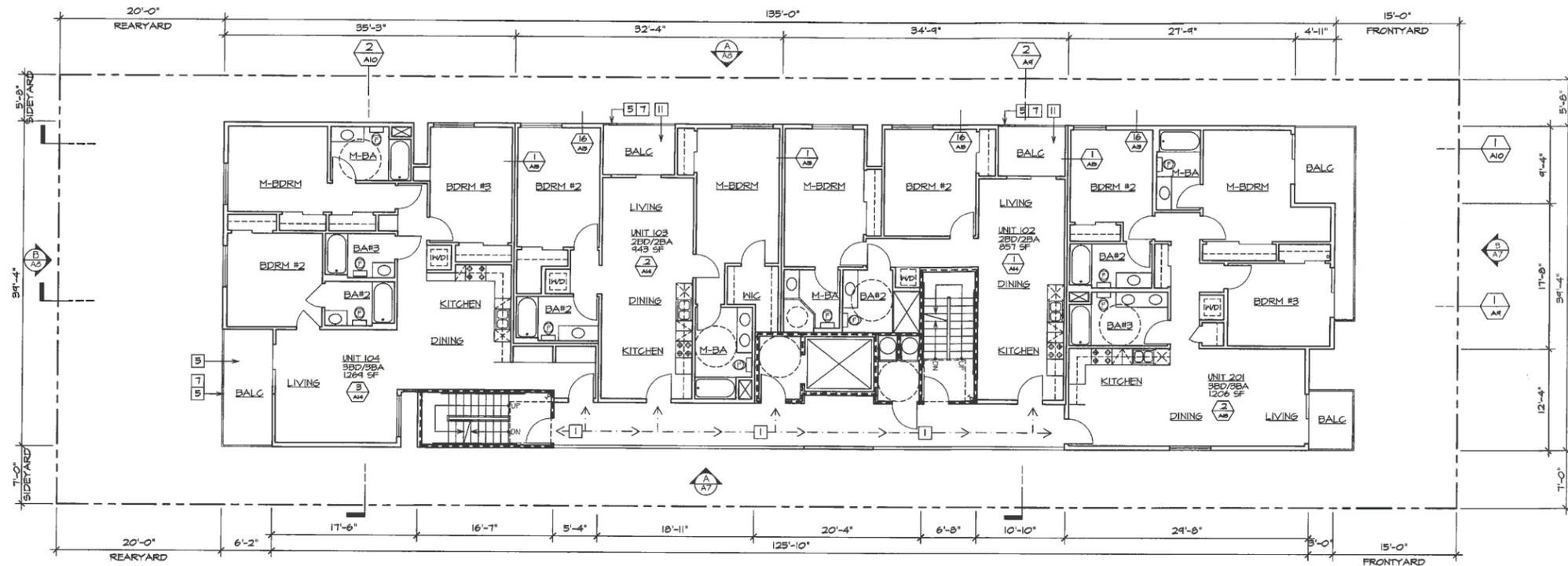
- REFERENCE NOTES:**
- 1 ADA PATH OF TRAVEL
 - 2 NON-FILTRATION PLANTER
 - 3 CONCRETE STAIRS/STEPS - SEE D-4*
 - 4 WARNING STRIPE & HANDRAIL EXTENSIONS AS PER IIA-6A/D-4*
 - 5 LINE OF BALCONY ABOVE
 - 6 6'-0" HIGH W/L. GATE & FENCE, SEE 3/A3
 - 7 42" HIGH WROUGHT IRON RAILING
 - 8 STORMWATER/FILTRATION PLANTER
 - 9 6'-0" HIGH CMU WALL. PROPERTY LINE
 - 10 SHORT TERM BICYCLE PARKING - SEE 6/A3
 - 11 MACOAT DECK SYSTEM RR #25483
 - 12 CLASS 1 STANDPIPE - SEE LEGEND
 - 13 LINE OF BUILDING ABOVE
 - 14 100% OF HARDSCAPE TO BE UNCOLORED CONCRETE W/ SMOOTH CEMENT FINISH & W/ SOLAR REFLECTANCE OF AT LEAST 0.30 AS DETERMINED PER ASTM E410 OR ASTM C1549.



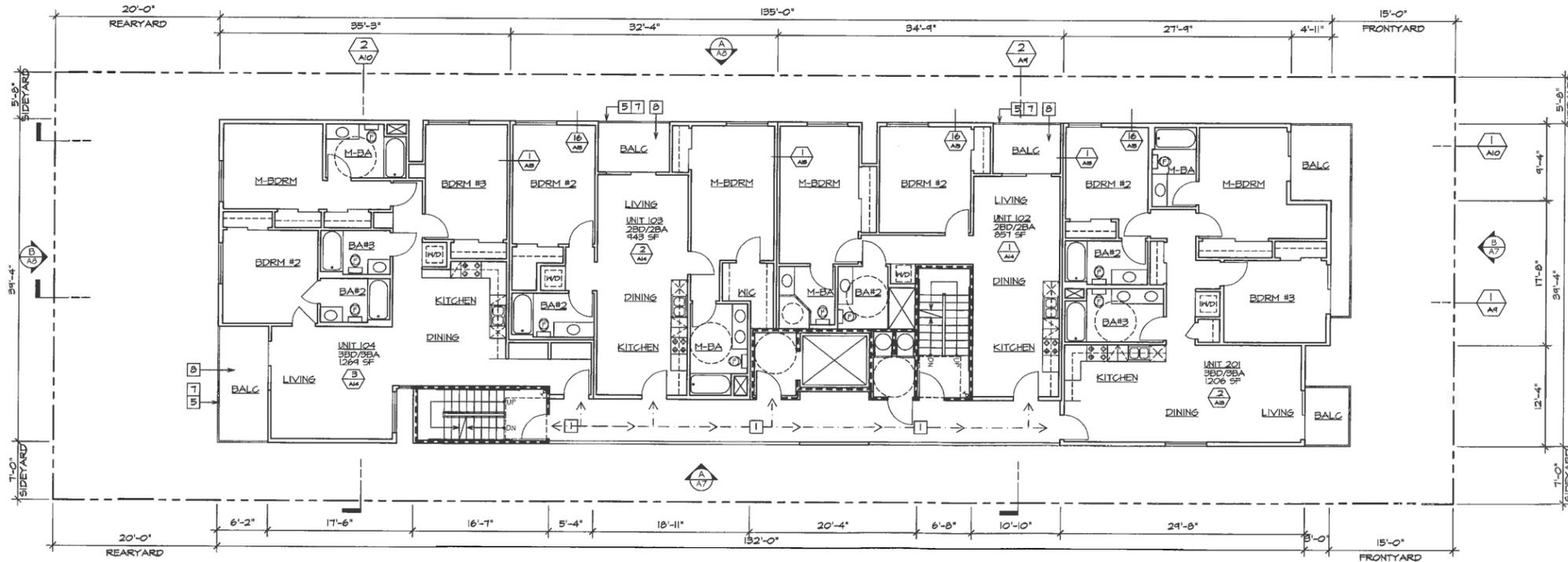
DATE	ISSUED FOR	DATE	REVISIONS

	URIU & ASSOCIATES ARCHITECTURE, PLANNING 830 S. GLENDALE AVENUE GLENDALE, CA 91205 (818) 247-2830 C-7487 EXP. 1/31/21
	SHEET TITLE 1ST FLOOR PLAN & 2ND FLOOR PLAN JOB TITLE 1447 S HI POINT ST LOS ANGELES, CA 90035
	DRAWN CHECKED JOB 1947 SHEET A4

EXHIBIT "A"
 Page No. 4 of 15
 Case No. D17-2020-2067-WC



2 FOURTH FLOOR PLAN
1/8"=1'-0"



1 THIRD FLOOR PLAN
1/8"=1'-0"

- LEGEND**
- 1-HR WALL
 - 2-HR WALL
 - PLUMBING WALL
 - CLASS 1 - 4" STANDPIPE W/ 2 1/2" OUTLET
 - EXIT SIGN - SEE NOTES F13414/A1
 - WATER CURTAIN SEE 4/A3, TYP
 - 100.00 EXIST. GRADE
 - 100.00 FINISHED GRADE

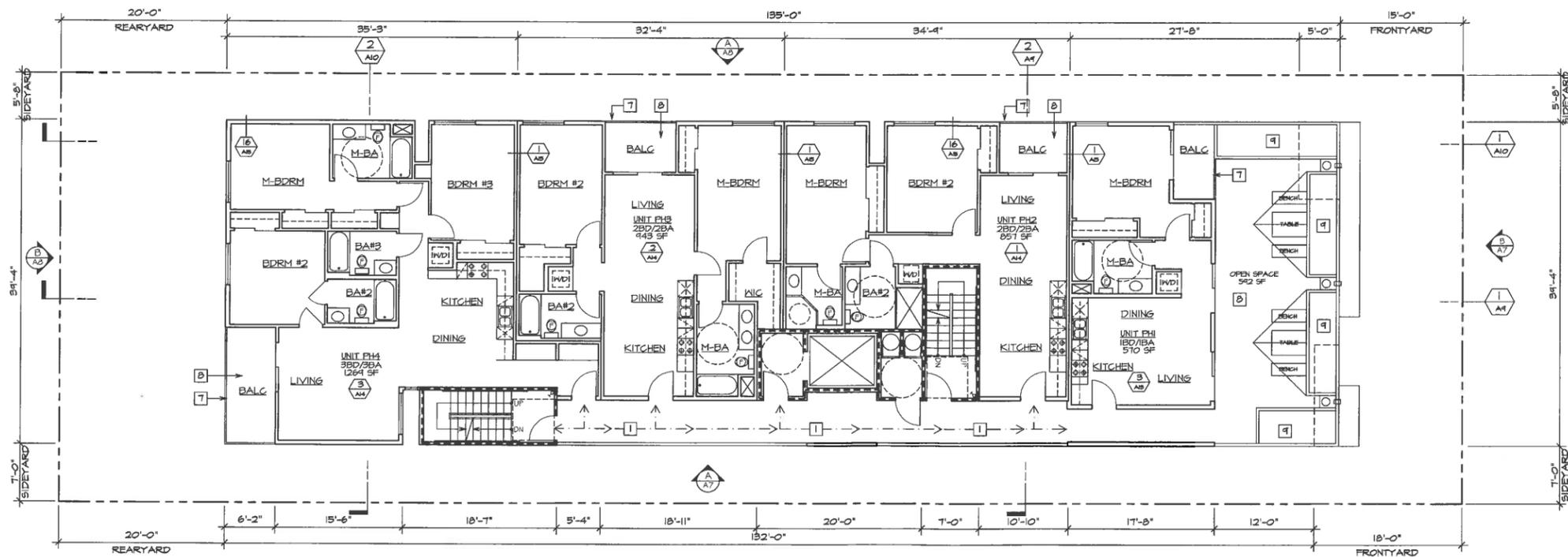
- REFERENCE NOTES:**
- 1 ADA PATH OF TRAVEL
 - 2 NON-FILTRATION PLANTER
 - 3 CONCRETE STAIRS/STEPS - SEE D4r
 - 4 WARNING STRIPE & HANDRAIL EXTENSIONS AS PER IIA-6A/D4r
 - 5 LINE OF BALCONY ABOVE
 - 6 6'-0" HIGH W/ GATE & FENCE, SEE 3/A3
 - 7 42" HIGH WROUGHT IRON RAILING
 - 8 MACOAT DECK SYSTEM RR #25983

DATE	ISSUED FOR	DATE	REVISIONS

URIU & ASSOCIATES
ARCHITECTURE, PLANNING
800 S. GLENDALE AVENUE GLENDALE, CA 91205
(818) 247-2330

SHEET TITLE	3RD FLOOR PLAN & 4TH FLOOR PLAN
JOB TITLE	1447 S HI POINT ST LOS ANGELES, CA 90035
DRAWN	
CHECKED	
JOB	1947
SHEET	A5

EXHIBIT "A"
Page No. 5 of 15
Case No. DIP-2020-2167-TSC



1 FIFTH FLOOR PLAN
1/8" = 1'-0"

- LEGEND**
- 1-HR WALL
 - 2-HR WALL
 - PLUMBING WALL
 - CLASS 1 - 4" STANDPIPE W/ 2 1/2" OUTLET
 - EXIT SIGN - SEE NOTES F13#14/A1
 - WATER CURTAIN, SEE 4/A3, TYP
 - 100.00 EXIST. GRADE
 - 100.00 FINISHED GRADE

- REFERENCE NOTES:**
- 1 ADA PATH OF TRAVEL
 - 2 NON-FILTRATION PLANTER
 - 3 CONCRETE STAIRS/STEPS - SEE D4r
 - 4 WARNING STRIPE & HANDRAIL EXTENSIONS AS PER IIA-6A/D4r
 - 5 LINE OF BALCONY ABOVE
 - 6 6'-0" HIGH W/ GATE & FENCE, SEE 3/A3
 - 7 42" HIGH WROUGHT IRON RAILING
 - 8 MAGOAT DECK SYSTEM RR #25483
 - 9 PLANTER

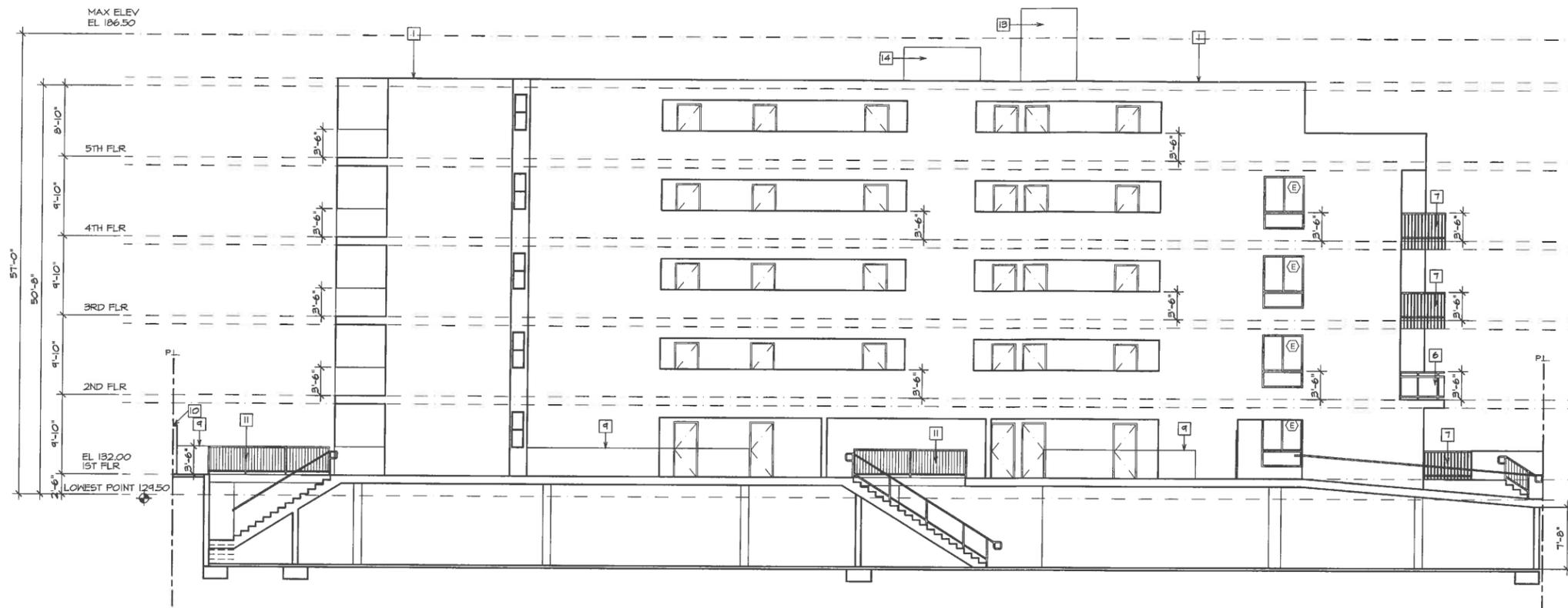
DATE	ISSUED FOR	DATE	REVISIONS

URIU & ASSOCIATES
ARCHITECTURE, PLANNING
830 S. GLENDALE AVENUE GLENDALE, CA 91205
(818) 247-2330

SHEET TITLE FIFTH FLOOR PLAN	JOB TITLE 1447 S HI POINT ST LOS ANGELES, CA 90035
DRAWN	
CHECKED	
JOB 1947	
SHEET A6	

EXHIBIT "A"

Page No. 6 of 15
Case No. DIP-2620-267-706



A SOUTH ELEVATION
1/8"=1'-0"
LEFT SIDE



B EAST ELEVATION
1/8"=1'-0"
FRONT

ELEVATION LEGEND:

- 1 BUILT-UP ROOF-GLASS 'A'
- 2 EXTERIOR STUCCO OVER MET. LATH.
PAINT - FRAZEE - SMOKED SALMON CL 3143W
- 3 PAINT - FRAZEE MUDDY WATERS CL 3155D
- 4 PAINT - FRAZEE HELIUM CL 3161W
- 5 DAL TILE - WALNUT TP85
- 6 42" HIGH GLASS RAILING
- 7 42" HIGH METAL RAILING
- 8 LINE OF NATURAL GRADE
- 9 PLANTER
- 10 6' HIGH CMU WALL
- 11 42" HIGH METAL GUARDRAIL & GATE WHERE OCCURS. SEE 2/A2
- 12 6' HIGH W.I. FENCE & GATE 4/A3
- 13 STAIR TOWER
- 14 ELEVATOR TOWER
- 15 ROLL-UP DOOR
- 16 CONCRETE SLAB ON GRADE
- 17 CONCRETE DECK (3HR)
- 18 RETAINING WALL
- 19 STRUCTURAL FOAM - INSULFOAM ASTM D1621 & ICC ER ERS 1770
- 20 METAL AWNING
- 21 BUILDING ADDRESS PROVIDED AT ENTRANCE OF BUILDING IN ACCORDANCE TO LAMC 51.09.11.
- 22 ROOF PLANTER. SEE 2/A2
- 23 NEW CONC. SIDEWALK PER CITY STD.
- 24 FIRE DEPARTMENT CONNECTION
- 25 G.I. GUTTER
- 26 DOWN SPOUT

WINDOW SCHEDULE			
TYPE	WIDTH	HEIGHT	S.F.
A	4'-0"	4'-6"	18 SF
B	5'-0"	4'-6"	22.5 SF
C	8'-0"	4'-6"	27 SF
D	4'-0"	6'-6"	26 SF
E	5'-0"	6'-6"	32.5 SF
F	6'-0"	6'-6"	39 SF
G	2'-0"	4'-6"	9 SF
H	3'-0"	4'-6"	13.5 SF
K	2'-6"	4'-6"	11.25 SF
L	3'-0"	2'-0"	6 SF

DOOR SCHEDULE			
TYPE	WIDTH	HEIGHT	S.F.
12	5'-0"	8'-0"	40 SF
13	6'-0"	8'-0"	48 SF
14	7'-0"	8'-0"	56 SF

NOTE:
1. ALL ROOF DRAINS & DOWNSPOUTS TO FLOW TO STORMWATER FILTRATION PLANTERS (LID). SEE SHEETS 62-63.

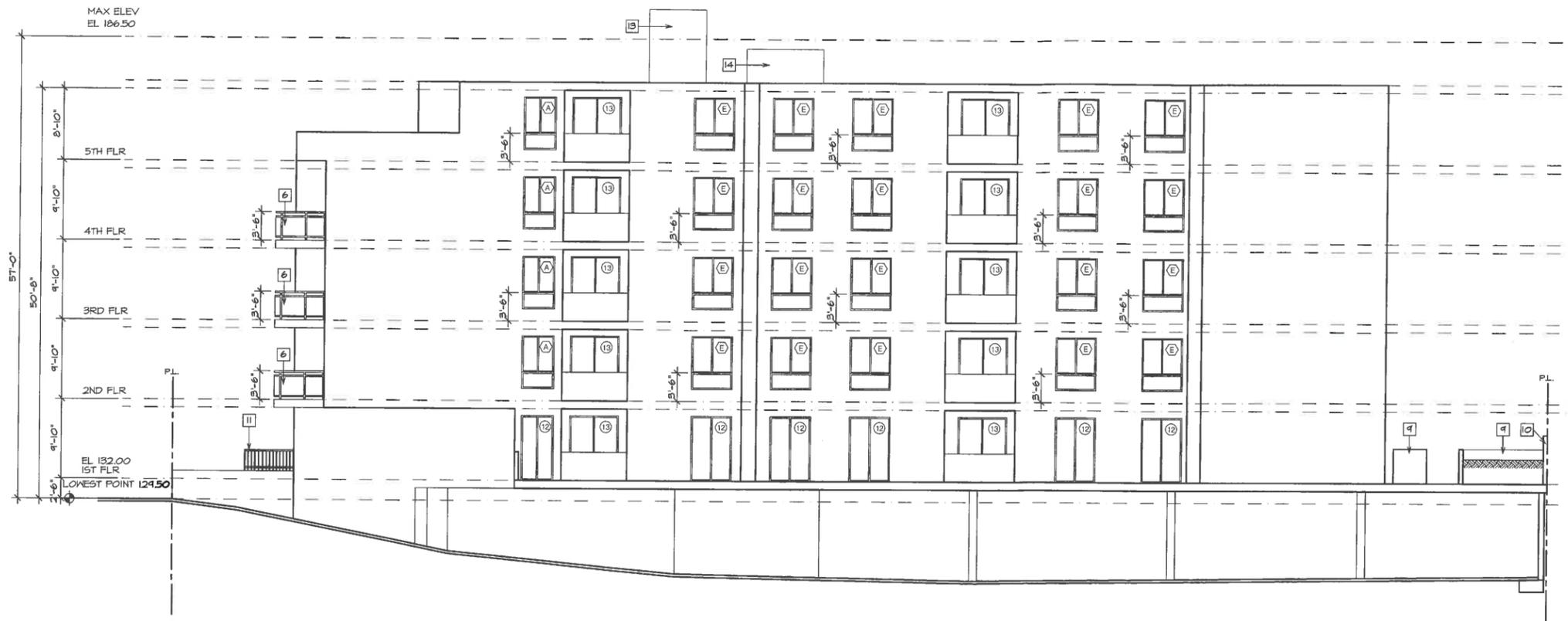
DATE	ISSUED FOR	DATE	REVISIONS

URIU & ASSOCIATES
ARCHITECTURE, PLANNING
800 S. GLENDALE AVENUE
GLENDALE, CA 91206

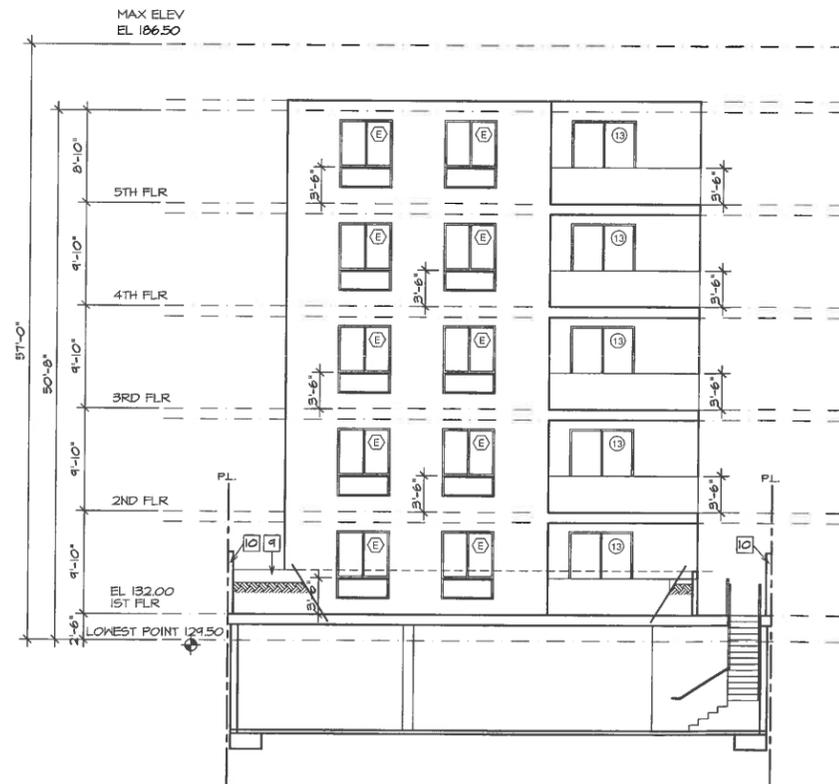
SHEET TITLE ELEVATIONS	JOB TITLE 1447 S HI POINT ST LOS ANGELES, CA 90035
DRAWN	
CHECKED	
JOB 1947	
SHEET A7	

EXHIBIT "A"

Page No. 7 of 15
Case No. DR-2020-2067-TDC



A NORTH ELEVATION
1/8"=1'-0"
RIGHT SIDE



B WEST ELEVATION
1/8"=1'-0"
REAR

ALLOW AREA OF UNPROTECTED OPNG
20 FT FROM P.L. - 75%

W.A. $39'-6" \times 9'-10" = 300.4 \text{ SF}$
A. OF OPNGS $65 \text{ SF(W)} + 40 \text{ SF(D)} = 105 \text{ SF}/29.1\%$

W.A. $39'-6" \times 9'-10" = 300.4 \text{ SF}$
A. OF OPNGS $65 \text{ SF(W)} + 40 \text{ SF(D)} = 105 \text{ SF}/29.1\%$

W.A. $39'-6" \times 9'-10" = 300.4 \text{ SF}$
A. OF OPNGS $65 \text{ SF(W)} + 40 \text{ SF(D)} = 105 \text{ SF}/29.1\%$

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A. OF OPNGS $65 \text{ SF(W)} + 40 \text{ SF(D)} = 105 \text{ SF}/29.1\%$

W.A. $39'-6" \times 9'-10" = 300.4 \text{ SF}$
A. OF OPNGS $65 \text{ SF(W)} + 40 \text{ SF(D)} = 105 \text{ SF}/29.1\%$

ELEVATION LEGEND:

- 1 BUILT-UP ROOF-GLASS 'A'
- 2 EXTERIOR STUCCO OVER MET. LATH. PAINT - FRAZEE - SMOKED SALMON CL 3143W
- 3 PAINT - FRAZEE MUDDY WATERS CL 3155D
- 4 PAINT - FRAZEE HELIUM CL 3161W
- 5 DAL TILE - WALNUT TP85
- 6 42" HIGH GLASS RAILING
- 7 42" HIGH METAL RAILING
- 8 LINE OF NATURAL GRADE
- 9 PLANTER
- 10 6' HIGH CMU WALL
- 11 42" HIGH METAL GUARDRAIL & GATE WHERE OCCURS. SEE 2/A2
- 12 6' HIGH W.I. FENCE & GATE 4/A3
- 13 STAIR TOWER
- 14 ELEVATOR TOWER
- 15 ROLL-UP DOOR
- 16 CONCRETE SLAB ON GRADE
- 17 CONCRETE DECK (3HR)
- 18 RETAINING WALL
- 19 STRUCTURAL FOAM - INSULFOAM ASTM D1621 & ICC ERS 1770
- 20 METAL AWNING
- 21 BUILDING ADDRESS PROVIDED AT ENTRANCE OF BUILDING IN ACCORDANCE TO LAMC 51.0911.
- 22 ROOF PLANTER. SEE 2/A2
- 23 NEW CONC. SIDEWALK PER CITY STD.
- 24 FIRE DEPARTMENT CONNECTION
- 25 G.I. GUTTER
- 26 DOWN SPOUT

WINDOW SCHEDULE			
TYPE	WIDTH	HEIGHT	S.F.
A	4'-0"	4'-6"	18 SF
B	5'-0"	4'-6"	22.5 SF
C	6'-0"	4'-6"	27 SF
D	4'-0"	6'-6"	26 SF
E	5'-0"	6'-6"	32.5 SF
F	6'-0"	6'-6"	39 SF
G	2'-0"	4'-6"	9 SF
H	3'-0"	4'-6"	13.5 SF
K	2'-6"	4'-6"	11.25 SF
L	3'-0"	2'-0"	6 SF

DOOR SCHEDULE			
TYPE	WIDTH	HEIGHT	S.F.
10	5'-0"	8'-0"	40 SF
11	6'-0"	8'-0"	48 SF
12	7'-0"	8'-0"	56 SF

NOTE:
1. ALL ROOF DRAINS & DOWNSPOUTS TO FLOW TO STORMWATER FILTRATION PLANTERS (LID). SEE SHEETS 62-63.

