



DEPARTMENT OF CITY PLANNING

APPEAL REPORT

City Planning Commission

Date:	April 11, 2024	Case No.:	DIR-2023-1984-TOC-COA-HCA-1A
Time:	After 8:30 a.m.	CEQA No.:	ENV-2023-1985-CE
Place:	In conformity with Government Code Section 54953 and due to concerns over COVID-19, the CPC meeting will be conducted entirely telephonically by Zoom [https://zoom.us/]. The meeting's telephone number and access code access number will be provided no later than 72 hours before the meeting on the meeting agenda published at https://planning.lacity.org/about/commissions-boards-hearings and/or by contacting cpc@lacity.org .	Incidental Cases:	None
		Related Cases:	PAR-2022-8188-TOC
		Council No.:	CD 8 – Marqueece Harris-Dawson
		Plan Area:	South Los Angeles
		HPOZ:	University Park
		Certified NC:	Empowerment Congress North Area
		GPLU:	Neighborhood Commercial
		Zone:	C2-1VL-O-HPOZ-CPIO
		Plan Overlay:	South Los Angeles Community Plan Implementation Overlay A – Neighborhood-Serving Corridor
		Subarea:	
		Applicant:	Donghao Li 1500 W. Adams Blvd, LLC
		Representative:	Jonathan Yang, Irvine & Associates, LLC
		Appellant:	USC Forward, Felipe Caceres
		Representative:	Jordan R. Sisson, Law Office of Gideon Kracov
Public Hearing:	Required		
Appeal Status:	Not Further Appealable, CEQA appealable to City Council		
Expiration Date:	April 11, 2024 Subject to the Mayor's Tolling Order		
PROJECT LOCATION:	1500 West Adams Boulevard		
PROPOSED PROJECT:	The Project is for the construction of a new 100% residential, four-story, 56-foot-tall apartment building with a total of 16 dwelling units. The project is utilizing the		

Transit Oriented Communities (TOC) Affordable Housing Incentive Program compliance review for a Tier 2 project, reserving two (2) units for Extremely Low Income Household occupancy, with additional incentives to allow reduced RAS3 yards and an additional 11-foot building height increase. This accompanies a request for a Certificate of Appropriateness for a project located within the Adams-Normandie Historic Preservation Overlay Zone (HPOZ) to allow the construction, use and maintenance of a 22,674 square foot apartment building on a Contributing Lot and the restoration of the existing approximately 108 square foot historic gas station building. The existing historic gas station building will be retained in its existing location, be repaired as needed and have the materials damaged beyond repair be replaced in-kind.

APPEAL: An entire appeal of the December 27, 2023, Director's Determination which:

1. **Determined**, based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to the State 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; and,
2. **Approved, with conditions, a Transit Oriented Communities (TOC) Affordable Housing Incentive Program Compliance Review**, pursuant to the Los Angeles Municipal Code (LAMC) Section 12.22 A.31, for a project totaling 16 dwelling units, reserving two (2) units for Extremely Low Income Household occupancy for a period of 55 years, with two Additional Incentives, for RAS 3 yards, allowing a 15-foot rear yard setback in lieu of the 16 feet otherwise required per the C2 Zone, and 5-foot side yard setbacks in lieu of the 7 feet otherwise required per the C2 Zone; and an 11-foot increase in building height, allowing a maximum building height of 56 feet in lieu of the maximum 45 feet otherwise allowed per the C2-1VL-O-HPOZ-CPIO Zone; and,
3. **Approved, with conditions, a Certificate of Appropriateness**, pursuant to Los Angeles Municipal Code Section 12.20.3 K, within the Adams-Normandie Historic Preservation Overlay Zone (HPOZ) Ordinance Number 173,402 for the demolition of a 2,415 square foot non-original commercial building, the construction of a 22,674 square foot, 16-unit residential apartment building on a Contributing Lot, and the restoration of the existing approximately 108 square foot historic gas station building; and,

RECOMMENDATION:

1. **Deny** the appeal of DIR-2023-1984-TOC-COA-HCA;
2. **Determine**, based on the whole of the administrative record, that the project is exempt from California Environmental Quality Act (CEQA) pursuant to State CEQA Statute and Guidelines, Article 19, Section 15332 (Class 32 Urban In-Fill Development), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to State CEQA Statute and Guidelines, Section 15300.2 applies;

3. **Sustain** the Director of Planning's Determination to approve the TOC Affordable Housing Incentive Program for a Tier 2 project totaling 16 units, reserving two (2) units for Extremely Low Income occupancy for a period of 55 years, with Base Incentives and the following Additional Incentives:
 - a. **RAS 3 Yards:** Allowing a 15-foot rear yard setback in lieu of the 16 feet otherwise required per the C2 zone, and 5-foot side yard setbacks in lieu of the 7 feet otherwise required per the C2 zone; and
 - b. **Height:** A 11-foot increase in building height, allowing a maximum building height of 56 feet in lieu of the maximum 45-feet otherwise allowed per the C2-1VL-O-HPOZ-CPIO zone; and
4. **Adopt** the Staff's responses to the Appeal in this Appeal Report.
5. **Adopt** the Director of Planning's Conditions of Approval, Findings, and Exhibit "A".

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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. Requirements for submission of materials can be found on the Department of City Planning website at <https://planning.lacity.org/about/virtual-commission-instructions>. 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 its 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 no later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1300.

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PROJECT SUMMARY

The project consists of the construction of an approximately 22,674 square foot, 16-unit residential apartment building, and the restoration of the existing historic gas station building on the lot. The proposed apartment building will be approximately 129 feet and five inches long, 57 feet and eight inches wide, and 54 feet and nine inches tall. There is no vehicular access to the site, as the project is electing to provide no parking per AB 2097. The 4-story building will contain fourteen (14) three-bedroom units and two (2) four-bedroom units.

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

On August 2, 2023, the Cultural Heritage Commission designee recommended approval of the project as-is, citing general compliance with the adopted Preservation Plan and the Secretary of the Interior's Standards. After ten (10) days of public notice, the Adams-Normandie HPOZ Board met on August 10, 2023, and conducted a public hearing on the proposed project, pursuant to LAMC Section 12.20.3 M: Notice and Public Hearing. The HPOZ Board, with a four-member quorum, unanimously recommended denial of the project. No comments were received at the hearing in support of the project, but three comments were received in opposition to the project. One comment letter was received, which was in opposition to the proposed project. The HPOZ Board and the CHC designee have provided recommendations on the subject application. The subject application is therefore consistent with the procedures of Section 12.20.3 K of the LAMC.

On December 27, 2023, the Director of Planning issued a Determination (Exhibit B), which determined that the project is categorically exempt from CEQA, approved a Transit Oriented Communities (TOC) Affordable Housing Incentive Program Compliance Review, a Certificate of Appropriateness, and approved the proposed architectural plans (Exhibit A). As part of the approval, the project was found to be exempt from CEQA pursuant to State CEQA Statute and Guidelines, Article 19, Section 15332 (Class 32 Urban In-Fill Development), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to State CEQA Statute and Guidelines, Section 15300.2 applies (Exhibit C).

On January 12, 2024, the determination was appealed by USC Forward. In order to provide sufficient time for the Commission to decide the subject case and meet the City's obligations pursuant to LAMC 12.36 F, Staff requested an extension of time from the applicant. This was required to extend the time to act beyond the LAMC mandated 75 day limit starting at the end of the appeal period, which was January 12, 2024, in this case. The applicant agreed to this extension on January 18, 2024 (Exhibit F).

No additional communication was provided by the appellants to Planning Staff at the time of the preparation of the staff report. Therefore, this staff report addresses the appeal points raised in the initial appeal filing.

BACKGROUND

Site Characteristics and Existing Buildings and Structures

The subject site is located at 1500 West Adams Boulevard. Adams Boulevard defines the northern boundary of the site, with the eastern edge bounded by Catalina Street. The 10,475 square foot site is currently developed with an approximately 108 square-foot single-story historic gas station building that is a Contributing Feature in the Adams-Normandie Historic Preservation Overlay Zone. The historic gas station building, located approximately 25 feet south of West Adams Boulevard and 15 feet west of South Catalina Street, was originally constructed in 1934. At the time of the January 1999 Historic Resource survey, no major alterations were found at the property and the property was designated as a Contributor in the HPOZ owing to its unique location or singular physical characteristics, it represented an established feature of the neighborhood, community, or city.

The site is also developed with an approximately 2,415 square foot single-story automotive commercial building constructed in 1960, which is located at the southern portion of the site. This structure was not noted as part of the lot's historic character or significance at the time of the January 1999 Historic Resources survey. Existing landscape features at the site are a surface parking lot and metal fencing along all property lines.

Land Use and Zoning

The project site is designated for Neighborhood Commercial land uses, with corresponding zones of C1, C1.5, CR, C2, C4, R3, RAS3. The site is zoned C2-1VL-O-HPOZ-CPIO and is consistent with the land use designation. C2-1VL-O-HPOZ-CPIO Zone allows a residential density of one unit per 400 square feet of lot area. In combination with Height District No. 1VL, this allows for a maximum building height of 45 feet and an FAR of 1.5:1. The site is also located within a Housing Element Inventory of Sites (ZI File No. 2512), the State Enterprise Zone (ZI File No. 2374), the South Los Angeles Alcohol Sales Specific Plan (ZI File No. 1231, Ordinance 171,681), the South Los Angeles Community Plan Implementation Overlay (ZI File No. 2848, Ordinance 185,927), the North University Park-Exposition Park-West Adams Neighborhood Stabilization Overlay (NSO) District (ZI File No. 2397, Ordinance 180,218 and 180,219), and the Adams-Normandie HPOZ (ZI File No. 2440, Ordinance 173,402).

Any physical changes to the exterior of a property within the Adams-Normandie HPOZ overlay are required to be reviewed by the appointed Adams-Normandie HPOZ Board and/or Department of City Planning Staff, pursuant to the provisions of Los Angeles Municipal Code Section 12.20.3. The subject property is currently developed with an approximately 108 square-foot single-story historic gas station building that is a Contributing Feature in the Adams-Normandie Historic Preservation Overlay Zone.

The Adams-Normandie HPOZ is a district of over 700 parcels developed with single-family residences and commercial buildings with retail and offices along Vermont and Washington Avenue, built during the late 19th century through to the 1930s. This area is notable for the large concentration of turn of the century homes. Other architectural styles of the HPOZ represent the transition from Victorian era styles of the late 1800s to the Arts and Crafts aesthetic of the early

1900s. Adams-Normandie features several large groupings of Shingle and Craftsman style residences. The Van Buren Place Historic District, listed in the National Register of Historic Places, is located in the heart of the HPOZ. The Adams-Normandie HPOZ district was formally adopted as an HPOZ in August 2000.

Surrounding Properties

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

APPROVED ACTIONS

Transit Oriented Communities (“TOC”) Affordable Housing Incentive Program

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

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

The subject site is located approximately 850 feet from the intersection of Vermont Avenue and Adams Boulevard which have bus stops for the Metro 754 and 14 bus lines and is eligible as a Tier 2 development in the Transit Oriented Communities Affordable Housing Incentive Program Guidelines, as indicated on the TOC Referral Form dated January 25, 2023. The project site at 1500 W. Adams Boulevard is in a Tier 2 area, and is therefore eligible for Tier 2 Base Incentives, which are granted by-right for eligible TOC projects, and three Additional Incentives to construct the proposed project.

In addition to a density and floor area ratio (FAR) increase, the project is requesting additional incentives for RAS 3 yards, allowing a 15-foot rear yard setback in lieu of the 16 feet otherwise required per the C2 zone, and 5-foot side yard setbacks in lieu of the 7 feet otherwise required per the C2 zone; and an 11-foot increase in building height, allowing a maximum building height

of 56 feet in lieu of the maximum 45 feet otherwise allowed per the C2-1VL-O-HPOZ-CPIO zone. The project is providing 0 parking spots in total per AB 2097.

Certificate of Appropriateness

A Certificate of Appropriateness (COA) is an entitlement issued for the construction of a new building or structure, demolition, or building replacement on lots identified as Contributing within a Historic Preservation Overlay Zone (HPOZ). Contributing lots are lots whose structures, landscape features, natural features, or sites identified in the Historic Resources survey were built within the historic Period of Significance of the historic district and retain elements that retain it as belonging to that period. The proposed project is eligible for a COA as it meets the requirements stated in Los Angeles Municipal Code (LAMC) Section 13B.8.5 of Article 1A and the Adams-Normandie Historic Preservation Overlay Zone (HPOZ) Ordinance Number 173,402 because it is a lot that contains a structure that was identified as a Contributor in the Adams-Normandie Historic Resources survey, and the project proposed is for the construction of a new multifamily residential building and the repair and restoration of the existing Contributing structure. The purpose of the COA is to ensure that the new construction on Contributing lots does not impair the essential form and integrity of the historic structure as well as the overall historic district. In order to grant a COA, the Director must find that the project conforms to the Preservation Plan for the historic district. The Preservation Plan includes guidelines to evaluate all types of work from rehabilitation of historic buildings to new infill projects. Appeals of Certificates of Appropriateness are heard by the Area Planning Commission, except for when the project includes additional approvals that are appealable to the City Planning Commission Section 13A.2.8 of Article 1A of the LAMC, as is the case here.

APPEAL AND APPELLATE BODY

On December 27, 2023, the Director of Planning issued a Determination that conditionally approved a Transit Oriented Communities (TOC) Affordable Housing Incentive Program and a Certificate of Appropriateness for the proposed project. On January 12, 2024, an appeal was filed by USC Forward challenging the entire Director's Determination of the Transit Oriented Communities (TOC) Affordable Housing Incentive Program and Certificate of Appropriateness. The appeal application and justification are provided in Exhibit E. Pursuant to Sections 12.36 C.4 and 16.05 H.1 of the Los Angeles Municipal Code (LAMC), the City Planning Commission is the appellate body for a TOC Affordable Housing Incentive Program appeal. The decision of the City Planning Commission is not further appealable for the entitlements.

APPEAL POINTS AND STAFF RESPONSE

Summaries from the appeal justification concerning land use entitlements and the staff responses are provided as follows:

Certificate of Appropriateness

Appeal Point 1: The proposed project would entirely enclose the historic resource, disrupting the historic context and visual access from the public right-of-way. This is inconsistent with Preservation Plan, Chapter 10.1, Preservation Principles 1 and 2.

Staff Response 1: The Appellant states that the proposed project would disrupt the historic context and visual access to the existing historic structure from the public right-of-way. The relevant principles to this appeal point are as follows:

Principle 1: *The historic appearance of the HPOZ should be preserved. This appearance includes both the structures and their setting.*

Principle 2: *The historic appearance of contributing structures within the HPOZ should be preserved.*

These principles are distilled from portions of the Secretary of the Interior's Standards for Rehabilitation, which are published by the National Park Service (NPS) and provide direction in making appropriate choices for the rehabilitation of historic buildings/sites. Neither the Secretary of the Interior's Standards nor the principles outlined in Chapter 10.1 are intended to be prescriptive in nature. The principles are instead high-level concepts that are used to shape and understand the intent of design guidelines contained in the Preservation Plan. These guidelines, and not the principles cited by the Appellant, were used as the basis for Planning Staff's review of the proposed project, and Staff's full analysis and discussion of the project's compliance with Chapter 10 can be found in the original Letter of Determination (LOD)(Exhibit B).

As proposed, the project would include rehabilitation measures for the historic structure on the site, which is an approximately 108-square-foot single-story gas station building that was originally constructed in 1934. As stated in the LOD (Exhibit B) the Adams-Normandie Historic Resource Survey identified this structure as being built within the Period of Significance (1860-1940), and that it contributed to the historic significance of the district owing to its unique location or singular physical characteristics. The proposed project's rehabilitation measures would include the repair of degraded historic building materials (or in-kind replacement where repair is not possible), removal of non-historic features, and restoration of missing historic elements. A full analysis and discussion of the restoration measures can be found in Exhibit G, which is a Historic Resource Assessment (HRA) and Context Analysis prepared by GPA Consulting.

The proposed multi-family residential building would be built around the Contributing structure in a manner that conforms with the Commercial Rehabilitation guidelines in the Preservation Plan. The historic gas station is proposed to be restored and repaired in its existing location on the site, retaining its historic location and its relationship to the street. While the new structure will impact the overall site configuration, the broader historic context of the block as well as the district would not be disrupted due to the retention of the Contributor in its original location and will result in a lesser impact to the building itself. The Contributor is a unique feature in the Adams-Normandie HPOZ, exemplifying a historic and rare building typology that adds to the history and visual character of the district. The remainder of the existing site is non-significant and contains non-historic elements such as a surface-level parking lot and an automotive repair

structure built outside of the Period of Significance. Therefore, the priority in the treatment and review of this property is the existing historic gas station structure. Measures such as relocation of the Contributor would have a greater disruption on the historic context and retaining the structure in its original location was identified as the preferred and least-impactful option by both Planning Staff and the Historic Resource Assessment. The restored Contributor would be located in the lobby area of the proposed structure and would remain visible from the public right-of-way due to the extensive use of full-height glazing on the first floor windows and doors of the northeast corner of the proposed structure. The project is designed in a manner that allows the Contributor to remain in its historic location while also ensuring visibility from the public right-of-way.

Staff found that the proposed project was compliant with all relevant guidelines contained within Chapter 10, thus being consistent with all outlined Preservation Principles also located within Chapter 10 of the Preservation Plan. These findings were further supported by the additional findings developed by Planning Staff addressing the Residential Infill guidelines (Appendix G) in Chapter 9 of the Preservation Plan. Therefore, the proposed project is in substantial conformance with the Adams-Normandie HPOZ Preservation Plan, and Planning Staff appropriately applied the Preservation Plan's principles and guidelines.

Appeal Point 2: The LOD fails to implement any Residential Infill Guidelines under the Preservation Plan, such as those under Chapters 9.3 – Setting, Location, and Site Design and 9.4 – Massing and Orientation, despite the Preservation Plan making clear that new multi-family projects should follow the Residential Infill Guidelines

Staff Response 2: The Adams-Normandie Historic Preservation Overlay Zone (HPOZ) Preservation Plan provides a comprehensive set of procedures, definitions, historic context, and guidelines that provide a framework and specific guidance for both Staff and the HPOZ Board to review projects.

The Appellant argues that any project involving new residential construction must follow the Residential Infill guidelines. While the infill component of the project is residential, the subject property is zoned C2-1VL-O-HPOZ-CPIO and is located on a property that has a General Plan designation of Neighborhood Commercial. Additionally, while the Adams Boulevard corridor may have been initially developed as residential, its current context is primarily commercial in nature. The subject property's existing use is commercial, and the historic gas station building to be rehabilitated as part of the project reflects a commercial building typology. Staff therefore determined that the Commercial Infill and Commercial Rehabilitation guidelines were more relevant and applicable than the Residential Infill guidelines, which are primarily intended for projects in residential zones.

To address the Appellant's point, Staff has prepared supplemental findings based on the Residential Infill guidelines found in Chapter 9 of the Adams-Normandie Preservation Plan (Appendix G). Staff has determined that the

proposed project substantially complies with the guidelines contained in Chapter 9, including 9.3 – Setting, Location, and Site Design and 9.4 – Massing and Orientation. The proposed project is therefore in conformance with the Adams-Normandie HPOZ Preservation Plan.

Appeal Point 3: The Project design does not observe the historic setbacks or front yards provided from either the Adams frontage or the Catalina frontage. This is inconsistent with the Preservation Plan, Chapter 9.3, Guidelines 1 and 2

Staff Response 3: The Appellant asserts that the project does not meet the Setting, Location, and Site Design guidelines as outlined in Chapter 9.3 of the Preservation Plan. The relevant guidelines related to this appeal point are:

9.3.1. New residential structures should be placed on their lots to harmonize with the existing historic setbacks of the block on which they are located. The depth of the front and side yards should be preserved, consistent with other structures on the same block face.

9.3.2. A progression of public to private spaces from the street to the residence should be maintained. One method of achieving this goal is to maintain the use of a porch to create a transitional space from public to private.

The proposed five-foot front yard setback and six-foot side yard setback along Catalina are consistent with those typical of historic multi-family residential buildings on Adams. Abutting and adjacent properties feature a wide range of setbacks, and the Contributing residential structures surrounding the project site contain a range of setbacks ranging from zero to 20 feet along Adams, with the majority between zero and 10 feet, and 15 to 25 feet along Catalina. The only Contributing multi-family structure along Catalina has a 20-foot setback, since the majority of the Contributing structures on this block were developed as single-family homes with wider setbacks. The proposed project provides a five-foot front yard setback along Adams and a six-foot side yard setback along Catalina, which complies with the setbacks required per Code and are also generally consistent with the average front and side yard setbacks of Contributing properties located on Adams Boulevard and Catalina Street.

The Appellant also asserts that the proposed project does not provide an adequate progression of public to private spaces from the street to the residence. Typically, Contributing residences in the Adams-Normandie HPOZ have a progression of public to private spaces in their front yards, with site design and landscape features providing a gradual transition between the public right-of-way and interior private spaces. While shallower than other front yard areas on the block, the five-foot landscaped setback along Adams and the six-foot landscaped setback along Catalina provide a transition between public and private spaces. The proposed landscaping includes a variety of ground-level plantings, lower- to medium-height shrubs as well as trees that work together to provide both a physical and visual separation and progression of space from the street to the interior residential areas. In addition to the landscaped areas, the design

features on the first floor of the proposed structure such as the chamfered corner, metal shade structure, and the full-height storefront-style windows also create a progression from public to private spaces. These elements work together to create a semi-private space and transitional space around the primary entryway that creates a physical separation between public and private spaces while also maintaining view sheds of the historic building located in the lobby of the proposed structure. This is worth noting since this project proposes to retain the historic structure in its original location, with the lobby built around it. Utilizing transparent elements such as the full-height storefront windows and fully glazed entry doors allows the historic structure to remain visible from the public right-of-way in its original location and retain its relationship on the site and to the street, while also providing a transition area from the visible lobby space to more private spaces for future residents.

The project proposes a five-foot setback on Adams and a six-foot setback on Catalina, and is therefore in compliance with the zoning requirements, is consistent with the range of setbacks on the block, and substantially complies with Chapter 9.3 of the Preservation Plan.

Appeal Point 4: The Project occupies almost the entire lot with minimal open space – which is unlike adjacent Contributors on this block. This is inconsistent with the Preservation Plan Chapter 9.3, Guideline 7.

Staff Response 4: The Appellant asserts that the proposed project occupies the entire lot with minimal open space, which is unlike other Contributors on the block and is inconsistent with Guideline 7 in Section 9.3 of the Preservation Plan. The relevant guideline related to this appeal point is:

9.3.7. The lot coverage proposed for an in-fill project should be substantially consistent with the lot coverage of nearby Contributor properties.

As proposed, the project would cover approximately 75% of the lot, with ample open space provided in the site and rear yards, as well as on the proposed roof deck. The proposed lot coverage will also be substantially consistent with those of nearby Contributing properties. Contributors along Adams and Catalina have lot coverages ranging from 33% to 87%, with Contributing multi-family properties of similar building typology along Adams ranging from 53% to 87% lot coverage. As mentioned above and in Staff's findings on the Residential Infill guidelines (Appendix G), many of the Contributing properties along Catalina were originally developed as single-family homes (which were later subdivided into multiple units), and therefore are less representative of typical lot coverage seen on historic multi-family structures.

Covering approximately 75% of the lot, the proposed project is well within the overall existing range for lot coverage in the surrounding area, and thereby is substantially consistent with the prevailing lot coverage for Contributors as well as Guideline 7 of Chapter 9.3 in the Preservation Plan.

Appeal Point 5: The Project is four stories tall with access to a rooftop deck, having a max elevation of 66 feet above grade. Thus, the Project's mass is four to five stories tall, despite all Contributors on the block being a max of two stories tall. This is inconsistent with Preservation Plan, Chapter 9.4, Guideline 1.

Staff Response 5: The Appellant asserts that due to its height and mass, the project is inconsistent with Guideline 1 of Section 9.4 of the Preservation. The relevant guidelines for this appeal point are:

9.4.1. New residential structures should harmonize in scale and massing with the existing historic structures in surrounding blocks. For instance, a 2.5 story structure should not be built in a block largely occupied by single-story bungalows.

9.4.2. When found to be appropriate, new structures that will be larger than their neighbors should be designed in modules, with the greater part of the mass located away from the main facade to minimize the perceived bulk of the structure.

The Adams-Normandie HPOZ Preservation Plan provides guidelines in Chapter 9 for residential infill projects. These guidelines are intended to help shape the design of new projects so that new construction will be compatible within the historic district, while still reading as new construction. The residential infill guidelines are not stringent objective standards that prescribe the scale and massing of a new structure. The Appellant states that the project does not conform with the prevailing height and dominates the existing one- to two-story Contributing structures on the block. Additionally, the Appellant incorrectly asserts that all Contributors on the block are no more than two stories in height. While the other Contributors on the south side of Adams are largely comprised of one to two stories in height, the adjacent lot directly to the north of the project site at 1501 W. Adams Blvd., is a three-story Contributing multi-family structure which is approximately 35 feet tall. On the north side of the adjacent block of Adams, 1475 W. Adams Blvd. is a three-and-a-half-story Contributing multi-family structure, which is approximately 40 feet tall. The appellant also excludes the multi-family infill structure (approved in 2016 under DIR-2016-712-CCMP) built on the adjacent lot to the east across Catalina St, which is four stories in height and has a maximum height of 45 feet above grade (42 feet to roof, 45 feet to the top of rooftop screening). While this structure is not a Contributor, it is important to consider when evaluating the context of the proposed project.

The project has been designed to meet the guidelines of the Preservation Plan pertaining to mass, scale, height, and modulation. The roofline of the proposed four-story structure will measure 56 feet in height above grade, with an additional 10 feet of height projecting above the rooftop (max height 66 feet above grade) in limited areas to accommodate the enclosure of the elevator mechanical room and the staircase access for the rooftop. It should be noted that 56 feet is the maximum allowable roof height for the

incentive tier of Transit Oriented Communities (TOC) that the proposed project is utilizing.

While the proposed structure's overall height exceeds the average scale of nearby historic structures, it is still substantially similar to the height of Contributing structures of similar typology and has been designed with additional setbacks, a modulated massing, and transitional heights incorporated into the structure to minimize the overall mass, scale, and perceived bulk of the structure. Although Guideline 9.4.1 in the Preservation Plan refers to new projects harmonizing in scale and massing, it does not explicitly disallow the construction of taller infill buildings. Furthermore, Guideline 9.4.2 specifically addresses projects that are larger than their neighbors, advising that modulation could be utilized as a means of reducing the overall visual bulk and mass of a structure. The height of the Contributing structures on Adams range in height from 26 to 46 feet tall, with the notable exception of the First AME Church (located at 1444 W. Adams Blvd.) which has a roof ridge height of approximately 55 feet above grade and a steeple height of approximately 95 feet above grade. The proposed project is 56 feet in height, which is in compliance with the TOC incentives, as well as substantially similar to the prevailing range of heights along Adams.

It is also important to note the proposed project is subject to the provisions of the Housing Accountability Act (HAA). This State law applies to all multi-family housing developments that comply with all applicable, objective general plan, and zoning criteria. Under HAA, local governments may not deny multi-family projects, or condition them in a way to reduce density, unless it can be found that the project would cause unavoidable impacts on public health or safety. The project was reviewed for compliance with underlying zoning; reduction in overall height and massing as suggested by the Appellant would forcibly reduce the project's unit count and would not be compliant with the provisions of HAA.

Appeal Point 6: On the lot west of the Project is a two-story Contributor, however the Project's western facade is four stories tall except for an inset corner. This is inconsistent with Preservation Plan Residential Infill Guidelines Chapter 9.4, Guideline 2 as well as Commercial Infill Guidelines Chapter 11.3 Guideline 1 and 3. More tiering should be incorporated, providing setbacks for upper floors above the second story similar to what was done at the rear of the project.

Staff Response 6: The Appellant asserts that due to the mass and insufficient modulation of the project, it does not comply with Guideline 2 of Chapter 9.4 and Guidelines 1 and 3 of Chapter 11.3 of the Adams-Normandie Preservation Plan. Additionally, the Appellant recommends more modulation and tiering of the project's mass should be incorporated in upper floors. The relevant guidelines for this point are:

9.4.2. When found to be appropriate, new structures that will be larger than their neighbors should be designed in modules, with the greater part of the mass located away from the main facade to minimize the perceived bulk of

the structure.

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

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

The Appellant asserts that the project does not conform with the prevailing height and dominates the existing historic building and would require additional modulation and setbacks incorporated into the design in order to comply with the Preservation Plan's guidelines. However, the project has been designed to meet the guidelines of the Preservation Plan pertaining to mass, scale, height, and modulation. As discussed in Appeal Point 5, the intent of the guidelines in the Chapter 9 (Residential Infill) of the Preservation Plan are to help shape the design of new projects so that new construction will be compatible within the historic district, while still reading as new construction. The guidelines are not stringent objective standards that prescribe the scale and massing of a new structure. This also applies to the guidelines in Chapter 11 of the Preservation Plan, which contains the guidelines for Commercial Infill projects.

As discussed more thoroughly in Appeal Point 5, while the proposed structure's overall height exceeds the average scale of nearby historic structures, it has been designed with additional setbacks, a modulated massing, and transitional heights to minimize its overall mass, scale, and perceived bulk. The proposed project is 56 feet in height at the roofline, which is in compliance with the TOC incentives and is substantially similar to the prevailing range of heights along Adams Boulevard. Staff's findings demonstrate that the proposed project substantially complies with all Preservation Plan guidelines regarding height, massing, and modulation.

Additionally, the Appellant asserts that the proposed project is not compatible in its height with surrounding historic commercial structures, per Guideline 3 in Chapter 11.3 of the Preservation Plan. However, there are no existing Contributing commercial structures near the project site on which to draw this comparison. The subject lot is located on the southern side of the 1500 block of Adams Blvd., which is only developed with residential structures aside from the project site. The only existing commercial structures nearby are located on the north side of Adams, specifically at 1511-1521 W. Adams Blvd. and 1479-1485 W. Adams Blvd. Both structures are one-story, Non-Contributing structures. While there are no nearby Contributing commercial buildings to compare the proposed project to, Staff's findings in the LOD (Exhibit B) outline that the proposed project does indeed comply with Guideline 11.3.3. The proposed project, while taller than nearby structures, is designed in a manner that emphasizes the existing prevailing two-story cornice height by utilizing a brick veneer cladding at the first and second floors, transitioning to stucco cladding on the third and fourth floors of the structure.

Finally, it should be mentioned again that the project is subject to the provisions of the Housing Accountability Act. Under HAA, the City may not deny multi-family projects, or condition them in a way to reduce density, unless it can be found that the project will cause unavoidable impacts on public health or safety. The project was reviewed for compliance with underlying zoning, and Staff found that the project complies with all objective standards found in the Preservation Plan. Additional modulation and setbacks would reduce the project's proposed unit count and would not be permissible under or compliant with the provisions of HAA.

Transit Oriented Communities (TOC) Affordable Housing Incentive Program

Appeal Point 7: The Director's Determination characterizes the project as a 16-unit residential apartment building but ignores substantial evidence that the Project would function as a 50-bedroom co-living facility. While claimed to be just 16 dwelling units, the Project would operate as a 50-room dorm-like student housing project, which violates zoning rules such as conflicting with LAMC § 12.03 definitions of "dwelling unit" and "Family" that provide that each unit is to serve "one family" that includes one or more persons living together with "common access" to "all living ... areas within the dwelling unit."

Staff Response 7: The project proposes residential dwelling unit use, which is an allowable use in the zone. The project adheres to the LAMC definitions of dwelling unit and family.

The LAMC's definition of a "dwelling unit" is as follows: A group of two or more rooms, one of which is a kitchen, designed for occupancy by one family for living and sleeping purposes.

The project proposes 16 dwelling units of three and four bedrooms, with each unit including its own kitchen, living area, dining area, and bathrooms as specified on the plans.

The LAMC's definition of a "family" is as follows: One or more persons living together in a dwelling unit, with common access to, and common use of all living, kitchen, and eating areas within the dwelling unit.

The project proposes 16 dwelling units that each contain living, kitchen, and eating areas for common access. Therefore, the project adheres to the LAMC definitions of dwelling unit and family.

Appeal Point 8: The Project is a large, campus-serving housing development with 50 habitable rooms. This is exactly the type of development that is supposed to seek a Conditional Use Permit ("CUP") under the applicable Neighborhood Stabilization Ordinance.

Staff Response 8: The Project is located within the boundaries of the North University Park-Exposition Park-West Adams Neighborhood Stabilization Overlay (NSO) District.

On November 16, 2008, Ordinance Number 180,219 and Ordinance Number 180,218 became effective, amending the Los Angeles Municipal Code and establishing the North University Park-Exposition Park-West Adams Neighborhood Stabilization Overlay (NSO) District in the area generally bounded by the 10 Freeway to the north, the 110 Freeway to the east, Martin Luther King Boulevard to the south, and Normandie Avenue to the west.

A Project is defined as: the construction, erection, addition to, enlargement of or reconfiguration of any one family dwelling or multiple-family dwelling units or portions of dwelling units in the R2, RD, R3, RAS, R4, R5, CR, C1, C1.5, C2, C4, C5, or CM zones that create at least one dwelling unit with five or more habitable rooms. A Project shall not include dormitories on an official college or university campus or any qualifying Affordable Housing Units.

The site is located within the South Los Angeles Community Implementation Overlay (“CPIO”). Pursuant to Section I-5.A.1 of the CPIO under “Relationship to Other Zoning Regulations”:

The North University Park- Exposition Park – West Adams Neighborhood Stabilization Overlay (NSO) District set forth in LAMC Section 12.24.W.52 and 13.12.C.2 does not apply in Corridors Subareas A, B, C, and D and TOD Subareas E, F, G, and H.

The proposed Project is located within the Neighborhood-Serving Corridor Subarea A, thus excluding it from the North University Park- Exposition Park – West Adams Neighborhood Stabilization Overlay (NSO) District. Therefore, the project is not required to obtain a Conditional Use permit.

Appeal Point 9: The 10,475 square foot site is subject to a residential density limit of 400 square feet of lot area per unit. Under the TOC Guidelines, the site has a base density of 27 units and a Tier 2 incentive density of 44 units. The Project, operating as a 50-unit co-living facility, would exceed this 44-unit limit.

Staff Response 9: The Transit-Oriented Communities Referral Form (Case No. PAR-2022-8188-TOC), signed on January 25, 2023, confirms that the site is allowed 26 units by right per the LAMC with a Base Density of 27 units. The project is allowed a maximum density bonus of 44 units per Tier 2.

The project is proposing 14 three-bedroom units and 2 four-bedroom units, for a total of 16 dwelling units. The project complies with the definition of “dwelling unit” and “family” as explained in the staff response to Appeal Point 7 above. The project is allowed to provide 16 units by right and is

therefore not exceeding the maximum density bonus of 44 units allowed for a TOC Tier 2 project.

Appeal Point 10: The Director's TOC findings lack substantial evidence. The Director's Determination claims there is no substantial evidence showing the incentives are unnecessary to provide affordable units. It also incorrectly claims that the Project would not have a specific adverse impact.

Staff Response 10: The Appellant has not provided substantial evidence that the incentives are unnecessary to provide the affordable units.

The Appellant has not provided substantial evidence that the project will have a specific adverse impact.

Appeal Point 11: The project approves TOC incentives for an increased Floor Area Ratio and reduced setbacks, yet there is no explanation why the project wastes so much floor area for the 49 bathrooms, which is unnecessary to serve 16 dwelling units. There is also no explanation why the project includes 1,945 square feet of storage space on the 7,110 square-foot ground level, which seemingly wastes more than 25 percent of the floor area that could otherwise be used for housing. The project approves a TOC incentive for an 11 foot increase in building height, yet there is no explanation why the project needs this additional height.

Staff Response 11: The record does not contain substantial evidence that would allow the Director to make a finding that the requested incentives are not necessary to provide for affordable housing costs per State Law. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed a predetermined percentage of income based on area median income thresholds dependent on affordability levels.

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

California Environmental Quality Act (CEQA)

Appeal Point 12: The City's approval of the project based upon a Class 32 Categorical Exemption (CE) violates the requirements of CEQA. The project relies on a misleading description of a 16-unit residential development, versus the

operation of the project as a 50-unit, co-living student housing development. CEQA bars the use of inaccurate project descriptions.

Staff Response 12: The Project proposes 16 separate dwelling units. Pursuant to LAMC Section 12.03, the term “dwelling unit” is defined as “[a] group of two or more rooms, one of which is a kitchen, designed for occupancy by one family for living and sleeping purposes.” Each of the units is designed with a common kitchen and dining area and meets the definition of the term Dwelling Unit as defined in LAMC Section 12.03. Therefore, it is accurately depicted as a 16-unit project.

CEQA Requirements

Every discretionary action requires environmental review pursuant to the California Environmental Quality Act (CEQA). However, the CEQA (Sections 15300 to 15332) includes a list of classes of projects, which have been determined to not have a significant effect, known as Categorical Exemptions. If a project falls within one of these classes, it is exempt from the provisions of CEQA, and no further environmental review is required.

The Class 32 Categorical Exemption (CEQA Guideline Section 15332), hereafter referred to as the Class 32 Exemption, exempts infill development within urbanized areas if the project meets certain criteria.

A Class 32 Exemption applies to a project characterized as in-fill development meeting the conditions described below:

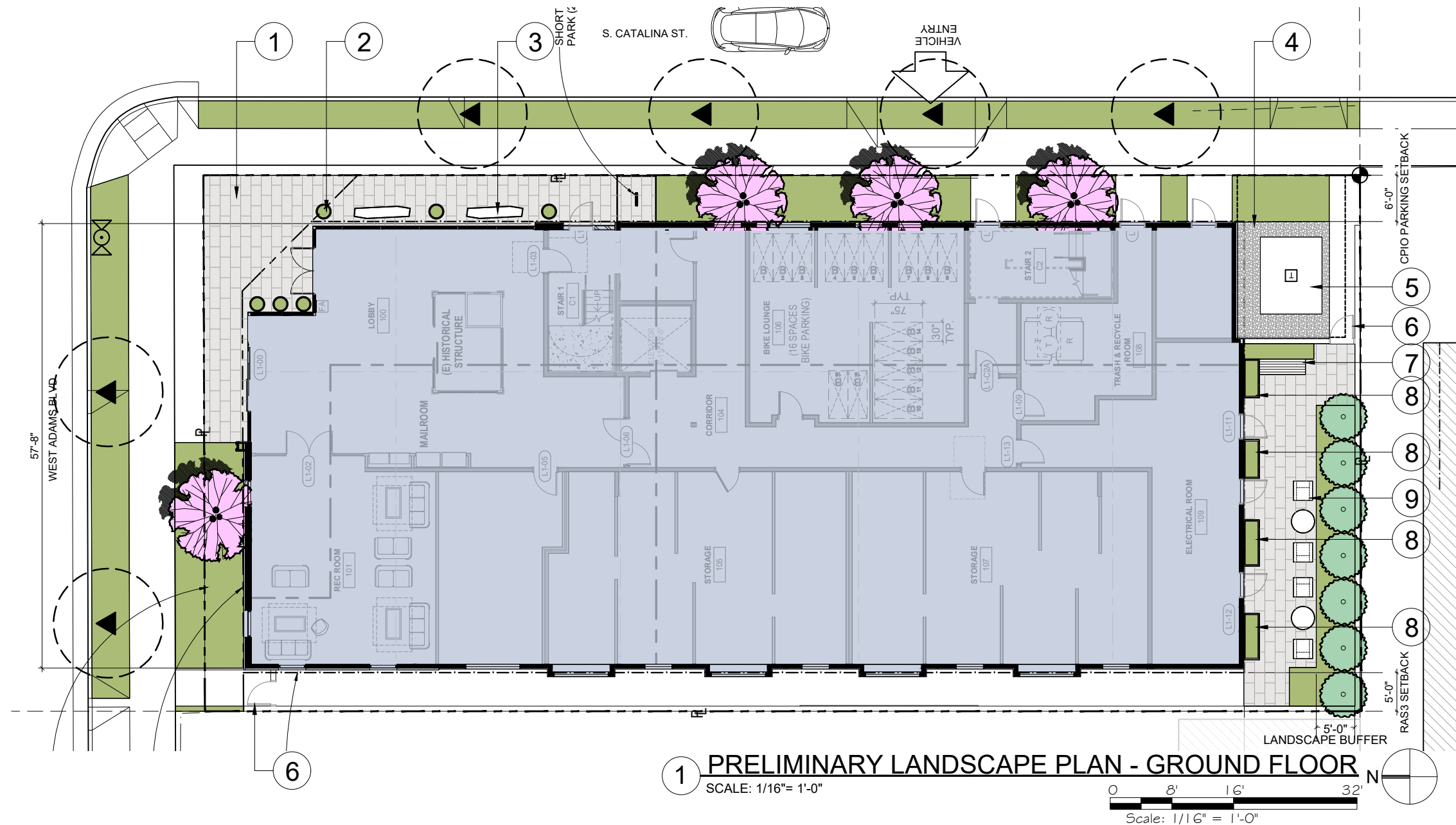
- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations.
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially 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.
- (e) The site can be adequately served by all required utilities and public services.

The appellant has not submitted any substantial evidence that the project will result in a significant environmental impact nor that the project fails to meet the necessary requirements to rely on a Class 32 CE. The project site will be adequately served by all public utilities and services, such as water, sewer, solid waste, fire services, police services, schools, libraries, and parks. Given that the scope of work is characterized as an urban infill

development, and that the project will be required to comply with Regulatory Compliance Measures, it can be found that the project meets the qualifications of the Class 32 Exemption.