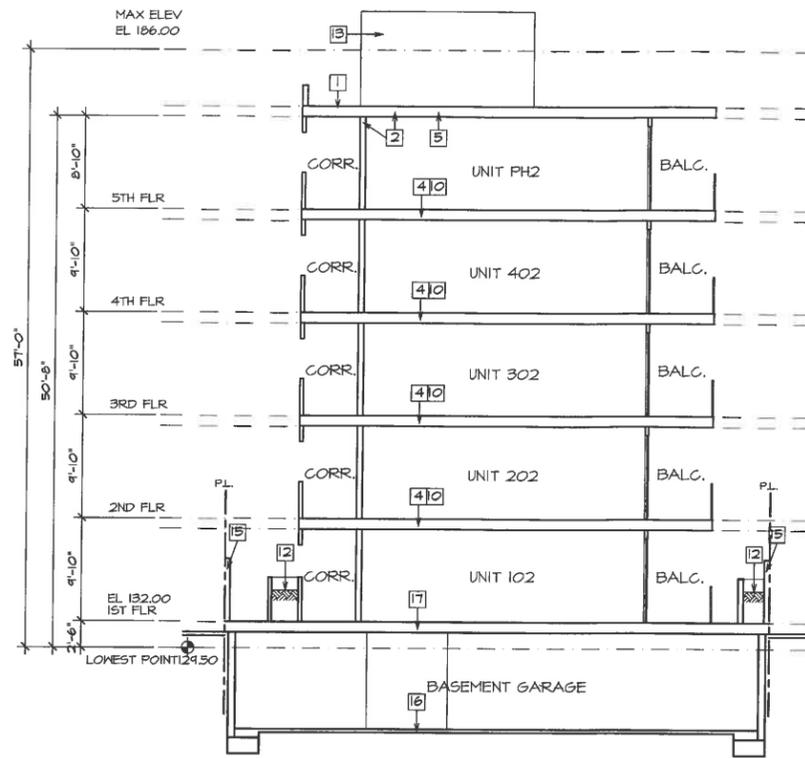
EXHIBIT "A"
Page No. 8 of 15
Case No. D18-2020-2067-Tol

DATE	ISSUED FOR	REVISIONS

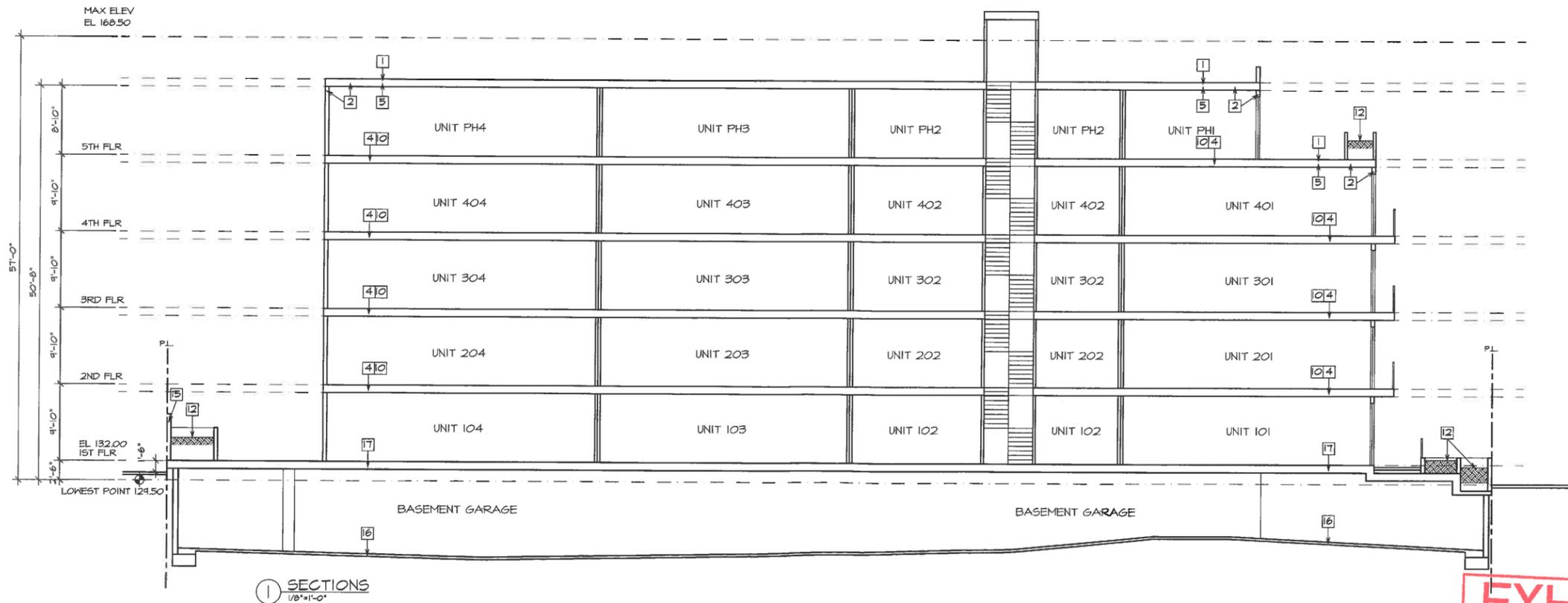
URIU & ASSOCIATES
ARCHITECTURE, PLANNING
800 S. GLENDALE AVENUE
GLENDALE, CA 91205

SHEET TITLE
ELEVATIONS
JOB TITLE
1447 S HI POINT ST
LOS ANGELES, CA 90035

DRAWN
CHECKED
JOB
1947
SHEET
A8



② SECTIONS
1/8"=1'-0"



① SECTIONS
1/8"=1'-0"

SECTION REFERENCE NOTES:

- 1 BUILT-UP ROOF - CLASS 'A'
- 2 5/8" GYP. D.M. TYPE 'X' - TYP
- 3 R-13 INSULATION - TYP
- 4 R-19 INSULATION - TYP
- 5 R-30 INSULATION - TYP
- 6 MACOAT DECK SYSTEM RR# 25403
- 7 42" HIGH W.L. RAILING
- 8 EXIST. GRADE
- 9 STRUCTURAL FOAM - INSULFOAM ASTM D1621 & ICC ER ERS 1T18
- 10 1 1/2" LT. WT. CONC
- 11 2 - 5/8" PLYWOOD SUBFLOOR WITH 15# FELT BETWEEN
- 12 PLANTER
- 13 STAIR TOWER BEYOND
- 14 ELEVATOR TOWER BEYOND
- 15 6' HIGH CMU WALL
- 16 CONCRETE SLAB ON GRADE
- 17 CONCRETE DECK

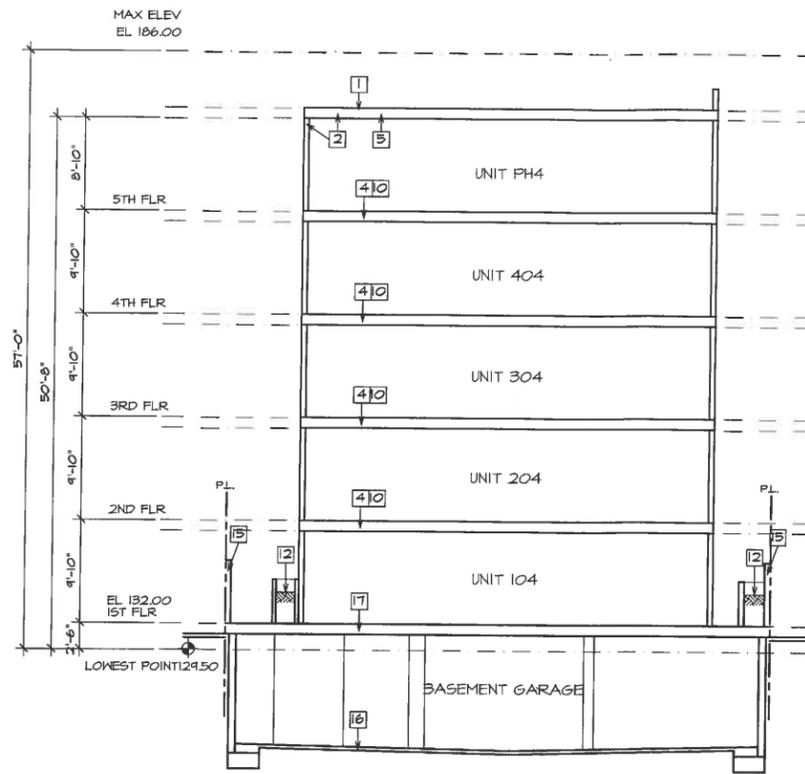
ELEVATION LEGEND

- (0.00) EXISTING GRADE ELEVATION
- (0.00) NEW GRADE ELEVATION

DATE	ISSUED FOR	DATE	REVISIONS

<p>URIU & ASSOCIATES ARCHITECTURE, PLANNING 800 S. GLENDALE AVENUE GLENDALE, CA 91208 (818) 247-2331</p>
<p>SHEET TITLE SECTIONS JOB TITLE 1447 S HI POINT ST LOS ANGELES, CA 90035</p>
<p>DRAWN</p>
<p>CHECKED</p>
<p>JOB 1947</p>
<p>SHEET A9</p>

EXHIBIT "A"
Page No. 9 of 15
Case No. 017-2020-2667- Tol



② SECTIONS
1/8"=1'-0"

SECTION REFERENCE NOTES:

- 1 BUILT-UP ROOF - CLASS 'A'
 - 2 5/8" GYP. DJL TYPE 'X' - TYP
 - 3 R-13 INSULATION - TYP
 - 4 R-19 INSULATION - TYP
 - 5 R-30 INSULATION - TYP
 - 6 MACOAT DECK SYSTEM RR# 25483
 - 7 42" HIGH W.I. RAILING
 - 8 EXIST. GRADE
 - 9 STRUCTURAL FOAM - INSULFOAM ASTM D1621 & ICG ERR ERS 1778
 - 10 1 1/2" LT. WT. CONC
 - 11 2 - 5/8" PLYWOOD SUBFLOOR WITH 15# FELT BETWEEN
 - 12 PLANTER
 - 13 STAIR TOWER BEYOND
 - 14 ELEVATOR TOWER BEYOND
 - 15 6' HIGH CMU WALL
 - 16 CONCRETE SLAB ON GRADE
 - 17 CONCRETE DECK
- ELEVATION LEGEND
 (0.00) EXISTING GRADE ELEVATION
 0.00 NEW GRADE ELEVATION

DATE	ISSUED FOR	DATE	REVISIONS



URIU & ASSOCIATES
 ARCHITECTURE, PLANNING
 638 & GLENDALE AVENUE
 GLENDALE, CA 91205
 (818) 247-2330

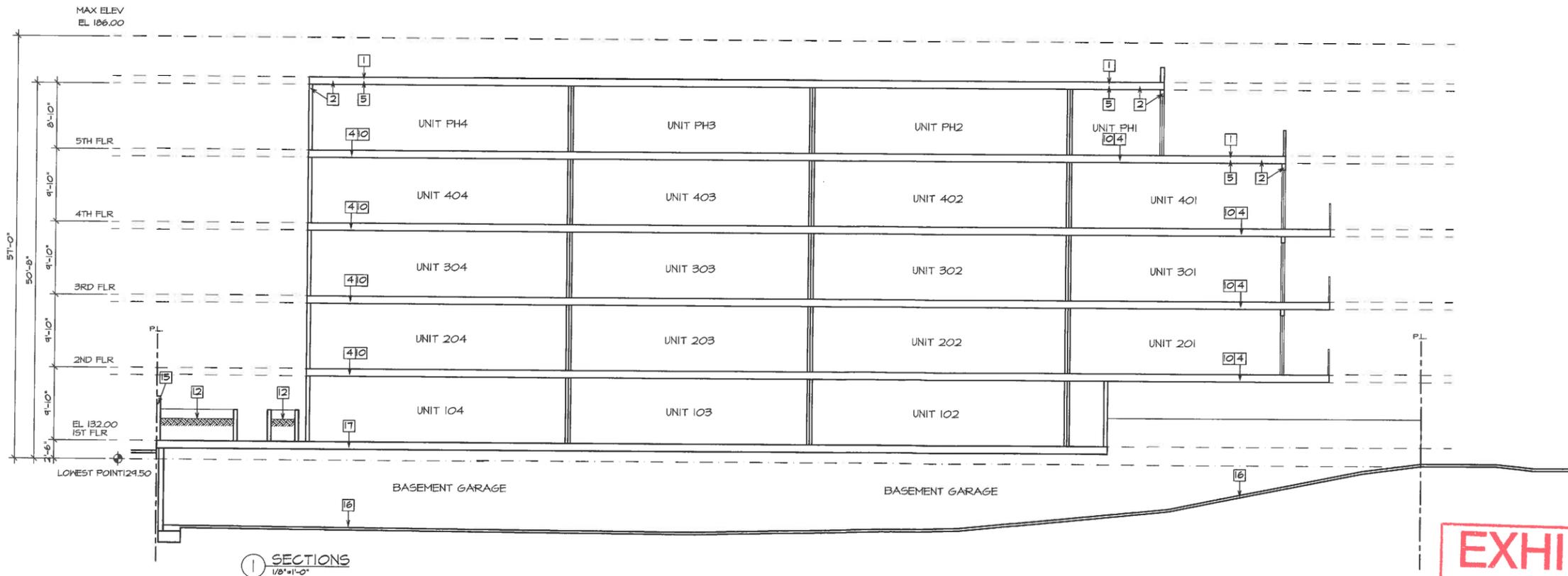


SHEET TITLE
 SECTIONS
 JOB TITLE
 1447 S HI POINT ST
 LOS ANGELES, CA 90035



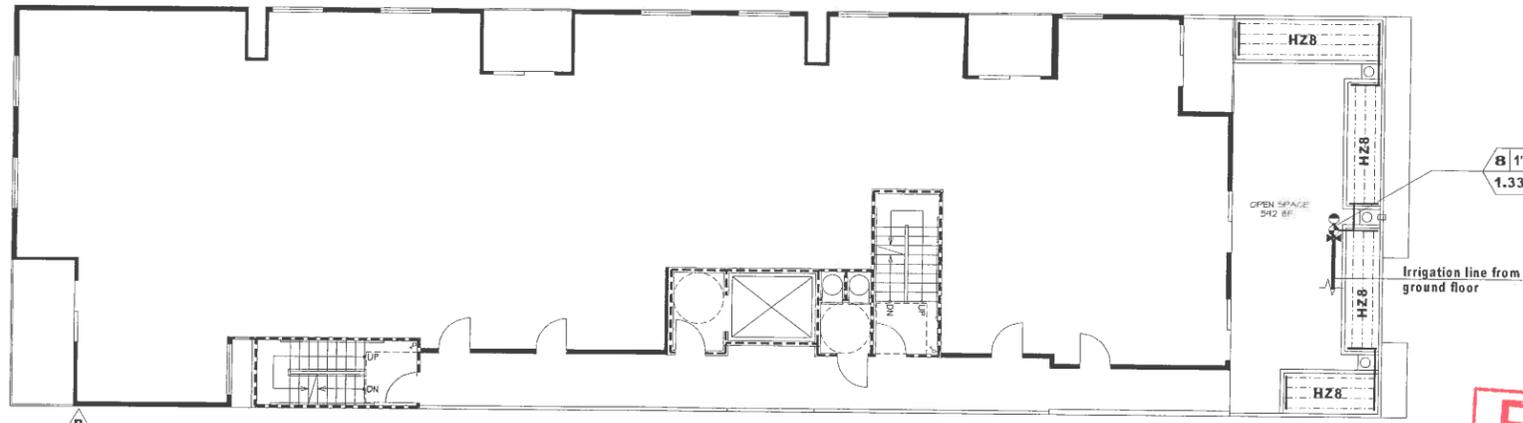
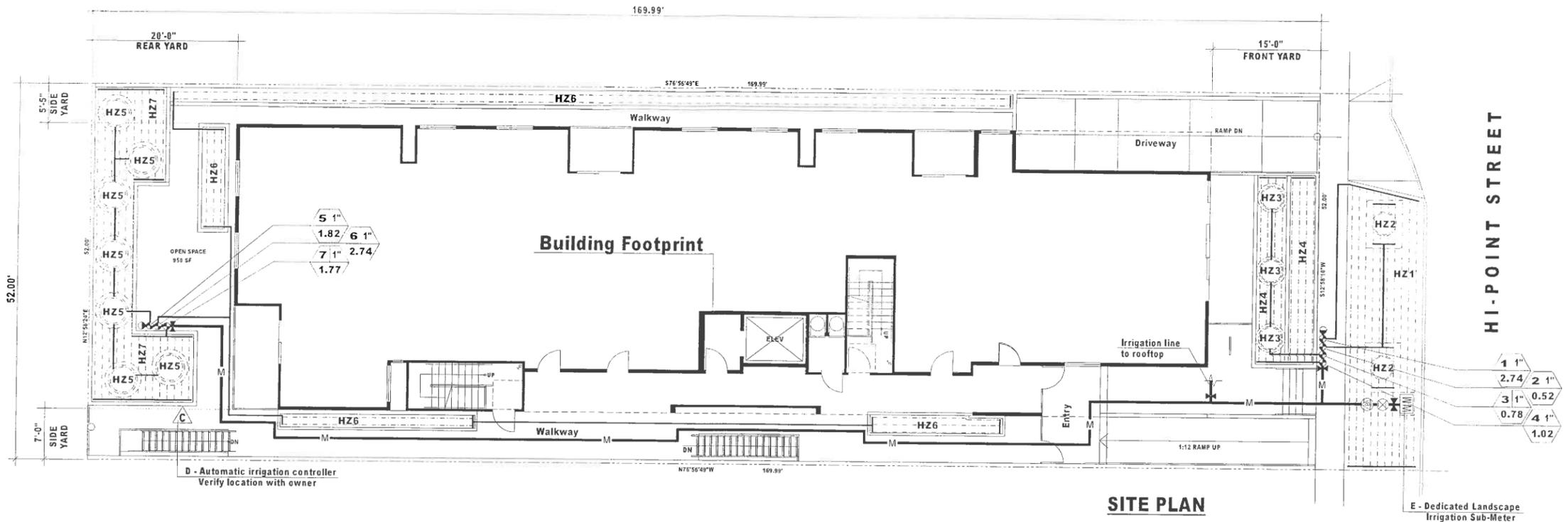
DRAWN
 CHECKED
 JOB 1947
 SHEET

A10



① SECTIONS
1/8"=1'-0"

EXHIBIT "A"
 Page No. 6 of 13
 Case No. DIR 2020-2067-100



1) AUTOMATIC CONTROLLERS SHALL BE SET TO WATER BETWEEN 5 PM AND 10 AM TO REDUCE EVAPORATION.
 2) A MINIMUM OF PVC SCHEDULE 40 OR EQUIVALENT SHALL BE USED FOR MAIN LINES AND UNDER DRIVEWAY AREAS, AND A MINIMUM OF PVC SCHEDULE 30 OR EQUIVALENT SHALL BE USED FOR LATERAL LINES.
 3) THE IRRIGATION SYSTEM MUST COMPLY WITH ALL LOCAL, STATE AND FEDERAL LAWS AND REGULATIONS.
 4) CONTRACTOR SHALL PROVIDE THE OWNER WITH A SET OF "AS-BUILT" PLANS.
 5) IT IS THE INTENT OF THE DRAWINGS TO SHOW A COMPLETE AND OPERATIONAL IRRIGATION SYSTEM. THE SYSTEM WAS DESIGNED BASED ON LANDSCAPE AND GRADING DRAWING IN EFFECT AT THIS TIME. ANY OMISSIONS, ERRORS, ETC., OR ON-SITE CHANGES DOES NOT RELIEVE THE IRRIGATION INSTALLER OF HIS RESPONSIBILITY TO PROVIDE A COMPLETE AND OPERATIONAL SYSTEM.
 6) IRRIGATION LINES, VALVES AND OTHER EQUIPMENT SHOWN IN PAVED OR PUBLIC AREAS ARE SCHEMATIC AND ARE FOR DIAGNOSTIC PURPOSES ONLY. LINES, VALVES, AND OTHER EQUIPMENT SHOWN IN PAVED OR PUBLIC AREAS ARE INTENDED TO BE LOCATED IN ADJACENT PLANTING AREAS.
 7) ALL LINES TRaversing Hardscape TO BE PLACED IN CONDUIT UNDER PAVING.

WITHIN THE PUBLIC RIGHT OF WAY
 a. All irrigation mainline shall be Schedule 40 PVC, and all laterals/sleeves shall be Schedule 40 PVC. Sleeves shall be 2x the size of the pipe being sleeved. All irrigation mainline and laterals shall be a minimum of 1/2" size.
 b. Contractor shall pay for all permits and construction costs for the Department of Water and Power (DWP) to conduct any street work (trenching), mainline/sleeve installation in the street and sub-water meter installation and reduced pressure backflow preventer review. A billing address must be provided when applying for installation of the sub-water meters. Contractor must file the application prior to start of construction. Contractor to contact the City in order to establish utility service and billing addresses. Utility service must be established prior to tree/shrub installations.
 c. The Reduced Pressure Principle Backflow Preventer, related equipment and irrigation controller shall be installed on private property.
 d. All irrigation equipment (for both concrete and landscape areas) shall be installed in traffic-rated concrete valve boxes with hinged metal lids. Irrigation equipment includes remote control valves, flush valves, air-relief valves, quick couplers, etc.
 e. All irrigation mainlines within the public right of way shall be 24" below finish grade. All irrigation laterals within the public right of way shall be 12" below finish grade. Below vehicular access areas, irrigation mainlines within the public right of way shall be 36" below finish grade, sleeves.
 f. All irrigation shall be pop-up spray/bubbler heads and/or sub-surface drip irrigation. No fixed risers are allowed within the public right of way.
 g. Direct burial wire shall be #14 gauge and shall be placed at 24" below grade taped to mainline where applicable.
 h. All drip irrigation shall be direct burial type, a minimum of 2" to 4" below finish grade.

Green Building Notes
Performance Approach

NOTES:
 1. Pressure-regulating devices are required if water pressure is below or exceeds the recommended pressure of the specified irrigation devices.
 2. Check valves or anti-drain valves are required on all sprinkler heads where low-point drainage could occur.
 3. Recirculating water systems shall be used for water features.
 4. Locks shall be installed on all publicly accessible exterior faucets and hose bibs.
 5. Plumbing contractor to install stub line for rooftop and upper floor irrigation.

A diagram of the irrigation plan showing hydrazones shall be kept with the irrigation controller for subsequent management purposes.
 An irrigation audit report shall be completed at the time of final inspection.
 I have complied with the criteria of the ordinance and applied them for the efficient use of water in the landscape design plans.
 A Certificate of Completion shall be filled out and certified by either the designer of the landscape plans, irrigation plans, or the licensed landscape contractor for the project.
 For projects that include landscape work, the Landscape Certification, Form GRN 12, shall be completed prior to final inspection approval.
 (State Assembly Bill No. 1881, S.304.1)

WATER DURING PLANT ESTABLISHMENT:
 SHRUB AND GROUNDCOVER SYSTEMS:
 10 MIN., 1X PER DAY, FOR FIRST 10 DAYS

SPRING WATERING AFTER PLANT ESTABLISHMENT:
 TREE, SHRUB AND GROUNDCOVER SYSTEMS:
 6 MIN., 3X PER WEEK

SUMMER WATERING AFTER PLANT ESTABLISHMENT:
 TREE, SHRUB AND GROUNDCOVER SYSTEMS:
 10 MIN., 3X PER WEEK

FALL WATERING AFTER PLANT ESTABLISHMENT:
 TREE, SHRUB AND GROUNDCOVER SYSTEMS:
 6 MIN., 3X PER WEEK

WINTER WATERING AFTER PLANT ESTABLISHMENT:
 SHRUB AND GROUNDCOVER SYSTEMS:
 10 MIN., 2X PER WEEK

ALL IRRIGATION SYSTEMS TO BE OPERATED IN EARLY MORNING OR IN THE EVENING.

IRRIGATION LEGEND										
VALVE NO.	SYM.	DESCRIPTION	PART NO	PRESSURE	GPM	APP. IN/HR	QTY	SPACING	SUBTOTAL	TOTAL GPM
1		HUNTER P/LD DRIP TUBING	PLD-06-12	30	0.01	0.72	274	16"	2.74	2.74
2		HUNTER P/LD DRIP TUBING	PLD-06-12	30	0.01	0.72	52	16"	0.52	0.52
3		HUNTER P/LD DRIP TUBING	PLD-06-12	30	0.01	0.72	78	16"	0.78	0.78
4		HUNTER P/LD DRIP TUBING	PLD-06-12	30	0.01	0.72	102	16"	1.02	1.02
5		HUNTER P/LD DRIP TUBING	PLD-06-12	30	0.01	0.72	182	16"	1.82	1.82
6		HUNTER P/LD DRIP TUBING	PLD-06-12	30	0.01	0.72	274	16"	2.74	2.74
7		HUNTER P/LD DRIP TUBING	PLD-06-12	30	0.01	0.72	177	16"	1.77	1.77
8		HUNTER P/LD DRIP TUBING	PLD-06-12	30	0.01	0.72	133	16"	1.33	1.33

Zone No. 5 1" Valve size
 Flow rate in GPM 4.00

STATIC PRESSURE AT METER: 110-94 PSI PER ELIA SUN, LADWP (213) 367-0973

IRRIGATION LEGEND		
SYMBOL	DESCRIPTION	PART NO
WM	DEDICATED LANDSCAPE IRRIGATION SUB-METER	1"
⊗	FEBCO BACKFLOW PREVENTER	MODEL 825Y
⊗	WILKINS PRESSURE REDUCING VALVE	600
⊗	HUNTER CONTROL ZONE VALVE KIT	PCZ-10-25
⊗	HUNTER RAIN SENSOR, CONDUIT MOUNT	SOLAR-SYNC
⊗	HUNTER I-CORE CONTROLLER	IC-600-M, six station w/one ICM-600 exp. module
⊗	HOSE BIB - OWNER TO SELECT LOCATION	
⊗	NIBCO GATE VALVE	SIZE PER LINE
—	SCHED. 40 PVC LATERAL LINE	3/4"
—	SCHED. 40 PVC MAIN LINE	

I agree to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Documentation Package.

LEGAL DESCRIPTION:
 APN: 5068-012-033
 PIN: 1298173 594
 TRACT: TR 3909
 BLOCK: None, LOT: FR 10
 MAP REF: M B 44-82

Signed: _____
 Date: 03/27/2020



Harmony Gardens, Inc.
 Shelley Sparks, RLA #2896
 12224 Addison Street
 Valley Village, CA 91607
 (818) 505-9783
 Shelley@harmonygardens.net

REVISION LOG:

SUBMITTAL NO: _____ DATE: _____

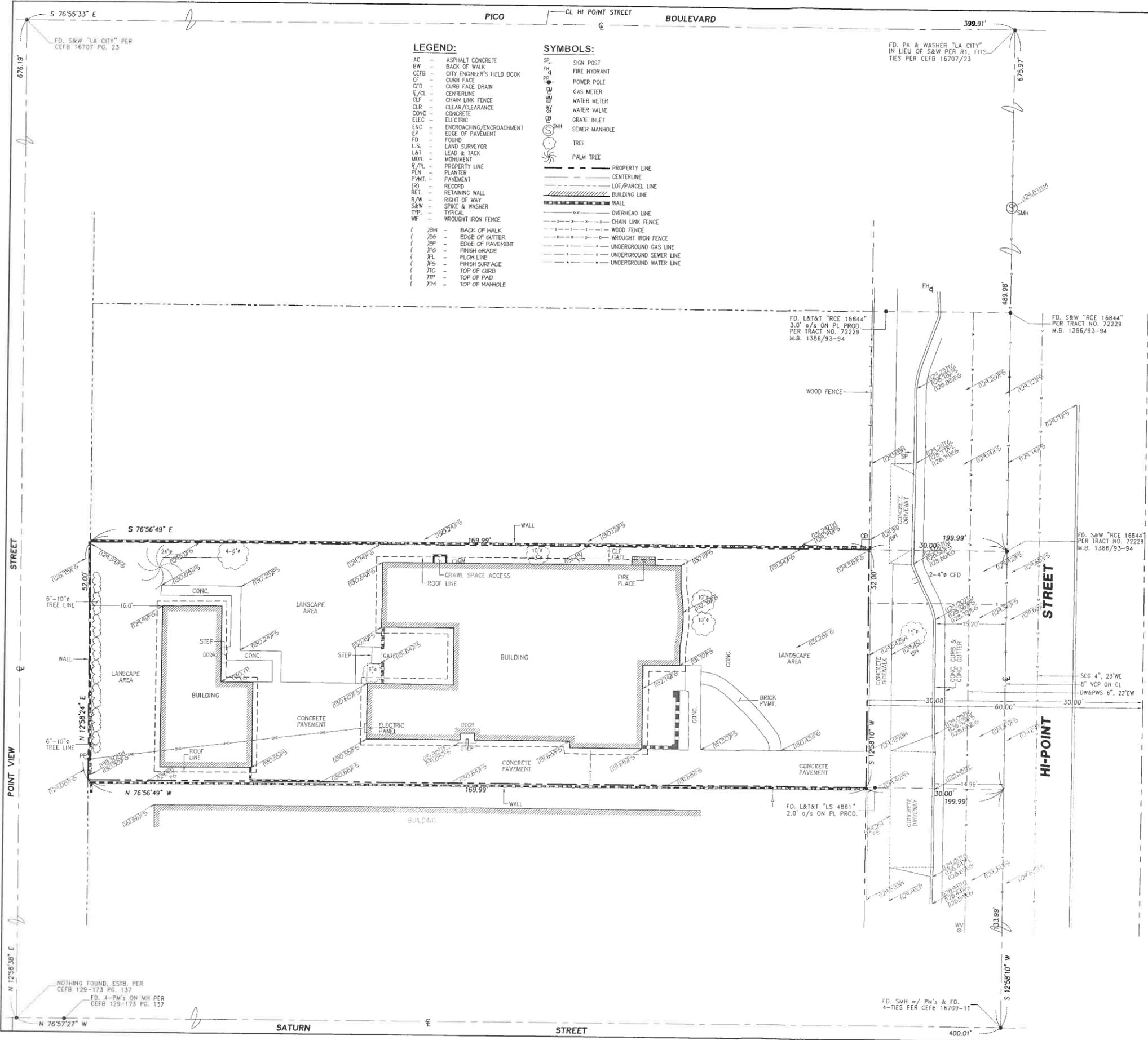
PROJECT ADDRESS:
 1447 S. Hi Point Street
 Los Angeles, CA 90035

OWNER ADDRESS:
 TOV TRUST
 550 S. Hill Street, Ste. 1420
 Los Angeles, CA 90013
 (310) 866-8321

IRRIGATION PLAN

Date: 03/27/2020
 Scale: 1/8" = 1'

Sheet No. L2
 2 of 3

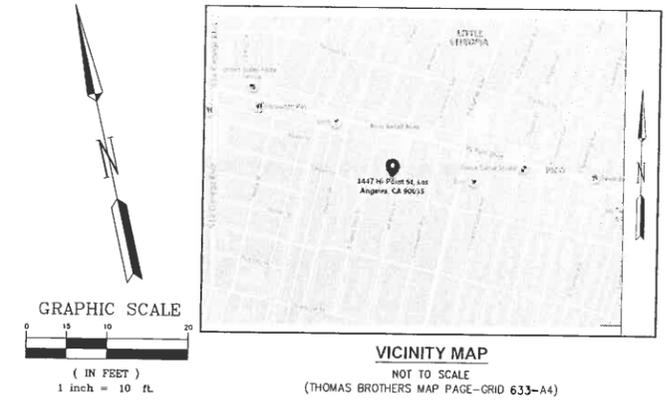


LEGEND:

AC	ASPHALT CONCRETE
BW	BACK OF WALK
CEFB	CITY ENGINEER'S FIELD BOOK
CF	CURB FACE
CFD	CURB FACE DRAIN
CL	CENTERLINE
CLF	CHAIN LINK FENCE
CLR	CLEAR/CLEARANCE
CONC	CONCRETE
ELC	ELECTRIC
ENC	ENCROACHING/ENCROACHMENT
EP	EDGE OF PAVEMENT
FD	FOUND
L.S.	LAND SURVEYOR
L&T	LEAD & TACK
MON.	MONUMENT
P.L.	PROPERTY LINE
PLV	PLANTER
P.V.M.	PAVEMENT
(R)	RECORD
RET.	RETAINING WALL
R/W	RIGHT OF WAY
S&W	SPIKE & WASHER
TYP.	TYPICAL
WF	WROUGHT IRON FENCE
()	BACK OF WALK
()	EDGE OF GUTTER
()	EDGE OF PAVEMENT
()	FINISH GRADE
()	FLOW LINE
()	FINISH SURFACE
()	TOP OF CURB
()	TOP OF PAD
()	TOP OF MANHOLE

SYMBOLS:

SP	SIGN POST
FH	FIRE HYDRANT
PP	POWER POLE
GM	GAS METER
WM	WATER METER
WV	WATER VALVE
GI	GRATE INLET
SMH	SEWER MANHOLE
T	TREE
PT	PALM TREE
---	PROPERTY LINE
---	CENTERLINE
---	LOT/PARCEL LINE
---	BUILDING LINE
---	WALL
---	OVERHEAD LINE
---	CHAIN LINK FENCE
---	WOOD FENCE
---	WROUGHT IRON FENCE
---	UNDERGROUND GAS LINE
---	UNDERGROUND SEWER LINE
---	UNDERGROUND WATER LINE



LEGAL DESCRIPTION:
(PER TICOR TITLE COMPANY'S PRELIMINARY REPORT ORDER NO. 00634367-996-ERB BEARING AN EFFECTIVE DATE OF AUGUST 28, 2019)

THE SOUTHWESTERLY 52 FEET OF THE NORTHWESTERLY 104 FEET OF LOT 10 OF TRACT NO. 3909, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 44 PAGE 82 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM ALL OIL, GAS MINERALS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW THE SURFACE OF SAID LAND, BUT WITHOUT THE RIGHT OF SURFACE ENTRY, AS RESERVED IN DOCUMENTS OF RECORD.

LAND AREA:
AREA: 8,840 SQ. FT. OR 0.203 ACRES

ASSESSOR'S PARCEL NUMBER:
A.P.N. 5068-012-033

BASIS OF BEARINGS:
THE BEARING SOUTH 12°58'10" WEST OF THE CENTERLINE OF HI-POINT STREET AS SHOWN ON TRACT NO. 72229, AS PER MAP FILED IN BOOK 1386 PAGES 93 AND 94 OF MAPS, RECORDS OF LOS ANGELES COUNTY, WAS USED AS THE BASIS OF BEARINGS FOR THIS SURVEY.

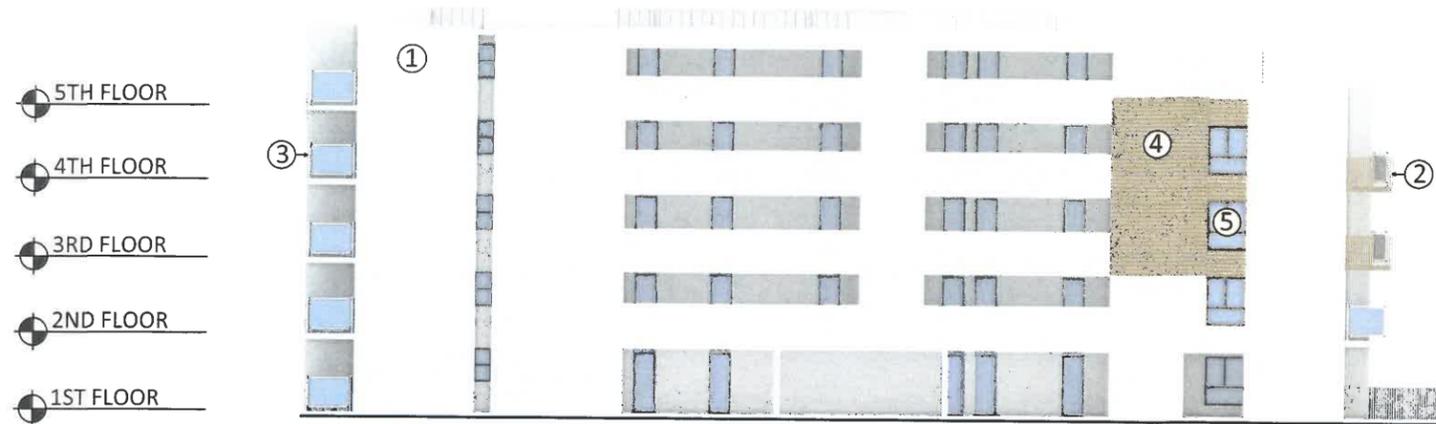
BENCHMARK:
BENCH MARK: 13-10551
DATUM: NAVD 1988
YEAR OF ADJUSTMENT: 2000
ELEVATION (FEET): 133.230
DESCRIPTION: SPK N CURB PICO BLVD; 2.5FT W/O BCR W/O HAYWORTH AVE

SURVEYOR'S NOTE:
1. IF UNDERGROUND UTILITIES AND OTHER SUBSTRUCTURES, ZONING, SET BACK, FLOOD ZONE, ASSESSOR PARCEL INFORMATION AND UTILITY INFORMATION ARE SHOWN HEREON, IT IS FOR GENERAL INFORMATION PURPOSES ONLY, HAVING BEEN OBTAINED FROM A GENERAL REQUEST AT THE LOCAL AGENCIES PUBLIC COUNTER AND/OR SOURCES NOT CONNECTED WITH THIS COMPANY. NO REPRESENTATION IS MADE AS TO THE ACCURACY, CURRENCY OR COMPLETENESS OF SAID INFORMATION AND ANY USERS OF SAID INFORMATION ARE URGED TO CONTACT THE UTILITY OR LOCAL AGENCY DIRECTLY.

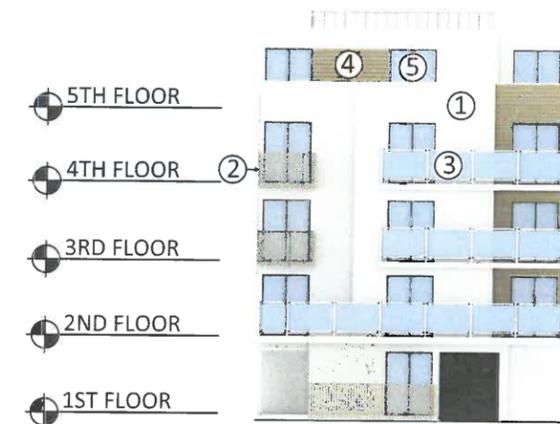
EXHIBIT "A"
Page No. 14 of 13
Case No. D19-2020-2067-100



TITLE SITE, TOPOGRAPHIC & BOUNDARY SURVEY 1447 HI POINT STREET LOS ANGELES, CA 90035		
CLIENT GABRIEL RABBANIAN		
SCALE 1"=10'	SEABOARD ENGINEERING CO. 1415 E. COLORADO STREET, STE 205 GLENDALE, CALIFORNIA 91205 TEL. (310)277-7337 (818)550-0337 FAX (818)550-0336 SEABOARD@SEABOARDENGINEERING.COM	JOB NO. 20-03
SURVEY BY N.A.		DATE 02/13/2020
PREPARED BY E.P.		SHEET 1
CHECKED BY M.D.	BY <i>Marites A. Dizon</i> MARITES A. DIZON PLR 9246	OF 1 SHEETS



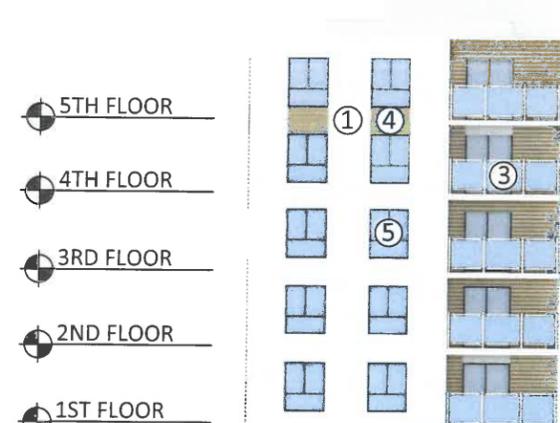
A SOUTH ELEVATION
3/32"=1'-0"



B EAST ELEVATION
3/32"=1'-0"



C NORTH ELEVATION
3/32"=1'-0"



D WEST ELEVATION
3/32"=1'-0"



FINISH MATERIALS LEGEND

- ① STUCCO, SMOOTH TROWEL, COLOR: WHITE (TBD)
- ② METAL RAILING, COLOR: BROWN (TBD)
- ③ GLASS RAILING, METAL COLOR: GRAY (TBD)
- ④ WOODEN SIDING, COLOR: BROWN (TBD)
- ⑤ WINDOWS: VINYL, COLOR: DARK GRAY (TBD)

EXHIBIT "A"
Page No. 15 of 15
Case No. D12-2020-2067-BL

Yakov Design
Drafting service
(562) 322-8070
info@yakovdesign.com

1447 HI POINT ST,
LOS ANGELES, CA 90035

ELEVATIONS

NOTES:

SCALE:

DATE: 04.06.2020

1.0

EXHIBIT D

Transit Oriented Communities Referral Form – ADM-2020-124-TOC



REFERRAL FORMS:

TRANSIT-ORIENTED COMMUNITIES - REFERRAL FORM
LOS ANGELES CITY PLANNING DEPARTMENT

This form is to serve as a referral to the Department of City Planning Development Services Center for Affordable Housing case filing purposes (in addition to the required Department of City Planning Application and any other necessary documentation) and as a referral to HCIDLA, CRA, Building and Safety, or other City agency for project status and entitlement need purposes. This form shall be completed by the applicant and reviewed and signed by Department of City Planning staff prior to filing an application for a case or building permit. Any modifications to the content(s) of this form after its authorization by the Department of City Planning staff is prohibited. The Department of City Planning reserves the right to require an updated form for the project if more than 180 days have transpired since the approval date, or as necessary, to reflect project modifications, policy changes and/or amendments to the LAMC, local laws, and State laws.

CITY STAFF USE ONLY

Referral To: <input checked="" type="checkbox"/> Planning DSC - Filing <input type="checkbox"/> HCIDLA <input type="checkbox"/> DBS <input type="checkbox"/> Funding <input type="checkbox"/> SB35 <input type="checkbox"/> Other: _____	
NOTES: <i>Site qualifies for Tier 3.</i>	
Planning Staff Name and Title <i>Aida Karapetian / Planning Assistant</i>	Planning Staff Signature
Date Approved <i>2/27/2020</i>	Expiration Date <i>8/25/2020</i>

I. Project Information – To be completed by applicant

1. PROJECT LOCATION/ ZONING

Project Address: 1447 Hi Point St. Los Angeles, Ca 90035

Applicant Name and Phone/Email: Tov Equities LLC; 213-228-4444; jacobrabbanian@gmail.com

Assessor Parcel Number(s): 5068012033

Community Plan: Wilshire Number of Lots: 1 Lot Size: 8,838.5 s.f.

Existing Zone: IQR3-1-O Land Use Designation: Medium Residential

Specific Plan HPOZ DRB Enterprise Zone CRA CPIO
 Q-condition/ D-limitation/ T-classification (please specify): ORD 168-193
 Other pertinent zoning information (please specify): _____
 Location of Major Transit Stop (please specify the intersection or metro stop): Pico and Fairfax

II. Project Eligibility – To be completed by DCP Housing Services Unit Staff

2. TRANSPORTATION QUALIFIERS

Qualifier #1 (rail name & stop, ferry terminal or bus #): W. Pico Blvd. & S. Fairfax Ave. / Santa Monica BBB 7 + R7

Service Interval # 1: WB < 15min [420 min / # of trips]²

Service Interval # 2: EB < 15min [420 min / # of trips]

Qualifier #2 (rail name & stop, ferry terminal or bus #): W. Pico Blvd & S. Fairfax Ave / Local Line 217 + Rapid 78

Service Interval # 1: NB 420/29 = 14.4 [420 min / # of trips]

Service Interval # 2: SB 420/33 = 12.7 [420 min / # of trips]

TOC Tier³: Tier 1 Tier 2 Tier 3 Tier 4 Planning Staff Initials: A.K

¹ Per AB 744, A Major Transit Stop means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. It also includes major transit stops that are included in the applicable regional transportation plan.

² This figure (420 minutes) is based on the total number of minutes during the peak hours of 6 am to 9 am as well as 3 pm to 7 pm.

³ If project is 100% affordable, it is eligible for the designated Tier to be increased by one.

III. Project Information (if applicant is requesting additional incentives) – To be completed by applicant

3. DESCRIPTION OF PROPOSED PROJECT

TOC Tier 3 Project for Construction of a 20-unit building providing two units for Externely Low Income Families; Utilizing Base Incentives increased FAR and parking reduction. Additional Incentives of 20% open space reduction, 30% sideyard setback reduction and 21 feet Increase in height.

4. EXISTING USE

A. Describe Existing Development: Single Family Dwelling

Characteristic of existing use Dwelling Unit (DU), Commercial/ Industrial, or Other	Existing # of Units or Non-Residential SF	Existing # of Units or Non-Residential SF To Be Demolished	Proposed ⁴ # of Units or Non-Residential SF
Guest Rooms	0	0	
Studio	0	0	
One Bedroom	0	0	2
Two Bedrooms	0	0	10
Three Bedrooms	0	0	8
_____ Bedrooms			
Non-Residential Square Feet			
Other:	SFD	SFD	

B. Previous Cases Filed

	<u>(1)</u>	<u>(2)</u>	<u>(3)</u>
Case Number(s):	<u>DIR-2009-2189-DB-SP</u>	_____	_____
Date Filed:	<u>07/15/2009</u>	_____	_____
Date Approved:	<u>12/14/2010</u>	_____	_____
End of Appeal Period:	<u>12/28/2010</u>	_____	_____
Environmental No.	<u>ENV-2009-2092-MND</u>	_____	_____

5. TYPE OF APPLICATION

- Transit-Oriented Communities (per TOC Guidelines) with **Base Incentives** filed in conjunction with another discretionary approval.
- Transit-Oriented Communities (per TOC Guidelines) with **Additional Incentives** (please specify, max of three):
 - 1) Height
 - 2) Open Space
 - 3) Set Backs
- If applicable, projects adhering to the Labor Standards in LAMC 11.5.11 may be granted two more **Additional Incentives** as listed in the TOC Guidelines (please specify):
 - 4) _____
 - 5) _____
- Site Plan Review per LAMC Sec. 16.05
- Specific Plan Project Permit Compliance per LAMC Sec. 11.5.7.C
- Community Design Overlay per LAMC Sec. 13.08
- Coastal Development Permit per LAMC Sec. 12.20.2 or 12.20.2.1
- Tract or Parcel Map per LAMC Sec. 17.00 or 17.50
- Other entitlements requested (please specify): _____

⁴ Replacement units, per AB 2556, shall be equivalent to the number of units and number of bedrooms of the existing development.

6. ENVIRONMENTAL REVIEW

- Environmental Review Not Required – Project is Ministerial.⁵ Please Explain: _____
- Not filed
- Filed (indicate case number): _____

7. HOUSING DEVELOPMENT PROJECT TYPE (please check all that apply):

- For Sale
- For Rent
- Extremely Low Income
- Very Low Income
- Low Income
- Moderate Income
- Market Rate
- Mixed Use
- Senior
- Chronically Homeless
- Other (please describe): _____

8. DENSITY CALCULATION

A. Base Density: Maximum density allowable per zoning

Lot size 8,838.5 s.f. (a)
 Minimum area per dwelling unit 800 s.f. of lot area per unit (b)
 Units allowed by right (per LAMC) 11 units (c) [c = a/b, round down to whole number]
 Base Density 12 units (d) [d = a/b, round up to whole number]

B. Maximum Allowable Density Bonus:

21 units (e)
 [e = d x 1.5 (Tier 1), 1.6 (Tier 2), 1.7 (Tier 3), or 1.8 (Tier 4);
 in RD Zones d x 1.35 (Tiers 1 and 2), 1.4 (Tier 3) or 1.45 (Tier 4);
 round up to whole number]

C. Proposed Project: Please indicate total number of Units requested as well as breakdown by levels of affordability set by each category (HCD or HUD). For information on HCD and HUD levels of affordability please contact the Housing and Community Investment Department of Los Angeles (HCIDLA) at (213) 808-8843 or hcidla.lacity.org.⁶

	<u>Total</u>	<u>HCD (State)</u>	<u>HUD (TCAC)</u>
Market Rate	<u>18</u>	<u>N/A</u>	<u>N/A</u>
Managers Unit(s) - Market Rate		<u>N/A</u>	<u>N/A</u>
Extremely Low Income	<u>2</u>	<u>2</u>	
Very Low Income			
Low Income			
Moderate Income			
TOTAL # of Units Proposed	<u>20</u> (f)		
TOTAL # of Affordable Housing Units	<u>2</u> (g)		
Number of Density Increase Units	<u>9</u> (h) [If f>c, then h=f-c; if f<c, then h= 0]		
Percent Density Increase Requested	<u>66%</u> (i) [i = 100 x (f/d - 1)]		
Percent of Affordable Set Aside	<u>10%</u> (j) [g/f, round down to a whole number]		

Other Notes on Units: _____

⁵ Ministerial Projects (aka, "By-Right") do not require any discretionary Planning approvals.

⁶ HCD (State) = Published affordability levels per California Department of Housing and Community Development. HUD (TCAC) = Published affordability levels per the United States Department of Housing and Urban Development.

B. Qualification for Additional Incentives: *(Please check only one)*

Minimum Required Restricted Affordable Housing Units, calculated as a percentage of the base density allowed on the date of the application.

Incentives	% Extremely Low Income	% Very Low Income	% Low Income
One	<input type="checkbox"/> 4%	<input type="checkbox"/> 5%	<input type="checkbox"/> 10%
Two	<input type="checkbox"/> 7%	<input type="checkbox"/> 10%	<input type="checkbox"/> 20%
Three	<input checked="" type="checkbox"/> 11%	<input type="checkbox"/> 15%	<input type="checkbox"/> 30%

C. Additional Incentives *(Please check selected incentives as qualified according to Section 9B)*

Required (per LAMC)

Proposed (per TOC)

- (1) Yard/Setback *(each yard counts as 1 incentive in Tiers 1 and 2; two yards count as 1 in Tiers 3 and 4)*
- RAS 3 Yards (only for commercial zones – please specify numbers below, but only check this box)
- Front _____
- Rear _____
- Side (1) 9' 6'6"
- Side (2) 9' 6'6"

	Side and Rear Yards
Tier 1	25%
Tier 2	30%
Tier 3	30% or depth of two yards
Tier 4	35% or depth of two yards
When Abutting R1 or More Restrictive Zones	No Reductions Allowed

- (2) Lot Coverage _____
- (3) Lot Width _____
- (4) Height/ # of Stories 35 feet 57 feet

	Height
Tier 1	11 feet for one story
Tier 2	11 feet for one story
Tier 3	22 feet for two stories
Tier 4	33 feet for three stories
Lots with Height Limits of 45 feet or less	Second and third additional stories must be stepped-back at least 15 feet from any frontage

Transitional Height (check one): Per LAMC Per TOC Guidelines¹¹ Not Applicable

- (5) Open Space 2,850 2,137.5
- (6) Density Calculation _____
- (7) Averaging *(all count as 1 incentive – mark as many as needed)*
- FAR
- Density
- Parking
- Open Space
- Vehicular Access
- (8) Public Facility Zone _____

TOTAL # of Additional Incentives Requested: 3

Other Incentive Notes: _____

¹¹ Please provide elevations that show the 45 degree angle as allowed by the TOC guidelines to determine the allowed height.

11. COVENANT:

All Transit Oriented Communities projects are required to prepare and record an Affordability Covenant to the satisfaction of the Los Angeles Housing and Community Investment Department's Occupancy Monitoring Unit **before** a building permit can be issued. Please contact the Housing and Community Investment Department of Los Angeles (HCIDLA) at (213) 808-8843 or hcidla.lacity.org

12. REPLACEMENT UNITS:

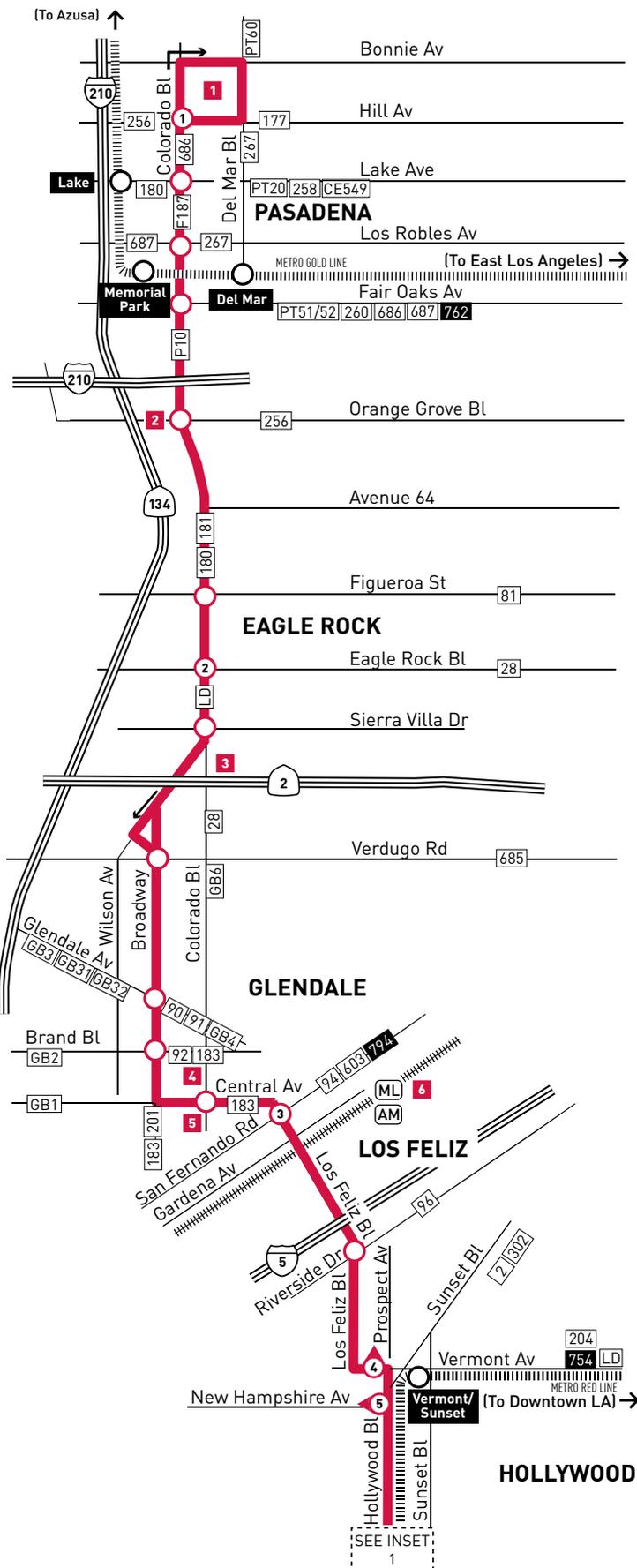
AB 2222, as amended by AB 2556, requires that density bonus eligible projects replace any pre-existing affordable housing units on the project site. Replacement units include the following: *(Answer the following with "yes" if any of these items apply to what is **currently existing** on the site or "no" if they do not. Write in N/A if the item is not applicable to your project)*

- A. Units subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income? No
- B. Units occupied by lower or very low income households below 80% AMI per California Department of Housing and Community Development Department levels not already listed above? No
- C. Units subject to the Rent Stabilization Ordinance not already listed above? No
- D. Units that have been vacated or demolished in the last 5 years? No
- E. Per AB 2556, are the number of replacement units and number of bedrooms equivalent to that being demolished (as shown on Existing Development Table on page 2 above)? N/A

Disclaimer: This review is based on the information and plans provided by the applicant at the time of submittal of this form. Applicants are advised to verify any zoning issues such as height, parking, setback, and any other applicable zoning requirements with Building and Safety.