STAFF RECOMMENDATION

In consideration of the foregoing, it is submitted that the Director acted reasonably in conditionally approving a Transit Oriented Communities (“TOC”) Affordable Housing Incentive Program Review and a Certificate of appropriateness for a four-story, 56 foot height, 100% residential building consisting of 16 units. The project’s total proposed floor area is 22,674 square feet and the project proposes to provide 2,414 square feet of usable open space. Based on the complete plans submitted by the applicant and considering the Appellant’s arguments for appeal, staff finds that the project meets the required findings. Staff recommends that the Los Angeles City Planning Commission Deny the appeal; Determine that the project is categorically exempt from CEQA as a Class 32 Urban Infill Project; Sustain the determination by the Director of Planning; and Adopt the Director of Planning’s Conditions of Approval, Findings, and Exhibit “A”.

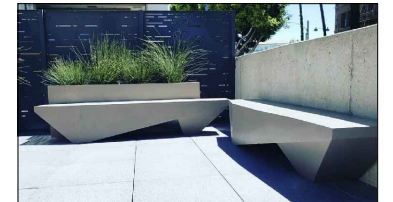


1 PRELIMINARY LANDSCAPE PLAN - GROUND FLOOR
 SCALE: 1/16" = 1'-0"
 Scale: 1/16" = 1'-0"

KEYNOTES:
 1. DECORATIVE PAVING PATTERN
 2. ROUND FIBERGLASS PLANTERS



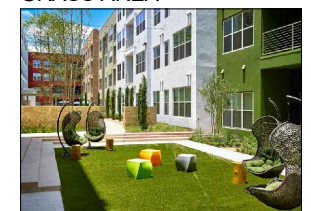
3. ORIGAMI BENCH BY B2G



4. GRAVEL
 5. TRANSFORMER
 6. SIDYARD GATE & FENCE
 7. BENCH
 8. RECTANGULAR FIBERGLASS PLANTER



9. MULTI-PURPOSE SYNTHETIC GRASS AREA



PLANTING LEGEND		
TREES	SIZE & QUAN.	WUCOLS
CERCIS OCCIDENTALIS WESTERN REDBUD	24" BOX/ 4 EA.	LOW
PRUNUS ILLINOENSIS LYONII HOLLY-LEAF CHERRY	15 GAL/ 7 EA.	LOW
NEW STREET TREE PER CITY OF L.A. URBAN FORESTRY STREET TREE DIV.		

LANDSCAPE AREA SHRUBS AND GROUNDCOVER	
	WESTRINGIA FRUTICOSA COAST ROSEMARY
	HESPERALOE PARVIFLORA RED YUCCA
	SALVIA GREGII 'FURMAN'S RED' FURMAN'S RED AUTUMN SAGE
	FESTUCA MAIREI MAIRE'S FESCUE
	JUNCUS PATENS 'ELK BLUE' CALIFORNIA GRAY RUSH
	DIANELLA REVOLUTA 'ALLYN-CITATION' COOLVISTA DIANELLA

LANDSCAPE AREA SHRUBS AND GROUNDCOVER	
	SENECIO MANDRALISCAE KLEINIA
	LANTANA 'NEW GOLD' TRAILING LANTANA
	PHYLLOSTACHYS COMMUNIS COMMON LIPPIA
	VINE
	TRACHELOSPERMUM JASMINOIDES STAR JASMINE

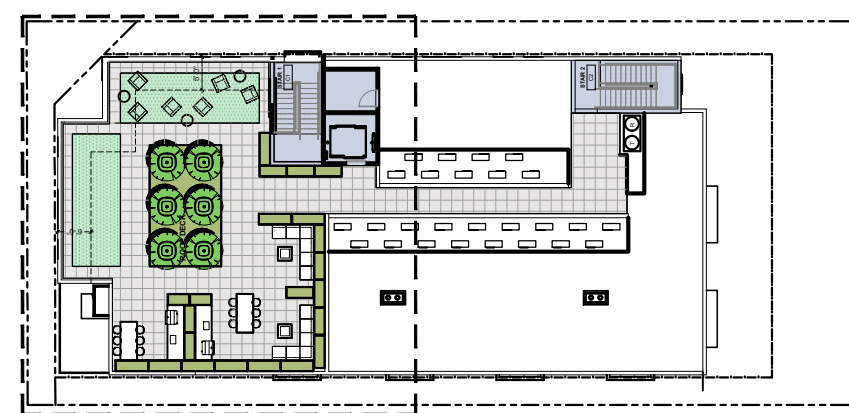
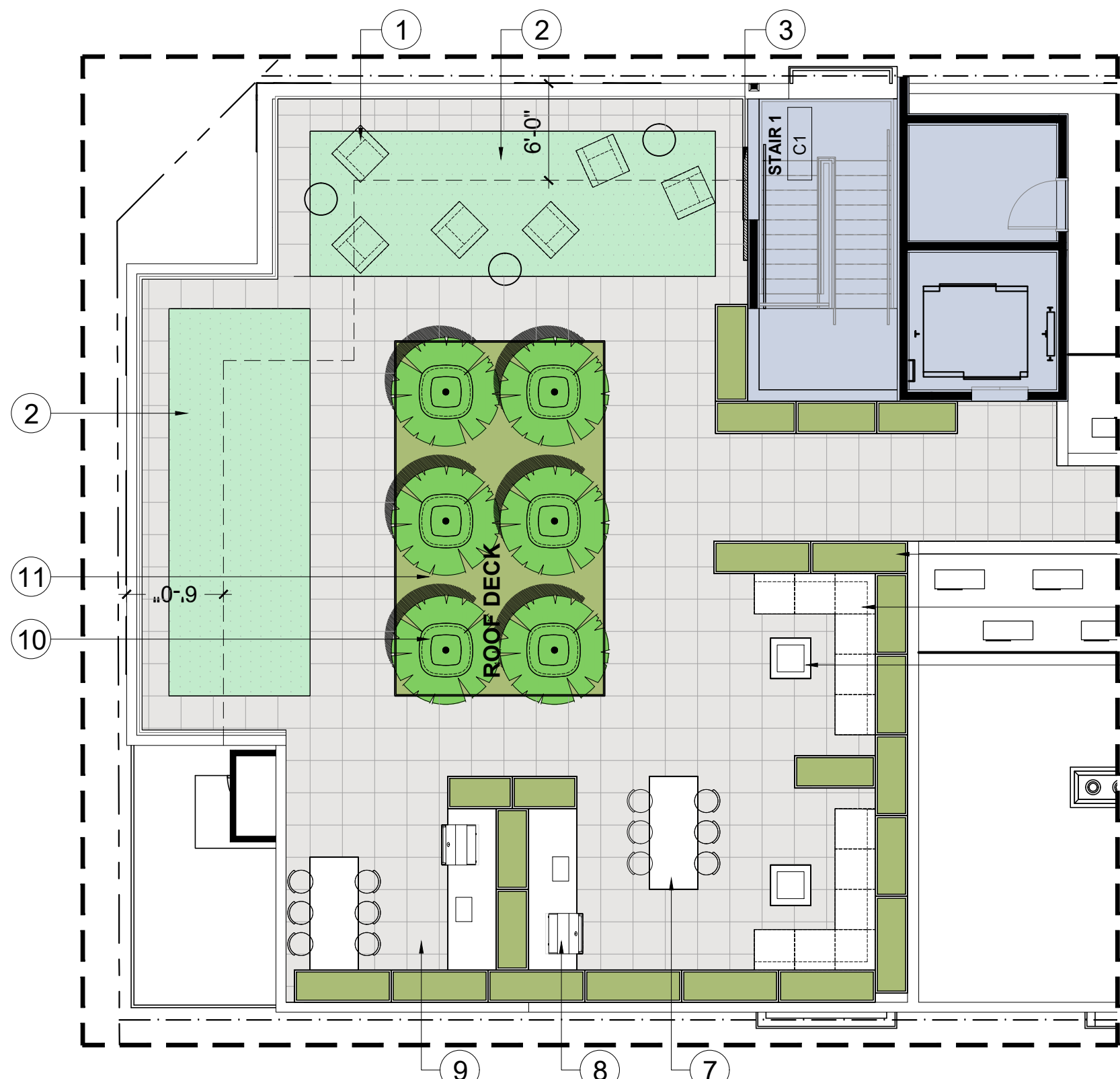
EXHIBIT "A"
 Page No. 11 of 13
 Case No. DIR-2023-1984-TOC-COA-HCA

1500 W. ADAMS BLVD.

LP-1

SQLA INC
 Landscape Architects

PROJECT #22230 04-27-2023
 2669 Saturn Street T. 562-905-0800
 BREA, CA, 92821 F. 562-905-0880
 la@sqlainc.com www.sqlainc.com





KEYPLAN

KEYNOTES:

- 1. ADIRONDACK CHAIRS 
- 2. MULTI-PURPOSE SYNTHETIC GRASS AREA 
- 3. OUTDOOR T.V. 
- 4. RECTANGULAR FIBERGLASS PLANTER 
- 5. OUTDOOR SOFA 
- 6. FIREPIT 
- 7. DINING TABLE & CHAIRS 
- 8. BBQ BAR COUNTER W/ SINK & SINK COVER 
- 9. 2'X2' TILE PAVING PATTERN 
- 10. GREENROOF 
- 11. 42" SQUARE POT BY B2G
EMAIL : INFO@BACK2GARDEN.COM 

1 PRELIMINARY LANDSCAPE PLAN - ROOF DECK
SCALE: 1/8" = 1'-0"
0 4' 8' 16' N
Scale: 1/8" = 1'-0"

PLANTING LEGEND		
TREES	SIZE & QUAN.	WUCOLS
 ARBUTUS UNEDO	15 GAL. / 6 EA.	LOW
 STRAWBERRY MADRONE		


LANDSCAPE AREA	
SHRUBS AND GROUNDCOVER	
	WESTRINGIA FRUTICOSA
	COAST ROSEMARY
	HESPERALOE PARVIFLORA
	RED YUCCA
	JUNCUS PATENS
	'ELK BLUE'
	CALIFORNIA GRAY RUSH
	CAREX DIVULSA
	BERKELEY SEDGE

EXHIBIT "A"
Page No. 12 of 13
Case No. DIR-2023-1984-TOC-COA-HCA

1500 W. ADAMS BLVD.

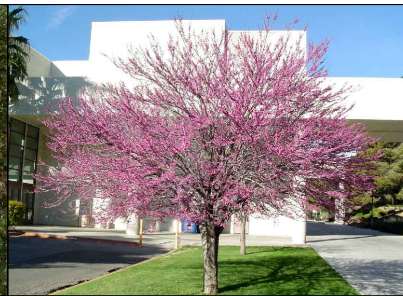
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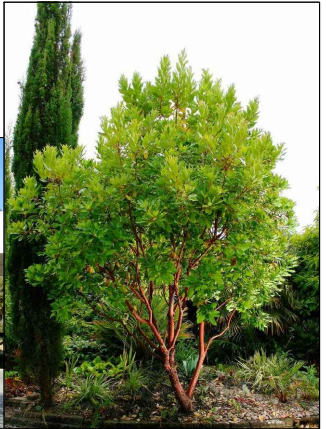
LP-2



PRUNUS ILLICIFOLIA LYONII
HOLLY-LEAF CHERRY



CERCIS OCCIDENTALIS
WESTERN REDBUD



ARBUTUS UNEDO
STRAWBERRY MADRONE



SALVIA GREGII
'FURMAN'S RED'
FURMAN'S RED AUTUMN SAGE



HESPERALOE PARVIFLORA
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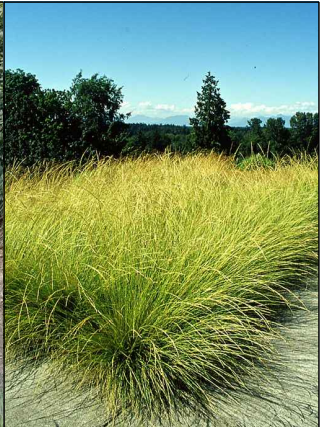
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COAST ROSEMARY



TRACHELOSPERMUM
JASMINOIDES
STAR JASMINE



JUNCUS PATENS
'ELK BLUE'
CALIFORNIA GRAY RUSH



FESTUCA MAIREI
MAIRE'S FESCUE



AGROSTIS PALLENS
WEST COAST NATIVE BENTGRASS
CALIFORNIA NATIVE GRASS



SENECIO MANDRALISCAE
KLEINIA



CAREX DIVULSA
BERKELEY SEDGE



LANTANA 'GOLD RUSH' OR 'NEW GOLD'
TRAILING LANTANA



DIANELLA REVOLUTA
'ALLYN-CITATION'
COOLVISTA DIANELLA

DEPARTMENT OF
CITY PLANNING
COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

SAMANTHA MILLMAN
PRESIDENT

CAROLINE CHOE
VICE-PRESIDENT

MARIA CABILDO
ILISSA GOLD
MONIQUE LAWSHE
HELEN LEUNG
KAREN MACK
JACOB NOONAN
ELIZABETH ZAMORA

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CALIFORNIA



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LISA M. WEBBER, AICP
DEPUTY DIRECTOR

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

December 27, 2023

Applicant/Owner

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

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

Council District: CD 8 – Marqueece Harris-Dawson

Representatives

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

Neighborhood Council: Empowerment Congress
North Area

Community Plan Area: South Los Angeles
Land Use Designation: Neighborhood Commercial
Zone: C2-1VL-O-HPOZ-CPIO

Plan Overlay: South Los Angeles Community Plan
Implementation Overlay

Subarea: A – Neighborhood-Serving Corridor

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

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

DETERMINATION

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

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

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

period of 55 years, with the following Additional Incentives:

Additional Incentives

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

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

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

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

CONDITIONS OF APPROVAL

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit A," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, West/South/Coastal Project Planning Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code or the project conditions.
2. **Residential Density (Density, Base Incentive).** The project shall be limited to a maximum of 16 units per Exhibit "A".
3. **Affordable Units.** A minimum of 2 units shall be reserved as affordable units for Extremely Low Income Households, as defined in Section 50106 of the California Health and Safety Code for a period of 55 years.
4. **Changes in Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units or change parking numbers shall be consistent with LAMC Section 12.22 A.31.
5. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing Department ("LAHD"). The covenant shall bind the owner to two (2) units available to Extremely Low Income Households for sale or rental as determined to be affordable to such households by LAHD for a period of 55 years. In the event the applicant reduces the proposed density of the

project, the number of required set aside affordable units may be adjusted, consistent with LAMC Section 12.22-A.31, to the satisfaction of LAHD, and in consideration of the project's Replacement Unit Determination per the Housing Crisis Act SB330 and SB8. Enforcement of the terms of said covenant shall be the responsibility of LAHD. The Applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and any monitoring requirements established by the LAHD. Refer to the Transit Oriented Communities Affordable Housing Incentive Program Background and Housing Replacement Determination Background sections of this determination.

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

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

Administrative Conditions

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

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

20. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
21. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
22. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
23. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications

to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.

24. **Compliance.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
25. **Expiration.** In the event that this grant is not utilized within three years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
26. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
27. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

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

- v. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

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

For purposes of this condition, the following definitions apply:

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

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

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

PROJECT BACKGROUND

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

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

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



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



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

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

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

Zoning and Land Use Designation

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

Surrounding Land Uses

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

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

Streets and Circulation

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

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

Public Transit

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

TRANSIT ORIENTED COMMUNITIES AFFORDABLE HOUSING INCENTIVE PROGRAM BACKGROUND

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Base Incentives:

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

Additional Incentives:

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

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

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

TRANSIT ORIENTED COMMUNITIES AFFORDABLE HOUSING INCENTIVE PROGRAM ELIGIBILITY REQUIREMENTS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

FINDINGS

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

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

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

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

The record does not contain substantial evidence that would allow the Director to make a finding that the requested incentives are not necessary to provide for affordable housing costs per State Law. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed a predetermined percentage of income based on area median income thresholds dependent on affordability levels.

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

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

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

- b. **The incentive will have specific adverse impact upon public health and safety or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse Impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.**

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

CERTIFICATE OF APPROPRIATENESS FINDINGS

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

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

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

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

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

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

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

Chapter 10 - Commercial Rehabilitation

10.2 Site Design and 10.3 storefronts, signs and awnings

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10.4 Windows and Doors

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10.5 Roofs

10.5.1. *Preserve the historic roof form.*

10.5.2. *Preserve the historic eave depth or cornice design.*

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

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

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

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

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

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

10.6 Architectural Details

10.6.1. *Preserve original architectural details.*

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

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

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

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

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

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

10.7 Building Materials

10.7.1. Original building materials should be preserved whenever possible.

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

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

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

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

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

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

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

Chapter 11 – Commercial Infill Guidelines

11.2. Location and Site Design

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

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

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

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

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

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

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

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

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

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

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

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

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

11.3. Building Mass, Scale, and Form

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

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

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

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

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

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

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

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

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

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

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

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

11.3.6. A flat roof is the preferred roof form.

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

11.4. Materials and Details

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

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

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

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

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

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

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

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

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

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

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

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

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

11.5. Openings, Storefronts, and Entries

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12.1.1a. Preserve and maintain mature street trees.

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

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

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

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

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

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

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

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

12.1.11. Preserve historic sidewalks.

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

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

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

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

CEQA FINDINGS

- 2. As the designee of the Director of Planning, I have determined, based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Article 19, Section 15332 (Class 32), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.**

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

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

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

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

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

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

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

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

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

- **Regulatory Compliance Measure RC-AQ-1(Demolition, Grading and Construction Activities):** Compliance with provisions of the SCAQMD District Rule 403. The project shall comply with all applicable standards of the Southern California Air Quality Management District, including the following provisions of District Rule 403:
 - All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
 - The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
 - All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
 - All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.

- All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- Trucks having no current hauling activity shall not idle but be turned off.
- **Regulatory Compliance Measure RC-GEO-1 (Seismic):** The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.
- **Regulatory Compliance Measure RC-NO-1 (Demolition, Grading, and Construction Activities):** The project shall comply with the City of Los Angeles Noise Ordinance and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- **Regulatory Compliance Measure RC-NO-1 (Demolition, Grading, and Construction Activities):** The project shall comply with the City of Los Angeles Noise Ordinance and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.

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

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

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

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

CEQA Section 15300.2: Exceptions to the Use of Categorical Exemptions

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

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

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

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

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

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

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

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

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

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

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

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

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

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

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

TRANSFERABILITY

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

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

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

Section 11.00 of the LAMC states in part (m): "It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code shall be guilty of a misdemeanor unless that violation or failure is declared in that section to be an infraction. An infraction shall be tried and be punishable as provided in Section 19.6 of the Penal Code and the provisions of this section. Any violation of this Code that is designated as a misdemeanor may be charged by the City Attorney as either a misdemeanor or an infraction.

Every violation of this determination is punishable as a misdemeanor unless provision is otherwise made, and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment."

APPEAL PERIOD - EFFECTIVE DATE

This grant is not a permit or license and any permits and/or licenses required by law must be obtained from the proper public agency. If any Condition of this grant is violated or not complied with, then the applicant or their successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Los Angeles Municipal Code (LAMC).

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

An appeal may be filed utilizing the following options:

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

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

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

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

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

West Los Angeles
West Los Angeles Development
Services Center
1828 Sawtelle Boulevard, 2nd
Floor
Los Angeles, CA 90025
(310) 231-2598

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

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City’s decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

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



QR Code to
Online Appeal
Filing



QR Code to Forms for In-
Person Appeal Filing



QR Code to BuildLA Appointment Portal
for Condition Clearance

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

VINCENT P. BERTONI, AICP
Director of Planning

Approved by:

Michelle Singh

Michelle Singh, Senior City Planner

Reviewed by:

Sergio Ibarra

Sergio Ibarra, City Planner

Prepared by:

Rafael J. Fontes

Rafael Fontes, Planning Associate
rafael.fontes@lacity.org

Prepared by:

Daniel Mata

Daniel Mata, Planning Associate
daniel.mata@lacity.org

Reviewed by:

Christina Park

Christina Park, City Planner
christina.park@lacity.org

COUNTY CLERK'S USE

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
200 NORTH SPRING STREET, ROOM 395
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF EXEMPTION
(PRC Section 21152; CEQA Guidelines Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152(b) and CEQA Guidelines Section 15062. Pursuant to Public Resources Code Section 21167 (d), the posting of this notice starts a 35-day statute of limitations on court challenges to reliance on an exemption for the project. Failure to file this notice as provided above, results in the statute of limitations being extended to 180 days.

PARENT CASE NUMBER(S) / REQUESTED ENTITLEMENTS
DIR-2023-1984-TOC-COA-HCA / TRANSIT ORIENTED COMMUNITIES (TOC) AND CERTIFICATE OF APPROPRIATENESS (COA)

LEAD CITY AGENCY
City of Los Angeles (Department of City Planning)

CASE NUMBER
ENV-2023-1985-CE

PROJECT TITLE
1500 West Adams Boulevard

COUNCIL DISTRICT
8

PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map)
1500 West Adams Boulevard

Map attached.

PROJECT DESCRIPTION:
The applicant seeks a Transit Oriented Communities (TOC) Affordable Housing Incentive Program Compliance Review for a qualifying Tier 2 project, totaling 16 dwelling units, reserving 2 units for Extremely Low Income Household occupancy, with Additional Incentives and a Certificate of Appropriateness for the demolition of an 2,415 square foot non-original commercial building, the construction of a 22,674 square foot, 16-unit residential apartment building on a Contributing lot, and the restoration of the existing approximately 108 square foot historic gas station building.