EXHIBIT E
Transit Documents

ROUTE MAP



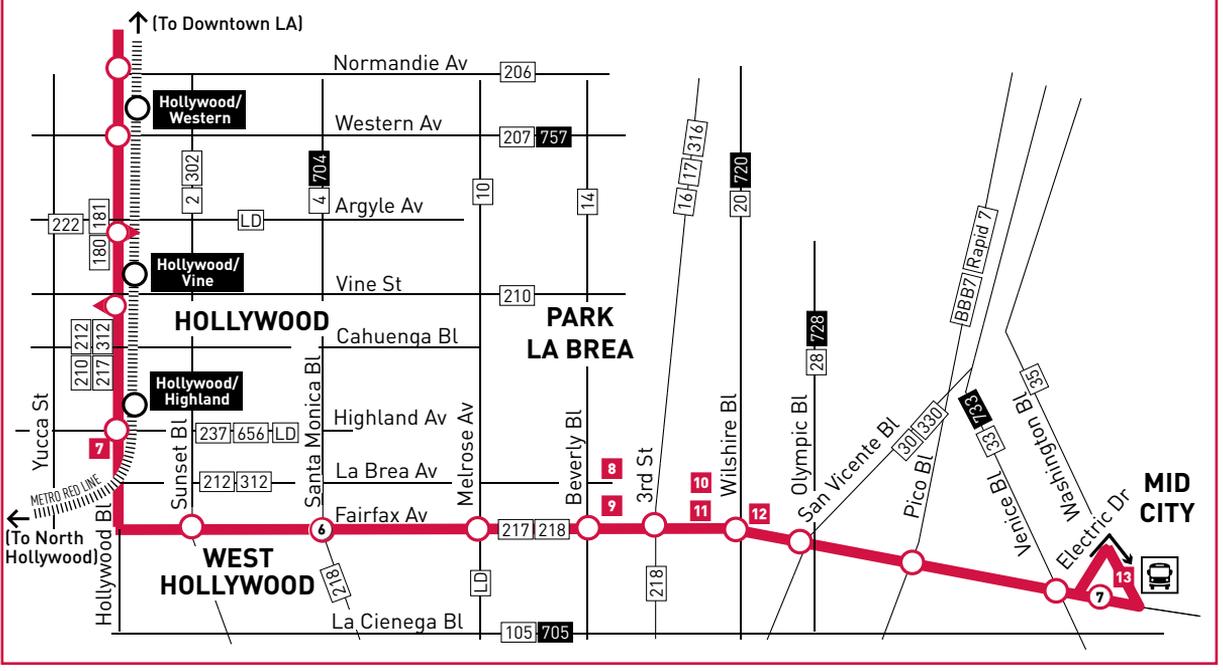
LEGEND

- Line 780 Route
- Metro Rail
- # Rapid Stop Timepoint
- # Rapid Stop Timepoint Single Direction Only
- Rapid Stop
- Rapid Stop Single Direction Only
- Metro Rail/Busway Station
- Transit Center
- # Map Notes
- ### Connecting Line
- ### Rapid Connecting Line
- AM Amtrak
- ML Metrolink
- C Culver CityBus
- F Foothill Transit
- G Glendale Beeline
- CE LADOT Commuter Express
- LD LADOT DASH
- PT Pasadena Transit
- BBB Santa Monica Big Blue Bus

MAP NOTES

- 1 **Pasadena City College**
- 2 **Norton Simon Museum**
- 3 **Eagle Rock Plaza**
- 4 **The Americana at Brand**
- 5 **Glendale Galleria**
- 6 **Glendale Transportation Center**
Metro 183; Metrolink Ventura County Line, Antelope Valley Line, Amtrak, Glendale Beeline 1, 2, 11, 12
- 7 **Hollywood & Highland Center**
- 8 **The Grove**
- 9 **Farmer's Market**
- 10 **La Brea Tar Pits**
- 11 **LA County Museum of Art**
- 12 **Petersen Automotive Museum**
- 13 **Washington/Fairfax Transit Hub**
Metro 35, 37, 38, 105, 217, 705, 780; C1, C4; CE437

INSET 1 - HOLLYWOOD - WASHINGTON/FAIRFAX TRANSIT HUB



Eastbound (Approximate Times)

Westbound (Approximate Times)

LOS ANGELES	WEST HOLLYWOOD	HOLLYWOOD	GLENDALE	EAGLE ROCK	PASADENA	PASADENA	EAGLE ROCK	GLENDALE	HOLLYWOOD	WEST HOLLYWOOD	LOS ANGELES
7	6	4	3	2	1	1	2	3	5	6	7
Washington/Fairfax Transit Hub	Fairfax & Santa Monica	Vermont & Prospect	Los Feliz & San Fernando	Colorado & Eagle Rock	Colorado & Hill	Colorado & Hill	Colorado & Eagle Rock	Los Feliz & San Fernando	Hollywood & New Hampshire	Fairfax & Santa Monica	Washington/Fairfax Transit Hub
—	—	5:50A	5:58A	6:13A	6:30A	5:10A	5:28A	5:42A	5:51A	6:09A	6:26A
5:33A	5:46A	6:05	6:13	6:28	6:45	5:24	5:43	5:57	6:07	6:26	6:44
5:50	6:04	6:23	6:31	6:47	7:04	5:36	5:56	6:11	6:21	6:41	7:00
6:02	6:17	6:36	6:45	7:01	7:19	5:49	6:09	6:25	6:36	6:56	7:16
6:13	6:28	6:48	6:57	7:15	7:33	5:58	6:19	6:35	6:47	7:09	7:29
6:23	6:39	6:59	7:09	7:27	7:47	6:07	6:28	6:45	6:57	7:20	7:40
6:31	6:49	7:10	7:20	7:38	7:59	6:17	6:38	6:55	7:08	7:31	7:53
6:41	6:59	7:21	7:31	7:50	8:12	6:27	6:48	7:05	7:18	7:42	8:04
6:52	7:10	7:32	7:43	8:02	8:24	6:36	6:57	7:15	7:28	7:54	8:17
7:02	7:21	7:43	7:54	8:13	8:35	6:46	7:08	7:26	7:40	8:06	8:30
7:12	7:31	7:54	8:05	8:24	8:45	6:56	7:19	7:38	7:53	8:20	8:44
7:22	7:42	8:05	8:17	8:36	8:57	7:07	7:31	7:51	8:06	8:34	8:58
7:33	7:53	8:16	8:28	8:47	9:08	7:19	7:44	8:04	8:19	8:47	9:10
7:43	8:03	8:27	8:39	8:58	9:19	7:34	8:00	8:20	8:35	9:03	9:25
7:54	8:14	8:38	8:50	9:09	9:30	7:50	8:16	8:36	8:51	9:18	9:40
8:04	8:25	8:49	9:01	9:20	9:41	8:05	8:32	8:52	9:07	9:34	9:56
8:16	8:37	9:01	9:13	9:32	9:54	8:26	8:53	9:13	9:27	9:54	10:16
8:28	8:50	9:14	9:26	9:46	10:08	8:45	9:13	9:33	9:47	10:14	10:36
8:43	9:05	9:29	9:42	10:02	10:24	9:05	9:33	9:53	10:07	10:34	10:56
9:01	9:23	9:48	10:01	10:21	10:43	9:25	9:53	10:13	10:27	10:54	11:16
9:21	9:43	10:08	10:21	10:41	11:03	9:46	10:14	10:34	10:47	11:14	11:36
9:40	10:03	10:28	10:41	11:01	11:23	10:04	10:32	10:53	11:07	11:34	11:57
10:00	10:23	10:48	11:01	11:21	11:44	10:22	10:50	11:12	11:27	11:55	12:19P
10:19	10:42	11:07	11:21	11:41	12:04P	10:41	11:09	11:32	11:47	12:15P	12:39
10:39	11:02	11:27	11:41	12:01P	12:25	11:01	11:29	11:52	12:07P	12:35	12:59
10:59	11:22	11:47	12:01P	12:22	12:46	11:20	11:48	12:11P	12:27	12:55	1:19
11:16	11:40	12:07P	12:21	12:43	1:07	11:38	12:07P	12:31	12:47	1:15	1:39
11:36	12:00P	12:27	12:41	1:03	1:27	11:57	12:27	12:51	1:07	1:35	2:00
11:56	12:20	12:47	1:01	1:23	1:47	12:17P	12:47	1:11	1:27	1:55	2:20
12:14P	12:39	1:07	1:21	1:43	2:07	12:37	1:07	1:31	1:47	2:15	2:41
12:33	12:59	1:27	1:41	2:03	2:26	12:59	1:29	1:51	2:07	2:35	3:01
12:53	1:19	1:47	2:01	2:23	2:46	1:19	1:49	2:11	2:27	2:55	3:21
1:12	1:38	2:06	2:21	2:43	3:06	1:39	2:09	2:31	2:47	3:16	3:42
1:31	1:57	2:26	2:41	3:03	3:26	1:58	2:28	2:50	3:06	3:35	4:01
1:49	2:17	2:46	3:01	3:23	3:46	2:14	2:44	3:06	3:22	3:51	4:17
2:09	2:37	3:06	3:21	3:43	4:06	2:29	2:59	3:21	3:37	4:06	4:31
2:28	2:56	3:25	3:41	4:03	4:26	2:43	3:13	3:35	3:51	4:20	4:45
2:43	3:11	3:41	3:57	4:19	4:42	2:56	3:26	3:48	4:04	4:34	4:59
2:58	3:26	3:57	4:13	4:35	4:58	3:09	3:39	4:01	4:17	4:47	5:13
3:11	3:40	4:12	4:28	4:50	5:13	3:22	3:52	4:14	4:30	5:00	5:25
3:25	3:54	4:26	4:44	5:06	5:29	3:35	4:05	4:27	4:43	5:13	5:38
3:39	4:08	4:40	4:58	5:20	5:43	3:47	4:18	4:40	4:56	5:27	5:52
3:51	4:20	4:52	5:10	5:32	5:55	4:00	4:31	4:53	5:10	5:40	6:05
4:03	4:32	5:04	5:22	5:44	6:07	4:13	4:44	5:06	5:23	5:53	6:17
4:15	4:44	5:16	5:34	5:56	6:18	4:27	4:58	5:20	5:37	6:07	6:31
4:27	4:56	5:28	5:46	6:08	6:30	4:40	5:12	5:34	5:51	6:20	6:43
4:38	5:07	5:40	5:58	6:19	6:41	4:55	5:27	5:49	6:06	6:35	6:58
4:50	5:19	5:52	6:10	6:31	6:52	5:11	5:42	6:04	6:21	6:50	7:13
5:02	5:31	6:04	6:22	6:42	7:03	5:29	6:00	6:21	6:38	7:07	7:28
5:13	5:43	6:16	6:34	6:54	7:15	5:53	6:24	6:44	7:01	7:30	7:51
5:28	5:58	6:31	6:47	7:07	7:28	6:24	6:52	7:12	7:27	—	—
5:43	6:12	6:44	7:00	7:19	7:40	6:54	7:21	7:41	7:56	—	—
5:58	6:27	6:59	7:15	7:34	7:55						
6:14	6:43	7:14	7:30	7:48	8:08						
6:35	7:04	7:34	7:48	8:06	8:26						
7:00	7:28	7:58	8:10	8:27	8:47						

For additional service, see Line 180/181 and Line 217 timetables.

Saturday, Sunday and Holiday Schedules

Horarios de sábado, domingo y días feriados

No service on Saturday, Sunday, New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

No hay servicio en sábado, domingo, New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day y Christmas Day.

Nextrip

Nextrip

Text "metro" and your intersection or stop number to 41411 (example: metro vignes&cesarechavez or metro 1563). You can also visit m.metro.net or call 511 and say "Nextrip".

Envíe un mensaje de texto con "Metro" y la intersección de la calle o el número de su parada al 41411. Nextrip le enviará un mensaje de texto con la próxima llegada de cada autobús en esa parada. También puede visitar m.metro.net o llamar al 511 y decir "Nextrip".

Special Notes

Avisos especiales

- Originates at Hollywood & Argyle approximately 8 minutes before time shown.
- Terminates at Hollywood & Argyle approximately 11 minutes after time shown.

- Se origina en Hollywood y Argyle aproximadamente 8 minutos antes de la hora mostrada.
- Termina en Hollywood y Argyle aproximadamente 11 minutos después de la hora mostrada.

PICO BLVD

rapid

7



DOWNTOWN SM TO WILSHIRE/ WESTERN STATION PURPLE LINE

WEEKDAY
DURANTE LA SEMANA

7th & Olympic (A)	4th & Santa Monica Place (Downtown SM Station) (B)	Pico & Westwood (C)	6th & Western (Wilshire/ Western Station) (E)
5:50	5:53	6:08	6:34
6:10	6:13	6:29	6:58
6:30	6:33	6:49	7:18
6:45	6:48	7:06	7:37
7:00	7:04	7:23	7:55
Then service every 12 minutes or less until:			
6:59	7:05	7:31	8:10
7:14	7:19	7:44	8:22
7:29	7:34	7:56	8:31
7:44	7:49	8:09	8:42
7:59	8:04	8:24	8:57
8:14	8:19	8:37	9:08
8:29	8:34	8:52	9:23
8:44	8:49	9:07	9:38
8:59	9:04	9:22	9:53
9:14	9:19	9:37	10:08
9:29	9:34	9:52	10:23
9:44	9:49	10:07	10:38
10:00	10:04	10:21	10:49
10:15	10:19	10:36	11:04
10:30	10:34	10:51	11:19

WILSHIRE/WESTERN STATION PURPLE LINE TO DOWNTOWN SM

WEEKDAY
DURANTE LA SEMANA

Oxford & Wilshire (Wilshire/ Western Station) (E)	Pico & San Vicente (Rimpau Transit Center) (D)	Pico & Westwood (C)	7th & Olympic (A)
5:20	5:28	5:43	6:01
5:35	5:43	6:00	6:20
5:50	5:58	6:15	6:35
6:00	6:09	6:27	6:49
6:10	6:19	6:37	6:59
Then service every 12 minutes or less until:			
5:42	5:57	6:25	6:55
5:57	6:12	6:40	7:10
6:13	6:26	6:52	7:21
6:28	6:40	7:04	7:31
6:48	7:00	7:24	7:51
7:08	7:20	7:43	8:08
7:28	7:39	8:00	8:24
7:58	8:09	8:30	8:54
8:28	8:39	9:00	9:24
8:58	9:08	9:27	9:49
9:28	9:38	9:57	10:19
9:58	10:07	10:24	10:43
10:28	10:37	10:54	11:13

ALL PM
TIMES IN
BOLD

RAPID
7

DOWNTOWN SM TO WILSHIRE/ WESTERN STATION PURPLE LINE

WEEKEND
LOS FINES DE SEMANA

7th & Olympic (A)	4th & Santa Monica Place (Downtown SM Station) (B)	Pico & Westwood (C)	6th & Western (Wilshire/ Western Station) (E)
6:25	6:28	6:43	7:13
6:55	6:58	7:13	7:43
7:25	7:28	7:43	8:13
7:55	7:58	8:13	8:43
8:21	8:24	8:41	9:12
8:48	8:52	9:10	9:42
9:18	9:22	9:40	10:12
9:48	9:52	10:10	10:42
10:13	10:17	10:35	11:07
10:43	10:48	11:09	11:42
11:13	11:18	11:39	12:12
11:43	11:48	12:09	12:42

Then service every 30 minutes at:

:05	:10	:31	:09
:35	:40	:01	:39

Until:

6:35	6:41	7:01	7:37
7:05	7:10	7:30	8:03

WILSHIRE/WESTERN STATION PURPLE LINE TO DOWNTOWN SM

WEEKEND
LOS FINES DE SEMANA

Oxford & Wilshire (Wilshire/ Western Station) (E)	Pico & San Vicente (Rimpau Transit Center) (D)	Pico & Westwood (C)	7th & Olympic (A)
5:55	6:03	6:21	6:44
6:25	6:33	6:51	7:14
6:55	7:03	7:21	7:44
7:23	7:33	7:51	8:14
7:53	8:03	8:21	8:44

Then service every 30 minutes at:

:22	:33	:54	:22
:52	:03	:24	:52

Until:

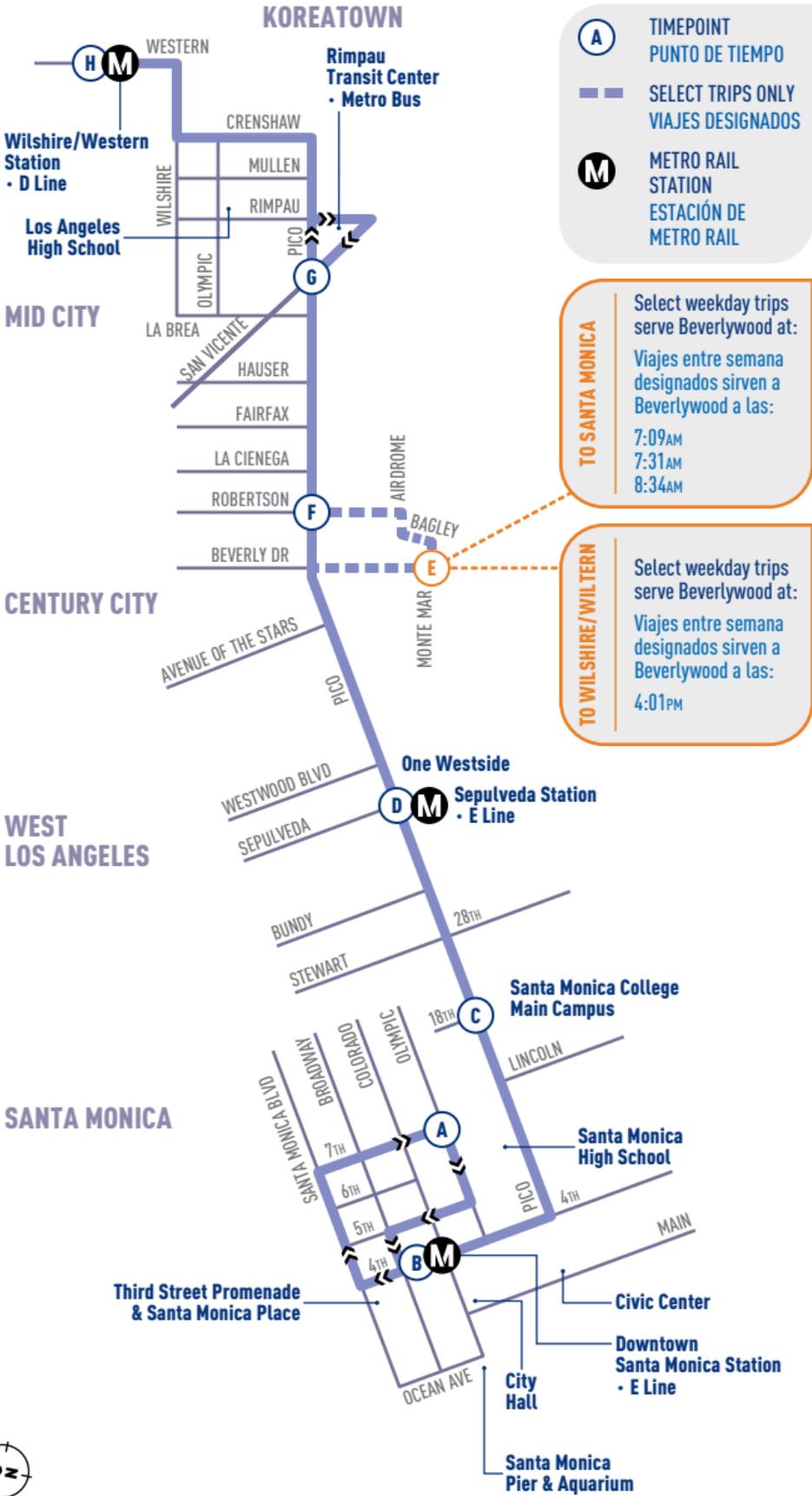
6:22	6:34	6:55	7:18
6:52	7:04	7:25	7:48

ALL PM
TIMES IN
BOLD

RAPID
7

PICO BLVD

7



A TIMEPOINT
 PUNTO DE TIEMPO

— SELECT TRIPS ONLY
 VIAJES DESIGNADOS

M METRO RAIL
 STATION
 ESTACIÓN DE METRO RAIL

TO SANTA MONICA

Select weekday trips serve Beverlywood at:
 Viajes entre semana designados sirven a Beverlywood a las:

7:09AM
 7:31AM
 8:34AM

TO WILSHIRE/WILTERN

Select weekday trips serve Beverlywood at:
 Viajes entre semana designados sirven a Beverlywood a las:

4:01PM



NOT TO SCALE

DOWNTOWN SANTA MONICA TO WILSHIRE/WESTERN STATION D LINE

A	B	C	D	F	H
7 TH & OLYMPIC	4 TH & SANTA MONICA PLACE (DOWNTOWN SANTA MONICA STATION)	PICO & 18 TH (SANTA MONICA COLLEGE)	PICO & SEPULVEDA (SEPULVEDA STATION)	PICO & ROBERTSON	WESTERN & WILSHIRE (WILSHIRE/WESTERN STATION)
5:20	5:23	5:27	5:37	5:46	6:03
5:35	5:38	5:42	5:52	6:01	6:18
5:50	5:53	5:57	6:07	6:16	6:33
6:04	6:07	6:12	6:22	6:31	6:54
6:18	6:21	6:26	6:36	6:45	7:08
6:32	6:35	6:40	6:50	6:59	7:22
6:46	6:49	6:56	7:08	7:21	7:46
7:00	7:03	7:10	7:22	7:35	8:00
7:14	7:17	7:24	7:36	7:49	8:14
7:28	7:32	7:40	7:54	8:07	8:33
THEN SERVICE EVERY 14 MINUTES UNTIL:					
2:56	3:00	3:11	3:31	3:48	4:29
3:10	3:14	3:25	3:45	4:01 ^E	4:48
3:24	3:28	3:39	3:59	4:16	4:57
3:38	3:42	3:53	4:13	4:30	5:11
3:52	3:56	4:07	4:27	4:44	5:25
4:06	4:10	4:21	4:41	4:58	5:39
4:20	4:24	4:35	4:55	5:12	5:53
4:34	4:38	4:49	5:09	5:26	6:07
4:48	4:52	5:03	5:23	5:40	6:21
5:02	5:06	5:17	5:37	5:54	6:35
5:16	5:20	5:31	5:51	6:08	6:49
5:30	5:34	5:45	6:05	6:22	7:03
5:44	5:48	5:59	6:19	6:36	7:17
5:58	6:02	6:13	6:33	6:50	7:31
6:12	6:16	6:25	6:45	7:02	7:32
6:26	6:30	6:38	6:51	7:06	7:31
6:40	6:44	6:52	7:05	7:20	7:45
6:54	6:58	7:06	7:19	7:34	7:59
7:08	7:12	7:20	7:33	7:48	8:13
7:22	7:26	7:34	7:47	8:02	8:27
7:36	7:40	7:48	8:01	8:16	8:41
7:50	7:54	8:02	8:15	8:30	8:55
8:04	8:08	8:14	8:24	8:37	8:59
8:18	8:22	8:28	8:38	8:51	9:13
8:32	8:36	8:42	8:52	9:05	9:27
8:46	8:50	8:56	9:06	9:19	9:41
9:00	9:04	9:10	9:20	9:33	9:55
9:15	9:19	9:25	9:35	9:48	10:10
9:30	9:34	9:40	9:50	10:03	10:25
9:50	9:54	10:00	10:10	10:23	10:45
10:10	10:14	10:19	10:28	10:39	11:00
10:30	10:34	10:39	10:48	10:59	11:20
11:00	11:04	11:09	11:18	11:29	11:50

TRIP DEVIATES FROM PICO BLVD. TO SERVE ^E BEVERLYWOOD.
 VIAJE SE DESVÍA DE PICO BLVD. PARA SERVIR ^E BEVERLYWOOD.

WILSHIRE/WESTERN STATION D LINE
TO DOWNTOWN SANTA MONICA

WILSHIRE & WESTERN (WILSHIRE/WESTERN STATION)	RIMPAU TRANSIT CENTER	PICO & ROBERTSON	PICO & SEPULVEDA (SEPULVEDA STATION)	PICO & 18 TH (SANTA MONICA COLLEGE)	7 TH & OLYMPIC
H	G	F	D	C	A
5:00	5:07	5:19	5:31	5:38	5:50
5:14	5:21	5:33	5:45	5:52	6:04
5:28	5:35	5:47	5:59	6:06	6:18
5:42	5:49	6:01	6:13	6:23	6:36
5:56	6:04	6:16	6:28	6:38	6:51
6:10	6:17	6:29	6:41	6:51	7:04
6:24	6:31	6:43	6:55	7:05	7:18
6:32	6:42	6:55	7:10	7:22	7:37
6:40	6:49	7:09 E	7:17	7:29	7:49
6:47	6:56	7:09	7:24	7:36	7:51
6:56	7:06	7:19	7:34	7:46	8:01
7:02	7:11	7:31 E	7:39	7:51	8:11
7:12	7:25	7:47	8:07	8:20	8:32
7:22	7:34	7:56	8:16	8:29	8:41
7:33	7:45	8:07	8:27	8:40	8:52
7:45	7:57	8:19	8:39	8:52	9:04
7:55	8:07	8:34 E	8:49	9:02	9:14
8:02	8:14	8:36	8:56	9:09	9:21
THEN SERVICE EVERY 14 MINUTES UNTIL:					
2:33	2:42	2:59	3:17	3:30	3:47
2:47	2:56	3:13	3:31	3:44	4:01
3:01	3:10	3:27	3:45	3:58	4:15
3:15	3:27	3:43	4:02	4:15	4:34
3:29	3:41	3:57	4:16	4:29	4:48
3:44	3:56	4:12	4:31	4:44	5:03
3:59	4:11	4:27	4:46	4:59	5:18
4:14	4:26	4:42	5:01	5:14	5:33
4:29	4:41	4:57	5:16	5:29	5:48
4:44	4:56	5:11	5:30	5:43	5:58
5:00	5:12	5:27	5:46	5:59	6:14
5:14	5:26	5:41	6:00	6:13	6:28
5:29	5:40	5:55	6:13	6:23	6:38
THEN SERVICE EVERY 15 MINUTES UNTIL:					
8:29	8:35	8:47	8:59	9:06	9:18
8:44	8:50	9:02	9:14	9:21	9:33
8:59	9:05	9:17	9:29	9:36	9:48
9:15	9:21	9:33	9:45	9:52	10:04
9:35	9:41	9:53	10:05	10:12	10:24
9:55	10:01	10:13	10:25	10:32	10:44
10:15	10:21	10:33	10:45	10:52	11:04
10:55	11:01	11:11	11:21	11:27	11:34

TRIP DEVIATES FROM PICO BLVD. TO SERVE **E** BEVERLYWOOD.
 VIAJE SE DESVÍA DE PICO BLVD. PARA SERVIR **E** BEVERLYWOOD.

DOWNTOWN SANTA MONICA TO WILSHIRE/WESTERN STATION D LINE

A	B	C	D	F	H
7 TH & OLYMPIC	4 TH & SANTA MONICA PLACE (DOWNTOWN SANTA MONICA STATION)	PICO & 18 TH (SANTA MONICA COLLEGE)	PICO & SEPULVEDA (SEPULVEDA STATION)	PICO & ROBERTSON	WESTERN & WILSHIRE (WILSHIRE/WESTERN STATION)
6:05	6:08	6:12	6:20	6:29	6:46
6:35	6:38	6:42	6:50	6:59	7:16
6:50	6:53	6:58	7:07	7:16	7:34
7:05	7:08	7:13	7:22	7:31	7:49
7:20	7:23	7:28	7:37	7:46	8:04
7:32	7:35	7:40	7:50	8:01	8:21
7:50	7:53	7:58	8:08	8:19	8:39
8:05	8:08	8:14	8:25	8:37	8:58
8:20	8:23	8:29	8:40	8:52	9:13
8:35	8:38	8:46	8:58	9:10	9:32
8:50	8:53	9:01	9:13	9:25	9:47
9:05	9:08	9:16	9:28	9:40	10:02
9:20	9:23	9:31	9:43	9:55	10:17
9:33	9:36	9:44	9:56	10:08	10:30
9:48	9:51	9:59	10:12	10:25	10:48
10:03	10:06	10:14	10:27	10:40	11:03
10:16	10:20	10:28	10:41	10:55	11:21
10:31	10:35	10:43	10:56	11:10	11:36
10:45	10:49	10:58	11:12	11:26	11:52
11:00	11:04	11:13	11:27	11:41	12:07
11:15	11:19	11:28	11:42	11:56	12:22
11:30	11:35	11:44	11:59	12:15	12:41
11:45	11:50	11:59	12:14	12:30	12:56
12:00	12:06	12:15	12:30	12:46	1:12
12:13	12:19	12:28	12:43	12:59	1:25
12:25	12:31	12:40	12:55	1:11	1:37
THEN SERVICE EVERY 15 MINUTES UNTIL:					
5:40	5:47	5:57	6:11	6:28	6:54
5:55	6:01	6:10	6:24	6:39	7:05
6:10	6:16	6:25	6:37	6:50	7:16
6:31	6:37	6:46	6:58	7:11	7:37
6:51	6:57	7:06	7:18	7:31	7:57
7:10	7:16	7:25	7:37	7:48	8:13
7:30	7:36	7:45	7:57	8:08	8:33
7:50	7:56	8:05	8:17	8:28	8:53
8:10	8:16	8:25	8:37	8:48	9:13
8:30	8:35	8:44	8:55	9:06	9:29
8:50	8:55	9:04	9:15	9:26	9:49
9:10	9:14	9:23	9:32	9:43	10:06
9:32	9:36	9:45	9:54	10:05	10:28
9:50	9:54	10:03	10:12	10:23	10:46
10:10	10:13	10:22	10:31	10:41	11:02
10:30	10:33	10:42	10:51	11:01	11:22
11:00	11:03	11:10	11:18	11:28	11:47

WILSHIRE/WESTERN STATION D LINE
TO DOWNTOWN SANTA MONICA

WILSHIRE & WESTERN (WILSHIRE/WESTERN STATION)	RIMPAU TRANSIT CENTER	PICO & ROBERTSON	PICO & SEPULVEDA (SEPULVEDA STATION)	PICO & 18 TH (SANTA MONICA COLLEGE)	7 TH & OLYMPIC
H	G	F	D	C	A
6:00	6:06	6:17	6:26	6:35	6:47
6:15	6:21	6:32	6:41	6:50	7:02
6:30	6:36	6:47	6:56	7:05	7:17
6:45	6:53	7:04	7:15	7:24	7:36
7:00	7:08	7:19	7:30	7:39	7:51
7:15	7:23	7:35	7:47	7:57	8:12
7:31	7:39	7:51	8:03	8:13	8:28
7:43	7:51	8:03	8:15	8:25	8:40
7:58	8:06	8:19	8:31	8:42	8:58
8:13	8:21	8:34	8:46	8:57	9:13
8:28	8:36	8:49	9:01	9:12	9:28
8:43	8:51	9:04	9:16	9:27	9:43
8:58	9:06	9:19	9:31	9:42	9:58
9:12	9:20	9:33	9:45	9:56	10:12
9:27	9:35	9:48	10:00	10:11	10:27
9:42	9:51	10:05	10:18	10:32	10:48
9:57	10:06	10:20	10:33	10:47	11:03
10:12	10:21	10:35	10:48	11:02	11:18
10:27	10:36	10:50	11:03	11:17	11:33
10:42	10:51	11:05	11:18	11:32	11:48
10:57	11:06	11:20	11:33	11:47	12:03
11:12	11:21	11:35	11:48	12:02	12:18
11:28	11:38	11:52	12:07	12:23	12:40
11:42	11:52	12:06	12:21	12:37	12:54
THEN SERVICE EVERY 15 MINUTES UNTIL:					
6:01	6:10	6:21	6:33	6:45	7:00
6:17	6:26	6:37	6:49	7:01	7:16
6:37	6:46	6:57	7:09	7:21	7:36
6:57	7:06	7:17	7:29	7:41	7:56
7:17	7:26	7:37	7:49	8:01	8:16
7:37	7:46	7:56	8:07	8:17	8:31
7:57	8:06	8:16	8:27	8:37	8:51
8:17	8:26	8:36	8:47	8:57	9:11
8:36	8:44	8:54	9:04	9:12	9:25
8:55	9:03	9:13	9:23	9:31	9:44
9:15	9:23	9:33	9:43	9:51	10:04
9:35	9:42	9:52	10:01	10:08	10:19
9:55	10:02	10:12	10:21	10:28	10:39
10:15	10:22	10:32	10:41	10:48	10:59



DEPARTMENT OF CITY PLANNING Executive Office

City Hall, 200 N. Spring Street, Room 525, Los Angeles, CA 90012

DATE: March 25, 2021

TO: Interested Parties
Department of City Planning Staff

FROM: Vincent P. Bertoni, AICP 
Director of Planning
Department of City Planning

SUBJECT: **METRO NEXTGEN; RAPID BUS DEFINITIONS**

This memo explains how Metro's recent initial implementation of its "NextGen" Bus Plan will impact determinations regarding what constitutes a Metro Rapid Bus pursuant to City Planning policies and programs, including the Density Bonus and Transit Oriented Communities (TOC) Affordable Housing Incentive programs. Background information from Metro on NextGen including the latest service changes is available on their website (<https://www.metro.net/projects/nextgen>).

Background

NextGen is described by Metro as "a reimagined bus system that focuses on providing fast, frequent, reliable and accessible service to meet the needs of today's riders." The initial Phase 1 roll-out began in December 2020 and will continue through two additional phases in June and December of 2021. Service on nearly all lines will be affected.

Under the NextGen Bus Plan, most Metro Rapid Bus lines will be replaced with a new type of bus line that will have more frequent service and new stop intervals. These new replacement lines combine elements of a Rapid Bus and Local Bus. This change introduces a need for clarity on how the term Rapid Bus will be understood as it currently exists in the LAMC and other City Planning documents. Certain important incentives to provide affordable housing near transit exist in the Density Bonus Ordinance (see LAMC 12.22 A.25(f)(4)(ii)(b) and 12.22 A.25(c)(10)) as well as the TOC Guidelines (see Chart 1 of the TOC Guidelines and LAMC 12.22 A.25(c)(10) and 12.22 A.25(f)(4)(ii)(b)).

The NextGen system includes a new bus classification system with different Tier levels. Tier 1 is the highest quality bus NextGen line and will replace current Rapid Bus lines as they are discontinued. Tier 1 routes are planned to achieve service interval levels of at least ten minutes throughout the weekday daytime. However, because of the ridership and funding impacts of the current COVID-19 emergency, service levels may lag behind these levels in the short-term.

Definition of Rapid Bus

Rapid Bus is not a defined term in the Los Angeles Municipal Code (LAMC), nor is there any one agreed-upon set of criteria that must exist to be called a Rapid Bus line. The TOC Guidelines define Rapid Bus in a broad, flexible way to encompass a number of different types of higher quality bus services provided by different operators, as follows:

Rapid Bus is a higher quality bus service that may include several key attributes, including dedicated bus lanes, branded vehicles and stations, high frequency, limited stops at major intersections, intelligent transportation systems, and possible off-board fare collection and/or all door boarding. It includes, but is not limited to, Metro Bus Rapid Transit lines, Metro Rapid 700 lines, Metro Orange and Silver Lines, Big Blue Rapid lines and the Rapid 6 Culver City bus.

The Tier 1 NextGen is the highest level of bus service that Metro now offers (not to be confused with TOC Tier 1). While Metro is discontinuing most but not all Rapid Bus lines, Tier 1 lines will replace Rapid Lines and include most of the attributes in the above definition. Most importantly, Tier 1 lines are defined by their high level of service frequency. The number of stops for NextGen Tier 1 lines will be less than for existing local bus lines, but not as few as the current Rapid lines. Metro also advises that Tier 1 corridors would be the priorities for all-door boarding roll out and maintaining or adding transit signal priority plus dedicated bus lanes and other speed improvements for some Tier 1 corridors is being developed in partnership with the City.

A total of 28 corridors in Los Angeles County are being replaced with Tier 1 lines, not all of which align with current Rapid lines. In an effort to promote consistency, only those Tier 1 NextGen lines that replace a Metro Rapid line will be deemed a Rapid line by the Department of City Planning. Figure 1 below lists the discontinued Rapid lines and their Tier 1 replacement lines that will function as Rapid lines, along with the anticipated phase-in dates.

Implementation

This memo will guide updates to City Planning's determinations of which Metro bus routes and stops are considered to be a Rapid Bus, when those terms are referenced in the LAMC and TOC Guidelines. Discontinued Metro Rapid Bus lines will be replaced with their NextGen Tier 1 replacement lines when each phase is rolled out. This includes the NextGen Phase 1 changes already in effect, as described above, as well as subsequent Phase 2 and 3 of the NextGen roll-out (anticipated in June and December 2021). There may be some minor shifts in TOC Tier eligibility as a result of the NextGen changes to Rapid Bus lines. This memo amends the prior August 19, 2020 TOC memorandum issued by City Planning, solely for the Rapid Lines and their

replacement lines, described above. For lines not affected by these NextGen Rapid bus changes, the TOC program will continue to use a pre-COVID-19 bus schedule to determine program eligibility as described in the August 2020 memorandum. This policy will remain in place until superseded by future memo or updates to the TOC Guidelines. If project applicants have questions about how these changes might impact a pending project application or CEQA analysis, please contact your assigned case planner.

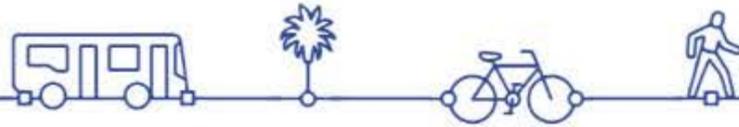
Figure 1. Discontinued and Replacement NextGen Tier 1 Rapid Lines

	Discontinued Rapid Lines	Replacement Next Gen Tier 1 Rapid Line
Phase One December 2020 (already in effect)	705 Vernon Ave./ La Cienega Bl. 710 Crenshaw Bl. 728 Olympic Bl. 740 Hawthorne Bl./ Crenshaw Bl. 745 Broadway St. 751 Soto St. 760 Long Beach Bl. 762 Atlantic Bl./ Fair Oaks Ave.	105 210 28 40 / 210 45 251 60 260
Phase Two June 2021 (anticipated)	720 Whittier Bl. 734 Sepulveda-Westside 744: Reseda/Ventura/Van Nuys 750 Ventura Bl. 770 Garvey, Atlantic, Cesar Chavez 780 Pasadena, Hollywood/Fairfax 788 Van Nuys – Westside 794 San Fernando Rd.	18 234 / 761 240 and 233/761 150 / 240 70 180 / 217 261 94 / 294
Phase Three June 2021 (anticipated)	704 Santa Monica Bl. 733 Venice Bl. 757 Western Av.	4 33 207



NEXTGEN

Updated Draft Proposals: July 2020



Existing Line 2 Sunset Blvd

How often will my bus run?

		Frequency*			
		Peak	Midday	Evening	Owl
NextGen Line 2	Weekday	7.5 min	10 min	15 min	60 min
	Saturday	12 min	12 min	15 min	60 min
	Sunday	12 min	12 min	15 min	60 min
Existing Line 2	Weekday	11 min	15 min	27 min	30-60 min
	Saturday	18 min	16 min	27 min	30-60 min
	Sunday	22 min	20 min	30 min	30-60 min

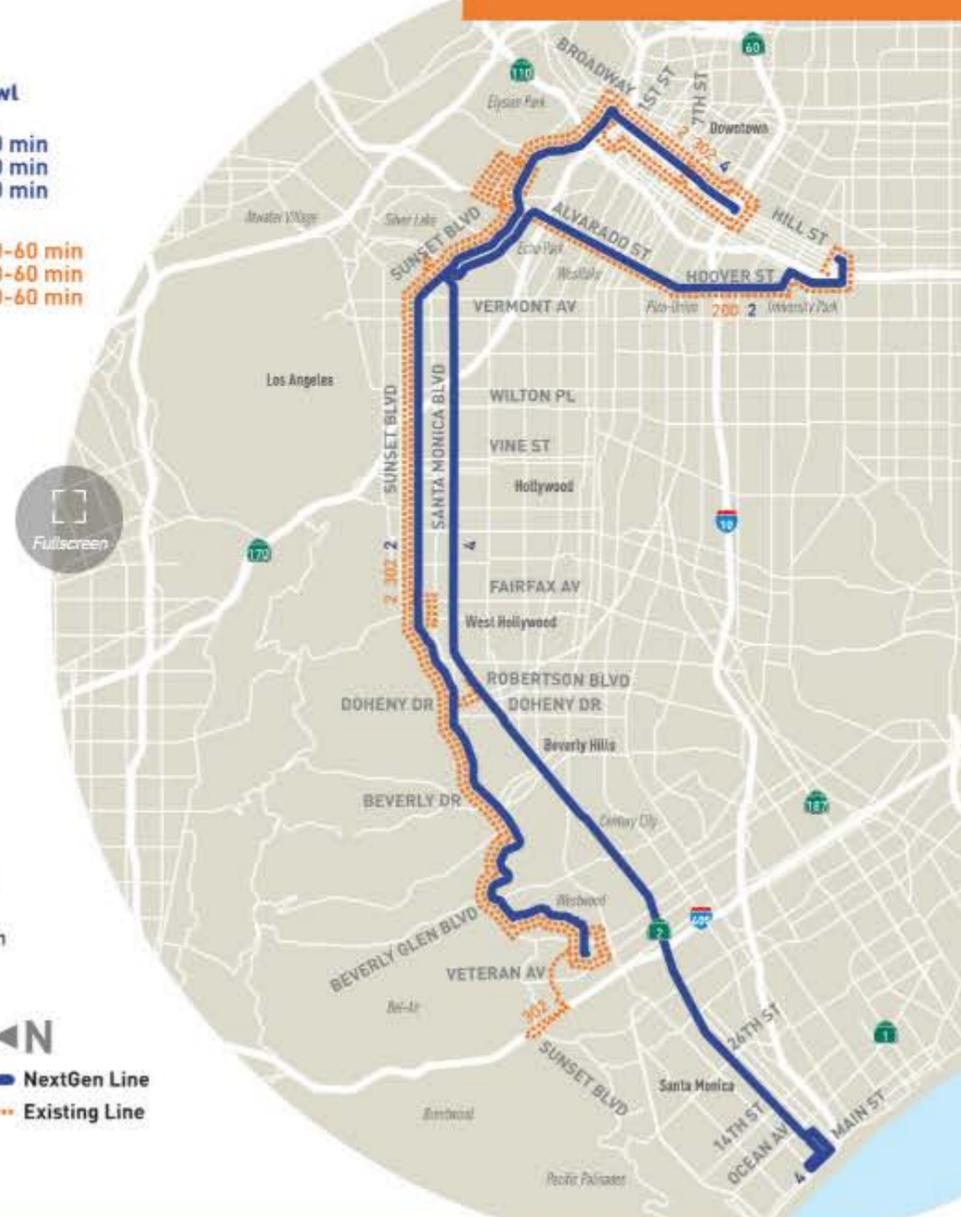
*Peak: 6-9am/3-7pm, Midday: 9am-3pm, Evening: 7pm-12am, Owl: 12-4am

How is my bus changing?

More Frequency
Simpler Network
New Links

New Line 2: Merge Lines 2 and 302 on Sunset Bl with Line 200 (Alvarado/Hoover):

- New Line 2 would follow existing Lines 2 & 302 routes on Sunset Bl between UCLA and Hollywood, merging with existing Line 200 at Sunset & Alvarado to Exposition Park/ USC via Alvarado, Hoover, Figueroa and MLK Jr
- New Line 2 would provide direct route between USC/ Exposition Park and Hollywood and high frequency service for all bus stops on Sunset Bl and Alvarado St
- Underutilized bus stops would be consolidated to balance speed, reliability, and accessibility
- Line 4 would remain serving Sunset Bl east of Alvarado St through Downtown LA



NextGen Line
 Existing Line

[¡Para Español haga clic aquí!](#)

This page contains all the new lines and proposed line changes in Metro's Bus Network. Please select your line of interest through the table of contents button at the top of the page to see the details for that specific line.

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INITIAL SUBMISSIONS

The following submissions by the public are in compliance with the Commission Rules and Operating Procedures (ROPs), Rule 4.3a. Please note that “compliance” means that the submission complies with deadline, delivery method (hard copy and/or electronic) AND the number of copies. The Commission’s ROPs can be accessed at <http://planning.lacity.org>, by selecting “Commissions & Hearings” and selecting the specific Commission.

The following submissions are not integrated or addressed in the Staff Report but have been distributed to the Commission.

Material which does not comply with the submission rules is not distributed to the Commission.

ENABLE BOOKMARKS ONLINE:

**If you are using Explorer, you will need to enable the Acrobat  toolbar to see the bookmarks on the left side of the screen.

If you are using Chrome, the bookmarks are on the upper right-side of the screen. If you do not want to use the bookmarks, simply scroll through the file.

If you have any questions, please contact the Commission Office at (213) 978-1300.

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*ALSO Admitted in Texas

September 18, 2023

VIA ELECTRONIC MAIL

Los Angeles City Planning Commission
Van Nuys City Hall
Council Chamber, 2nd Floor
14410 Sylvan Street
Van Nuys, CA 91401
cpc@lacity.org

Re: Re-Hearing of DIR-2020-2067-TOC-1A; 1447 Hi Point Street

Dear President Samantha Millman and Members of the City Planning Commission:

This office represents Hi Point Neighbors Association (“Petitioner”), the Appellant in Case DIR-2020-2067-TOC-1A (the “Entitlement”) and the Petitioner in Los Angeles Superior Court Case No. 21STCP02223. Petitioner objects that the Project is not eligible for Tier 3 Incentives under the eligibility criteria in the TOC Guidelines. Moreover, the Project fails to comply with the Q Condition Open Space standards. These inconsistencies with applicable zoning regulations preclude reliance on the Class 32 Categorical Exemption.

I. The Commission Lacks Authority to Aggregate Service from Separate Bus Lines

A. The TOC Guidelines Require 15-Minute Frequency for Any Tier

The Applicant attempts to salvage the Tier 3 determination by asserting that the intersection of two Rapid routes is sufficient to constitute a Major Transit Stop regardless of service frequency. This claim is demonstrably false. The TOC Guidelines provide incentives only within a TOC Affordable Housing Incentive Area as “provided in Section II of these

Guidelines.” Section II of the TOC Guidelines includes the definition of Major Transit Stop as “a site containing a rail station *of the intersection of two or more bus routes with a service interval of 15 minutes or less*[.]” TOC Guidelines, Section II.6 (emphasis added). The Applicant made this same argument in court which was soundly rejected.¹ While the definition of “Tier 3” does not itself mention the 15-minute service interval requirement, this requirement is located under the heading “Type of Major Transit Stop.” It follows that the “Two Rapid Buses” which intersect must qualify for inclusion within a “Major Transit Stop,” and must satisfy the 15-minute service interval requirement.”

The Applicant’s argument is also in conflict with Appendix A of the TOC Guidelines, which calculates service frequency for Rapid 750 to be 16 minutes and concludes: “Therefore, the 750 Metro Rapid Bus Line is ineligible for inclusion in a Major Transit Stop.” TOC Guidelines, Appendix A, p. 16. At the time the TOC Guidelines were approved, Rapid 750 travelled from Warner Center to Universal City.² As shown on the Metro System Map, Rapid 750 intersected with several other Rapid Bus lines including Rapid 734 (Tarzana to Granada Hills along Reseda Boulevard), Rapid 734 (San Fernando to Westwood along Sepulveda Boulevard) and Rapid 744 again (Sherman Oaks to Pacoima along Van Nuys Boulevard). If the mere intersection of two Rapid Bus routes constituted a Major Transit Stop for purposes of the TOC Guidelines regardless of service frequency, Appendix A would not have definitively stated that Rapid 750 is ineligible for inclusion in a Major Transit Stop.

B. The TOC Guidelines Do Not Permit Aggregation of Bus Lines

The Applicant argues that the City may aggregate or combine the service frequency of bus lines to satisfy the 15-minute service frequency requirement for a Major Transit Stop. Again, this exact same argument was rejected by the court. The Ruling on Submitted Matter states on page 15 as follows: “Real Party in Interest provide no clear authority for the proposition that bus lines may be so combined. Los Angeles Municipal Code section 12.22 A.31 and the TOC Guidelines are silent on whether bus lines may be combined to meet the 15-minute service

¹ The Ruling on Submitted Matter dated March 9, 2023 states as follows on pages 14-15: “Real Party in Interest’s remaining arguments are unpersuasive. Real Party Interest argues the ‘Tier 3’ category does not contain a 15-minute service requirement. But an overarching eligibility requirement for the TOC Affordable Housing Incentive Program is proximity to a “Major Transit Stop,” which is defined as the intersection of two more bus lines “with a service interval of 15 minutes or less during the morning and afternoon peak commute periods.’ (AR 6947.) While the definition of ‘Tier 3’ does not itself mention the 15-minute service interval requirement, this requirement is locating under the heading ‘Type of Major Transit Stop.’ It follows that the ‘Two Rapid Busses’ which intersect must qualify for inclusion within a ‘Major Transit Stop,’ and must satisfy the 15-minute service interval requirement.”

² **Exhibit 1** [2019 Metro System Map].

interval requirement.” Moreover, this argument conflicts with Appendix A of the TOC Guidelines. As noted above, Appendix A concluded that Rapid 750 was “ineligible for inclusion in a Major Transit Stop” – without qualification. The 2019 Metro System Map shows that Rapid 750 runs along Ventura Boulevard with Rapid 744 also running between Reseda Boulevard and Van Nuys Boulevard.³ If the Applicant’s claim was correct, and the TOC Guidelines contemplated adding the service frequency of separate bus lines on the same street, Appendix A would not have conclusively stated that Rapid 750 was ineligible because of its 16-minute headway. Instead, it would have noted that Rapid 750 is ineligible only where it is not supplemented by other Rapid Bus lines to satisfy a 15-minute service frequency. Appendix A included no such qualification. The only plausible conclusion is that Appendix A – which provided a technical illustration of the intended application of the TOC Guidelines to complex networks of bus routes – did not contemplate the aggregation of Rapid Bus lines to provide a 15-minute service interval.

C. Aggregation of Local 217 with Rapid 780 Would Not Establish 15-Minute Service Frequency for Rapid Routes

In its submittals for the Appeal, Petitioner submitted analysis of both the December 2019 and December 2020 timetables for Rapid 780 demonstrating that frequency-of-service intervals exceeded 15 minutes. The Applicant did not dispute this fact in litigation, nor does it directly dispute it here. Instead, the Applicant suggests that the Commission may aggregate Local 217 with Rapid 780 along Fairfax Avenue to result in service frequency less than 15 minutes. This argument fails because ***Local 217 is not a Rapid bus route*** and cannot be aggregated with a Rapid bus to meet service frequency for the “***intersection of Rapid bus routes***[.]” In fact, the Applicant has demonstrated that the Tier Verification Form included the service frequency of Local 217 alone and never aggregated service frequency of Local 217 and Rapid 780. City Planning Assistant Aida Karpetian further asserted in an e-mailed dated February 5, 2020 that Rapid 780 on its own is a “non-qualifying Rapid Bus.” The TOC Guidelines describe a Rapid Bus as having “dedicated bus lanes, branded vehicles and stations, high frequency [and] limited stops at intersections[.]” Local 217 meets none of these criteria as it lacks branded “rapid” vehicles and stations, does not feature enhanced frequency compared to regular buses and stops at every intersection.⁴

³ Exhibit 1.

⁴ See Exhibit 2. Accounting for only stops from Pico/Fairfax to 3rd/Fairfax, Local 217 makes three times as many stops (six) as Rapid 780 (two). Signs for Local 217 stops are visible on Google Maps Street View imagery dated 2016-2020 at minor intersections with Whitworth Drive, De Valle Drive, 6th Street and Drexel Avenue in addition to the Rapid 780 stops at Wilshire and San Vicente.

Moreover, the SCAG methodology cited by the TOC Guidelines provides that separate but overlapping bus routes along a common corridor “that do not individually meet the 15-minute threshold may not be combined[.]” Local 217 and Rapid 780 are not interchangeable because Local 217 stops at minor cross streets whereas Rapid 780 only stops at major intersections. As any user of Metro’s bus system knows all too well, stopping at every intersection dramatically increases travel time, especially for trips through congested urban areas, resulting in missed traffic signals and substantially longer time spent loading and unloading passengers. According to LADOT, Metro Rapid buses reduce travel times between 23 and 29 percent based on empirical studies of Line 750 (Ventura Boulevard) and Line 720 (Wilshire Boulevard) which feature fewer stops than local buses.⁵ Further, Local 217 and Rapid 780 have vastly different northern terminuses from one another.

The Applicant argues that the City has “on numerous occasions” aggregated Local 217 and Rapid 780 to meet the definition of a Major Transit Stop, but provides only one example pertaining to precisely the same intersection challenged by Petitioner. The Metro System Map depicts potentially hundreds of intersections which would qualify as Major Transit Stops, or qualify for a higher tier of incentive, if routes could be aggregated. That fact that the Applicant is only able to identify examples of aggregation for Pico/Fairfax suggests that aggregation was an error, not standard procedure.

D. The TOC Guidelines Determine Transit Frequency Based on the TOC Referral Date

The Applicant asserts that the bus schedules “in effect today” qualify the site for Tier 3 incentives. The TOC Guidelines provide that “[e]stablishment of the appropriate Tier shall take place at the time an application is accepted and the Tier is verified by the City.” In this case, the Department of City Planning verified the Tier 3 incentives on February 27, 2020. Any alleged changes in bus schedules are not within the scope of the record without a new application, Director’s Determination, notice, and right of appeal. If the CPC purports to re-decide the appeal to re-approve the Project, it must comply with the LAMC’s procedural requirements for such actions. Moreover, the March 25, 2021 Memorandum relied on by the Applicant states that the replacement of Rapid 780 with “NextGen” Line 217 is “anticipated” and there is no evidence in the record that it was operative by the initial date of Project approval. Finally, Petitioner challenges the Department’s reliance on NextGen Line 217 to qualify as a Rapid Bus because it does not have any of the features related to higher speeds listed in the TOC Guidelines as characterizing a rapid bus.

⁵ <https://www.transit.dot.gov/research-innovation/metro-rapid-demonstration-program-evaluation-report-operating-speed-ladot>

II. THE PROJECT VIOLATES “Q” CONDITION OPEN SPACE STANDARDS

The Q Conditions require that a development provide a minimum of 100 square feet of usable open space per dwelling unit in compliance with the Q Condition’s standards for private and common open space. The superior court denied Petitioner’s CEQA claim asserting that the Project was not eligible for a Class 32 categorical exemption because it was not consistent with all applicable zoning regulations (namely, certain Q conditions related to required open space). Without plans referencing the dimensions, Petitioner was unable to definitely prove its contentions in court. However, Petitioner is now able to prove that certain patios do not meet the Q Conditions open space requirements because they are less than 15 feet wide. Should the Commission reapprove the Project, Petitioner intends to bring a writ of mandate challenging the Project again in court for non-compliance with the Q Conditions and also appeal any building permit issued by the Los Angeles Department of Building and Safety.

The Project requires 1,500 square feet of open space in compliance with the Q Conditions after accounting for a 25 percent reduction.⁶ None of the private open space located above the first habitable level qualifies as private open space under the Q Conditions, which provides that only patios and yards located “at ground level or the first habitable level” may qualify as private open space. As shown below, only two patios qualify under the Q Conditions, providing 120 square feet (Unit 101) and 92.49 square feet (Unit 104) of private open space. The remainder of the private balconies are located above the first habitable level and cannot provide private open space compliant with the Q Conditions. The roof deck provides a constant width of 15 feet, which fails to meet the required 20-foot *average* width required by the Q Conditions. Even assuming the rear yard provides 950 square feet of open space per the plans, the Project provides a total of only 1,162.5 square feet of qualifying open space under the Q Conditions, far less than the 1,500 square feet required. To comply with the Q Conditions, the Project would need to provide an additional 5-foot setback at the penthouse level to provide the average 20-foot width for the roof deck. Even if such a setback were provided, the common open space would fail to provide the minimum 50-percent landscaping required by the Q Conditions.

PROVIDED OPEN SPACE			
Area	Private	Common	Dimension
L1 – 101 Patio	120		6’ x 20’
L1 – 102 Patio	0		Less than 15’ width
L1 – 103 Patio	0		Less than 15’ width
L1 – 104 Patio	92.5		15’ x 6.166’

⁶ Petitioner objects to the 25 percent reduction because Applicant never sought relief from the Q Conditions. Therefore, the full 2,000 square feet must be provided. The analysis above is therefore highly conservative.

L1 – Rear Yard		950	Area per plans
L2 – 201 Balcony	0		Above first habitable level
L2 – 202 Balcony	0		Less than 15’ width; above first habitable level
L2 – 203 Balcony	0		Less than 15’ width; above first habitable level
L2 – 204 Balcony	0		Above first habitable level
L3 – 301 Balcony	0		Above first habitable level
L3 – 302 Balcony	0		Less than 15’ width; above first habitable level
L3 – 303 Balcony	0		Less than 15’ width; above first habitable level
L3 – 304 Balcony	0		Above first habitable level
L4 – 401 Balcony	0		Above first habitable level
L4 – 402 Balcony	0		Less than 15’ width; above first habitable level
L4 – 403 Balcony	0		Less than 15’ width; above first habitable level
L4 – 404 Balcony	0		Above first habitable level
Roof Deck		0	Average width less than 20’
L5 – PH1 Balcony	0		Less than 15’ width; above first habitable level
L5 – PH2 Balcony	0		Less than 15’ width; above first habitable level
L5 – PH3 Balcony	0		Less than 15’ width; above first habitable level
L5 – PH4 Balcony	0		Above first habitable level
Sub-total private	212.5		
Sub-total common		950	
Total	1,162.5		

Moreover, the Project is not consistent with the Q Conditions found at Ordinance No. 168193 because the southwest end of the building features a 40’ section of building without any articulation which is greater than the Q Conditions require (articulation for every 30 feet for building facades exceeding 40 feet).

III. THE PROJECT IS NOT ELIGIBLE FOR THE CLASS 32 EXEMPTION

The Class 32 Categorical Exemption requires that the project “is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.” 14 Cal. Code Regs., § 15332(a). Here, the Project is not eligible for the Class 32 Categorical Exemption because it is inconsistent with the TOC Guidelines and the Q Condition open space standards.

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IV. CONCLUSION

The project is not eligible for Tier 3 incentives. The applicable schedule for Rapid 780 demonstrates that it does not provide the required 15-minute frequency-of-service to qualify as a Major Transit Stop providing eligibility for Tier 3 incentives. The Commission lacks authority to aggregate service from multiple routes, as this would be inconsistent with the TOC Guidelines and SCAG guidance for calculating frequency-of-service intervals. The Commission should comply with the court order by setting aside the TOC approval. I may be contacted at 310-982-1760 or at jamie.hall@channellawgroup.com if you have any questions, comments or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Jamie T. Hall". The signature is fluid and cursive, with the first name "Jamie" being more prominent than the last name "Hall".

Jamie T. Hall

EXHIBIT 2

Local 217 Stop at Whitworth Drive and Fairfax Avenue

Dated May 2019 via Google Street View

https://www.google.com/maps/@34.0555016,-118.3651177,3a,15y,55.28h,92.08t/data=!3m7!1e1!3m5!1swk_vXpS5_itzwdDweVHbnYg!2e0!5s20190501T000000!7i16384!8i8192?entry=ttu



Local 217 stop at 6th Street and Fairfax Avenue

Dated May 2019 via Google Street View

<https://www.google.com/maps/@34.0650801,-118.3614601,3a,75y,207.05h,96.18t/data=!3m7!1e1!3m5!1s26FDo6pYu24ijNDdhRpEqw!2e0!5s20190501T000000!7i16384!8i8192?entry=ttu>



Local 217 stop at De Valle Drive and Fairfax Avenue

Dated May 2019 via Google Street View

<https://www.google.com/maps/@34.0612391,-118.362377,3a,75y,224.25h,90.02t/data=!3m7!1e1!3m5!1s635zcFz0gNo1xxPxKc4-nQ!2e0!5s20190501T000000!7i16384!8i8192?entry=ttu>



Local 217 stop at Drexel Avenue and Fairfax Avenue

Dated January 2018 via Google Street View

https://www.google.com/maps/@34.0682936,-118.3615208,3a,90y,162.99h,86.13t/data=!3m7!1e1!3m5!1sI9dUfjX889utE_6tKxIVcQ!2e0!5s20180101T000000!7i16384!8i8192?entry=ttu



September 12, 2023

Los Angeles City Planning Commission
Van Nuys City Hall
Council Chamber, 2nd Floor
14410 Sylvan Street
Van Nuys, California 91401
E-Mail: cpc@lacity.org

Re: DIR-2020-2067-TOC-1A
1447 South Hi Point Street

Dear Honorable Commissioners of the Los Angeles City Planning Commission:

My office represents Hi Point M, LLC (“Real Party”), the owner of the real property commonly known as 1447 South Hi Point Street (the “Property”) within the City of Los Angeles (the “City”). At the August 24, 2023 City Planning Commission (“CPC”) meeting, the CPC continued Item 4 (DIR-2020-2067-TOC-1A) to the September 28, 2023 CPC meeting so that it could set aside its approval of Tier 3 incentives in Case No. DIR-2020-2067-TOC (the “TOC Entitlement”), which allowed for the development of a well-designed, 5-story housing project in the Faircrest Heights neighborhood (the “Project”), clarify its original determination, consider new evidence, and then either reapprove or deny the TOC Entitlement in conformance with the guidance contained in the March 9, 2023 Ruling on Submitted Matter, as amended (the “Ruling”), in Los Angeles County Superior Court Case No. 21 STCP 02223 (the “Action”). Accordingly, through this letter, Real Party submits new evidence for the CPC consideration and requests that the CPC reapprove the TOC Entitlement’s Tier 3 incentives.