Additional page(s) attached.

NAME OF APPLICANT / OWNER:
Donghao Li / 1500 W. Adams Blvd, LLC

CONTACT PERSON (If different from Applicant/Owner above)
Jonathan Yang / Irvine & Associates, LLC

(AREA CODE) TELEPHONE NUMBER | EXT.
(213) 503-1860

EXEMPT STATUS: (Check all boxes, and include all exemptions, that apply and provide relevant citations.)

STATE CEQA STATUTE & GUIDELINES

STATUTORY EXEMPTION(S)
Public Resources Code Section(s) _____

CATEGORICAL EXEMPTION(S) (State CEQA Guidelines Sec. 15301-15333 / Class 1-Class 33)
CEQA Guideline Section(s) / Class(es) Section 15301 – Class 32

OTHER BASIS FOR EXEMPTION (E.g., CEQA Guidelines Section 15061(b)(3) or (b)(4) or Section 15378(b))

JUSTIFICATION FOR PROJECT EXEMPTION: Additional page(s) attached

The Project qualifies for a Class 32 Categorical Exemption as it is developed on an infill site and meets the conditions as follows:
(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.

None of the exceptions in CEQA Guidelines Section 15300.2 to the categorical exemption(s) apply to the Project.
 The project is identified in one or more of the list of activities in the City of Los Angeles CEQA Guidelines as cited in the justification.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.
If different from the applicant, the identity of the person undertaking the project.

CITY STAFF USE ONLY:

CITY STAFF NAME AND SIGNATURE
Maneri Roman

STAFF TITLE
Planning Assistant

ENTITLEMENTS APPROVED
Transit Oriented Communities (TOC) and Certificate of Appropriateness (COA)



JUSTIFICATION FOR PROJECT EXEMPTION ENV-2023-1985-CE

The Planning Department determined that the City of Los Angeles Guidelines for the implementation of the California Environmental Quality Act of 1970 and the CEQA Guidelines designate the subject project as Categorical Exempt under State CEQA Guidelines, Article 19, Section 15332 (Class 32), Case No. ENV-2023-1985-CE.

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

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

Project

The Project is for the construction of a new 100% residential, four-story, 56-foot tall apartment building with a total of 16 dwelling units. The project is utilizing the Transit Oriented Communities (TOC) Affordable Housing Incentive Program compliance review for a Tier 2 project, reserving two (2) units for Extremely Low Income Household occupancy, with additional incentives to allow reduced RAS3 yards and an additional 11-foot building height increase. This accompanies a request for a Certificate of Appropriateness for a project located within the Adams-Normandie Historic Preservation Overlay Zone (HPOZ) to allow the construction, use and maintenance of a 22,674 square foot apartment building on a Contributing Lot and the restoration of the existing approximately 108 square foot historic gas station building. The existing historic gas station building will be retained in its existing location and will be repaired as needed and have the materials damaged beyond repair be replaced in-kind.

Exceptions Narrative for Class 32 Categorical Exemption

There are five (5) Exceptions which must be considered in order to find a project exempt under Class 32: (a) Cumulative Impacts; (b) Significant Effect; (c) Scenic Highways; (d) Hazardous Waste Sites; and (e) Historical Resources. Planning staff evaluated all the potential exceptions to the use of Categorical Exemptions for the proposed project and determined that none of these exceptions apply as explained below:

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

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

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

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

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

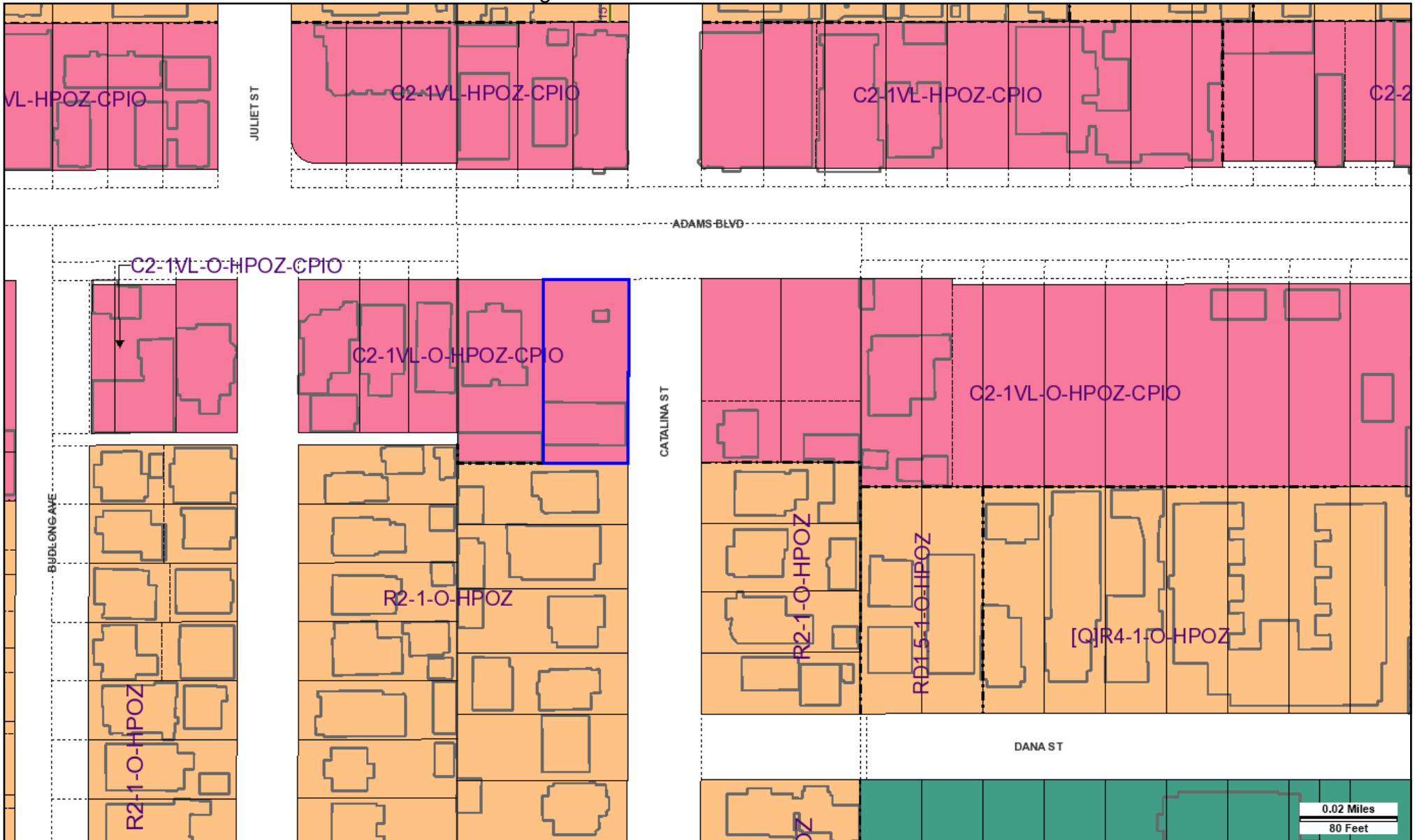
The only State Scenic Highway within the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27, which travels through a portion of Topanga State Park. The portion of State Route 27 which travels through the Los Angeles city limits is approximately 20 miles from the subject site.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

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

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

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

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



Address: 1500 W ADAMS BLVD

APN: 5054030002

PIN #: 123B197 907

Tract: G. H. FRUHLING ROMEO
PLACE TRACT

Block: None

Lot: 2

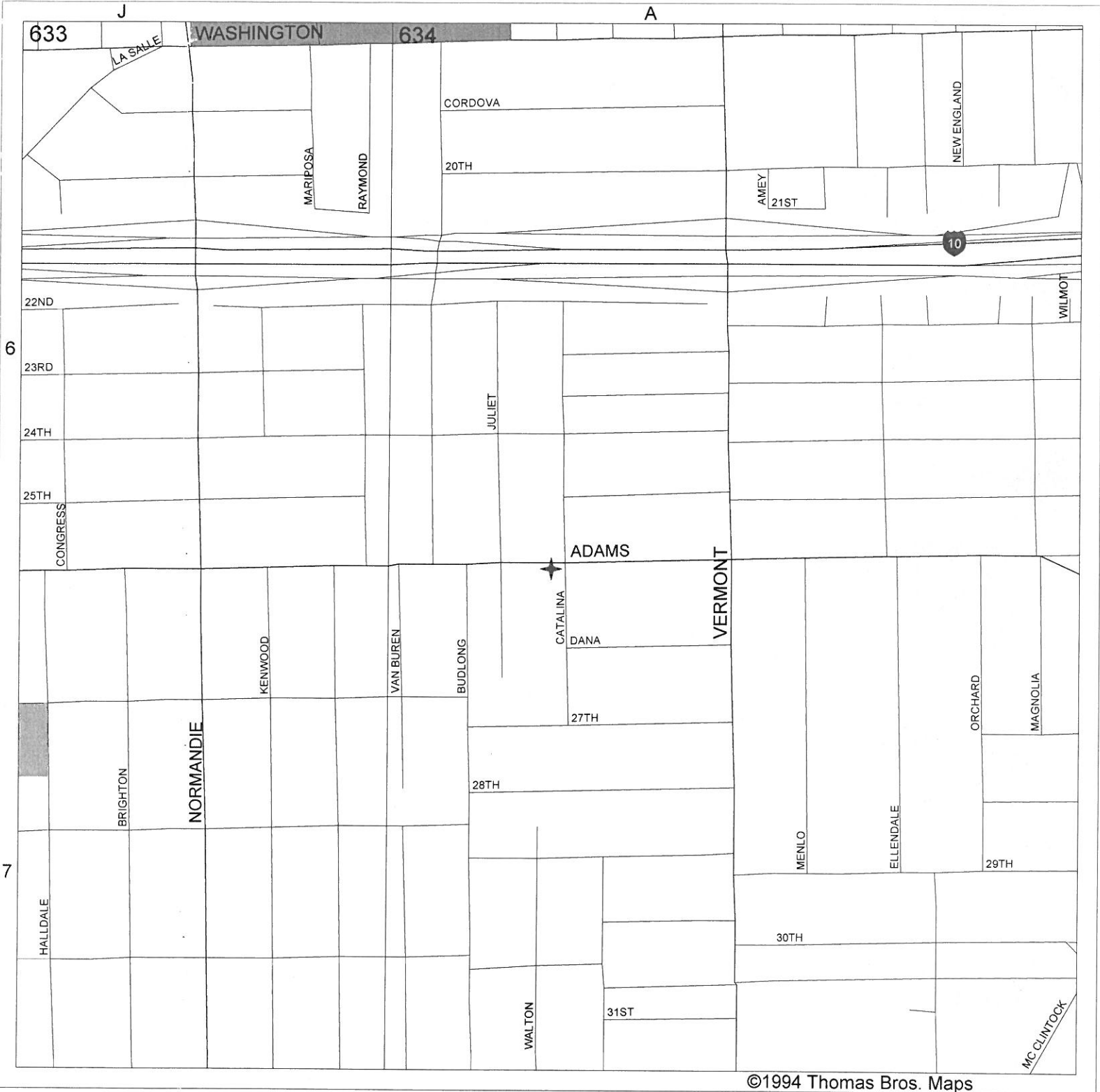
Arb: None

Zoning: C2-1VL-O-HPOZ-CPIO

General Plan: Neighborhood Commercial



0.02 Miles
80 Feet



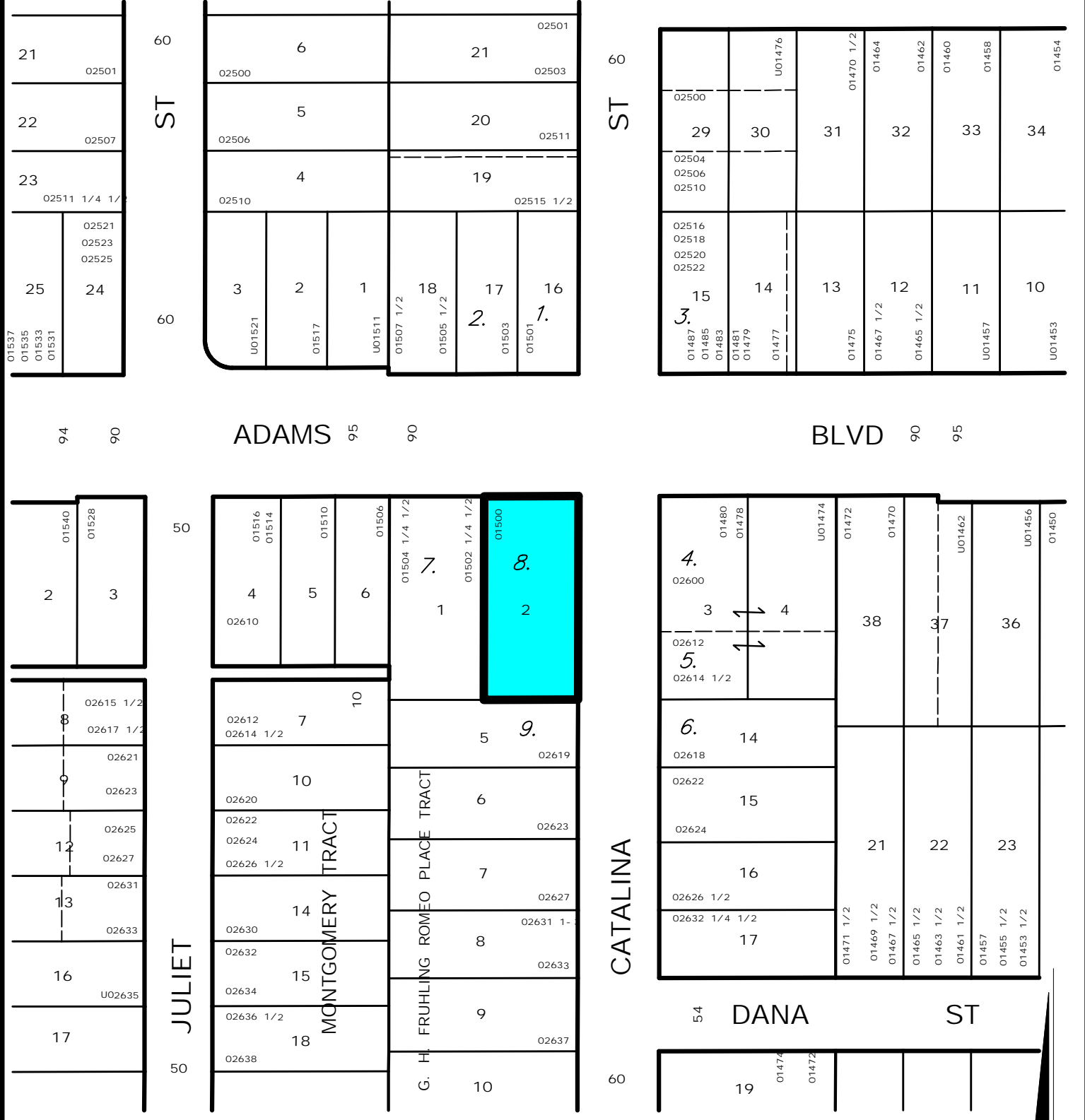
©1994 Thomas Bros. Maps

VICINITY MAP

SITE : 1500 W. ADAMS BLVD.

GC MAPPING SERVICE, INC.
 3055 WEST VALLEY BOULEVARD
 ALHAMBRA CA 91803
 (626) 441-1080, FAX (626) 441-8850
gcmapping@radiusmaps.com

CITY OF LOS ANGELES



ADJACENT OWNERS MAP



GC MAPPING SERVICE, INC.

3055 WEST VALLEY BOULEVARD
 ALHAMBRA CA 91803
 (626) 441-1080, FAX (626) 441-8850
 gcmapping@radiusmaps.com

LEGEND

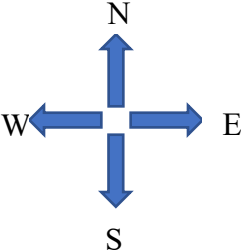
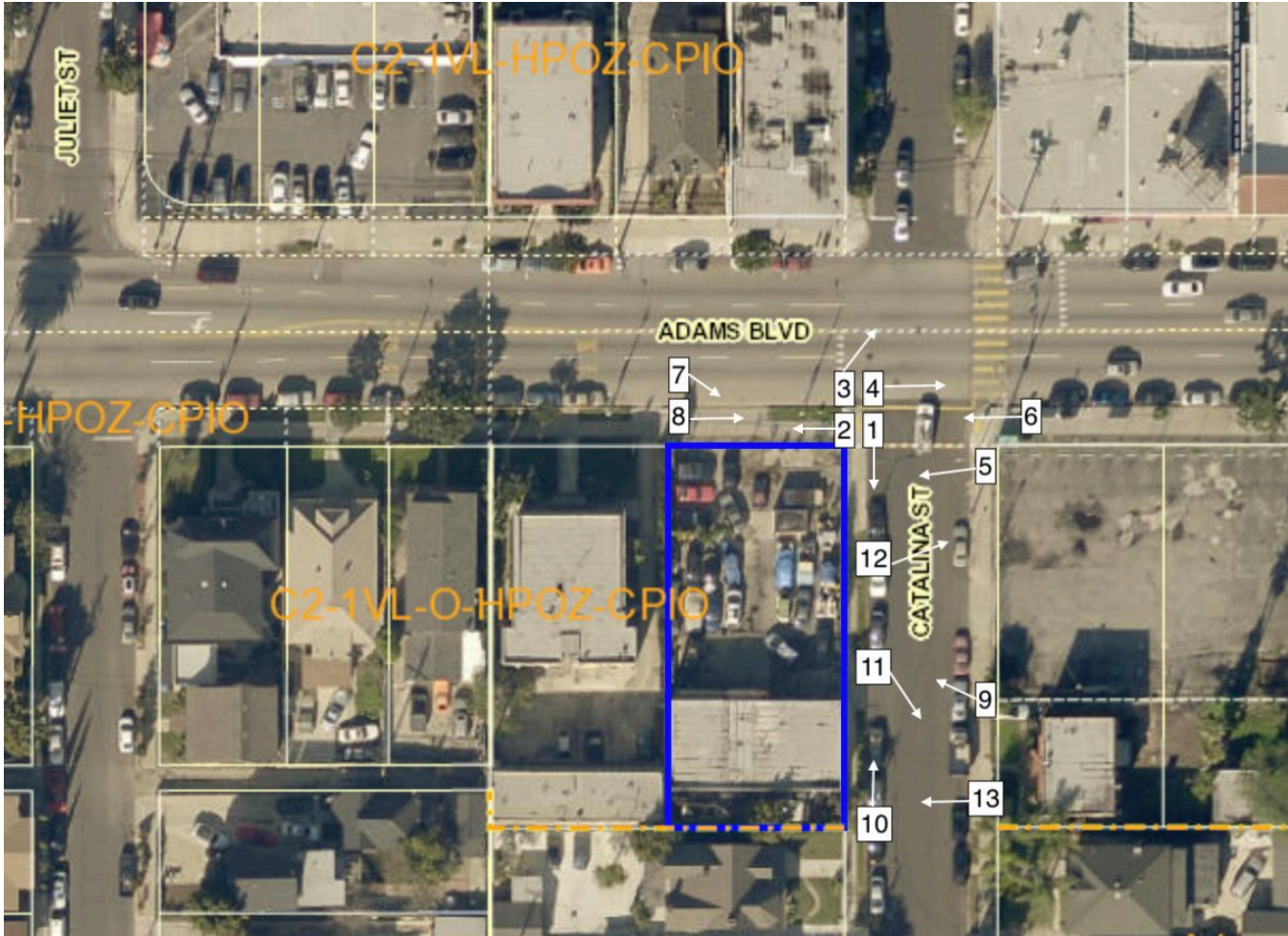
- OWNERSHIP NO.
- OWNERSHIP HOOK

CASE NO.