I. RELEVANT BACKGROUND

A. The TOC Entitlement Approval and Appeal

The TOC Entitlement initially was approved by Director’s Determination letter dated December 30, 2020. The Director’s Determination letter confirmed that the Project qualified for Tier 3 incentives under the City’s Transit Oriented Communities Guidelines (the “TOC Guidelines”), which the City Planning Department adopted to implement Section 6 of Measure JJJ. The Director’s Determination relied on the City’s determination that the intersection of Pico

Boulevard and Fairfax Avenue was a Major Transit Stop.¹ In this regard, City Planning Department staff reviewed bus schedules for buses that intersected at Pico Boulevard and Fairfax Avenue and calculated the service intervals during the morning and afternoon peak commute periods. City Planning Department staff then prepared the TOC Referral Form dated February 27, 2020, which listed 29 northbound bus trips during peak intervals and 33 southbound bus trips during peak intervals to qualify the intersection of Pico Boulevard and Fairfax Avenue as a Major Transit Stop in the Tier 3 TOC Tier.² The TOC Referral Form noted that these calculations were based upon “Local Line 217 and Rapid 780.” A copy of the TOC Referral Form, with the northbound and southbound trips highlighted, is attached as **Attachment 1** to this letter.³

On January 13, 2021, the TOC Entitlement and the related CEQA exemption for the TOC Entitlement (ENV-2020-2068-CE) (the “CEQA Exemption”) were appealed by numerous parties. The CPC denied the appeal on April 8, 2021. Thereafter, the appellants formed Hi Point Neighbors’ Association, an unincorporated association (“Petitioner”), and filed a Verified Petition for Writ of Mandate challenging the City’s approval of the TOC Entitlement and the CEQA Exemption, which initiated the Action.

B. The Issue Presented in the Action

In the Action, Petitioner contended that the intersection of Pico Boulevard and Fairfax Avenue did not constitute a Major Transit Stop under the TOC Guidelines on the basis that neither the Metro Rapid Bus Line 780 (“Line 780”) nor the Metro Local Line 217 (“Line 217”) had northbound and southbound service intervals of 15 minutes or less.⁴ Specifically, Petitioner

¹ The TOC Guidelines defines “Major Transit Stop” as “the intersection of two or more bus routes with a service interval of 15 minutes or less during the morning and afternoon peak commute periods” (e.g., between 6:00 a.m. and 9:00 a.m. and between 3:00 p.m. and 7:00 p.m.).

² Although the December 30, 2020 Director’s Determination letter erroneously based the Project’s qualification for Tier 3 incentives on being within 750 feet of the intersection of Pico Boulevard and Fairfax Avenue, Planning Department staff clarified that the Project qualified for Tier 3 incentives due to the Property being within 1,500 feet of the intersection of Pico Boulevard and Fairfax Avenue in its Appeal Recommendation Report dated April 8, 2021. See Appeal Recommendation Report, Staff Response to Appeal Point 1 (“The subject property is located within a Tier 3 TOC Affordable Housing Incentive Area, qualified by its proximity to a Major Transit Stop ... within 1,500 feet of the project site.”).

³ The TOC Referral Form was included in Real Party’s original TOC Entitlement application submittal of March, 25, 2020, and therefore is part of the public case file for DIR-2020-2067-TOC and part of the original project review for the Director’s Determination.

⁴ Petitioner conceded in the Action that the westbound and eastbound bus routes for Santa Monica Big Blue Bus 7 and Rapid 7 listed in the TOC Referral Form each have service intervals of 15

relied on a December 2019 bus schedule for Line 780, which showed that the service intervals are more than 15 minutes during peak periods.

Petitioner also relied on the incorrect bus schedule for Line 217. Specifically, due to the “the unprecedented impact the COVID-19 pandemic [] had upon public transit ridership and budgets,” which temporarily lengthened the intervals of bus service within the City,” the City Planning Department issued an August 19, 2020 memorandum (the “August 2020 Memo”), which provided that “City Planning will reference the transit schedules in place as of *March 17, 2020*, the day before transit service changes began to be made, in its review of environmental and entitlement applications until further notice.”⁵ Instead of using the bus schedule for Line 217 in place as of March 17, 2020, Petitioner intentionally and knowingly relied upon a December 13, 2020 schedule for Line 217, which improperly showed that the service intervals were more than 15 minutes during peak periods.

The actual bus schedules referenced in the TOC Referral Form were never formally presented to the CPC and therefore were not included in the Action’s administrative record. Accordingly, although the City correctly designated the Project for Tier 3 incentives based on the bus schedules in place at the time of the designation and approval, the City and Real Party did not have sufficient evidence to show the Court that Line 217 had service intervals of 15 minutes or less during peak periods, thus qualifying the intersection of Pico Boulevard and Fairfax Avenue as a Major Transit Stop.

Instead, the City and Real Party advanced arguments that the intersection of Pico Boulevard and Fairfax Avenue was a Major Transit Stop because the TOC Guidelines allow the City to combine bus lines to reach the necessary service intervals of 15 minutes or less. In this regard, on numerous occasions the City noted that bus routes may be combined to reach service intervals of 15 minutes or less. In fact, for projects qualifying for incentives under the TOC Guidelines that used the intersection of Pico Boulevard and Fairfax Ave. as the Major Transit Stop qualifier, the City noted that the service intervals were combined for at least one project. Specifically, in approving Case No. DIR-2020-1870-TOC-HCA, the Director’s Determination letter stated:

The Project Site is located approximately 700 feet southwest of the intersection of Fairfax Avenue and Pico Boulevard, whether the Metro 217, Metro Rapid 780, Santa Monica Big Blue Bus 7, and Santa Monica Rapid 7 bus lines all meet. *Combined, these bus routes operate with average frequencies of service intervals*

minutes or less. Accordingly, the only qualifying bus lines at issue in the Action are the northbound and southbound bus lines.

⁵ A copy of the August 2020 Memo is attached as **Attachment 2** to this letter.

of less than 15 minutes during peak times. As such, the project meets the eligibility requirement for a TOC Housing Development to be located within 2,640 feet of a Major Transit Stop and the eligibility requirement for a Tier 3 Project to be located within 1,500 feet of the intersection of two rapid bus lines.... (*Emphasis added.*)⁶

C. The Ruling

In its Ruling, the Court was not persuaded by the City and Real Party's argument. Although the Court upheld the CEQA Exemption, and denied the other various arguments raised by Petitioner, the Court ruled that the administrative record did not contain substantial evidence to show that the intersection of Pico Boulevard and Fairfax Avenue was a Major Transit Stop that would allow the Project to qualify for Tier 3 incentives (whether by using a single bus line or by combining bus routes to reach the required 15 minute or less service interval). Rather, the Court required some direct statements from City staff, the Director, or the CPC on how the City reached the determination that the intersection of Pico Boulevard and Fairfax Avenue was a Major Transit Stop. Although the administrative record included numerous statements on how the City determined that the intersection of Pico Boulevard and Fairfax Avenue was a Major Transit Stop, including the TOC Referral Form and statements from City staff that reference the qualifying bus lines, the Court ultimately concluded that such evidence was not substantial enough to support the City's determination.

Specifically, the Court ruled as follows:

Neither the Director's Determination (AR 2959, 2962) nor the Appeal Recommendation Report (AR 20, 22) discusses how the intersection of Pico Boulevard and Fairfax Avenue satisfies the 15-minute service interval requirement. They merely state the conclusion that the intersection qualifies. Neither appears to contemplate combining bus lines to make this determination. (*Ibid.*) The Transit-Oriented Affordable Housing Referral Form (AA 619) is similarly vague, merely naming bus lines and concluding the 15-minute service interval requirement has been satisfied. (AR 619.)

The Court's inquiry "will be limited to a determination of whether or not the findings are supported by substantial evidence in light of the whole record." (*Strumsky v. San Diego County Employees Retirement Assn.* (1974) 11 Cal.3d 28, 32.) Respondent must "set forth findings to bridge the analytical gap between the raw evidence and ultimate decision or order." (*Sky Posters, Inc. v. Department of*

⁶ A copy of the Director's Determination in Case No. DIR-2020-1870-TOC-HCA is attached as **Attachment 3** to this letter.

Transportation (2022) 78 Cal.App.5th 644, 667-668 [“Reference, in section 1094.5, to th

e reviewing court’s duty to compare the evidence and ultimate decision to ‘the findings’ ... leaves no room for the conclusion that the Legislature would have been content to have a reviewing court speculate as to the administrative agency’s basis for decision.”].)

The administrative record contains no finding that the intersection of Pico Boulevard and Fairfax Avenue constitutes a Major Transit Stop because Respondent combined bus lines to satisfy the 15-minute service interval requirement. The Court will not infer that Respondent made such a finding or speculate on whether it might have done so.

Respondent’s finding the Project qualifies for “Tier 3” categorization and incentives, based on the conclusion that the Project is within 1,500 feet of a “Major Transit Stop” including the intersection of “Two Rapid Buses,” is not supported by substantial evidence. A writ of mandate setting aside the “Tier 3” incentives awarded under the TOC Affordable Housing Incentive Program is warranted.

Since the Court did not find substantial evidence to support the City’s determination that the Project was within 1,500 of a Major Transit Stop, the Court issued the Revised Writ of Peremptory Mandamus (the “Writ”) that requires the City to set aside its determination that the Project qualifies for Tier 3 incentives.

The Writ does not require the City to vacate the TOC Entitlement. In fact, although the Judgment initially contemplated the City vacating its determination that the Project qualified for Tier 3 incentives, the Court revised its Judgment through the April 21, 2023 Minute Order to expressly remove the requirement for the City to vacate this determination. Instead, the Court granted the City to opportunity to set aside its Tier 3 incentives, recognizing the City’s authority to redecide the TOC Entitlement by clarifying its prior ruling and/or considering additional evidence. *See* Writ, § 3 (“Nothing in this Writ shall limit or control in any way the discretion legally vested in [the City].”).

Since the CPC has decided to consider new evidence to reconsider its decision on the TOC Entitlement, Real Party provides such additional evidence through this letter and requests that the CPC reaffirm that the Project qualifies for Tier 3 incentives on the basis of its proximity to a Major Transit Stop that includes the intersection of two Rapid Buses.

II. SUPPORTING EVIDENCE FOR CPC TO CONSIDER

A. Line 217 Schedule in Place as of March 17, 2020 Qualifies the Site for Tier 3

As noted above, pursuant to the August 2020 Memo, “City Planning will reference the transit schedules in place as of **March 17, 2020**, the day before transit service changes began to be made, in its review of environmental and entitlement applications until further notice.” Such decision was made based on “the unprecedented impact the COVID-19 pandemic has had upon public transit ridership and budgets,” which temporarily lengthened the intervals of bus service within the City.

The TOC Referral Form noted service intervals of less than 15 minutes for the northbound and southbound bus qualifiers; however Petitioner intentionally and knowingly misrepresented the bus schedule in place for Line 217 when arguing that Line 217 did not have service intervals of 15 minutes or less. Specifically, instead of identifying the pre-COVID schedule as required by the City’s August 2020 Memo, Petitioner’s opposition to the Project relied on the December 2020 schedule for Line 217.

To correct the record, Real Party submits the pre-COVID bus schedule for Line 217 to determine whether the intersection of Pico Boulevard and Fairfax Avenue constitutes a Major Transit Stop. In this regard, **Attachment 4** to this letter is the pre-Covid Line 217 bus schedule, in place as of March 17, 2020, which shows northbound peak trips of 29 trips and southbound peak trips of 33 trips. These are the same service interval numbers used by the City in the TOC Referral Form, which qualified the Project for Tier 3 incentives under the TOC Guidelines.

In this regard, although Line 780 did not have the requisite service intervals of 15 minutes or less, the CPC only needs to conclude that two bus routes with service intervals of 15 minutes or less intersect Pico Boulevard and Fairfax Avenue for the intersection to constitute a Major Transit Stop. Upon determining that the intersection of Pico Boulevard and Fairfax Avenue qualifies as a Major Transit Stop, the CPC may conclude that the Project qualifies for Tier 3 incentives so long as two Rapid Buses intersect at this Major Transit Stop. In this regard, the TOC Guidelines provide a chart establishing “Incentive Tier Areas,” which provides a column describing what “Type of Major Transit Stop” is required for a Tier determination. For a Tier 3 project, this column only requires that “[t]wo Rapid Buses (intersection of two Rapid Bus lines)” exist at a Major Transit Stop. The chart makes no mention of bus frequency intervals required for the Rapid Buses.⁷ In fact, City staff expressly noted that this process was why the Project qualified for Tier 3 incentives. See **Attachment 5** to this Letter (“The intersection of two qualifying regular

⁷ By contrast, when setting forth the criteria for Tier 2 projects, the column requires an “intersection of 2 non Rapid Bus* lines, *each w/ at least 15 min. average peak headways.*” (*Emphasis added.*)

buses (BBB 7 and 217) + 2 nonqualifying Rapid buses (BBB R7 and 780) will give a jump to a Tier 3.”).

Here, since Line 217 qualifies the intersection of Pico Boulevard and Fairfax Ave. as a Major Transit Stop, the intersection of Line 780 with Rapid 7 allows for the Project to qualify for Tier 3 incentives. On this basis, the CPC should reapprove the TOC Entitlement.

B. The CPC Has the Discretion to Combine Bus Lines to Qualify an Intersection as a Major Transit Stop

In addition to finding that the Project qualifies for Tier 3 incentives based on the reasoning in Section II.A of this letter, the CPC also may conclude that the Project qualifies for Tier 3 incentives by combining bus lines to reach the necessary peak-period service-intervals of 15 minutes or less. In this regard, nothing in the TOC guidelines prohibits combining or relying on additional bus lines at the same intersection—or even different bus lines altogether—in order to establish that a Major Transit Stop exists.⁸ Indeed, the TOC Guidelines specifically say that a Major Transit Stop includes the intersection of “two or more” bus routes. In using the bus schedules provided by Petitioner (i.e., the post-Covid schedules), Line 780 and Line 217—which followed the same route from the intersection of Venice and Fairfax to the intersection of Hollywood and New Hampshire—together have shorter than 15-minute service intervals on Fairfax Ave. during peak periods. Indeed, City staff supported the methodology of combining bus routes when City Planner Esther Ahn testified at the April 8, 2021 CPC meeting that the City’s Major Transit Stop determination was supported by both Line 217 and Line 780 on Fairfax Ave.. Likewise, the City’s TOC Referral Form shows that it relied on both Line 780 and Line 217 for calculating interval frequency on Fairfax Avenue.

To this effect, the TOC Guidelines specifically rely upon the methodology promulgated by the Southern California Association of Governments (“SCAG”) in calculating bus service frequency. SCAG methodology concludes that although overlapping bus routes may not always be combined to reach the 15 minute or less service intervals, “there are certain corridors where overlapping ‘line families’ or local/bus rapid transit (BRT) lines are intended to function as one bus route. On these corridors, transit riders typically board the first bus available, whether it be a local, express, or BRT line. For these line families or local/BRT corridors, SCAG uses the combined routes to calculate the frequency.” The SCAG Guidance is attached as **Attachment 6** to this letter.

⁸ In fact, the Court in its Ruling specifically noted that neither the Los Angeles Municipal Code nor the TOC Guidelines prohibited combining bus lines to reach the 15-minute or less qualifying service intervals.

Here, there is substantial evidence for the City to conclude that Line 780 and Line 217 are line families since the lines follow the same route from the intersection of Venice and Fairfax to the intersection of Hollywood and New Hampshire. On this basis, the CPC may combine the bus lines to reach the service intervals of 15 minutes or less. Indeed, as noted above, the City’s approval of Case No. DIR-2020-1870-TOC-HCA concluded that Line 780 and Line 217 are, in fact, line families.

C. Current Bus Schedules

Although the City may reapprove the Project’s Tier 3 incentives based on the reasoning detailed in Sections II.A and II.B of this letter, which discusses the bus schedules in place when the Project was initially approved, the CPC also may reapprove the Project based on the bus schedules in place today.

The City Planning Department issued a memorandum dated March 25, 2021 (the “March 2021 Memo”) that discusses the substantial changes to bus schedules in preparation for the NextGen rollout.^{9 10} The March 2021 Memo notes that “[t]he NextGen system includes a new bus classification system with different Tier levels,” that “Tier 1 is the highest quality bus NextGen line and will replace current Rapid Bus lines as they are discontinued,” and that “Tier 1 routes are planned to achieve service interval levels of at least ten minutes throughout the weekday daytime.”

Accordingly, some lines, which initially were categorized as local lines for purposes of the TOC Guidelines, have substantially increased their service interval frequency and, on that basis, are categorized as Rapid Buses for purposes of calculations under the TOC Guidelines. The March 2021 Memo provides its analysis follows:

Rapid Bus is not a defined term in the Los Angeles Municipal Code (LAMC), nor is there any one agreed-upon set of criteria that must exist to be called a Rapid Bus line. The TOC Guidelines define Rapid Bus in a broad, flexible way to encompass a number of different types of higher quality bus services provided by different operators, as follows:

Rapid Bus is a higher quality bus service that may include several key attributes, including dedicated bus lanes, branded vehicles and stations, high frequency, limited stops at major intersections, intelligent transportation systems, and possible off-board fare collection and/or all

⁹ According to the March 2021 Memo, “NextGen is described by Metro as ‘a reimagined bus system that focuses on providing fast, frequent, reliable and accessible service to meet the needs of today’s riders.’”

¹⁰ A copy of the March 2021 Memo is attached as **Attachment 7** to this letter.

door boarding. It includes, but is not limited to, Metro Bus Rapid Transit lines, Metro Rapid 700 lines, Metro Orange and Silver Lines, Big Blue Rapid lines and the Rapid 6 Culver City bus.

The Tier 1 NextGen is the highest level of bus service that Metro now offers (not to be confused with TOC Tier 1). ***While Metro is discontinuing most but not all Rapid Bus lines, Tier 1 lines will replace Rapid Lines and include most of the attributes in the above definition. Most importantly, Tier 1 lines are defined by their high level of service frequency.*** The number of stops for NextGen Tier 1 lines will be less than for existing local bus lines, but not as few as the current Rapid lines. ***Metro also advises that Tier 1 corridors would be the priorities for all-door boarding roll out and maintaining or adding transit signal priority plus dedicated bus lanes and other speed improvements for some Tier 1 corridors is being developed in partnership with the City.*** (Emphasis added.)

On this basis, the City confirmed that Rapid Line 780, which was discontinued, was replaced with Line 217 for purposes of qualifying and intersection for Tier incentives under the TOC Guidelines.

Attachment 8 to this letter is the current bus schedule for Line 217. As noted in this schedule, the northbound bus trips during peak periods are 51 and the southbound bus trips during peak periods are 55. Such figures shows that Line 217 has service intervals of under 15 minutes (i.e. $420/51=8.24$ min. service intervals for northbound and $420/55=7.64$ min. service interval for southbound). These new service intervals are almost double the peak-period service in place prior to March 17, 2020.

Accordingly, Since Line 217 constitutes a Rapid Bus for purposes of the TOC Guidelines, and since Line 217 has service intervals of less than 15 minutes during peak period, the intersection of Pico Boulevard and Fairfax Avenue currently constitutes a Major Transit Stop.¹¹

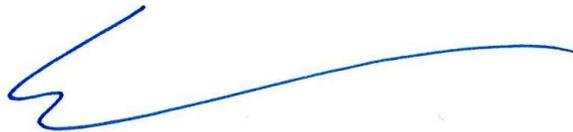
¹¹ We note that the City still uses the pre-Covid bus schedules for the Santa Monica Big Blue Bus 7 and Santa Monica Big Blue Bus Rapid 7. In this regard, the March 2021 Memo states: “For lines not affected by these NextGen Rapid bus changes, the TOC program will continue to use a pre-COVID-19 bus schedule to determine program eligibility as described in the August 2020 memorandum.” Here, as noted by the Court in its ruling, Petitioner never challenged the City’s determination that these bus lines qualified the intersection of Pico Boulevard and Fairfax Avenue for Tier 3 incentives, and on that basis these lines are not at issue in determining whether this intersection constitutes a Major Transit Stop. Nevertheless, the bus schedules in place as of March 17, 2020 for the Santa Monica Big Blue Bus 7 and Santa Monica Big Blue Bus Rapid 7 are

III. CONCLUSION

As noted above, on the date the City approved the TOC Entitlement, the Project qualified for Tier 3 incentives because the intersection of Pico Boulevard and Fairfax Avenue was a Major Transit Stop due to Line 217 and Santa Monica Big Blue Bus 7 intersecting and because two Rapid lines, the Rapid 780 and Santa Monica Big Blue Bus Rapid 7, also intersected at this Major Transit Stop. On this basis alone, the City may reapprove the TOC Entitlement. Additionally, although the City only need clarify that the Project qualified for Tier 3 incentives on the date that the City approved the TOC Entitlement (thus relying on the bus schedules in place as of March 17, 2020), the City also is able to conclude that the Project qualifies for Tier 3 incentives based on the current bus schedules.

For these reasons, Real Party respectfully requests that the City consider the additional evidence contained in this letter and reapprove the TOC Entitlement

Regards,



ERNEST J. GUADIANA
Elkins Kalt Weintraub Reuben Gartside LLP

cc: Esther Ahn (via esther.ahn@lacity.org)
Donna Wong, Esq. (via donna.wong@lacity.org)

attached as **Attachments 9 and 10** to this letter, which continues to show that the intersection of Pico Boulevard and Fairfax Avenue qualifies as a Major Transit Stop.

ATTACHMENT 1

ATTACHMENT 1

1 DIR-2020-2067
ADM-2020-124-TOC



REFERRAL FORMS:

TRANSIT-ORIENTED COMMUNITIES - REFERRAL FORM
LOS ANGELES CITY PLANNING DEPARTMENT

This form is to serve as a referral to the Department of City Planning Development Services Center for Affordable Housing case filing purposes (in addition to the required Department of City Planning Application and any other necessary documentation) and as a referral to HCIDLA, CRA, Building and Safety, or other City agency for project status and entitlement need purposes. This form shall be completed by the applicant and reviewed and signed by Department of City Planning staff prior to filing an application for a case or building permit. Any modifications to the content(s) of this form after its authorization by the Department of City Planning staff is prohibited. The Department of City Planning reserves the right to require an updated form for the project if more than 180 days have transpired since the approval date, or as necessary, to reflect project modifications, policy changes and/or amendments to the LAMC, local laws, and State laws.

CITY STAFF USE ONLY

Referral To: <input checked="" type="checkbox"/> Planning DSC - Filing <input type="checkbox"/> HCIDLA <input type="checkbox"/> DBS <input type="checkbox"/> Funding <input type="checkbox"/> SB35 <input type="checkbox"/> Other: _____	
NOTES: <i>Site qualifies for Tier 3.</i>	
Planning Staff Name and Title <i>Anda Karabedian / Planning Assistant</i>	Planning Staff Signature <i>[Signature]</i>
Date Approved <i>2/27/2020</i>	Expiration Date <i>8/27/2020</i>

I. Project Information – To be completed by applicant

1. PROJECT LOCATION/ ZONING

Project Address: 1447 Hi Point St. Los Angeles, Ca 90035
 Applicant Name and Phone/Email: Tov Equities LLC; 213-228-4444; jacobrabbanian@gmail.com
 Assessor Parcel Number(s): 5068012033
 Community Plan: Wjshire Number of Lots: 1 Lot Size: 8,838.5 s.f.
 Existing Zone: QIR3-1-O Land Use Designation: Medium Residential
 Specific Plan HPOZ DRB Enterprise Zone CRA CPIO
 Q-condition/ D-limitation/ T-classification (please specify): ORD 168-193
 Other pertinent zoning information (please specify): _____
 Location of Major Transit Stop (please specify the intersection or metro stop): Pico and Fairfax

II. Project Eligibility – To be completed by DCP Housing Services Unit Staff

2. TRANSPORTATION QUALIFIERS

Qualifier #1 (rail name & stop, ferry terminal or bus #): W. Pico Blvd. & S. Fairfax Ave. / Santa Monica 88B 7 + R7
 Service Interval # 1: WB < 15min [420 min / # of trips]
 Service Interval # 2: EB < 15min [420 min / # of trips]
 Qualifier #2 (rail name & stop, ferry terminal or bus #): W. Pico Blvd & S. Fairfax Ave / Local line 217 + Rapid 78
 Service Interval # 1: NB 420/29 = 14.4 [420 min / # of trips]
 Service Interval # 2: SB 420/33 = 12.7 [420 min / # of trips]
 TOC Tier³: Tier 1 Tier 2 Tier 3 Tier 4 Planning Staff Initials: AK

¹ Per AB 744, A Major Transit Stop means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. It also includes major transit stops that are included in the applicable regional transportation plan.
² This figure (420 minutes) is based on the total number of minutes during the peak hours of 6 am to 9 am as well as 3 pm to 7 pm.
³ If project is 100% affordable, it is eligible for the designated Tier to be increased by one.

ATTACHMENT 2

ATTACHMENT 2



DEPARTMENT OF CITY PLANNING Executive Office

City Hall, 200 N. Spring Street, Room 525, Los Angeles, CA 90012

DATE: August 19, 2020

TO: Interested Parties
Department of City Planning Staff

FROM: Vincent P. Bertoni, AICP 
Director of Planning
Department of City Planning

SUBJECT: TRANSIT SERVICE DURING THE COVID-19 PANDEMIC

Certain definitions used by Los Angeles City Planning originate in state law. This includes terms that describe areas that are proximate to certain transit including Major Transit Stops (MTS), Transit Priority Areas (TPAs), High-Quality Transit Corridor and High-Quality Transit Corridor Area (HQTAs). The definitions of all these terms reference bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

Given the unprecedented impact the COVID-19 pandemic has had upon public transit ridership and budgets, transit agencies such as Metro have been making temporary adjustments to bus service schedules since its onset in March 2020. Metro has published two service updates since this time and anticipates a series of additional future updates designed to align with the stages of the California COVID-19 reopening plan. Similarly, the Santa Monica Big Blue Bus and Culver CityBus, which run through the City of Los Angeles, have adopted temporarily reduced service due to the pandemic.

The terms identified above are used to make long-range planning decisions and in the development review process. This is supported by state definitions that identify a TPA as including both already existing transit stops, as well as transit stops shown in plans to be completed by the plan horizon year. (See, e.g. Gov't Code 65915(d)(2)(D); PRC 21099(a)(7) and 21155(b).) Because current transit schedules are temporary in nature and not expected to remain in place once the public health emergency subsides, service intervals established after the onset of the COVID-19 emergency declaration will not be used by City Planning to make determinations regarding MTSs, TPAs, HQTAs and HQTAs. Therefore, City Planning will reference the transit schedules in place as of March 17, 2020, the day before transit service changes began to be made, in its review of environmental and entitlement applications until further notice.

City Planning will consult with transit agencies as well as the Southern California Association of Governments to determine when transit schedules are no longer considered temporary related to the public health crisis.

ATTACHMENT 3

ATTACHMENT 3

**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

SAMANTHA MILLMAN
PRESIDENT

VAHID KHORSAND
VICE-PRESIDENT

DAVID H. J. AMBROZ
CAROLINE CHOE

HELEN LEUNG
YVETTE LOPEZ-LEDESMA
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**CITY OF LOS ANGELES
CALIFORNIA**



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES
200 N. SPRING STREET, ROOM 525
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DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

VACANT
DEPUTY DIRECTOR

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

January 14, 2021

Applicant / Owner

David Levy
FTL Investment Group, LLC
12650 Riverside Drive, #100
Studio City, CA 91607

Representative

Heather Lee
12650 Riverside Drive, #100
Studio City, CA 91607

Case No. DIR-2020-1870-TOC-HCA
CEQA: ENV-2020-1871-CE
Location: 1500-1512 ½ South Hi Point
Street, 5914 West Saturn
Street

Council District: 10 – Ridley Thomas
Neighborhood Council: P.I.C.O.
Community Plan Area: Wilshire
Land Use Designation: Medium Residential
Zone: [Q]R3-1-O
Legal Description: Lots FR16 ARB 1-4, Tract
3909

Last Day to File an Appeal: January 29, 2021

DETERMINATION – Transit Oriented Communities Affordable Housing Incentive Program

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

- 1. Determine** based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Article 19, Section 15332 (Class 32), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
- 2. Approve with Conditions** a 70 percent increase in density, consistent with the provisions of the Transit Oriented Communities (TOC) Affordable Housing Incentive Program along with the following two (2) incentives for a qualifying Tier 3 project totaling 58 dwelling units, reserving six units for Extremely Low Income (ELI) Household occupancy for a period of 55 years:

- a. **Height.** A maximum increase of 22 feet in building height; and
 - b. **Yards/Setbacks.** A maximum reduction of 30 percent in the north and south side yard setbacks.
3. **Adopt** the attached Findings.

CONDITIONS OF APPROVAL

Pursuant to Section 12.22-A,31 of the LAMC, the following conditions are hereby imposed upon the use of the subject property:

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit A," and attached to the subject case file. Minor deviations may be allowed in order to comply with the provisions of the LAMC or the project conditions. Changes beyond minor deviations required by other City Departments or the LAMC may not be made without prior review by the Department of City Planning, Expedited Processing Section, and written approval by the Director of Planning. Each change shall be identified and justified in writing.
2. **On-site Restricted Affordable Units.** Six units, or equal to a minimum of ten percent of the total number of dwelling units, shall be designated for Extremely Low Income Households, as defined by the Los Angeles Housing and Community Investment Department (HCIDLA) and California Government Code Section 65915(c)(2).
3. **Changes in On-site Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units or change parking numbers shall be consistent with LAMC Section 12.22-A,31.
4. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of HCIDLA to make ten percent of the total number of dwelling units available to Extremely Low Income Households, for sale or rental as determined to be affordable to such households by HCIDLA for a period of 55 years. In the event the applicant reduces the proposed density of the project, the number of required set-aside affordable units may be adjusted, consistent with LAMC Section 12.22-A,31, to the satisfaction of HCIDLA, and in consideration of the project's SB 330 Determination. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by the HCIDLA. Refer to the Density Bonus Legislation Background section of this determination.
5. **Base Incentives.**
 - a. **Residential Density.** The project may be limited to a maximum density of 58 residential dwelling units (equal to a maximum density increase of 70 percent), including On-site Restricted Affordable Units.
 - b. **Floor Area Ratio (FAR).** The project may be permitted an increase in FAR from 3.0:1 to 3.5:1 as proposed.
 - c. **Parking.**

- i. **Automotive Parking.** Automobile parking shall be provided consistent with LAMC Section 12.22-A,31. The proposed development, a Tier 3 project, shall not be required to exceed 0.5 automobile parking spaces per unit. A greater number may be provided at the applicant's discretion.
- ii. **Bicycle Parking.** Bicycle parking shall be provided consistent with LAMC Section 12.21-A,16. In the event that the number of On-Site Restricted Affordable Units should increase or the composition of such units should change, then no modification of this determination shall be necessary and the number of bicycle parking spaces shall be re-calculated consistent with LAMC Section 12.21-A,16.
- iii. **Unbundling.** Required parking may be sold or rented separately from the units, with the exception of all Restricted Affordable units which shall include any required parking in the base rent or sales price, as verified by HCIDLA.

6. Additional Incentives.

- a. **Height.** The project may be permitted a maximum increase of 22 feet in building height, with limited additional height permitted for roof structures, stairwells, elevator shafts, etc. as permitted by the LAMC. For any increase in height over 11 feet, the building shall be stepped back at least 15 feet from the exterior face of the ground floor of the building along any street frontage.
- b. **Yards/Setbacks.** The project may be permitted a maximum reduction of 30 percent in the north and south side yard setbacks.

Design Conformance Conditions

7. **Streetscape.** Along the project's street frontage along Hi Point Street, the ground level façade shall utilize glazing, windows, and doors such that there is no less than a total of 80 feet in horizontal width of transparent surfaces. Along the project's street frontage along Saturn Street, the ground level façade shall utilize the same such that there is no less than a total of 20 feet in horizontal width of transparent surfaces. Non-transparent doors (e.g. without glazing or windows, such as the vehicle parking driveway openings) shall not count towards this requirement.
8. **Landscaping.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning. The landscape plan shall indicate landscape points for the project equivalent to 10% more than otherwise required by LAMC 12.40 and Landscape Ordinance Guidelines.
9. **Parking.** With the exception of vehicle and pedestrian entrances and fresh air intake grilles, any ground-level vehicle parking shall be completely enclosed along all sides of the building.
10. **Mechanical Equipment.** All mechanical equipment on the roof shall be screened from view. The transformer, if located in the front yard, shall be screened with landscaping on all exposed sides (those not adjacent to a building wall).

11. **Lighting.** Outdoor lighting shall be designed and installed with shielding, such that the light source does not illuminate adjacent residential properties or the public right-of-way, nor the above night skies.

Qualified “Q” Conditions Pursuant to Ordinance No. 168,193

12. The proposed project plans shall be in substantial conformance with plans stamped “Exhibit A”. Any deviations to “Exhibit A” shall be in conformance with all Conditions of this Ordinance, except as granted otherwise through this determination. Prior to issuance of a building permit, the owner shall record and execute a Covenant and Agreement to the satisfaction of the Department of City Planning to comply with the [Q] Conditions per adopted Ordinance No. 168,193.
13. **Landscaping.** At least 50 percent of the total outdoor common open space area shall be planted with groundcover or plants. The proposed project shall maintain features such as seating areas, BBQ/grill areas, and other similar outdoor amenities, to the satisfaction of the Department of City Planning.

Administrative Conditions

14. **Rent Stabilization Ordinance.** Prior to the issuance of a Certificate of Occupancy, the owner shall obtain approval from HCIDLA regarding replacement of affordable units, provision of RSO Units, and qualification for the Exemption from the Rent Stabilization Ordinance with Replacement Affordable Units in compliance with Ordinance No. 184,873. In order for all the new units to be exempt from the Rent Stabilization Ordinance, the applicant will need to either replace all withdrawn RSO units with affordable units on a one-for-one basis or provide at least 20 percent of the total number of newly constructed rental units as affordable, whichever results in the greater number. The executed and recorded covenant and agreement submitted and approved by HCIDLA shall be provided.
15. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building & Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building & Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building & Safety shall be stamped by Department of City Planning staff “Final Plans”. A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
16. **Notations on Plans.** Plans submitted to the Department of Building & Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
17. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
18. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
19. **Department of Building & Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the LAMC,

Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building & Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building & Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.

20. **Department of Water and Power.** Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Rules Governing Water and Electric Service. Any corrections and/or modifications to plans made subsequent to this determination in order to accommodate changes to the project due to the under-grounding of utility lines, that are outside of substantial compliance or that affect any part of the exterior design or appearance of the project as approved by the Director, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
21. **Enforcement.** Compliance with and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
22. **Expiration.** In the event that this grant is not utilized within three years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
23. **Expedited Processing Section Fee.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
24. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

PROJECT BACKGROUND

The project site consists of four existing contiguous lots encompassing a total of approximately 26,544 square feet of lot area. The subject property is rectangular-shaped and is located at the southeastern corner of Hi Point Street and Saturn Street, with street frontages of approximately 150 feet along the eastern side of Hi Point Street and approximately 170 feet along the southern side of Saturn Street. The subject property is located within the Wilshire Community Plan and is zoned [Q]R3-1-O with a corresponding land use designation of Medium Residential. The Qualified "Q" Condition on the subject property, established under Ordinance No. 168,193, became effective on October 2, 1992 and prescribes building design, landscaping, open space, parking, and other development standards. The property is also located within a Transit Priority Area in the City of Los Angeles. The property is not within the boundaries of any other specific plan or interim control ordinance.

The subject property is located within a Tier 3 TOC Affordable Housing Incentive Area, qualified by its proximity to the intersection of a Major Transit Stop. The project site is located approximately 700 feet southwest of the intersection of Fairfax Avenue and Pico Boulevard, where the Metro 217, Metro Rapid 780, Santa Monica Big Blue Bus 7, and Santa Monica Rapid 7 bus lines all meet. Combined, these bus routes operate with average frequencies of service intervals of less than 15 minutes during peak times. As such, the project meets the eligibility requirement for a TOC Housing Development to be located within 2,640 feet of a Major Transit Stop and the eligibility requirement for a Tier 3 Project to be located within 1,500 feet of the intersection of two rapid bus lines, each with average frequencies of service intervals of less than 15 minutes during peak times.

The subject property was formerly developed with residential structures and various accessory structures, all of which have been demolished within the last 10 years; the project site is now entirely vacant. The proposed project involves the construction of a new five-story (with a loft level at the top), 57 foot-high apartment building with 58 units. The proposed building will encompass approximately 70,734 square feet in total building area, resulting in a Floor Area Ratio (FAR) of approximately 3.46:1. Of the 58 units proposed, one will be a studio, one will be a studio plus loft, four will be one-bedroom units, five will be one-bedroom plus loft units, 13 will be two-bedroom units, six will be two-bedroom plus loft units, and 28 will be three-bedroom units. The project proposes to provide 105 automobile parking spaces in two subterranean levels. The project will also provide 67 long-term bicycle parking spaces and six short-term bicycle parking spaces. 8,818 square feet of open space will be provided according to the provisions of the LAMC, divided between private balconies, common recreation rooms, and various outdoor spaces throughout the building and in the rear yard; although not counted for zoning purposes, the project will in practice provide a greater amount of useable open space in the interior recreation rooms, additional private balconies, and on the rooftop. The proposed project will maintain a 15-foot front yard setback along Hi Point Street, consistent with the requirements of the underlying zone and the building line on the subject property. The project will also maintain six-foot four-inch setbacks on both side yards (the north and south setbacks), as well as a 15-foot rear yard, in accordance with the requirements of the R3 Zone.

The project meets all eligibility requirements for the TOC Affordable Housing Incentive Program. As an eligible Housing Development and pursuant to the TOC Guidelines, the project is eligible for Base Incentives and up to three Additional Incentives. As base incentives, the project is eligible to (1) increase the maximum allowable number of dwelling units permitted by 70 percent; (2) increase the maximum allowable FAR by 50 percent; and (3) provide automobile parking at a ratio of 0.5 spaces per unit. The project is seeking a 70 percent density increase and an increase in FAR to approximately 3.5:1 and will provide at least the minimum number of parking spaces required. The project is also requesting two Additional Incentives: 1) a maximum 22-foot increase in building height; and 2) a maximum 30 percent reduction in both the north and south side yard setbacks. The project meets the TOC Guideline requirements of providing at least 11 percent of the base units for Extremely Low Income Households in exchange for being eligible for a maximum of three Additional Incentives. The project is setting aside six units for Extremely Low Income Households, which equates to approximately 17 percent of the 34 base units permitted through the underlying zoning of the site.

HOUSING REPLACEMENT

Pursuant to LAMC Section 12.22-A,31(b)(1), a Housing Development located within a Transit Oriented Communities (TOC) Affordable Housing Incentive Area shall be eligible for TOC

Incentives if it meets any applicable replacement requirements of California Government Code Section 65915(c)(3) (California State Density Bonus Law).

Assembly Bill 2222 (AB 2222) amended the State Density Bonus Law to require applicants of density bonus projects filed as of January 1, 2015 to demonstrate compliance with the housing replacement provisions which require replacement of rental dwelling units that either exist at the time of application of a Density Bonus project, or have been vacated or demolished in the five-year period preceding the application of the project. This applies to all pre-existing units that have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; subject to any other form of rent or price control; or occupied by Low or Very Low Income Households.

On September 28, 2016, Governor Brown signed Assembly Bill 2556 (AB 2556) which further amended the State Density Bonus Law. The amendments took effect on January 1, 2017. AB 2556 clarifies the implementation of the required replacement of affordable units in Density Bonus projects, first introduced by AB 2222. AB 2556 further defines “equivalent size” to mean that as a whole, the new units must contain at least the same total number of bedrooms as the units being replaced.

In addition to the requirements of California State Density Bonus Law, on October 9, 2019, the Governor signed into law the Housing Crisis Act of 2019 (SB 330). SB 330 creates new state laws regarding the production, preservation and planning for housing, and establishes a statewide housing emergency until January 1, 2025. During the duration of the statewide housing emergency, SB 330, among other things, creates new housing replacement requirements for Housing Development Projects by prohibiting the approval of any proposed housing development project on a site that will require the demolition of existing residential dwelling units or occupied or vacant “Protected Units” unless the proposed housing development project replaces those units.

The subject property was formerly developed with residential structures but all improvements have been demolished and the project site is currently entirely vacant. The Department of Housing and Community Investment (HCIDLA) has determined, per the Housing Crisis Act of 2019 (SB 330) Replacement Unit Determination, dated May 19, 2020, that five of the six formerly existing units are subject to replacement with equivalent type pursuant to the requirements of SB 330 (see HCIDLA’s Determination for more information). The proposed project will be required to comply with HCIDLA’s Determination and any further requirements of HCIDLA.

TRANSIT ORIENTED COMMUNITIES AFFORDABLE HOUSING INCENTIVE PROGRAM ELIGIBILITY REQUIREMENTS AND APPLICATION AND APPROVALS

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

1. ***On-Site Restricted Affordable Units.*** *In each Tier, a Housing Development shall provide On-Site Restricted Affordable Units at a rate of at least the minimum percentages described below. The minimum number of On-Site Restricted Affordable Units shall be calculated based upon the total number of units in the final project.*

- a. *Tier 1 - 8% of the total number of dwelling units shall be affordable to Extremely Low Income (ELI) income households, 11% of the total number of dwelling units shall be affordable to Very Low (VL) income households, or 20% of the total number of dwelling units shall be affordable to Lower Income households.*
- b. *Tier 2 - 9% ELI, 12% VL or 21% Lower.*
- c. *Tier 3 - 10% ELI, 14% VL or 23% Lower.*
- d. *Tier 4 - 11% ELI, 15% VL or 25% Lower.*

The project site is located within a Tier 3 TOC Affordable Housing Incentive Area. As part of the proposed development, the project is required to reserve a minimum of ten percent of the total number of on-site dwelling units for Extremely Low Income Households. The project will reserve a total of six on-site dwelling units for Extremely Low Income Households, which equates to approximately 10 percent of the 58 total dwelling units proposed as part of the Housing Development, and thus meets the eligibility requirement for On-Site Restricted Affordable Units.

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

As defined in the TOC Guidelines, a Major Transit Stop means a site with an existing rail transit station or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. The project site is located approximately 700 feet southwest of the intersection of Fairfax Avenue and Pico Boulevard, where the Metro 217, Metro Rapid 780, Santa Monica Big Blue Bus 7, and Santa Monica Rapid 7 bus lines all meet. Combined, these bus routes operate with average frequencies of service intervals of less than 15 minutes during peak times. As such, the project meets the eligibility requirement for a TOC Housing Development to be located within 2,640 feet of a Major Transit Stop and the eligibility requirement for a Tier 3 Project to be located within 1,500 feet of the intersection of two rapid bus lines, each with average frequencies of service intervals of less than 15 minutes during peak times. Therefore, the project meets the requirement for proximity to a Major Transit Stop.

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

Pursuant to the Determination made by HCIDLA dated May 19, 2020 and attached to the subject case file, five units are subject to replacement with equivalent type under the requirements of SB 330 for the subject project. The proposed project will provide six affordable units (all set aside for Extremely Low Income households) and will comply with all conditions requiring compliance with the City's Rent Stabilization Ordinance. As such, the project meets the eligibility requirement for providing replacement housing consistent with California Government Code Section 65915(c)(3).

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

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

5. **Base Incentives and Additional Incentives.** *All Eligible Housing Developments are eligible to receive the Base Incentives listed in Section VI of the TOC Guidelines. Up to three Additional Incentives listed in Section VII of the TOC Guidelines may be granted based upon the affordability requirements described below. For the purposes of this section below “base units” refers to the maximum allowable density allowed by the zoning, prior to any density increase provided through these Guidelines. The affordable housing units required per this section may also count towards the On-Site Restricted Affordable Units requirement in the Eligibility Requirement No. 1 above (except Moderate Income units).*
 - a. *One Additional Incentive may be granted for projects that include at least 4% of the base units for Extremely Low Income Households, at least 5% of the base units for Very Low Income Households, at least 10% of the base units for Lower Income Households, or at least 10% of the base units for persons and families of Moderate Income in a common interest development.*
 - b. *Two Additional Incentives may be granted for projects that include at least 7% of the base units for Extremely Low Income Households, at least 10% of the base units for Very Low Income Households, at least 20% of the base units for Lower Income Households, or at least 20% of the base units for persons and families of Moderate Income in a common interest development.*
 - c. *Three Additional Incentives may be granted for projects that include at least 11% of the base units for Extremely Low Income Households, at least 15% of the base units for Very Low Income Households, at least 30% of the base units for Lower Income Households, or at least 30% of the base units for persons and families of Moderate Income in a common interest development.*

As an eligible housing development, the project is eligible to receive the Base Incentives listed in the TOC Guidelines. The project is also seeking two Additional Incentives: 1) a maximum increase of 22 feet in building height; and 2) a maximum reduction of 30 percent in the north and south side yard setbacks. The project may be granted three Additional Incentives for reserving at least 11 percent of the base units for Extremely Low Income Households. The project is setting aside six units for Extremely Low Income Households, which equates to approximately 17 percent of the 34 base units permitted through the

underlying zoning of the site. As such, the project meets the eligibility requirements for both on-site restricted affordable units and Base and Additional Incentives.

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

The project is not seeking any Additional Incentives beyond the two requested. Pursuant to the TOC Guidelines, a maximum of three Additional Incentives may be permitted in exchange for reserving at least 11 percent of the base units for Extremely Low Income Households. The project is setting aside six units for Extremely Low Income Households, which equates to approximately 17 percent of the 34 base units permitted through the underlying zoning of the site. As such, the project need not adhere to the labor standards required in LAMC Section 11.5.11, and this eligibility requirement does not apply.

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

The subject property consists of four existing contiguous lots, all of which are located within a Tier 3 TOC Affordable Housing Incentive Area. As such, this eligibility requirement does not apply.

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

The applicant has not selected a Lower Tier and is not providing the percentage of On-Site Restricted Affordable Housing units required for any lower Tier. As such, this eligibility requirement does not apply.

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

The project does not consist of 100% On-Site Restricted Affordable units, and thus it is not eligible for or seeking an increase in Tier. As such, this eligibility requirement does not apply.

- 10. *Design Conformance.*** *Projects seeking to obtain Additional Incentives shall be subject to any applicable design guidelines, including any Community Plan design guidelines, Specific Plan design guidelines, and/or Citywide Design Guidelines and may be subject to conditions to meet design performance. The conditions shall not preclude the ability to construct the building with the residential density permitted by Section VI of the TOC Guidelines.*

The project seeks two (2) Additional Incentives. The proposed development conforms to the Citywide Design Guidelines and has been conditioned to ensure a well-designed development and compliance with the Design Guidelines. The project has been designed to incorporate visually interesting variations in building architecture and massing and has been conditioned to provide a more pedestrian-friendly and higher-quality streetscape

through the use of glazing and windows along the main building façades. Additionally, the project has been conditioned to provide landscaping and buffers around all utilities such as transformers and to completely enclose any visible automobile parking to minimize impacts on surrounding properties. These design features do not preclude the provision of the permitted density of residential units. Thus, the project conforms to the applicable design guidelines and conditions have been imposed accordingly.

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

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

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

- a. *The incentives are not required 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.*

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 Additional Incentives in the Transit Oriented Communities Guidelines were pre-evaluated at the time the Transit Oriented Communities Affordable Housing Incentive Program Ordinance was adopted to include types of relief that minimize restrictions on the size of the project. As such, the Director will always arrive at the conclusion that the Additional Incentives are required to provide for affordable housing costs because the incentives by their nature increase the scale of the project.

Height. The requested incentive for an increase in building height is expressed in the Menu of Incentives in the TOC Guidelines which permit exceptions to zoning requirements that result in building design or construction efficiencies that facilitate the creation of affordable housing. Specifically, a Tier 3 project is permitted a maximum increase of two stories and 22 feet in height. Although the underlying zone does not limit the number of stories for entirely residential projects, the project is limited by building height. Utilization of this incentive enables an increase in building height which physically enables the creation of an additional level, and thus facilitates the creation of additional residential units. The incentive supports the applicant's decision to reserve four units for Extremely Low Income Households and facilitates the creation of affordable housing units.

Yards/Setbacks. The requested incentive for a reduction in both the north and south side yard setbacks is expressed in the Menu of Incentives in the TOC Guidelines which

permit exceptions to zoning requirements that result in building design or construction efficiencies that facilitate the creation of affordable housing. In this case, the applicant has requested to reduce the side yard setback requirements of the underlying R3 Zone. The requested incentive allows the developer to expand the building footprint and allow for the construction of more units, including affordable units, while remaining in compliance with all other applicable zoning regulations. The incentive further supports the applicant's decision to reserve four units for Extremely Low Income Households and facilitates the creation of affordable housing units.

Therefore, both Additional Incentives are necessary to provide for affordable housing costs.

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

There is no evidence that the proposed incentives will have a specific adverse impact upon public health and safety or the physical environment, or any real property that is listed in the California Register of Historical Resources. A "specific adverse impact" is defined as "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22 A.25(b)). The project does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments, and there are no designated historic resources in the immediate vicinity of the project site. Accordingly, the project will not have a significant impact on any on-site resource or any resource in the surrounding area. According to ZIMAS, the project is in a Methane Zone and an Oil development zone; as a result, the project will be required to comply with all applicable regulations for development in such zones which will prevent any adverse impacts. The property is not located on a substandard street in a Hillside area, a Very High Fire Hazard Severity Zone, or any other special hazard area. The project is required to comply with all other pertinent regulations including those governing construction, use, and maintenance, and will not create any significant direct impacts on public health and safety. Therefore, there is no substantial evidence that the proposed project, and thus the requested incentive, will have a specific adverse impact on the physical environment, on public health and safety or the physical environment, or on any Historical Resource.

ADDITIONAL MANDATORY FINDINGS

2. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone X, which is categorized as an area outside of a flood zone.
3. It has been determined based on the whole of the administrative record that the project is exempt from CEQA pursuant to State CEQA Guidelines, Section 15332 (Class 32), and

there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2, applies.

The proposed project qualifies for a Class 32 Categorical Exemption because it conforms to the definition of “In-fill Projects”. The project can be characterized as in-fill development within urban areas for the purpose of qualifying for Class 32 Categorical Exemption as a result of meeting five established conditions and if it is not subject to an Exception that would disqualify it. The Categorical Exception document dated January 7, 2020 and attached to the subject case file provides the full analysis and justification for project conformance with the definition of a Class 32 Categorical Exemption.

TRANSIT ORIENTED COMMUNITIES AFFORDABLE HOUSING INCENTIVE PROGRAM BACKGROUND

Measure JJJ was adopted by the Los Angeles City Council on December 13, 2016. Section 6 of the Measure instructed the Department of City Planning to create the Transit Oriented Communities (TOC) Affordable Housing Incentive Program, a transit-based affordable housing incentive program. The measure required that the Department adopt a set of TOC Guidelines, which establish incentives for residential or mixed-use projects located within 1/2 mile of a major transit stop. Major transit stops are defined under existing State law.

The TOC Guidelines, adopted September 22, 2017, establish a tier-based system with varying development bonuses and incentives based on a project’s distance from different types of transit; a project in closer proximity to significant rail stops or the intersection of major bus rapid transit lines is rated a higher tier. The largest bonuses are reserved for those projects in the highest tiers. Required percentages of affordable housing are also increased incrementally in each higher tier. The incentives provided in the TOC Guidelines describe the range of bonuses from particular zoning standards that applicants may select.

TIME LIMIT – OBSERVANCE OF CONDITIONS

All terms and conditions of the Director’s Determination shall be fulfilled before the use may be established. Pursuant to LAMC Section 12.25 A.2, the instant authorization is further conditional upon the privileges being utilized within **three years** after the effective date of this determination and, if such privileges are not utilized, building permits are not issued, or substantial physical construction work is not begun within said time and carried on diligently so that building permits do not lapse, the authorization shall terminate and become void.

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

Verification of condition compliance with building plans and/or building permit applications are done at the Development Services Center of the Department of City Planning at either Figueroa Plaza in Downtown Los Angeles or the Marvin Braude Constituent Service Center in the Valley. In order to assure that you receive service with a minimum amount of waiting, applicants are encouraged to schedule an appointment with the Development Services Center either by calling (213) 482-7077, (818) 374-5050, or through the Department of City Planning website at <http://cityplanning.lacity.org>. The applicant is further advised to notify any consultant representing you of this requirement as well.

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

Every violation of this determination is punishable as a misdemeanor unless provision is otherwise made, and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment."

TRANSFERABILITY

This determination runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions of this grant. If any portion of this approval is utilized, then all other conditions and requirements set forth herein become immediately operative and must be strictly observed.

APPEAL PERIOD - EFFECTIVE DATE

The Determination in this matter will become effective after January 29, 2021 unless an appeal there from is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of this Determination, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. Forms are available on-line at www.cityplanning.lacity.org.

Planning Department public offices are located at:

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

*Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard, Suite
251
Van Nuys, CA 91401
(818) 374-5050*

*West Los Angeles
Development Services Center
1828 Sawtelle Boulevard,
2nd Floor
Los Angeles, CA 90025
(310) 231-2901*

Pursuant to LAMC Section 12.22-A.25(g)(2)(i)(f), only an applicant, abutting property owners, and abutting tenants can appeal this Determination. Per the Density Bonus Provision of State Law (Government Code Section §65915) the Density Bonus increase in units above the base density zone limits, increase in FAR, and the appurtenant parking reductions are not a discretionary action and therefore cannot be appealed. Only the requested incentives are appealable. Per Sections 12.22-A,25 and 12.22-A,31 of the LAMC, appeals of Transit Oriented Communities Affordable Housing Incentive Program cases are heard by the City Planning Commission.

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedures Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5,

only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

Note of Instruction Regarding the Notice of Exemption: Applicant is hereby advised to file the Notice of Exemption for the associated categorical exemption after the issuance of this letter. If filed, the form shall be filed with the County of Los Angeles, 12400 Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152 (b). More information on the associated fees can be found online here: <https://www.lavote.net/home/county-clerk/environmental-notices-fees>. The best practice is to go in person and photograph the posted notice in order to ensure compliance. Pursuant to Public Resources Code Section 21167 (d), the filing of this notice of exemption starts a 35-day statute of limitations on court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations, **and the possibility of a CEQA appeal**, being extended to 180 days.