DATE: 11-03-2022
 SCALE: 1" = 100'
 D.M. 123 B 197

OWNERSHIP MAP

SITE PHOTO EXHIBIT
Applicant: Tripalink Design Inc.
Site Address: 1500 W Adams Blvd, Los Angeles, CA, 90007



SITE PHOTO EXHIBIT
Applicant: Tripalink Design Inc.
Site Address: 1500 W Adams Blvd, Los Angeles, CA, 90007

1. At the intersection of Adams Blvd. and Catalina St. taken S down Catalina St.



2. At the intersection of Adams Blvd. and Catalina St. taken West down Adams Blvd.

SITE PHOTO EXHIBIT
Applicant: Tripalink Design Inc.
Site Address: 1500 W Adams Blvd, Los Angeles, CA, 90007

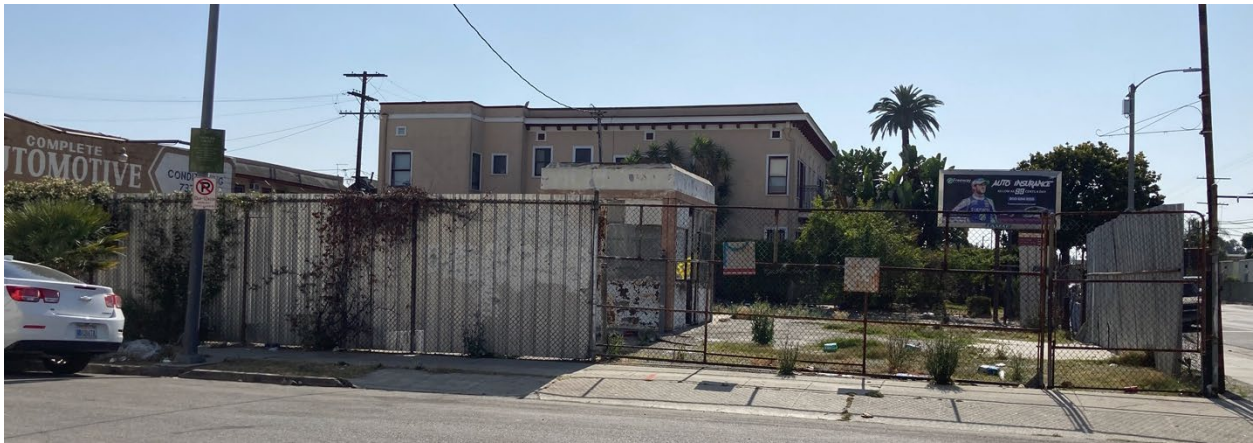


3. At the intersection of Adams Blvd. and Catalina St. taken NW across Adams Blvd. (from project site)



4. At the intersection of Adams Blvd. and Catalina St. taken NE across Adams Blvd. (from project site)

SITE PHOTO EXHIBIT
Applicant: Tripalink Design Inc.
Site Address: 1500 W Adams Blvd, Los Angeles, CA, 90007



5. Taken across Catalina St. W towards the project site



6. Taken at the intersection of Adams Blvd. and Catalina St. W across Catalina St.

SITE PHOTO EXHIBIT
Applicant: Tripalink Design Inc.
Site Address: 1500 W Adams Blvd, Los Angeles, CA, 90007



7. Taken at the NW corner of the property on Adams Blvd. towards the project site



8. Taken at the NW corner of the property looking E on Adams Blvd.

SITE PHOTO EXHIBIT
Applicant: Tripalink Design Inc.
Site Address: 1500 W Adams Blvd, Los Angeles, CA, 90007



9. Taken across Catalina St. towards the NE corner of the project site



10. Taken from the SE corner of the project site N along Catalina St.

SITE PHOTO EXHIBIT
Applicant: Tripalink Design Inc.
Site Address: 1500 W Adams Blvd, Los Angeles, CA, 90007



11. Taken from the project site SE across Catalina St



12. Taken from the project site NE across Catalina St.

SITE PHOTO EXHIBIT
Applicant: Tripalink Design Inc.
Site Address: 1500 W Adams Blvd, Los Angeles, CA, 90007



13. Taken across Catalina St. towards the SE corner of the project site

APPLICATIONS



APPEAL APPLICATION Instructions and Checklist

RELATED CODE SECTION

Refer to the Letter of Determination (LOD) for the subject case to identify the applicable Los Angeles Municipal Code (LAMC) Section for the entitlement and the appeal procedures.

PURPOSE

This application is for the appeal of Los Angeles City Planning determinations, as authorized by the LAMC, as well as first-level Building and Safety Appeals.

APPELLATE BODY

Check only one. If unsure of the Appellate Body, check with City Planning staff before submission.

- Area Planning Commission (APC) City Planning Commission (CPC) City Council
 Zoning Administrator (ZA) Director of Planning (DIR)

CASE INFORMATION

Case Number: DIR-2023-1984-TOC-COA-HCA

Project Address: 1500 West Adams Boulevard

Final Date to Appeal: 1/12/2024

APPELLANT

For main entitlement cases, except for Building and Safety Appeals:

Check all that apply.

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

For Building and Safety Appeals only:

Check all that apply.

- Person claiming to be aggrieved by the determination made by **Building and Safety**¹
 Representative Property Owner Applicant Operator of the Use/Site

¹ Appellants of a Building and Safety Appeal are considered the Applicant and must provide the Noticing Requirements identified on page 4 of this form at the time of filing. Pursuant to LAMC Section 12.26 K, an appeal fee shall be required pursuant to LAMC Section 19.01 B.2.

APPELLANT INFORMATION

Appellant Name: Felipe Caceres

Company/Organization: USC Forward

Mailing Address: 1545 Wilshire Blvd.

City: Los Angeles State: CA Zip Code: 90042

Telephone: 213-361-7848 E-mail: felipe.caceres@seiu721.org

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

Self Other: USC Forward

Is the appeal being filed to support the original applicant's position? YES NO

REPRESENTATIVE / AGENT INFORMATION

Representative/Agent Name (if applicable): Jordan R. Sisson

Company: Law Office of Gideon Kracov

Mailing Address: 801 S. Grand Ave., 11th Floor

City: Los Angeles State: CA Zip Code: 90017

Telephone: 8183249752 E-mail: jordan@gideonlaw.net

JUSTIFICATION / REASON FOR APPEAL

Is the decision being appealed in its entirety or in part? Entire Part

Are specific Conditions of Approval being appealed? YES NO

If Yes, list the Condition Number(s) here: _____

On a separate sheet provide the following:

- Reason(s) for the appeal
- Specific points at issue
- How you are aggrieved by the decision
- How the decision-maker erred or abused their decision

APPLICANT'S AFFIDAVIT

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

Appellant Signature: Felipe Caceres Date: 1/12/2024

GENERAL 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.

The appellate body must act on the appeal within a time period specified in the LAMC Section(s) pertaining to the type of appeal being filed. Los Angeles 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: \$166

Reviewed & Accepted by (DSC Planner): Ruben Vasquez

Receipt No.: 120124O39-F8CE9B47-0931-480E-8643-2DBC0F6857E2 **Date :** January 12, 2024

Determination authority notified Original receipt and BTC receipt (if original applicant)

GENERAL APPEAL FILING REQUIREMENTS

If dropping off an appeal at a Development Services Center (DSC), the following items are required. See also additional instructions for specific case types. To file online, visit our [Online Application System \(OAS\)](#).

APPEAL DOCUMENTS

1. Hard Copy

Provide three sets (one original, two duplicates) of the listed documents for each appeal filed.

- Appeal Application
- Justification/Reason for Appeal
- Copy of Letter of Determination (LOD) for the decision being appealed

2. Electronic Copy

- Provide an electronic copy of the appeal documents on a USB flash drive. The following items must be saved as individual PDFs and labeled accordingly (e.g., “Appeal Form”, “Justification/Reason Statement”, or “Original Determination Letter”). No file should exceed 70 MB in size.

3. Appeal Fee

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

4. Noticing Requirements (Applicant Appeals or Building and Safety Appeals Only)

- Copy of Mailing Labels.* All appeals require noticing of the appeal hearing per the applicable LAMC Section(s). Original Applicants must provide noticing per the LAMC for all Applicant appeals. Appellants for BSAs are considered Original Applicants.
- BTC Receipt.* Proof of payment by way of a BTC Receipt must be submitted to verify that mailing fees for the appeal hearing notice have been paid by the Applicant to City Planning’s mailing contractor (BTC).

See the Mailing Procedures Instructions ([CP-2074](#)) for applicable requirements.

SPECIFIC CASE TYPES

ADDITIONAL APPEAL FILING REQUIREMENTS AND / OR LIMITATIONS

DENSITY BONUS (DB) / TRANSIT ORIENTED COMMUNITIES (TOC)

Appeal procedures for DB/TOC cases are pursuant to LAMC Section 12.22 A.25(g).

- Off-Menu Incentives or Waiver of Development Standards are not appealable.
- Appeals of On-Menu Density Bonus or Additional Incentives for TOC cases can only be filed by adjacent owners or tenants and is appealable to the City Planning Commission.
- Provide documentation confirming adjacent owner or tenant status is required (e.g., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, driver's license, bill statement).

WAIVER OF DEDICATION AND / OR IMPROVEMENT

Procedures for appeals of Waiver of Dedication and/or Improvements (WDIs) are pursuant to LAMC Section 12.37 I.

- WDIs for by-right projects can only be appealed by the Property Owner.
- If the WDI is part of a larger discretionary project, the applicant may appeal pursuant to the procedures which govern the main entitlement.

[VESTING] TENTATIVE TRACT MAP

Procedures for appeals of [Vesting] Tentative Tract Maps are pursuant LAMC Section 17.54 A.

- Appeals must be filed within 10 days of the date of the written determination of the decision-maker.

BUILDING AND SAFETY APPEAL

First Level Appeal

Procedures for an appeal of a determination by the Los Angeles Department of Building and Safety (LADBS) (i.e., Building and Safety Appeal, or BSA) are pursuant LAMC Section 12.26 K.1.

- The Appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.

1. Appeal Fee

- Appeal fee shall be in accordance with LAMC Section 19.01 B.2 (i.e., the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code, plus surcharges).

2. Noticing Requirement

- Copy of Mailing Labels.* All appeals require noticing of the appeal hearing per the applicable LAMC Section(s). Original Applicants must provide noticing per LAMC Section 12.26 K.3. Appellants for BSAs are considered Original Applicants.

- BTC Receipt.* Proof of payment by way of a BTC Receipt must be submitted to verify that mailing fees for the appeal hearing notice have been paid by the Applicant to City Planning's mailing contractor (BTC).

See the Mailing Procedures Instructions ([CP-2074](#)) for applicable requirements.

Second Level Appeal

Procedures for a appeal of the Director's Decision on a BSA Appeal are pursuant to LAMC Section 12.26 K.6. The original Appellant or any other aggrieved person may file an appeal to the APC or CPC, as noted in the LOD.

1. Appeal Fee

- Original Applicant.* Fees shall be in accordance with the LAMC Section 19.01 B.1(a).

2. Noticing Requirement

- Copy of Mailing Labels.* All appeals require noticing of the appeal hearing per the applicable LAMC Section(s). Original Applicants must provide noticing per LAMC Section 12.26 K.7. Appellants for BSAs are considered Original Original Applicants.
- BTC Receipt.* Proof of payment by way of a BTC Receipt must be submitted to verify that mailing fees for the appeal hearing notice have been paid by the Applicant to City Planning's mailing contractor (BTC).

See the Mailing Procedures Instructions ([CP-2074](#)) for applicable requirements.

NUISANCE ABATEMENT / REVOCATIONS

Appeal procedures for Nuisance Abatement/Revocations are pursuant to LAMC Section 12.27.1 C.4. Nuisance Abatement/Revocations cases are only appealable to the City Council.

1. Appeal Fee

- Applicant (Owner/Operator).* The fee charged shall be in accordance with the LAMC Section 19.01 B.1(a).

For appeals filed by the property owner and/or business owner/operator, or any individuals/agents/representatives/associates affiliated with the property and business, who files the appeal on behalf of the property owner and/or business owner/operator, appeal application fees listed under LAMC Section 19.01 B.1(a) shall be paid, at the time the appeal application is submitted, or the appeal application will not be accepted.

- Aggrieved Party.* The fee charged shall be in accordance with the LAMC Section 19.01 B.1(b).

January 12, 2024

**RE: Appeal Justification for 1500 W. Adams Blvd., 90007;
DCP Case Nos. DIR-2023-1984-TOC-COA-HCA, ENV-2023-1985-CE;
Approval Made Effective by December 27, 2023 Letter of Determination**

On behalf of USC Forward (“**Appellant**”),¹ this office respectfully submits this appeal (“**Appeal**”) to the City of Los Angeles (“**City**”) Department of City Planning (“**DCP**”) involving the proposed four-story, 50-bedroom, and 49-bathroom development claimed by Tripalink Corp. (“**Applicant**”) to be a 16-dwelling unit (“**Project**”) located at the above-referenced address on the southwest corner of Adams Boulevard and Catalina Street (“**Site**”), which is subject the Adams-Normandie Historic Preservation Overlay Zone (“**HPOZ**”) and associated “**Preservation Plan**.”²

In furtherance of the Project, Applicant seeks various land use approvals from the City under the Los Angeles Municipal Code (“**LAMC**” or “**Code**”) under DCP Case No. DIR-2023-1984-TOC-COA-HCA, including: (i) Transit Oriented Communities (“**TOC**”) density bonus and other incentives (e.g., setback relief, 11-foot increase in building height); and (ii) a Certificate of Appropriateness (“**COA**”) to authorize the construction of the Project on a contributing lot and modification to an existing historic gas station building (collectively “**Entitlements**”). Additionally, for environmental review under the California Environmental Quality Act (“**CEQA**”),³ Applicant seeks approval under DCP Case No. ENV-2023-1985 of a Class 32 (Infill Development) Categorical Exemption (“**CE**”).

After the Project’s public hearing held on August 10, 2023, the Adams-Normandie HPOZ Board unanimously recommended “denial of the project” because it did not comply with the applicable Preservation Plan. Nevertheless, pursuant to the Letter of Determination dated December 27, 2023 (“**LOD**”),⁴ the Director approved the Entitlements and CE (collectively “**Project Approvals**”). The LOD identifies January 12, 2024 as the applicable appeal deadline. *Appellant USC Forward hereby appeals the Project Approvals.*

REASON FOR THE APPEAL: Based on the review of the LOD and other relevant documents, the Directors’ granting of the Project Approvals violates the LAMC and CEQA. Appellant respectfully requests the City grant this Appeal and deny the Project Approvals until the issues raised herein, and elsewhere in the Project’s administrative record, are adequately addressed.

SPECIFIC POINTS IN ISSUE: The specific points at issue were identified in Appellant’s comment letter dated August 10, 2023 (attached hereto as “**Exhibit A**”), and through oral testimony provided during the HPOZ hearing on August 10, 2023, which are briefly summarized below.

¹ Per LAMC § 48.08.8 disclosure requirement, this letter is sent by the attorney and law firm on behalf of its client(s) subject to the City’s lobbying registration requirement.

² <https://planning.lacity.gov/odocument/8b057ee1-ec8b-44b1-9919-db4f248ad62c/Adams%20Normandie%20PP%20.pdf>.

³ Pub. Res. Code § 21000 et seq. and 14 Cal. Code Regs. (“**CEQA Guidelines**”) § 15000 et seq.

⁴ LOD (12/27/23) <https://planning.lacity.gov/pdiscaseinfo/document/MTIxMzE0/fe3b456d-e5a5-4f0e-9fa7-879f1ff43502/pdd>.

First, contrary to LOD claims (p. 16), the Project does not comply with the applicable Preservation Plan as required under LAMC § 12.30.3 subd. K.4(c)). The Project is clearly inconsistent with several Preservation Plan guidelines applicable to this HPOZ. For example:

1. The proposed Project would entirely enclose the historic resource in a manner that would disrupt the historic context and visual access from the public right of ways. (See “**Project Plans**,”⁵ PDF p. 9; see also “**Presentation**,”⁶ pp. 27, 28.) This is inconsistent with Preservation Plan § 10.1, Principles 1 and 2.
2. The LOD fails to implement any Residential Infill Guidelines under the Preservation Plan, such as those under Sections 9.3 (Setting, Location and Site Design) and 9.4 (Massing and Orientation) (discussed further below), despite the Preservation Plan making clear that new multi-family projects should follow the Residential Infill Guidelines.⁷
3. The Project design does not observe the historic setbacks or front yards provided from either the Adams frontage or the Catalina frontage. (See Project Plans, PDF p. 3; see also Presentation, pp. 27, 38).⁸ This is inconsistent with the Preservation Plan § 9.3, Guidelines 1 and 2.
4. The Project occupies almost the entire lot with minimal open space—which is unlike adjacent contributors on this block. (See Project Plans, PDF p. 2; see also Presentation, pp. 38-39). This is inconsistent with Preservation Plan § 9.3, Guideline 7.
5. The Project has four enclosed stories, plus access to a rooftop deck and a max elevation of roughly 66’ above grade. (See Project Plans, PDF p. 6; see also Presentation, pp. 15, 16, 30-31, 42.) Thus, the Project’s mass is four to five stories tall—despite all contributors on the block being no more than two stories. This is inconsistent with Preservation Plan § 9.4, Guideline 1.
6. Immediately west of the Project is a two-story contributor (id.). However, the Project’s western frontage is generally four stories tall, but for a small corner of the northwest corner, (id., at p. 7). This is inconsistent with Preservation Plan Residential Infill Guidelines § 9.4 Guideline 2 as well as Commercial Infill Guidelines § 11.3 Guideline 1 and 3. More tiering should be incorporated, such as providing setbacks for upper floors above the second-story—similar to what was done at the rear of the project (id.).

Second, the LOD repeatedly characterizes the project as a 16-unit residential apartment building (see e.g., LOD, pp. 2, 8, 10-11) but ignores substantial evidence that the Project would function as a 50-bedroom co-living facility. The Applicant, Tripalink, is a well-known developer and operator of dorm-style co-living facilities specifically targeted to USC students. Tripalink’s model is to rent students an individual bedroom with independent bathrooms and provide only access to common areas like hallways and kitchens. Here, while claimed to be just 16 dwelling units, the Project would

⁵ Project Plans (stamped Exh. A), <https://planning.lacity.gov/pdiscaseinfo/document/MT11NjE0/fe3b456d-e5a5-4f0e-9fa7-879f1ff43502/pdd>.

⁶ Presentation (8/10/23) <https://www.dropbox.com/scl/fi/g2e407e7j16fjrqmkbw2d/8.A.-1500-W-Adams-Presentation.pdf?rlkey=qlmha3al3arlvmol109p0sod7&dl=0>.

⁷ See e.g., Preservation Plan, supra fn. 2, pp. 65 (“... Residential Infill Guidelines are intended for the use of residential property owners planning new structures on vacant sites or alterations to Non-Contributing structures or sites within the HPOZ”), p. 66 (“... when a multi-family residential project is proposed in an HPOZ the project should follow the Residential Infill Guidelines contained in this section.”).

⁸ See also Google Maps, <https://www.google.com/maps/place/1500+W+Adams+Blvd,+Los+Angeles,+CA+90007/@34.0323972,-118.294314,261m/data=!3m1!1e3!4m6!3m5!1s0x80c2c7f488378edb:0xe8dc695b9e9fa49e!8m2!3d34.0322965!4d-118.2944395!16s%2Fg%2F11c5qn4jp2?entry=ttu>.

operate as a 50-room dorm-like student housing project, which runs afoul of several applicable zoning rules, such as:

1. Conflicting with LAMC § 12.03 definitions of “dwelling unit” and “Family” that provide that each unit is to serve “one family” that includes one or more persons living together with “common access” to “all living ... areas within the dwelling unit.”
2. The Project is a large, 50 habitable rooms, campus-serving housing development. This is exactly the type of development that is supposed to seek a Conditional Use Permit (“CUP”) under the applicable Neighborhood Stabilization Ordinance (see LAMC § 12.24-W.52).
3. The 10,475 square foot (“sf”) Site is subject to a residential density limit of 400 sf of lot area per unit. (See LOD, pp. 6, 8.) Under the TOC Guidelines, the Site has a base density of 27 units and a Tier 2 base incentive density of 44 units. (Id., at pp. 10-11.) The Project, operating as a 50-unit co-living facility, would exceed this 44-unit limit.

Third, the Director’s density bonus findings (under LAMC § 12.22-A.25(g)) lack substantial evidence. Here, the LOD claims there is no substantial evidence showing the incentives are unnecessary to provide affordable units. (LOD, p. 15.) So too, the LOD claims that the Project would not have a specific adverse impact. (Id., at p. 16.) This is incorrect.

Here, the Project includes a TOC bonus of more floor area and setback relief. (LOD, pp. 10-11.) Yet, there is no explanation why the Project wastes so much floor area for the 49 bathrooms, which is unnecessary to serve 16 dwelling units—unless, of course, the Applicant intends to rent individual rooms and bathrooms out to students per its business model. Nor is there any explanation why the Project includes 1,945 sf of storage space on the 7,110-sf ground level (see Project Plans, PDF pp. 2-3), which seemingly wastes more than 25 percent of the floor area that could otherwise be used for housing. Additionally, the Project includes a TOC bonus in greater height. (LOD, p. 11.) Yet, there is no explanation why the Project needs this additional height to provide 16 dwelling units when—just across the street—there is a 24-unit apartment complex with 24 bathrooms within a three-story (35’ tall), 14,000-sf structure on a 5,400-SF lot built in over 100 years ago.⁹ The fact that this across-the-street structure is providing 14 more units, with roughly half as much floor area, on a much smaller lot, with one less story and a parapet 21 feet lower than the Project demonstrates incentives are not necessary. Furthermore, the inconsistencies mentioned above with applicable land use regulations and the HPOZ Preservation Plan have a specific adverse impact.

Fourth, the Project’s CE is premised on a misleading project description (i.e., 16-unit residential development) versus the operation of the Project, which is a 50-unit, co-living student housing development. CEQA bars the use of inaccurate project descriptions.¹⁰ This is a fatal error to the CE. By this reference, *USC Forward incorporates all prior comments attached hereto (Exhibits A)* into this Appeal and reserves the right to supplement these comments and specific appeal points in the

⁹ According to ZIMAS, <http://zimas.lacity.org/?loc=MTIzQjE5NyAgIDg0MAo1MDU0MDIxMDEyCjE1MDEgVyBBREFNUyBCTFZECgo2NDcyMDE5LjU4Mzk4NzE1NSwxODM0MDY5LjUzNjkzNDQ1NzcsNjQ3MzIwMi4wODM5ODcxNTUsMTgzNDY4Ny44NzAyNjc3OTEyCjE1MDEyOTcgICA4NDA%3D>.

¹⁰ See *San Joaquin Raptor Rescue Ctr. v. Cnty. of Merced* (2007) 149 Cal.App.4th 645, 654-655 (An “accurate, stable and finite project description is the sine qua non of an informative and legally sufficient EIR.”); see also *Citizens for a Sustainable Treasure Island v. City & Cnty. of San Francisco* (2014) 227 Cal.App.4th 1036, 1052 (“only through an accurate view of the project may affected outsiders and public decision-makers balance ...”); *Western Placer Citizens for an Agr. and Rural Env’t v. Cnty. of Placer* (2006) 144 Cal.App.4th 890, 898 (an accurate project description is an “indispensable component of a valid EIR.”).

future. (See *Galante Vineyards v. Monterey Peninsula Water Management Dist.* (1997) 60 Cal.App.4th 1109, 1120 [CEQA litigation not limited only to claims made during the EIR comment period].)

HOW ARE YOU AGGRIEVED BY THE DECISION: Appellant USC Forward is a broad coalition of students, community organizations, and union members (including SEIU Local 721) united to make USC a better neighbor and accountable to its surrounding communities. Its members live and/or work in the vicinity of the Project Site, breathe the air, suffer traffic congestion, inconsistency with historic preservation rules, and suffer other environmental impacts of the Project unless it is properly analyzed and mitigated. Additionally, Appellant is committed to ensuring responsible development in Los Angeles, that local land-use rules/regulations are followed—such as historic preservation laws—and informed decision-making by public officials regarding projects that may significantly impact the environment in the City of Los Angeles. These negatively impact the Appellant and its members residing, living, and recreating in communities near USC's South L.A. campus, where the Project Site is located. Hence, granting this Appeal will confer a substantial benefit to USC Forward and the public, including citizens, residents, businesses, and taxpayers affected by the Project, and will result in the enforcement of important public rights.

HOW DID THE DECISIONMAKER ERR OR ABUSE ITS DISCRETION? The DA abused its discretion because it improperly granted the Entitlements in violation of the Code, TOC guidelines, and historic preservation plans and relied on an inadequate CEQA review. More detail is included in *Exhibit A attached hereto and incorporated into this Appeal in its entirety.*

Finally, on behalf of the Appellant, this Office requests, to the extent not already on the notice list, all notices of CEQA actions, Appeal hearings and any approvals, Project CEQA determinations, or public hearings to be held on the Project under state or local law requiring local agencies to mail such notices to any person who has filed a written request for them. (See Pub. Res. Code §§ 21092.2, 21167(f) and Gov. Code § 65092 and LAMC § 197.01.F.) Please send notice by electronic and regular mail at the address provided on page one of this letter.

Sincerely,

LAW OFFICE OF GIDEON KRACOV



Jordan R. Sisson
Attorney for Appellant

ATTACHMENTS:

Exhibit A: USC Forward Comment RE 1500 W. Adams Blvd. (8/10/23)

EXHIBIT A

August 10, 2023

VIA EMAIL: lydia.chapman@lacity.org & jonathan.kaplan@lacity.org

RE: ITEM 8: 1500 ADAMS BLVD. (DCP CASE No. DIR-2023-1984)1

Dear Adams-Normandie Historic Preservation Overlay Zone Board (“**Board**”):

On behalf of USC Forward,¹ this office provides the City of Los Angeles (“**City**”) the following comments regarding the proposed 50-bedroom and 49-bathroom development claimed by the applicant Tripalink to be just 16-dwelling unit (“**Project**”) that seeks, among other things, a Certificate of Occupancy (“**COA**”). As discussed below, the applicant’s “**Presentation**”² shows the Project is inconsistent with numerous provisions under the applicable “**Preservation Plan.**”³ As such, *USC Forward urges the Board recommend denying the COA.*

First, Tripalink is a well-known developer and operator of dorm-style co-living facilities specifically targeted to USC students. Tripalink’s model is to rent students an individual bedroom with independent bathrooms and providing only access to common areas like hallways and kitchen. Here, while the applicant claims it is seeking only 16 dwelling units, but the plans show 50 beds with 49 bathrooms (*compare* Presentation, p. 38 with pp. 40-42). Hence, there is substantial evidence that the project will not operate as 16-dwelling units but rather as 50-room dorm-like student housing project. This runs afoul of several applicable zoning rules, such as conflicting with LAMC § 12.03 definitions of “dwelling unit” and “Family” which together provides that each unit is to serve “one family” that includes one or more persons living together with “common access” to “all living ... areas within the dwelling unit.” Additionally, it evades Conditional Use Permit requirements applicable to the Neighborhood Stabilization Ordinance for units with 5 or more habitable rooms that maybe campus serving housing (see LAMC § 12.24-W.52). Furthermore, it distorts the City’s CEQA review process by utilizing misleading project descriptions. This should be addressed by the Director and City prior to granting any Project Approvals.

Second, the proposed project is inconsistent with several Preservation Plan guidelines applicable to this HPOZ. For example:

1. The proposed project would entirely enclose the historic resource that would disrupt the historic context and visual access from the public right of ways (see [Presentation](#), pp. 27, 28). This is inconsistent with Preservation Plan § 10.1, Principles 1 and 2.
2. The Presentation cites Commercial infill guidelines (p. 13). However, the Preservation Plan § 9.2 makes clear that new multi-family projects should follow the Residential Infill Guidelines.

¹ A broad coalition of students, community organizations, and union members united to make USC a better neighbor and accountable to its surrounding communities.

² <https://drive.google.com/drive/folders/1xll2TewlPr9nHhkQ5paF9PPU5FdChZel>.

³ <https://planning.lacity.org/odocument/8b057ee1-ec8b-44b1-9919-db4f248ad62c/Adams%20Normandie%20PP%20.pdf>.

3. The proposed design does not observe the historic setbacks or front yards provide from either the Adams frontage or the Catalina frontage (id., at pp. 27, 38; see also [GoogleMaps](#)). This is inconsistent with the Preservation Plan § 9.3, Guidelines 1 and 2.
4. The Project occupies almost the entire lots with minimal open space—which is unlike GoogleMaps adjacent contributors on this block (id., at p. 38-39). This is inconsistent with Preservation Plan § 9.3, Guideline 7.
5. The Project has four enclosed stories, plus access to a rooftop deck, and a max elevation of roughly 66' above grade (Presentation, pp. 15, 16, 30-31, 42.) Thus, the Projects mass is 4 to 5 stories tall—despite all contributors on the block are no more than 2 stories. This is inconsistent with Preservation Plan § 9.4, Guideline 1.
6. The Presentation references the 4-story apartment building to the east (id., at 16), which is not a contributor and thus not an appropriate comparison. A more appropriate comparison would be the 3-story apartment building across Adams that is roughly 35-feet tall at the parapet with no roof-deck.
7. Immediately west of the project is a two-story contributor. However, the project's western frontage is generally 4-stories tall but for small corner of the NW corner that is 3-stories with a 4th level balcony above (id., at p. 30). This is inconsistent with Preservation Plan Commercial Infill Guidelines § 11.3 Guideline 1 and 3. More tiering should be incorporated, such as providing setbacks for upper floors above the 2-story—similar to what was done at the rear of the project (id. at p. 31).

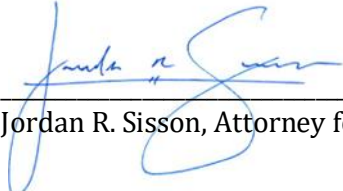
Third, for the above reasons, the Project does not comply with the Preservation Plan as required under the Code (see LAMC § 12.30.3 subd. K.4(c)). Thus, the Board should recommend denying the Certificate of Appropriateness until the Project is adequately redesigned, such as: (i) reducing stories and heights; (ii) removing roof deck; and (iii) providing greater front setbacks as well as open space.

Fourth, any suggestions that these recommendations are impractical, contrary to TOC guidelines, or prevent the proposed 16 dwelling units is unsubstantiated. For example, there is no explanation why the project needs 49 bathrooms, which is unnecessary to serve 16 dwelling units—unless of course Tripalink intends to rent individual rooms and bathrooms out to students per its business model. Additionally, just across Adams Street, is a 24-unit apartment complex built in 1912, during the period of significance for this Historic District (PP, pp 17-18). According to ZIMAS, the apartment complex includes 24-units with 24 total bathrooms—all contained in a 3-story structure roughly 35 feet tall, amounting to roughly 14,000 SF on a 5,400-SF lot (see [ZIMAS](#)). As compared to the Project, this 100-plus year-old building is providing 14 more units with roughly half as much lot area, half as much floor area, one less story, and with a parapet 21 feet lower.

In sum, the City cannot ignore the applicant's pattern and practice of building and operating student co-living facilities near USC. Doing so runs afoul of the City's zoning and CEQA rules. Additionally, the Project is inconsistent with the Preservation Plan and the Board should recommend denying the COA until it is redesigned with less floors, smaller heights, and more setbacks and open space. There is substantial evidence that these changes will not prevent 16 dwelling units—such as the building just across the street.

Thank you for your consideration.

Sincerely,


Jordan R. Sisson, Attorney for USC Forward

Los Angeles City Planning Department

**EXTENSION OF TIME LIMIT FOR AREA OR CITY PLANNING COMMISSION
DECISIONS ON LAND USE APPLICATIONS AND APPEALS**

This form is to be used to request an extension of the time limit to act for Area or City Planning Commission decisions on legislative and quasi-judicial land use applications and appeals. This request must be made before the matter is agendized. If notice of the hearing has been mailed, the applicant is responsible for the cost of mailing the cancellation and new hearing notice.

To Be Completed by the Applicant or Applicant's Representative:

(Please Type or Print)

Case No. DIR-2023-1984-TOC-COA-HCA

Street Address of Property Involved: 1500 West Adams Boulevard, Los Angeles, CA 90007


Applicant(s): Donghao Li / 1500 W. Adams Blvd, LLC

Representative: Jonathan Yang / Irvine & Associates, LLC

Request for Extension of Time Limit: The current time limit for the Commission to decide the subject case application / appeal will expire on: March 12, 2024. It is hereby requested to extend the time limit for the City Planning Commission to act for a period of _____ weeks, or until April 11, 2024.
(Commission)

Reason(s) for Request:

City Planning request time of extension.

Signed:  Print Name: Donghao Li Date: 1/18/2024

Mailing Address: 2905 South Vermont Avenue, Suite 204, Los Angeles, California 90007

Telephone No. _____ E-Mail: john.zhang@tripalink.com

To Be Completed by Planning Department Staff:

Pursuant to Municipal Code Section 12.32 [applicable Code Section which permits extensions of time limits by mutual written consent of the applicant and decision-maker], and in accordance with the policy of the Area/City Planning Commission delegating authority to the Director of Planning to approve extensions of time limits on its behalf, the requested time extension is deemed routine in nature and will not prejudice the future decision by the Area/City Planning Commission on the merits of the subject application or appeal, and therefore the requested time extension is granted until: April 11, 2024.

Applicant to pay all BTC Public Hearing Notice costs associated with a new Hearing or cancellation.

VINCENT P. BERTONI, AICP
Director of Planning

By: Michelle Singh Signature, Michelle Singh Name, Senior City Planner Title, 01/18/2024 Date

c: Commission Office
Case File

Additional HPOZ Residential Infill Findings:

9.3 – Setting, Location, and Site Design

9.3.1. New residential structures should be placed on their lots to harmonize with the existing historic setbacks of the block on which they are located. The depth of the front and side yards should be preserved, consistent with other structures on the same block face.

9.3.7. The lot coverage proposed for an in-fill project should be substantially consistent with the lot coverage of nearby Contributor properties.

The subject property is located along a section of Adams Blvd. that does not have a clearly defined or consistent historic setback or pattern of siting due to the area's pattern of development. Because of much of Adams was originally developed with residential structures, there are inconsistent front and side yard setbacks between the original residential buildings and later commercial development. The proposed structure will have a variable front setback ranging from five to thirteen feet. While a five-foot front setback is not consistent with the setbacks of the other Contributing structures on the south side of the 1400 and 1500 blocks of W. Adams Blvd., which range from 20 feet to 45 feet, all but one of these properties were built as single-family residences and are not representative of typical setbacks for nearby Contributing multi-family residential structures. These setbacks range from zero feet (1475 and 1501 W. Adams Blvd.) to seven feet (1503 W Adams Blvd.). The proposed project's five-foot front setback is therefore consistent with the prevailing setback of existing nearby comparable Contributing structures.

The proposed project will also have a six-foot setback at the east elevation facing Catalina. This shallower setback along Catalina St. will be consistent with the typical siting of historic multi-family structures along both Adams and Catalina. While the proposed six-foot setback along Catalina will be shallower than the average front yard setbacks (ranging from 20 feet to 35 feet) along the 2600 block of Catalina, with the exception of 2614 S. Catalina St. and 2659 S. Catalina St. all of the structures were originally developed as single-family homes. 2614 S. Catalina St. is the only Contributing property originally developed as a multi-family residential structure, and while it has an approximately 20-foot front yard setback it is sited on its lot with an approx. six-foot wide side yard on both sides of the structure. In addition to this, even single-family residences along Catalina were sited with narrow side yard areas, which only varied significantly in size due to the presence of a driveway. Given that the project site is a corner lot with its side elevation/yard facing Catalina, while the proposed six-foot setback is not consistent with the prevailing front yard setback depth along the 2600 block of Catalina, the six-foot setback is consistent in comparison to the prevailing side yard setbacks of nearby Contributor properties.

The proposed structure will also have a lot coverage that is consistent with nearby Contributing properties. Contributors along Adams Blvd. and Catalina St. have lot coverages ranging from 33 to 87%, with Contributing multifamily properties along Adams Blvd. ranging from 53% to 87% lot coverage. As mentioned above, many of the Contributing properties along Catalina St. were originally developed as single-family homes, and therefore less representative of typical lot coverage for historic multifamily structures. The proposed structure will cover approximately 75% of the lot, which is well within the overall range for lot coverage in the surrounding area and thereby being substantially consistent with the prevailing lot coverage.

Additionally, previously approved infill developments along W. Adams Blvd. located at 2600 S. Catalina St. (DIR-2016-7120-CCMP) and 1421-1431 W. Adams Blvd. (DIR-2019-2727-CCMP) were approved with similar setbacks and lot coverage to the proposed project. The project located at 1421-1431 W. Adams Blvd. was approved with three-foot front and side yard setbacks, and

approximately 76% lot coverage. The project located at 2600 S. Catalina St. was approved with a 15-foot front yard setback (facing Catalina) and seven-foot side yard setbacks facing Adams, and had a lot coverage of approximately 62%.

9.3.2. A progression of public to private spaces from the street to the residence should be maintained. One method of achieving this goal is to maintain the use of a porch to create a transitional space from public to private.

9.3.3. Historic topography and continuity of grade between properties should be maintained.

A progression of public to private spaces will be provided through the project's siting, landscaping, and architectural details. The proposed structure is sited in a manner that is slightly set back from the public right-of-way, with both planting areas as well as paved areas and paths connecting to the sidewalk to provide access. The usage of landscaping functions as both a barrier and transition between public and private spaces as well as providing visual softening and separation. Additionally, the landscaping provides a progression of public to private spaces while also enhancing the streetscape of both W. Adams Blvd. as well as S. Catalina St. The next transition between public and private spaces is provided by the chamfered northeast corner of the proposed structure, as well as the metal shade/accent structure located above the chamfered corner. These architectural details function together to create a visually distinct entryway for the proposed structure, while also leaving the space open and accessible to the public at the same time.

The full-height aluminum storefront-style windows and doors located on the northeast corner of the proposed structure also mark the transition between public and private spaces while also providing viewsheds to the retained and restored historic structure that is located within the lobby of the proposed structure. The historic structure will remain in its original location, while also remaining visible from the public right-of-way so that its relationship to the site and surrounding structures is retained. The proposed structure's lobby is also designed in a way that highlights the historic structure and provides maximum visual access, while also providing a separation of public and private spaces for future residents.

Additionally, there is no existing historic topography or continuity of grading on the project site to be maintained. The existing use and topography/grading of the site is a flat, open parking lot and does not have any notable historic topography or continuity with nearby properties. The flat grading of the site will be retained by the proposed structure, as well. Therefore, there will be no loss of historic topography or grading.

9.3.4. Attached garages are generally inappropriate; detached garages are preferred. Garages should be located to the rear of the property.

9.3.8. Paving and parking areas should be located to the rear of new residential structures whenever possible.

9.3.5. Parking areas should be located to rear of a structure. Designation of parking spaces within a front yard area is generally inappropriate.

The proposed structure does not include any attached garage structure or vehicle parking areas. Long-term bike parking spaces are located in the interior of the first floor of the structure, reducing their visual impact on the site and minimizing the usage of paved exterior parking of any kind. Two short-term bike parking spaces will be located along Catalina, adjacent to an entryway and landscaping area. While there are paved areas located to the rear of the proposed structure at the southern end of the lot, these areas serve as open space for residents and have integrated planting areas to ensure a mix of landscape and hardscape.

9.3.6. Front and side yard areas should be largely dedicated to planting areas. Large expanses of concrete and parking areas are inappropriate.

9.3.9. Xeriscape landscaping, which is a water efficient way of landscaping, may be appropriate, provided that efforts are made to replicate the feel of historic landscaping.

9.3.10. If recurring historic plantings exist in the neighborhood, efforts should be made to reintroduce similar landscape elements.

9.3.11. Landscaping should not be so lush or massive that public views of the house are significantly obstructed.

9.3.13. Moderate landscape illumination and decorative lighting is appropriate.

9.3.14. Mature trees and hedges, particularly street trees in the public planting strip, should be retained whenever possible. If replacement is necessary, in-kind plant materials are recommended.

The proposed front and side yard areas will be largely dedicated to planting areas. The proposed yard areas facing Adams and Catalina will have seven- and five-foot deep landscaping areas, respectively, between the public right-of-way and the proposed structure to provide both green space and a visual buffer for the new building. The proposed plantings in these areas will have a mix of shrubs and groundcover (such as coast rosemary, red yucca, Furman's red autumn sage, Marie's fescue, California gray rush, Coolvista Dianella, kleinia, trailing lantana, common lippia, and star jasmine vines) as well as western redbud and holly-leaf cherry trees. These plantings will not be so lush or massive that public views of the proposed structure are obstructed, and will not be excessively illuminated. The proposed landscaping, while not being xeriscape, will comply with water efficiency and usage standards outlined in the Low Impact Development standards. While there are no existing mature trees or hedges on the Project site on in the public planting strips, new street trees as well as on-site trees will be provided.

9.3.12. Outdoor period details, such as address tiles and mailboxes are encouraged.

The proposed structure will have its address displayed with external metal numbers located on the first floor of the north (front) elevation, similar to period details on other historic multifamily residential structures in the Adams-Normandie HPOZ.

9.4 – Massing and Orientation

9.4.1. New residential structures should harmonize in scale and massing with the existing historic structures in surrounding blocks. For instance, a 2.5 story structure should not be built in a block largely occupied by single-story bungalows.

9.4.2. When found to be appropriate, new structures that will be larger than their neighbors should be designed in modules, with the greater part of the mass located away from the main facade to minimize the perceived bulk of the structure.

Surrounding historic structures in the Adams-Normandie HPOZ are typically one to three stories tall, with existing historic multi-family structures on the 1400 and 1500 blocks of Adams Blvd. ranging in height from 26 to 46 feet tall. Additionally, the First AME Church (located at 1443 W. Adams Blvd.) is approximately 55 feet tall at the roof ridge of the sanctuary, and 95 feet tall at the top of the steeple. The only nearby Contributing multi-family residential property of a similar typology (greater than 10 units) is located at 1475 W. Adams Blvd. and is three-and-a-half stories tall with a height of approximately 40 feet. The roofline of the proposed four-story structure will measure 56 feet in height, with an additional 10 feet projecting above the rooftop (max 66 feet in height) for the rooftop elevator enclosure and stair access to the roof. While the proposed structure's overall height exceeds the average scale of nearby historic structures, it has been

designed with additional setbacks, modulated massing, and transitional heights incorporated to minimize the overall mass, scale, and perceived bulk of the structure.

Since it is larger than its neighbors, the proposed structure is designed in modules and has modulated its massing to minimize the perceived bulk of the structure as well as comply with transitional height requirements. The modulation on the primary facades of the proposed structure includes 11 feet, 2 inch by 8 feet, 1 inch setback on the northeast corner of the structure, and a 16 feet, 6.5 inch by 9 feet, 3 inch fourth floor setback on the northwest corner. Additionally, the third and fourth floors are modulated and set back at minimum an additional 10 feet from the south (rear) elevation's building envelope to comply with the transitional height requirements of the Community Plan Implementation Overlay (CPIO) zone. The setbacks and modulated massing on the north (front) and east (rear) elevations will reduce the portion of the front elevation and mass directly bordering the front of the property, lessening the impact of its scale and massing. The setbacks and transitional height features on the south (rear) elevation will help to provide a transition between the proposed structure's primary massing and the smaller one- to two-story residential structures located along Catalina, which have an average maximum height of approximately 25 feet.