VINCENT P. BERTONI, AICP
Director of Planning

Approved by:



Heather Bleemers
Senior City Planner

Reviewed by:



Kevin Golden
City Planner

Prepared by:



More Song
Planning Assistant

Attachments:
Exhibit A: Architectural Plans

ATTACHMENT 4

ATTACHMENT 4

Northbound Al Norte (Approximate Times / Tiempos Aproximados)

Southbound Al Sur (Approximate Times / Tiempos Aproximados)

FOX HILLS	LOS ANGELES	WEST HOLLYWOOD	HOLLYWOOD	HOLLYWOOD	HOLLYWOOD	WEST HOLLYWOOD	LOS ANGELES	FOX HILLS
1	5	8	9	10	11	11	6	3
Howard Hughes Center	La Cienega & Jefferson Station	Fairfax & Santa Monica	Hollywood / Vine Station	Hollywood / Western Station	Vermont / Sunset Station	Vermont / Sunset Station	Fairfax & Santa Monica	Green Valley & Buckingham
2	7	10	11	10	9	8	5	2
Culver City Transit Center	Fairfax & Olympic	Hollywood / Western Station	Vermont / Sunset Station	Hollywood / Western Station	Hollywood / Vine Station	Fairfax & Santa Monica	Fairfax & San Vicente	Culver City Transit Center
4	11	12	13	12	11	10	8	1
Green Valley & Doverwood	La Cienega & Jefferson Station	Fairfax & Santa Monica	Hollywood / Vine Station	Hollywood / Western Station	Vermont / Sunset Station	Vermont / Sunset Station	La Cienega & Jefferson Station	Howard Hughes Center
5	14A	14A	14A	14A	14A	14A	14A	14A
5:18A	5:18A	5:27	5:36	5:49	5:57	5:57	5:27	5:38A
5:23	5:33	5:47	5:56	6:05	6:18	6:18	5:48	6:07
6:00	6:14	6:24	6:34	6:47	7:05	7:05	6:12	6:42
6:15	6:28	6:39	6:51	7:09	7:24	7:24	6:28	6:59
6:39	6:59	7:10	7:23	7:39	7:53	7:53	6:46	7:33
7:19	7:43	7:54	8:07	8:24	8:45	8:45	7:02	7:40
7:58	8:23	8:38	8:51	9:08	9:30	9:30	7:36	8:34
8:33	8:53	9:08	9:21	9:39	9:54	9:54	7:53	8:40
9:03	9:22	9:37	9:51	10:09	10:24	10:24	8:11	9:08
9:35	9:52	10:07	10:21	10:39	10:55	10:55	8:27	9:34
10:05	10:22	10:36	10:50	11:10	11:26	11:26	8:45	9:40
10:35	10:52	11:06	11:20	11:40	11:57	11:57	9:01	9:59
11:04	11:21	11:35	11:49	12:09	12:28	12:28	9:18	10:05
11:48	12:05	12:19	12:33	12:53	13:14	13:14	9:36	10:33
12:31P	12:48	13:02	13:16	13:36	13:57	13:57	9:54	10:51
1:13	1:30	1:44	1:58	2:18	2:39	2:39	10:12	11:09
1:58	2:15	2:29	2:43	3:03	3:24	3:24	10:30	11:27
2:43	3:00	3:14	3:28	3:48	4:09	4:09	10:48	11:45
3:20	3:37	3:51	4:05	4:25	4:46	4:46	11:06	12:03
3:54	4:11	4:25	4:39	4:59	5:20	5:20	11:24	12:21
4:27	4:44	4:58	5:12	5:32	5:53	5:53	11:42	12:39
5:05	5:22	5:36	5:50	6:10	6:31	6:31	12:00	12:57
5:43	6:00	6:14	6:28	6:48	7:09	7:09	12:18	13:15
6:36	6:53	7:07	7:21	7:41	8:02	8:02	12:36	13:33
7:11	7:28	7:42	7:56	8:16	8:37	8:37	12:54	13:51
8:02	8:19	8:33	8:47	9:07	9:28	9:28	1:12	14:28
8:19	8:36	8:50	9:04	9:24	9:45	9:45	1:30	14:46
8:36	8:53	9:07	9:21	9:41	10:02	10:02	1:48	15:04
8:55	9:12	9:26	9:40	10:00	10:21	10:21	2:06	15:22
9:10	9:27	9:41	9:55	10:15	10:36	10:36	2:24	15:40
9:40	9:57	10:11	10:25	10:45	11:06	11:06	2:42	16:00
10:12	10:29	10:43	10:57	11:17	11:38	11:38	3:00	16:20
10:48	11:05	11:19	11:33	11:53	12:14	12:14	3:18	16:40
11:19	11:36	11:50	12:04	12:24	12:45	12:45	3:36	17:00
11:54	12:11	12:25	12:39	12:59	13:20	13:20	3:54	17:20
12:28A	12:45	12:59	13:13	13:33	13:54	13:54	4:12	17:40
12:58	1:15	1:29	1:43	2:03	2:24	2:24	4:30	18:00
1:28	1:45	1:59	2:13	2:33	2:54	2:54	4:48	18:20
2:03	2:20	2:34	2:48	3:08	3:29	3:29	5:06	18:40
2:34	2:51	3:05	3:19	3:39	4:00	4:00	5:24	19:00
3:03	3:20	3:34	3:48	4:08	4:29	4:29	5:42	19:20
3:30	3:47	4:01	4:15	4:35	4:56	4:56	6:00	19:40
4:03	4:20	4:34	4:48	5:08	5:29	5:29	6:18	20:00
4:36	4:53	5:07	5:21	5:41	6:02	6:02	6:36	20:20
5:09	5:26	5:40	5:54	6:14	6:35	6:35	6:54	20:40
5:42	6:00	6:14	6:28	6:48	7:09	7:09	7:12	21:00
6:15	6:33	6:47	7:01	7:21	7:42	7:42	7:30	21:20
6:48	7:06	7:20	7:34	7:54	8:15	8:15	7:48	21:40
7:21	7:39	7:53	8:07	8:27	8:48	8:48	8:06	22:00
7:54	8:12	8:26	8:40	9:00	9:21	9:21	8:24	22:20
8:27	8:45	8:59	9:13	9:33	9:54	9:54	8:42	22:40
9:00	9:18	9:32	9:46	10:06	10:27	10:27	9:00	23:00
9:33	9:51	10:05	10:19	10:39	11:00	11:00	9:18	23:20
10:06	10:24	10:38	10:52	11:12	11:33	11:33	9:36	23:40
10:39	10:57	11:11	11:25	11:45	12:06	12:06	9:54	24:00
11:12	11:30	11:44	11:58	12:18	12:39	12:39	10:12	24:20
11:45	12:03	12:17	12:31	12:51	13:12	13:12	10:30	24:40
12:18	12:36	12:50	13:04	13:24	13:45	13:45	10:48	25:00
12:51	13:09	13:23	13:37	13:57	14:18	14:18	11:06	25:20
1:24	1:42	1:56	2:10	2:30	2:51	2:51	11:24	25:40
1:57	2:15	2:29	2:43	3:03	3:24	3:24	11:42	26:00
2:30	2:48	3:02	3:16	3:36	3:57	3:57	12:00	26:20
3:03	3:21	3:35	3:49	4:09	4:30	4:30	12:18	26:40
3:36	3:54	4:08	4:22	4:42	5:03	5:03	12:36	27:00
4:09	4:27	4:41	4:55	5:15	5:36	5:36	12:54	27:20
4:42	5:00	5:14	5:28	5:48	6:09	6:09	1:12	27:40
5:15	5:33	5:47	6:01	6:21	6:42	6:42	1:30	28:00
5:48	6:06	6:20	6:34	6:54	7:15	7:15	1:48	28:20
6:21	6:39	6:53	7:07	7:27	7:48	7:48	2:06	28:40
6:54	7:12	7:26	7:40	8:00	8:21	8:21	2:24	29:00
7:27	7:45	7:59	8:13	8:33	8:54	8:54	2:42	29:20
8:00	8:18	8:32	8:46	9:06	9:27	9:27	3:00	29:40
8:33	8:51	9:05	9:19	9:39	10:00	10:00	3:18	30:00
9:06	9:24	9:38	9:52	10:12	10:33	10:33	3:36	30:20
9:39	9:57	10:11	10:25	10:45	11:06	11:06	3:54	30:40
10:12	10:30	10:44	10:58	11:18	11:39	11:39	4:12	31:00
10:45	11:03	11:17	11:31	11:51	12:12	12:12	4:30	31:20
11:18	11:36	11:50	12:04	12:24	12:45	12:45	4:48	31:40
11:51	12:09	12:23	12:37	12:57	13:18	13:18	5:06	32:00
12:24	12:42	12:56	13:10	13:30	13:51	13:51	5:24	32:20
12:57	13:15	13:29	13:43	14:03	14:24	14:24	5:42	32:40
1:30	1:48	1:62	1:56	2:16	2:37	2:37	6:00	33:00
2:03	2:21	2:35	2:49	3:09	3:30	3:30	6:18	33:20
2:36	2:54	3:08	3:22	3:42	4:03	4:03	6:36	33:40
3:09	3:27	3:41	3:55	4:15	4:36	4:36	6:54	34:00
3:42	4:00	4:14	4:28	4:48	5:09	5:09	7:12	34:20
4:15	4:33	4:47	5:01	5:21	5:42	5:42	7:30	34:40
4:48	5:06	5:20	5:34	5:54	6:15	6:15	7:48	35:00
5:21	5:39	5:53	6:07	6:27	6:48	6:48	8:06	35:20
5:54	6:12	6:26	6:40	7:00	7:21	7:21	8:24	35:40
6:27	6:45	6:59	7:13	7:33	7:54	7:54	8:42	36:00
7:00	7:18	7:32	7:46	8:06	8:27	8:27	9:00	36:20
7:33	7:51	8:05	8:19	8:39	9:00	9:00	9:18	36:40
8:06	8:24	8:38	8:52	9:12	9:33	9:33	9:36	37:00
8:39	8:57	9:11	9:25	9:45	10:06	10:06	9:54	37:20
9:12	9:30	9:44	9:58	10:18	10:39	10:39	10:12	37:40
9:45	10:03	10:17	10:31	10:51	11:12	11:12	10:30	38:00
10:18	10:36	10:50	11:04	11:24	11:45	11:45	10:48	38:20
10:51	11:09	11:23	11:37	11:57	12:18	12:18	11:06	38:40
11:24	11:42	11:56	12:10	12:30	12:51	12:51	11:24	39:00
11:57	12:15	12:29	12:43	13:03	13:24	13:24	11:42	39:20
12:30	12:48	13:02	13:16	13:36	13:57	13:57	12:00	39:40
1:03	1:21	1:35	1:49	14:06	14:27	14:27	12:18	40:00
1:36	1:54	2:08	2:22	14:26	14:47	14:47	12:36	40:20
2:09	2:27	2:41	2:55	14:45	15:06	15:06	12:54	40:40
2:42	3:00	3:14	3:28	15:04	15:25	15:25	1:12	41:00
3:15	3:33	3:47	4:01	15:23	15:44	15:44	1:30	41:20
3:48	4:06	4:20	4:34	15:41	16:02	16:02	1:48	41:40
4:21	4:39	4:53	5:07	16:00	16:21	16:21	2:06	42:00
4:54	5:12	5:26	5:40	16:18	16:39	16:39	2:24	42:20
5:27	5:45	5:59	6:13	16:37	16:58	16:58	2:42	42:40
6:00	6:18	6:32	6:46	16:55	17:16	17:16	3:00	43:00
6:33	6:51	7:05	7:19	17:14	17:35	17:35	3:18	43:20
7:06</								

ATTACHMENT 5

ATTACHMENT 5



Aida Karapetian <aida.karapetian@lacity.org>

1447 Hi Point St.

5 messages

Aida Karapetian <aida.karapetian@lacity.org>
To: Lesi Mai <lesi.mai@lacity.org>

Wed, Feb 5, 2020 at 1:34 PM

Hello Lesi,

I am looking at 1447 Hi Point St., per the GIS map, the project site is within Tier 2, but I think the site qualifies for Tier 3. The intersection of two qualifying regular buses (BBB 7 and 217) + 2 nonqualifying Rapid buses (BBB R7 and 780) will give a jump to a Tier 3. Please advise.

Best Regards,
Aida

--



Aida Karapetian
Planning Assistant
Los Angeles City Planning
201 N. Figueroa St., Room 525
Los Angeles, CA 90012
Planning4LA.org
T: (213) 202-5450
E: aida.karapetian@lacity.org



Lesi Mai <lesi.mai@lacity.org>
To: Aida Karapetian <aida.karapetian@lacity.org>

Wed, Feb 5, 2020 at 1:41 PM

Hi Aida,

Yes, that project site qualifies for a Tier 3.

I was unclear on the rapid related boost earlier. I'll update those intersections that have two nonqualifying rapid buses with the correct tiers on the 2020 update.

Sorry for the confusion.

Lesi

[Quoted text hidden]

--



Lesi Mai
GIS Specialist
Los Angeles City Planning
200 N. Spring St., Room 825
Los Angeles, CA 90012
Planning4LA.org
T: (213) 978-1246 | F: (213) 978-1403



ATTACHMENT 6

ATTACHMENT 6

TRANSPORTATION SYSTEM
TRANSIT

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS



TECHNICAL REPORT

ADOPTED ON SEPTEMBER 3, 2020

EXISTING HQTCS AND MAJOR TRANSIT STOPS

SCAG updates its inventory of existing major transit stops and HQTCS with the adoption of a new Regional Transportation Plan (RTP) and SCS, once every four years. Data for the existing (“base year”) condition for the RTP/SCS are typically obtained several years before plan adoption. The base year transit network for *Connect SoCal*, the 2020 RTP/SCS, is based primarily on data for 2016. This inventory of existing major transit stops and HQTCS is therefore only a snapshot in time as of 2016, and does not reflect the existing levels of transit service for any other timeframe.

See **EXHIBIT 7, 2016 Base Year “existing” major transit stops and high quality transit corridors.**

Transit agencies make adjustments to bus service on a regular basis. Therefore, given the limitations of the RTP/SCS base year transit network, local jurisdictions should consult with the appropriate transit provider(s) to obtain the latest information on existing transit routes, stop locations, and service intervals before making determinations regarding CEQA exemption or streamlining. It is the responsibility of the lead agency under CEQA to determine if a project meets statutory requirements.

STOP-BASED ANALYSIS

SCAG calculates peak commute bus service intervals at the stop level using schedule data published by transit agencies in the General Transit Feed Specification (GTFS) format (see for example, www.transitfeeds.com). An HQTCT therefore comprises or is determined by the qualifying stops on an individual bus route.

PEAK PERIOD BUS SERVICE INTERVAL (FREQUENCY)

To determine whether the peak commute bus service interval (also called frequency) meets the statutory threshold of 15 minutes or less, SCAG uses the peak period defined in its regional travel demand model. The morning peak

is defined as 6am to 9am and the afternoon peak is defined as 3pm to 7pm. A transit operator may have a different, board-adopted or de facto peak period; in such cases SCAG will accept requests to use operator-specific peak-hour periods on a case-by-case basis.

SCAG uses the total population of bus trips during the combined seven-hour morning and afternoon peak periods to determine the peak frequency at a bus stop. This is done for each bus route, by direction. The peak frequency is calculated by dividing 420 minutes (the seven-hour peak converted to minutes) by the total peak bus trips. This average frequency should be 15 minutes or less in order to qualify. The threshold is strict, at 15.0 minutes.

DIRECTIONAL FREQUENCY

A bus route must only meet the 15-minute service interval threshold in one direction to qualify as an HQTCT. This is based on RTTAC feedback that transit agencies often operate very peak-directional service or operate predominantly one-way service on a corridor.

CORRIDORS WITH MULTIPLE OVERLAPPING BUS ROUTES

Separate but overlapping bus routes that do not individually meet the 15-minute threshold may not be combined in order to qualify as an HQTCT. However, based on RTTAC feedback, there are certain corridors where overlapping “line families” or local/bus rapid transit (BRT) lines are intended to function as one bus route. On these corridors, transit riders typically board the first bus available, whether it be a local, express, or BRT line. For these line families or local/BRT corridors, SCAG uses the combined routes to calculate the frequency.

ROUTE ALIGNMENT

The entire alignment of a bus route, based on the stops that meet the 15-minute peak frequency threshold, is considered an HQTCT. This would include,

ATTACHMENT 7

ATTACHMENT 7



DEPARTMENT OF CITY PLANNING Executive Office

City Hall, 200 N. Spring Street, Room 525, Los Angeles, CA 90012

DATE: March 25, 2021

TO: Interested Parties
Department of City Planning Staff

FROM: Vincent P. Bertoni, AICP 
Director of Planning
Department of City Planning

SUBJECT: **METRO NEXTGEN; RAPID BUS DEFINITIONS**

This memo explains how Metro's recent initial implementation of its "NextGen" Bus Plan will impact determinations regarding what constitutes a Metro Rapid Bus pursuant to City Planning policies and programs, including the Density Bonus and Transit Oriented Communities (TOC) Affordable Housing Incentive programs. Background information from Metro on NextGen including the latest service changes is available on their website (<https://www.metro.net/projects/nextgen>).

Background

NextGen is described by Metro as "a reimagined bus system that focuses on providing fast, frequent, reliable and accessible service to meet the needs of today's riders." The initial Phase 1 roll-out began in December 2020 and will continue through two additional phases in June and December of 2021. Service on nearly all lines will be affected.

Under the NextGen Bus Plan, most Metro Rapid Bus lines will be replaced with a new type of bus line that will have more frequent service and new stop intervals. These new replacement lines combine elements of a Rapid Bus and Local Bus. This change introduces a need for clarity on how the term Rapid Bus will be understood as it currently exists in the LAMC and other City Planning documents. Certain important incentives to provide affordable housing near transit exist in the Density Bonus Ordinance (see LAMC 12.22 A.25(f)(4)(ii)(b) and 12.22 A.25(c)(10)) as well as the TOC Guidelines (see Chart 1 of the TOC Guidelines and LAMC 12.22 A.25(c)(10) and 12.22 A.25(f)(4)(ii)(b)).

The NextGen system includes a new bus classification system with different Tier levels. Tier 1 is the highest quality bus NextGen line and will replace current Rapid Bus lines as they are discontinued. Tier 1 routes are planned to achieve service interval levels of at least ten minutes throughout the weekday daytime. However, because of the ridership and funding impacts of the current COVID-19 emergency, service levels may lag behind these levels in the short-term.

Definition of Rapid Bus

Rapid Bus is not a defined term in the Los Angeles Municipal Code (LAMC), nor is there any one agreed-upon set of criteria that must exist to be called a Rapid Bus line. The TOC Guidelines define Rapid Bus in a broad, flexible way to encompass a number of different types of higher quality bus services provided by different operators, as follows:

Rapid Bus is a higher quality bus service that may include several key attributes, including dedicated bus lanes, branded vehicles and stations, high frequency, limited stops at major intersections, intelligent transportation systems, and possible off-board fare collection and/or all door boarding. It includes, but is not limited to, Metro Bus Rapid Transit lines, Metro Rapid 700 lines, Metro Orange and Silver Lines, Big Blue Rapid lines and the Rapid 6 Culver City bus.

The Tier 1 NextGen is the highest level of bus service that Metro now offers (not to be confused with TOC Tier 1). While Metro is discontinuing most but not all Rapid Bus lines, Tier 1 lines will replace Rapid Lines and include most of the attributes in the above definition. Most importantly, Tier 1 lines are defined by their high level of service frequency. The number of stops for NextGen Tier 1 lines will be less than for existing local bus lines, but not as few as the current Rapid lines. Metro also advises that Tier 1 corridors would be the priorities for all-door boarding roll out and maintaining or adding transit signal priority plus dedicated bus lanes and other speed improvements for some Tier 1 corridors is being developed in partnership with the City.

A total of 28 corridors in Los Angeles County are being replaced with Tier 1 lines, not all of which align with current Rapid lines. In an effort to promote consistency, only those Tier 1 NextGen lines that replace a Metro Rapid line will be deemed a Rapid line by the Department of City Planning. Figure 1 below lists the discontinued Rapid lines and their Tier 1 replacement lines that will function as Rapid lines, along with the anticipated phase-in dates.

Implementation

This memo will guide updates to City Planning's determinations of which Metro bus routes and stops are considered to be a Rapid Bus, when those terms are referenced in the LAMC and TOC Guidelines. Discontinued Metro Rapid Bus lines will be replaced with their NextGen Tier 1 replacement lines when each phase is rolled out. This includes the NextGen Phase 1 changes already in effect, as described above, as well as subsequent Phase 2 and 3 of the NextGen roll-out (anticipated in June and December 2021). There may be some minor shifts in TOC Tier eligibility as a result of the NextGen changes to Rapid Bus lines. This memo amends the prior August 19, 2020 TOC memorandum issued by City Planning, solely for the Rapid Lines and their

replacement lines, described above. For lines not affected by these NextGen Rapid bus changes, the TOC program will continue to use a pre-COVID-19 bus schedule to determine program eligibility as described in the August 2020 memorandum. This policy will remain in place until superseded by future memo or updates to the TOC Guidelines. If project applicants have questions about how these changes might impact a pending project application or CEQA analysis, please contact your assigned case planner.

Figure 1. Discontinued and Replacement NextGen Tier 1 Rapid Lines

	Discontinued Rapid Lines	Replacement Next Gen Tier 1 Rapid Line
Phase One December 2020 (already in effect)	705 Vernon Ave./ La Cienega Bl. 710 Crenshaw Bl. 728 Olympic Bl. 740 Hawthorne Bl./ Crenshaw Bl. 745 Broadway St. 751 Soto St. 760 Long Beach Bl. 762 Atlantic Bl./ Fair Oaks Ave.	105 210 28 40 / 210 45 251 60 260
Phase Two June 2021 (anticipated)	720 Whittier Bl. 734 Sepulveda-Westside 744: Reseda/Ventura/Van Nuys 750 Ventura Bl. 770 Garvey, Atlantic, Cesar Chavez 780 Pasadena, Hollywood/Fairfax 788 Van Nuys – Westside 794 San Fernando Rd.	18 234 / 761 240 and 233/761 150 / 240 70 180 / 217 261 94 / 294
Phase Three June 2021 (anticipated)	704 Santa Monica Bl. 733 Venice Bl. 757 Western Av.	4 33 207

ATTACHMENT 8

ATTACHMENT 8

ATTACHMENT 9

ATTACHMENT 9

PICO BLVD

7

KOREATOWN

Western Wilshire/Western Station - Purple Line



not to scale

- Pick Up Only Stop
Parada Solo de Subida
- Drop Off Only Stop
Parada Solo de Salida
- A Timepoint
Punto de Tiempo
- Select Trips Only
Viajes Designados
- M Metro Rail Station
Estación de Metro Rail



TO SANTA MONICA

Select weekday trips serve Beverlywood at:
Viajes entre semana designados servir Beverlywood a las:
7:05am
7:33am
8:33am

TO WILSHIRE/WESTERN

Select weekday trips serve Beverlywood at:
Viajes entre semana designados servir Beverlywood a las:
4:14pm

DOWNTOWN SM TO WILSHIRE/ WESTERN STATION PURPLE LINE

**WEEKDAY
DURANTE LA SEMANA**

A	B	C	D	F	G	H
7th & Olympic	4th & Santa Monica Place (Downtown SM Station)	Pico & 18th (SMC)	Pico & Westwood	Pico & Robertson	Pico & San Vicente	Western & Wilshire (Wilshire/Western Station)
4:50	4:52	4:57	5:06	5:14	5:23	5:31
5:20	5:22	5:27	5:36	5:44	5:53	6:01
5:35	5:37	5:42	5:51	5:59	6:08	6:16
5:50	5:52	5:58	6:08	6:18	6:27	6:35
6:04	6:06	6:12	6:22	6:32	6:41	6:49
6:18	6:20	6:26	6:38	6:49	6:58	7:07
6:32	6:35	6:42	6:54	7:05	7:15	7:26
6:46	6:49	6:56	7:08	7:19	7:30	7:43
7:00	7:03	7:10	7:24	7:37	7:48	8:01
7:14	7:17	7:24	7:38	7:51	8:02	8:15
Then service every 14 minutes until:						
3:10	3:16	3:27	4:00 ^E	4:20	4:38	4:56
3:24	3:30	3:42	4:12	4:30	4:54	5:15
3:38	3:44	3:56	4:26	4:44	5:08	5:29
3:52	3:58	4:10	4:40	4:58	5:22	5:43
Then service every 14 minutes until:						
9:00	9:04	9:12	9:24	9:35	9:47	9:56
9:15	9:19	9:27	9:39	9:50	10:02	10:11
9:30	9:34	9:42	9:54	10:03	10:15	10:24
9:50	9:54	10:02	10:14	10:23	10:35	10:44
10:10	10:14	10:22	10:34	10:43	10:55	11:04
10:30	10:33	10:40	10:50	10:59	11:10	11:19
10:50	10:53	11:00	11:10	11:19	11:30	11:39
11:10	11:13	11:19	11:28	11:37	11:47	11:55
11:30	11:33	11:39	11:48	11:57	12:07	12:15
11:50	11:53	11:59	12:08	12:17	12:27	12:35

 Trip deviates from Pico Blvd. to serve ^E Beverlywood./
Viaje se desvía de Pico Blvd. para servir ^E Beverlywood.

Good Bus Karma

Say no to sprawl: Your bag belongs on your lap, not on the seat next to you.

ALL PM
TIMES IN
BOLD

ROUTE
7

WILSHIRE/WESTERN STATION PURPLE LINE TO DOWNTOWN SM

**WEEKDAY
DURANTE LA SEMANA**

Wilshire & Western (Wilshire/Western Station) (H)	Rimpau Transit Center (G)	Pico & Robertson (F)	Pico & Westwood (D)	Pico & 18th (SMC) (C)	4th & Broadway (Downtown SM Station) (B)	7th & Olympic (A)
5:00	5:07	5:18	5:28	5:37	5:43	5:49
5:14	5:21	5:32	5:42	5:51	5:57	6:03
5:28	5:35	5:46	5:56	6:05	6:11	6:17
5:42	5:49	6:01	6:11	6:21	6:28	6:34
5:56	6:03	6:15	6:25	6:35	6:42	6:48
6:10	6:18	6:30	6:41	6:52	7:00	7:07
6:24	6:32	6:45	6:57	7:10	7:18	7:25
6:32	6:41	6:57	7:10	7:24	7:32	7:39
6:40	6:49	E	7:13	7:27	7:35	7:42
6:48	6:59	7:18	7:32	7:48	7:58	8:05
6:56	7:07	7:26	7:40	7:56	8:06	8:13
7:04	7:15	E	7:43	8:00	8:10	8:17
7:12	7:23	7:42	7:56	8:12	8:22	8:29
7:20	7:34	7:55	8:12	8:31	8:41	8:48
7:28	7:42	8:03	8:20	8:39	8:49	8:56
7:36	7:52	8:13	8:31	8:52	9:01	9:07
7:45	8:01	8:22	8:40	9:01	9:10	9:16
7:54	8:10	E	8:47	9:08	9:17	9:23
8:02	8:18	8:39	8:57	9:18	9:27	9:33
8:16	8:32	8:55	9:14	9:33	9:40	9:46
Then service every 14 minutes until:						
3:30	3:40	3:54	4:11	4:29	4:39	4:46
3:45	3:55	4:09	4:26	4:44	4:54	5:01
4:00	4:10	4:24	4:41	4:59	5:09	5:16
Then service every 15 minutes until:						
9:00	9:07	9:19	9:29	9:41	9:49	9:54
9:15	9:22	9:33	9:42	9:53	10:01	10:06
9:35	9:42	9:53	10:02	10:13	10:21	10:26
9:55	10:02	10:12	10:19	10:28	10:35	10:40
10:15	10:22	10:32	10:39	10:48	10:55	11:00
10:35	10:42	10:52	10:59	11:08	11:15	11:20
10:55	11:01	11:11	11:18	11:25	11:31	11:36
11:15	11:21	11:31	11:38	11:45	11:51	11:56
11:35	11:41	11:51	11:58	12:05	12:11	12:16

Trip deviates from Pico Blvd. to serve **E** Beverlywood./
Viaje se desvía de Pico Blvd. para servir **E** Beverlywood.

ALL PM
TIMES IN
BOLD

ROUTE
7

ATTACHMENT 10

ATTACHMENT 10

PICO BLVD

rapid

7

MONDAY - FRIDAY SERVICE ONLY



DOWNTOWN SM TO WILSHIRE/ WESTERN STATION PURPLE LINE

**WEEKDAY
DURANTE LA SEMANA**

A 7th & Olympic	B 4th & Santa Monica Place (Downtown SM Station)	C Pico & Westwood	E Western & Wilshire (Wilshire/ Western Station)
6:41	6:44	7:02	7:32
6:55	6:59	7:18	7:49
7:09	7:13	7:34	8:07
7:23	7:27	7:49	8:24
7:37	7:41	8:03	8:38
7:51	7:55	8:17	8:52
Then service every 14 minutes until:			
2:37	2:43	3:13	4:00
2:51	2:57	3:27	4:14
3:00	3:06	3:37	4:26
3:05	3:11	3:42	4:31
3:16	3:22	3:55	4:46
3:19	3:25	3:58	4:49
3:33	3:39	4:14	5:07
3:47	3:53	4:29	5:24
4:01	4:07	4:43	5:38
4:15	4:21	4:57	5:52
4:29	4:35	5:11	6:06
4:43	4:49	5:25	6:20
4:57	5:03	5:39	6:34
5:11	5:17	5:53	6:48
5:25	5:31	6:05	6:58
5:39	5:45	6:17	7:07
5:53	5:59	6:30	7:17
6:07	6:13	6:44	7:31
6:27	6:33	7:02	7:46
6:47	6:53	7:20	8:02
7:07	7:12	7:37	8:13
7:27	7:32	7:54	8:27

Rapid 7 does not operate on weekends or the following holidays:/Rapid 7 no opera los fines de semana, ni en los siguientes días festivos:

New Year's Day **Memorial Day** **Independence Day**
Labor Day **Thanksgiving Day** **Christmas Day**

ALL PM
TIMES IN
BOLD

**RAPID
7**

WILSHIRE/WESTERN STATION PURPLE LINE TO DOWNTOWN SM

**WEEKDAY
DURANTE LA SEMANA**

Wilshire & Western (Wilshire/ Western Station) (E)	Rimpau Transit Center (D)	Pico & Westwood (C)	7th & Olympic (A)
6:05	6:14	6:32	6:54
6:19	6:28	6:46	7:08
6:33	6:43	7:03	7:27
6:47	6:58	7:20	7:45
6:55	7:06	7:28	7:53
7:01	7:13	7:37	8:05
7:15	7:29	7:55	8:22
7:29	7:44	8:13	8:42
7:43	7:59	8:35	9:05
7:57	8:13	8:49	9:19
Then service every 14 minutes until:			
2:57	3:08	3:34	4:03
3:11	3:22	3:48	4:17
3:25	3:36	4:02	4:31
3:40	3:52	4:20	4:50
3:55	4:07	4:35	5:05
4:10	4:22	4:50	5:20
4:25	4:37	5:05	5:35
4:40	4:52	5:20	5:50
4:55	5:07	5:35	6:05
5:10	5:22	5:50	6:20
5:25	5:37	6:05	6:35
5:42	5:54	6:22	6:52
5:57	6:09	6:37	7:07
6:12	6:23	6:50	7:20

Rapid 7 does not operate on weekends or the following holidays:/Rapid 7 no opera los fines de semana, ni en los siguientes días festivos:

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Labor Day	Thanksgiving Day	Christmas Day

ALL PM
TIMES IN
BOLD

**RAPID
7**