Though the project's proposed height is taller than the average height of Contributing structures along Adams and Catalina, the project's height is still substantially similar to the heights of Contributing multi-family structures along Adams, which is the proposed structure's primary street frontage. It is important to note the project is subject to the provisions of the Housing Accountability Act, or HAA. This state law applies to all multi-family housing developments that comply with all applicable, objective general plan and zoning criteria. Under HAA, local governments may not deny multifamily projects, or condition them in a way to reduce density, unless it can be found that the project will cause unavoidable impacts on public health or safety. The project was reviewed for compliance with underlying zoning deemed to comply with objective standards.

Additionally, the subject property is zoned commercial, and has been reviewed according to the Commercial Infill guidelines of the Adams-Normandie HPOZ Preservation Plan.

9.4.3. New residential structures should present their front door and major architectural facades to the primary street and not to the side or rear yard.

9.4.4. In some cases on corner lots, a corner entryway between two defining architectural facades may be appropriate.

The proposed structure is located on a corner lot between Adams and Catalina, presenting its front door and major architectural features to both streets using a corner entryway. Since the proposed project is located on a corner lot, its primary entryway and front door have been designed around the chamfered northeast corner of the building, providing a corner entryway between the two defining architectural facades of the building. The proposed design provides architectural details and design elements that activate both facades, including the full-height aluminum storefront-style windows on the first floor of the northeastern corner surrounding the entryway, wrapping from north to the east façade. This detail allows for both facades to present to the street(s) and highlight the architectural importance of the corner in relation to its surroundings, defining the proposed structure's relationship to both Adams and Catalina.

9.4.5. A progression of public to private spaces in the front yard is encouraged. One method of achieving this goal is through the use of a porch to define the primary entryway.

The proposed project will include a progression of public to private spaces in the front yard through the use of the proposed building's siting, architectural details, and landscaping. Please refer to the findings for Guidelines 9.3.2. – 9.3.3. for a comprehensive analysis.

9.5 – Roof Forms

9.5.1. New residential structures should echo the roof forms of the surrounding historic structures. For instance, if the majority of structures along a particular street utilize front-facing gable-ends, the in-fill structure should likewise utilize a gable-end. Where a diversity of roof forms exist on a street, a predominant form should be used. It would be inappropriate to introduce a new roof form that is not present on the street.

9.5.2. Roofing materials should appear similar to those used traditionally in surrounding historic residential structures. If modern materials are to be used, such materials should be simple and innocuous.

The proposed structure has a flat roof form with a raised parapet, which echoes the historic flat roof forms found in nearby historic structures. Flat roofs with a parapet are commonly found in the Adams-Normandie HPOZ, and can also be seen specifically on nearby historic multi-family structures such as 2612-2614 S. Catalina St. These historic roof forms typically had a clay tile cap detailing on their parapet, and had the parapets clad in stucco or plaster that matched the exterior of the structure.

The flat roof with a simple plaster-clad parapet of the proposed structure echoes these historic roof forms in a simplified manner, differentiating it as new construction while also maintaining visual consistency. While the proposed roof does incorporate glass railings on some portions, they are visually simple in character and located in a manner that is innocuous from the public right-of-way.

9.5.3. Dormers, and other roof features on new construction should echo the size and placement of such features on historic structures within the HPOZ.

9.5.4. In HPOZs where roof edge details, such as corbels, rafter tails, or decorative vergeboards are common, new construction should incorporate roof edge details which echo these traditional details in a simplified form.

The proposed structure will have a flat roof form with a parapet/railing detail, and thus will have no dormers or other typical historic edge details. However, a parapet detail is typical for historic multi-family residential structures in the Adams-Normandie HPOZ, and the proposed project utilizes a simplified version of this detail that excludes more ornamental details such as a clay tile cap.

9.6 – Openings

9.6.1. New construction should have a similar façade solid-to-void ratio to those found in surrounding historic structures.

9.6.2. New construction should use similar window groupings and alignments to those on surrounding historic structures.

9.6.3. Windows should be similar in shape and scale to those found in surrounding historic structures.

9.6.4. Windows should appear similar in materials and construction to those found in surrounding historic structures.

The proposed project is designed in a manner that has a similar façade solid-to-void ratio, uses similar window groupings with similar shape and scale windows, and windows that appear similar

in materials and construction to those found in surrounding historic structures. The proposed openings on the structure are designed to emulate nearby historic multifamily structures on all floors, and the primary entryway at the northeast corner of the first floor emulating nearby historic commercial structures. The structure will have a similar solid-to-void ratio on its facades as nearby historic multifamily structures, with window groupings organized in a liner fashion. The proposed windows on the structure are organized in linear, horizontal (often paired) groupings along all facades of the structure, which is consistent with the window groupings, and alignments of surrounding historic structures. All non-entry windows will comprise of recessed “punch-style” vinyl fixed and casement windows that are rectangular in shape, similar to surrounding historic windows. Though constructed of a modern material, the windows will be dark in color and will give the appearance of historically compatible materials such as metal or wood. The windows will also have dual glazing to comply with current Building Code, which will differentiate them from surrounding windows on historic structures.

The ground floor of the primary architectural façade will feature elements that echo traditional retail storefronts, as mentioned above, to comply with the Commercial Infill guidelines in Section 11.5 of the Adams-Normandie Preservation Plan. The primary entryway and lobby area on the northeast corner of the structure will feature metal windows with floor-to-ceiling glazing, with fixed transom windows above the doorway to echo the window/door shape, scale, grouping, material, and solid-to-void ratio of nearby historic commercial structure entryways. Because the structure is residential rather than commercial in nature, these traditional retail storefront elements do not occupy the majority of the primary architectural façade and are instead limited to the northeastern bay. However, the location of the commercial-style windows with a higher percentage of glazing allows for the rehabilitated historic gas station structure located in the lobby area to be clearly visible from the public right of way on both Adams Blvd. as well as Catalina Street.

9.6.5. Dormers should be similar in scale to those found on existing historic structures in the area.

The proposed structure will have a flat roof form, and will not include any dormers. While some nearby historic structures do have dormers in their roof forms, these are not structures with flat roof structures and no nearby historic structures with flat roofs include dormers.

9.6.6. Main entryways should be configured and emphasized similarly to those on surrounding structures. Attention should be paid to design similarities such as symmetry, depth, and the use of architectural features such as pediments, crowns, porches, etc.

9.6.7. Entrance enclosures, such as porches, porte-cocheres and overhangs should be used when similar features are widely used within the neighborhood.

The proposed project’s main entryway is located on the chamfered northeast corner of the structure, while the entry door faces Adams. Historic multi-family residential structures in the Adams-Normandie HPOZ generally orient their main entryway forward towards the street and primary façade. However, since the project site is a corner lot, the entryway as proposed was determined to be appropriate. The primary entryway is emphasized by the chamfered corner, as well as the use of a protruding metal shade structure and a set of full-height aluminum storefront-style windows wrapping around from the north elevation facing Adams to the east elevation facing Catalina. The entryway exhibits similar symmetry, depth, and detailing to highlight entryways in nearby historic residential structures, especially those of the multi-family/apartment typology. While the proposed structure incorporates features typically seen on both historic commercial as well as residential buildings, the detailing and structure of the entryway and enclosure echo features that are seen throughout the HPOZ.

9.7 – Materials and Details

9.7.1. New construction should incorporate materials similar to those used traditionally in historic structures in the area. If most houses within a neighborhood are wood clapboard, an in-fill house that is entirely stucco is generally inappropriate.

9.7.2. Materials used in new construction should be in units similar in scale to those used historically. For instance, bricks or masonry units should be of the same size as those used historically.

The proposed structure will be clad in a mix of brick veneer on the first two floors, as well as painted plaster on the upper two floors. Nearby historic multi-family residential structures (as well as other commercial and residential structures found in the HPOZ) are of brick/masonry construction or clad in stucco. The materials of the proposed structure harmonize with the visual character and scale of the historic materials and provide continuity with the historic character of nearby structures while also differentiating the proposed structure as new construction.

9.7.3. Architectural details such as newel posts, porch columns, rafter tails, etc., should echo, but not exactly imitate, architectural details on surrounding historic structures. Special attention should be paid to scale and arrangement, and, to a lesser extent, detail.

9.7.4. Use of simplified versions of traditional architectural details is encouraged.

The proposed structure will not utilize architectural details (such as newel posts, porch columns, rafter tails, etc.) that exactly imitate details on surrounding historic structures. The details on the proposed structure will be simplified and minimal, while referencing traditional details. For example, the use of a brick veneer cornice between the second and third floors to divide the brick and plaster sections of the exterior, as well as metal banding used as waterlines between the third and fourth floors as well as between the fifth floor and roof. Additionally, the flat roof structure will include a simplified parapet echoing historic flat roof forms' design. Finally, the proposed structure will have a full-height aluminum storefront-style window at the northeast corner, which echoes the traditional form and detailing of historic commercial buildings located along W. Adams. Blvd., and also provides views from the public right of way of the restored Contributing structure that will be located in the lobby of the proposed structure.

9.7.5. If the integration of modern building materials, not present during the Period of Significance, is found to be appropriate, such materials should be subtly used and appear visually innocuous in comparison to surrounding historic structures.

While the proposed structure will use some modern building materials that were not present in the Period of Significance, the materials will be used subtly and will be located so that they appear visually innocuous in comparison to surrounding historic structures. The proposed structure will be clad in a mix of materials, with the first and second floors clad in a brick veneer. While this material did not exist during the Period of Significance, the veneer will be used in a manner that emulates the appearance of historic brick buildings, which is visually innocuous and helps the structure appear consistent with its surroundings. The proposed structure will also use vinyl windows, and while these were not present in the Period of Significance the proposed windows will appear similar in size and operation to windows on nearby historic multifamily structures. As well, the proposed windows will be dark in color to appear visually innocuous as possible for modern vinyl windows. Additionally, the proposed structure will have glass railings for the roof deck. While these are modern in appearance, their usage will be limited to the roof deck areas and located so that their visual impact on the structure is subtle from the public right-of-way.

APPEAL RESPONSES

TO: Ms. Maneri Roman
City of Los Angeles Department of City Planning
200 North Spring Street, Room 763 Los Angeles, CA 90012

FROM: Jonathan Yang, Irvine & Associates

DATE: March 15, 2024

Re: CEQA RESPONSE TO APPEAL LETTER FOR THE 1500 WEST ADAMS BOULEVARD PROJECT [DIR-2023-1984-TOC-COA-HCA; ENV-2023-1985-CE]

Dear Ms. Roman,

On behalf of 1500 W Adams LLC (“Applicant”), Irvine & Associates, Inc has reviewed the appeal letter submitted by USC Forward (“Appellant”) on January 12, 2024, regarding the project approval (“DIR-2023-1984-TOC-COA-HCA”) located at 1500 W Adams Blvd, Los Angeles, CA, 90007. The following includes responses to the comments and issues raised in the appeal letter.

The responses are provided under the topical issues posed in the appellant letter and they will be provided in the following sections:

- Adams Normandie Historic Preservation Overlay Zone (“HPOZ”)
- Project Description
- Density Bonus Findings
- Categorical Exemption

As discussed in greater detail below, the issues raised in the appeal do not provide substantial evidence to support a fair argument that a significant environmental impact would occur as a result of the Proposed Project. Pursuant to Public Resource Code (PRC) Section 21082.2 (b), “[t]he existence of public controversy over the environmental effects of a project shall not require preparation of an environmental impact report if there is no substantial evidence in light of the whole record before the lead agency that the project may have a significant effect on the environment.” Section 21082.2(c) also provides that “[a]rgument, speculation, unsubstantiated opinion or narrative, evidence which is clearly inaccurate or erroneous, or evidence of social or economic impacts which do not contribute to, or are not caused by, physical impacts on the environment, is not substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.” No such evidence has been presented by the Appellant to support the conclusion that the Project would result in any significant impacts upon the environment or that the Project is otherwise ineligible to be deemed categorically exempt from CEQA as a Class 32 infill development project. To the contrary, the lead agency’s determination to approve the project is supported by substantial evidence, including the detailed findings as noted in the LOD dated December 7, 2023 and the supporting analysis and technical reports contained in the CE Justification Analysis. As such the lead

agency's determination to approve the Project satisfies the legal requirements of CEQA, and no further analysis is warranted.

Adams Normandie Historic Preservation Overlay Zone ("HPOZ")

Comment 1

The proposed Project would entirely enclose the historic resource in a manner that would disrupt the historic context and visual access from the public right of ways. (See "Project Plans,"5 PDF p. 9; see also "Presentation,"6 pp. 27, 28.) This is inconsistent with Preservation Plan § 10.1, Principles 1 and 2.

Response to Comment 1

The historic resource will be visible from the public right of way as it will be situated in the lobby of the new development. At present, there is 0 ft of visibility into the historic resource from both Adams Blvd and Catalina Street as it is currently obstructed by a fence. The proposed project will provide 255.5 ft of pedestrian visibility from Adams and 162 ft of pedestrian visibility from Catalina, as shown in the rendering below (circled in red).



Plan detail from Approved Plan Exhibits (Sheet No. A200)

Additionally, the historic resource is not currently accessible to the public but will be in the proposed project.

In conformance with Principle 1, the historic structure, the only contributing structure on site, will preserve its historic appearance by way of rehabilitation. The rehabilitation of the historic structure would be in compliance with all commercial rehabilitation standards. It would be rehabilitated to be preserved for public use, maintaining its minimal design features and preserving the original materials (replacing with same materials where needed).

Given the presence of a fence obstructing access to the historic structure, the structure provides a minimal contribution to the HPOZ setting. The proposed project will not just preserve but enhance

the historic setting of the structure through its design and materiality. The proposed structure will, “utilize building materials that are found on commercial and residential structures within the Adams-Normandie HPOZ including: smooth stucco cladding on the upper floors and brick veneer on the lower floors. The dimensions of the brick and stucco are also similar to those used historically. Though constructed of vinyl, the windows will be dark in color, which will give the appearance of historically compatible materials like metal or wood.” (11.4.4 LOD).

Comment 2

The LOD fails to implement any Residential Infill Guidelines under the Preservation Plan, such as those under Sections 9.3 (Setting, Location and Site Design) and 9.4 (Massing and Orientation) (discussed further below), despite the Preservation Plan making clear that new multi-family projects should follow the Residential Infill Guidelines.

Response to Comment 2

The Appellant’s interpretation that the Residential Infill Guidelines apply to the Project Site is incorrect. Infill development is the process of building a new structure on a vacant site within an existing neighborhood. With respect to the determining the applicable design guidelines, the appropriate selection should be in relation to the area that is being developed, not the land use that is being proposed. In the case of the Project, which is within the C2 (commercial) zone, future infill development should be designed to be compatible with the historic surrounding area and the historic uses of the Project Site, which is commercial. As stated in Section 9.1 of the Preservation Plan, “[t]he Residential Infill of the guidelines should be used in the planning and review of most projects involving new structures in residential areas. They are also intended for use in the planning and review of projects for structures in areas that were originally built as residential areas which have since been converted to commercial use.” The Project Site is not within a residential area. Thus, the Residential Infill Guidelines are not applicable. Page 87 of the Preservation Plan clarifies the applicability of the guidelines for Commercial Infill projects, by stating “[t]he Commercial Infill section of the guidelines should be used in planning and reviewing projects involving most new structures in commercial areas. They are also intended for use in the planning and review of projects for structures in areas that were originally built as commercial areas which have since been converted to residential use.” Because the Project Site is zoned for commercial uses and was previously developed with commercial land uses, the appropriate guidelines shall be selected based on the commercial zoning and character of the Project area, not the residential land uses being proposed. Further, as noted on page 92 of the HRTR, the Design Guidelines relevant to the Proposed Project were established as Commercial Rehabilitation and Commercial Infill in consultation with the HPOZ Preservation Planners and the Department of City Planning Office of Historical Resources staff. Section 5.3.2 of the HRTR details the Proposed Project’s compliance with the Commercial Rehabilitation and Commercial Infill Design Guidelines.

Comment 3

The Project design does not observe the historic setbacks or front yards provided from either the Adams frontage or the Catalina frontage. (See Project Plans, PDF p. 3; see also Presentation, pp. 27, 38).⁸ This is inconsistent with the Preservation Plan § 9.3, Guidelines 1 and 2.

Response to Comment 3

Preservation Plan § 9.3, Guidelines 1 and 2 applies to Residential Infill projects, not Commercial Infill Projects. As noted above, the Design Guidelines relevant to the Proposed Project were established as Commercial Rehabilitation and Commercial Infill in consultation with the HPOZ Preservation Planners and the Department of City Planning Office of Historical Resources staff.

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

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

Comment 4

The Project occupies almost the entire lot with minimal open space—which is unlike adjacent contributors on this block. (See Project Plans, PDF p. 2; see also Presentation, pp. 38-39). This is inconsistent with Preservation Plan § 9.3, Guideline 7.

Response to Comment 4

Preservation Plan § 9.3, Guideline 7 applies to Residential Infill projects, not Commercial Infill Projects. The adjacent contributors "open space" square footages are not the LAMC code required open space but the front yard setbacks of the structures. Front Yard setbacks are not considered open space. Per LAMC 12.21, 2,800 sf of Open Space is required on this site. The proposed Project will provide 3,140 sf, 610 sf more open space than is required.

Comment 5

The Project has four enclosed stories, plus access to a rooftop deck and a max elevation of roughly 66' above grade. (See Project Plans, PDF p. 6; see also Presentation, pp. 15, 16, 30- 31, 42.) Thus, the Project's mass is four to five stories tall—despite all contributors on the block being no more than two stories. This is inconsistent with Preservation Plan § 9.4, Guideline 1.

Response to Comment 5

Preservation Plan § 9.4, Guideline 1 applies to Residential Infill projects, not Commercial Infill Projects. Site is zoned C2-1VL-O-HPOZ-CPIO. Furthermore, "Existing historic multi-family structures on the 1400-1500 blocks of W. Adams Blvd. range in height from 26 to 46 feet, with the First AME

Church at 1483 W. Adams Blvd. rising approximately 55 feet to the roof ridge of the sanctuary and 95 feet to the top of the steeple. The roofline of the proposed four-story structure will measure 56 feet in height, with an additional 10 feet for the rooftop elevator enclosure. While this exceeds the average scale of nearby historic structures, the structure has been designed with setbacks, modulated massing, transitional heights and varying materials to minimize the overall scale and perceived bulk.” (LOD Page 21-23)

Comment 6

Immediately west of the Project is a two-story contributor (id.). However, the Project’s western frontage is generally four stories tall, but for a small corner of the northwest corner, (id., at p. 7). This is inconsistent with Preservation Plan Residential Infill Guidelines § 9.4 Guideline 2 as well as Commercial Infill Guidelines § 11.3 Guideline 1 and 3. More tiering should be incorporated, such as providing setbacks for upper floors above the second story—similar to what was done at the rear of the project (id.).

Response to Comment 6

The average scale of historic structures within the area is comprised of historic multi-family structures on the 1400-1500 blocks of W. Adams Blvd. which range in height from 26 to 46 feet, with the First AME Church at 1483 W. Adams Blvd. rising approximately 55 feet to the roof ridge of the sanctuary and 95 feet to the top of the steeple. The roofline of the proposed four-story structure is 56 feet in height, with an additional 10 feet for the rooftop elevator enclosure. While this exceeds the average scale of nearby historic structures, the structure has been designed with setbacks, modulated massing, transitional heights and varying materials to minimize the overall scale and perceived bulk. The massing includes an 11’-2”x8’-1” setback on the northeast corner of the structure and a 16’-6.5”x9’-3” fourth floor setback on the northwest corner, which will reduce the portion of the front elevation at the front of the property, lessening the impact of its scale and massing. At the rear, the building will have a setback of approximately 15 feet from the rear property line at the first floor, and 25 feet at the third and fourth floors.

At the height of 26 feet and 2 inches, the brick siding of the first and second floors on the front façade facing W. Adams Blvd. will transition to stucco siding on the third and fourth floors. In addition to breaking up the boxy massing of the structure and minimizing its perceived bulk, this transition will also serve to emulate existing cornice heights within the district, minimizing its perceived height. The above-average scale of the proposed structure is allowed under the TOC Tier 2 designation of the subject site, which provides a 60% increase in density, a 45% increase in FAR, and a height of up to 56 feet. (11.3 LOD)

Project Description

Comment 7

Conflicting with LAMC § 12.03 definitions of “dwelling unit” and “Family” that provide that each unit is to serve “one family” that includes one or more persons living together with “common access” to “all living ... areas within the dwelling unit.”

Response to Comment 7

The Appellant claims that the Project is incorrectly defined and characterized as a multi-family residential project, when it is really intended to be operated as a 50-unit dorm-style co-living facility. The Appellant’s assertion is speculation and unsubstantiated. Moreover, this claim is not reflective of the proposed Site Plan, which depicts 16 separate dwelling units with 13 three-bedroom/three-bath units, 2 four-bedroom/four-bathroom units, and 1 three-bedroom/three-bathroom unit. Two of the 16 units are designated as Extremely Low-Income units. Per LAMC Section 12.03 a “Family” can be comprised of one or more persons living together in a dwelling unit, with common access to, and common use of all living, kitchen, and eating areas within the dwelling unit. This definition does not provide a maximum number of members to be considered a “Family”. Pursuant to LAMC Section 12.03, the term “dwelling unit” is defined as “[a] group of two or more rooms, one of which is a kitchen, designed for occupancy by one family for living and sleeping purposes.” Each of the units is designed with a common kitchen and dining area and meets the definition of the term Dwelling Unit as defined in LAMC Section 12.03. The proposed project contains 16 dwelling units which are to each house one or more persons living together and each person having common access to all living, kitchen, and eating areas.

Comment 8

The Project is a large, 50 habitable rooms, campus-serving housing development. This is exactly the type of development that is supposed to seek a Conditional Use Permit (“CUP”) under the applicable Neighborhood Stabilization Ordinance (see LAMC § 12.24-W.52).

Response to Comment 8

The Applicant’s assertion that the project is a large campus-serving housing development that requires a Conditional Use Permit under LAMC Section 12.24.W.52, is incorrect. LAMC Section 12.24.W.52 is applicable to projects that create at least one dwelling unit with five or more habitable rooms.

The proposed Project is not subject to the Neighborhood Stabilization Ordinance. Pursuant to South LA CPIO Section I-5. A, “Relationship to Other Zoning Regulations” (Page 14 of the South LA CPIO), states the following:

1. In addition to the provisions in LAMC Section 13.14.B, the following exceptions apply unless expressly stated to the contrary in the CPIO Subarea regulations:
 - a. The North University Park- Exposition Park – West Adams Neighborhood Stabilization Overlay (NSO) District set forth in LAMC Section 12.24.W.52 and 13.12.C.2 does not apply in Corridors Subareas A, B, C, and D and TOD Subareas E, F, G, and H.

The proposed Project is located in Corridor Subarea A, thus excluding it from the North University Park- Exposition Park – West Adams Neighborhood Stabilization Overlay (NSO) District.

The Appellant's assertion that each room counts as a dwelling unit for purposes of factoring the allowable density is incorrect. As discussed above, the Project is designed to include 16 separate dwelling units as defined under the LAMC. The allowable base density is 27 units. As such, the 16 dwelling unit Project is consistent within the allowable density regulations.

Comment 9

The 10,475 square foot ("sf") Site is subject to a residential density limit of 400 sf of lot area per unit. (See LOD, pp. 6, 8.) Under the TOC Guidelines, the Site has a base density of 27 units and a Tier 2 base incentive density of 44 units. (Id., at pp. 10-11.) The Project, operating as a 50-unit co-living facility, would exceed this 44-unit limit.

Response to Comment 9

The proposed Project does not have a density of 50. The density of the project is 16 dwelling units (see response to Comment 7 for definition). The City of LA does not consider bedrooms as units. Developments have the option to provide as many bedrooms as applicable to the project.

Density Bonus Findings

Pursuant to section 12.22 A.25(g) of the LAMC, the Director must approve unless it's found that:

- The incentives are not required to provide for affordable housing costs for rents for the affordable units.
- The incentive will have specific adverse impact upon public health and safety or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse Impact without rendering the development unaffordable to Very Low-, Low- and Moderate-Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.

The base and additional incentives under Transit Oriented Communities Guidelines were pre-evaluated to minimize project size restrictions. Specific incentives include RAS 3 Yard Reductions and Height Increase, both deemed necessary for constructing restricted affordable units. The project, though situated in a Historic Preservation Overlay Zone, will not substantially impact the historical resource on-site, as affirmed by the Certificate of Appropriateness findings. Notably, the project is not listed on the City of Los Angeles Historical-Cultural Monuments, and it avoids substandard streets, Hillside areas, or Very High Fire Hazard Severity Zones. Moreover, there is no evidence in the record indicating a violation of written objective health and safety standards. Considering these factors, there is no valid basis to deny the requested incentives, stated below, as there is no substantial evidence supporting a specific adverse impact on public health and safety.

Density - The site, zoned C2-1VL-O-HPOZ-CPIO, permits a maximum base density of 27 units (rounded up) with a lot area of 10,425 square feet. The Tier 2 Incentive allows a maximum density of 44 units. The project is proposing 16 units.

Floor Area – The site permits a total FAR increase of up to 45%, which results in a total increase of 2.175:1 FAR, or 22,674 square feet. The proposed project is designed at a 2.17:1 FAR, or 22,664 square feet.

Parking – This site is located within a half mile of a major transit stop, which makes it eligible for 0 parking requirements per AB2097. Therefore, the project is proposing 0 parking spaces.

Setback - Utilizing TOC incentives, the project reduces side yards to 5 feet (from the required 7 feet) and provides a 15-foot rear yard (instead of the required 16 feet), meeting Tier 2 requirements allowing up to a 25% reduction in the required width or depth of two individual yards or setbacks. The property maintains a 5-foot easterly setback, consistent with South LA CPIO and front yard setback requirements.

Height – Under TOC incentives the site is allowed to increase the building height by 11 feet, bringing the total height to 56 feet. The project is proposing the same height increase of 11 feet to reach a maximum height of 56 feet.

The Appellant remarks that the Director’s LOD lacks substantial evidence showing the requested incentives are not necessary to provide affordable units. However, the LOD appropriately concluded that the list of additional on-menu incentives in LAMC 12.22 A.25 Transit Oriented Communities Guidelines was pre-evaluated at the time the Transit Oriented Communities Ordinance was adopted to include types of relief that minimize restrictions on the size of the project. As such, the Director will always arrive at the conclusion that the TOC density bonus on-menu incentives are required to provide for affordable housing costs because the incentives by their nature increase the scale of the project. Here, the Appellant’s critique of the project’s design and claim that the use of space for bathrooms, storage areas, and building height do not justify the affordable housing incentives is speculative and unsubstantiated. Thus, no further response is warranted.

Categorical Exemption

The Appellant claims that the Project is incorrectly defined and characterized as a multi-family residential project, when it is really intended to be operated as a 50-unit dorm-style co-living facility. The Appellant’s assertion is speculation and unsubstantiated. Moreover, this claim is not reflective of the proposed Site Plan, which depicts 16 separate dwelling units with 13 three-bedroom/three-bath units, 2 four-bedroom/four-bathroom units, and 1 three-bedroom/three-bathroom unit. Two of the 16 units are designated as Extremely Low Income units. Pursuant to LAMC Section 12.03, the term “dwelling unit” is defined as “[a] group of two or more rooms, one of which is a kitchen, designed for occupancy by one family for living and sleeping purposes.” Each of the units is designed with a common kitchen and dining area and meets the definition of the term Dwelling Unit as defined in LAMC Section 12.03.

Should you have any questions regarding any of the responses please contact me at (213)437-3403 or by email at jonathan@irvineassoc.com

Sincerely,

A handwritten signature in black ink that reads "Jonathan Yang". The signature is written in a cursive, flowing style.

Jonathan Yang, Principal Project Manager

Attachment A: Appellant Letter from Jordan R. Sisson, Law Office of Gideon Krakov, Re: Appeal Justification for 1500 W. Adams Blvd., 90007; DCP Case Nos. DIR-2023-1984-TOC-COA-HCA, ENV-2023-1985-CE; Approval Made Effective by December 27, 2023 Letter of Determination, January 12, 2004.

January 12, 2024

**RE: Appeal Justification for 1500 W. Adams Blvd., 90007;
DCP Case Nos. DIR-2023-1984-TOC-COA-HCA, ENV-2023-1985-CE;
Approval Made Effective by December 27, 2023 Letter of Determination**

On behalf of USC Forward (“**Appellant**”),¹ this office respectfully submits this appeal (“**Appeal**”) to the City of Los Angeles (“**City**”) Department of City Planning (“**DCP**”) involving the proposed four-story, 50-bedroom, and 49-bathroom development claimed by Tripalink Corp. (“**Applicant**”) to be a 16-dwelling unit (“**Project**”) located at the above-referenced address on the southwest corner of Adams Boulevard and Catalina Street (“**Site**”), which is subject the Adams-Normandie Historic Preservation Overlay Zone (“**HPOZ**”) and associated “**Preservation Plan.**”²

In furtherance of the Project, Applicant seeks various land use approvals from the City under the Los Angeles Municipal Code (“**LAMC**” or “**Code**”) under DCP Case No. DIR-2023-1984-TOC-COA-HCA, including: (i) Transit Oriented Communities (“**TOC**”) density bonus and other incentives (e.g., setback relief, 11-foot increase in building height); and (ii) a Certificate of Appropriateness (“**COA**”) to authorize the construction of the Project on a contributing lot and modification to an existing historic gas station building (collectively “**Entitlements**”). Additionally, for environmental review under the California Environmental Quality Act (“**CEQA**”),³ Applicant seeks approval under DCP Case No. ENV-2023-1985 of a Class 32 (Infill Development) Categorical Exemption (“**CE**”).

After the Project’s public hearing held on August 10, 2023, the Adams-Normandie HPOZ Board unanimously recommended “denial of the project” because it did not comply with the applicable Preservation Plan. Nevertheless, pursuant to the Letter of Determination dated December 27, 2023 (“**LOD**”),⁴ the Director approved the Entitlements and CE (collectively “**Project Approvals**”). The LOD identifies January 12, 2024 as the applicable appeal deadline. *Appellant USC Forward hereby appeals the Project Approvals.*

REASON FOR THE APPEAL: Based on the review of the LOD and other relevant documents, the Directors’ granting of the Project Approvals violates the LAMC and CEQA. Appellant respectfully requests the City grant this Appeal and deny the Project Approvals until the issues raised herein, and elsewhere in the Project’s administrative record, are adequately addressed.

SPECIFIC POINTS IN ISSUE: The specific points at issue were identified in Appellant’s comment letter dated August 10, 2023 (attached hereto as “**Exhibit A**”), and through oral testimony provided during the HPOZ hearing on August 10, 2023, which are briefly summarized below.

¹ Per LAMC § 48.08.8 disclosure requirement, this letter is sent by the attorney and law firm on behalf of its client(s) subject to the City’s lobbying registration requirement.

² <https://planning.lacity.gov/odocument/8b057ee1-ec8b-44b1-9919-db4f248ad62c/Adams%20Normandie%20PP%20.pdf>.

³ Pub. Res. Code § 21000 et seq. and 14 Cal. Code Regs. (“**CEQA Guidelines**”) § 15000 et seq.

⁴ LOD (12/27/23) <https://planning.lacity.gov/pdiscaseinfo/document/MTIxMzE0/fe3b456d-e5a5-4f0e-9fa7-879f1ff43502/pdd>.

First, contrary to LOD claims (p. 16), the Project does not comply with the applicable Preservation Plan as required under LAMC § 12.30.3 subd. K.4(c)). The Project is clearly inconsistent with several Preservation Plan guidelines applicable to this HPOZ. For example:

1. The proposed Project would entirely enclose the historic resource in a manner that would disrupt the historic context and visual access from the public right of ways. (See “**Project Plans**,”⁵ PDF p. 9; see also “**Presentation**,”⁶ pp. 27, 28.) This is inconsistent with Preservation Plan § 10.1, Principles 1 and 2. Response 1
2. The LOD fails to implement any Residential Infill Guidelines under the Preservation Plan, such as those under Sections 9.3 (Setting, Location and Site Design) and 9.4 (Massing and Orientation) (discussed further below), despite the Preservation Plan making clear that new multi-family projects should follow the Residential Infill Guidelines.⁷ Response 2
3. The Project design does not observe the historic setbacks or front yards provided from either the Adams frontage or the Catalina frontage. (See Project Plans, PDF p. 3; see also Presentation, pp. 27, 38).⁸ This is inconsistent with the Preservation Plan § 9.3, Guidelines 1 and 2. Response 3
4. The Project occupies almost the entire lot with minimal open space—which is unlike adjacent contributors on this block. (See Project Plans, PDF p. 2; see also Presentation, pp. 38-39). This is inconsistent with Preservation Plan § 9.3, Guideline 7. Response 4
5. The Project has four enclosed stories, plus access to a rooftop deck and a max elevation of roughly 66’ above grade. (See Project Plans, PDF p. 6; see also Presentation, pp. 15, 16, 30-31, 42.) Thus, the Project’s mass is four to five stories tall—despite all contributors on the block being no more than two stories. This is inconsistent with Preservation Plan § 9.4, Guideline 1. Response 5
6. Immediately west of the Project is a two-story contributor (id.). However, the Project’s western frontage is generally four stories tall, but for a small corner of the northwest corner, (id., at p. 7). This is inconsistent with Preservation Plan Residential Infill Guidelines § 9.4 Guideline 2 as well as Commercial Infill Guidelines § 11.3 Guideline 1 and 3. More tiering should be incorporated, such as providing setbacks for upper floors above the second-story—similar to what was done at the rear of the project (id.). Response 6

Second, the LOD repeatedly characterizes the project as a 16-unit residential apartment building (see e.g., LOD, pp. 2, 8, 10-11) but ignores substantial evidence that the Project would function as a 50-bedroom co-living facility. The Applicant, Tripalink, is a well-known developer and operator of dorm-style co-living facilities specifically targeted to USC students. Tripalink’s model is to rent students an individual bedroom with independent bathrooms and provide only access to common areas like hallways and kitchens. Here, while claimed to be just 16 dwelling units, the Project would

⁵ Project Plans (stamped Exh. A), <https://planning.lacity.gov/pdiscaseinfo/document/MT11NjE0/fe3b456d-e5a5-4f0e-9fa7-879f1ff43502/pdd>.

⁶ Presentation (8/10/23) <https://www.dropbox.com/scl/fi/g2e407e7j16fjrqmkwb2d/8.A.-1500-W-Adams-Presentation.pdf?rlkey=qlmha3al3arlvmol109p0sod7&dl=0>.

⁷ See e.g., Preservation Plan, supra fn. 2, pp. 65 (“... Residential Infill Guidelines are intended for the use of residential property owners planning new structures on vacant sites or alterations to Non-Contributing structures or sites within the HPOZ”), p. 66 (“... when a multi-family residential project is proposed in an HPOZ the project should follow the Residential Infill Guidelines contained in this section.”).

⁸ See also Google Maps, <https://www.google.com/maps/place/1500+W+Adams+Blvd,+Los+Angeles,+CA+90007/@34.0323972,-118.294314,261m/data=!3m1!1e3!4m6!3m5!1s0x80c2c7f488378edb:0xe8dc695b9e9fa49e!8m2!3d34.0322965!4d-118.2944395!16s%2Fg%2F11c5qn4jp2?entry=ttu>.

operate as a 50-room dorm-like student housing project, which runs afoul of several applicable zoning rules, such as:

1. Conflicting with LAMC § 12.03 definitions of “dwelling unit” and “Family” that provide that each unit is to serve “one family” that includes one or more persons living together with “common access” to “all living ... areas within the dwelling unit.”
2. The Project is a large, 50 habitable rooms, campus-serving housing development. This is exactly the type of development that is supposed to seek a Conditional Use Permit (“CUP”) under the applicable Neighborhood Stabilization Ordinance (see LAMC § 12.24-W.52).
3. The 10,475 square foot (“sf”) Site is subject to a residential density limit of 400 sf of lot area per unit. (See LOD, pp. 6, 8.) Under the TOC Guidelines, the Site has a base density of 27 units and a Tier 2 base incentive density of 44 units. (Id., at pp. 10-11.) The Project, operating as a 50-unit co-living facility, would exceed this 44-unit limit.

Response 7

Response 8

Response 9

Third, the Director’s density bonus findings (under LAMC § 12.22-A.25(g)) lack substantial evidence. Here, the LOD claims there is no substantial evidence showing the incentives are unnecessary to provide affordable units. (LOD, p. 15.) So too, the LOD claims that the Project would not have a specific adverse impact. (Id., at p. 16.) This is incorrect.

Here, the Project includes a TOC bonus of more floor area and setback relief. (LOD, pp. 10-11.) Yet, there is no explanation why the Project wastes so much floor area for the 49 bathrooms, which is unnecessary to serve 16 dwelling units—unless, of course, the Applicant intends to rent individual rooms and bathrooms out to students per its business model. Nor is there any explanation why the Project includes 1,945 sf of storage space on the 7,110-sf ground level (see Project Plans, PDF pp. 2-3), which seemingly wastes more than 25 percent of the floor area that could otherwise be used for housing. Additionally, the Project includes a TOC bonus in greater height. (LOD, p. 11.) Yet, there is no explanation why the Project needs this additional height to provide 16 dwelling units when—just across the street—there is a 24-unit apartment complex with 24 bathrooms within a three-story (35’ tall), 14,000-sf structure on a 5,400-SF lot built in over 100 years ago.⁹ The fact that this across-the-street structure is providing 14 more units, with roughly half as much floor area, on a much smaller lot, with one less story and a parapet 21 feet lower than the Project demonstrates incentives are not necessary. Furthermore, the inconsistencies mentioned above with applicable land use regulations and the HPOZ Preservation Plan have a specific adverse impact.

Density Bonus Findings

Fourth, the Project’s CE is premised on a misleading project description (i.e., 16-unit residential development) versus the operation of the Project, which is a 50-unit, co-living student housing development. CEQA bars the use of inaccurate project descriptions.¹⁰ This is a fatal error to the CE. By this reference, *USC Forward incorporates all prior comments attached hereto (Exhibits A)* into this Appeal and reserves the right to supplement these comments and specific appeal points in the

Categorical Exemption

⁹ According to ZIMAS, <http://zimas.lacity.org/?loc=MTIzQjE5NyAgIDg0MAo1MDU0MDIxMDEyCjE1MDEgVyBBREFNUyBCTFZECgo2NDcyMDE5LjU4Mzk4NzE1NSwxODM0MDY5LjUzNjkzNDQ1NzcsNjQ3MzIwMi4wODM5ODcxNTUsMTgzNDY4Ny44NzAyNjc3OTEyCjE1MDEyOTcgICA4NDA%3D>.

¹⁰ See *San Joaquin Raptor Rescue Ctr. v. Cnty. of Merced* (2007) 149 Cal.App.4th 645, 654-655 (An “accurate, stable and finite project description is the sine qua non of an informative and legally sufficient EIR.”); see also *Citizens for a Sustainable Treasure Island v. City & Cnty. of San Francisco* (2014) 227 Cal.App.4th 1036, 1052 (“only through an accurate view of the project may affected outsiders and public decision-makers balance ...”); *Western Placer Citizens for an Agr. and Rural Env’t v. Cnty. of Placer* (2006) 144 Cal.App.4th 890, 898 (an accurate project description is an “indispensable component of a valid EIR.”).

future. (See *Galante Vineyards v. Monterey Peninsula Water Management Dist.* (1997) 60 Cal.App.4th 1109, 1120 [CEQA litigation not limited only to claims made during the EIR comment period].)

Categorical
Exemption
cont.

HOW ARE YOU AGGRIEVED BY THE DECISION: Appellant USC Forward is a broad coalition of students, community organizations, and union members (including SEIU Local 721) united to make USC a better neighbor and accountable to its surrounding communities. Its members live and/or work in the vicinity of the Project Site, breathe the air, suffer traffic congestion, inconsistency with historic preservation rules, and suffer other environmental impacts of the Project unless it is properly analyzed and mitigated. Additionally, Appellant is committed to ensuring responsible development in Los Angeles, that local land-use rules/regulations are followed—such as historic preservation laws—and informed decision-making by public officials regarding projects that may significantly impact the environment in the City of Los Angeles. These negatively impact the Appellant and its members residing, living, and recreating in communities near USC's South L.A. campus, where the Project Site is located. Hence, granting this Appeal will confer a substantial benefit to USC Forward and the public, including citizens, residents, businesses, and taxpayers affected by the Project, and will result in the enforcement of important public rights.

HOW DID THE DECISIONMAKER ERR OR ABUSE ITS DISCRETION? The DA abused its discretion because it improperly granted the Entitlements in violation of the Code, TOC guidelines, and historic preservation plans and relied on an inadequate CEQA review. More detail is included in *Exhibit A attached hereto and incorporated into this Appeal in its entirety.*

Finally, on behalf of the Appellant, this Office requests, to the extent not already on the notice list, all notices of CEQA actions, Appeal hearings and any approvals, Project CEQA determinations, or public hearings to be held on the Project under state or local law requiring local agencies to mail such notices to any person who has filed a written request for them. (See Pub. Res. Code §§ 21092.2, 21167(f) and Gov. Code § 65092 and LAMC § 197.01.F.) Please send notice by electronic and regular mail at the address provided on page one of this letter.

Sincerely,

LAW OFFICE OF GIDEON KRACOV



Jordan R. Sisson
Attorney for Appellant

ATTACHMENTS:

Exhibit A: USC Forward Comment RE 1500 W. Adams Blvd. (8/10/23)

EXHIBIT A

August 10, 2023

VIA EMAIL: lydia.chapman@lacity.org & jonathan.kaplan@lacity.org

RE: ITEM 8: 1500 ADAMS BLVD. (DCP CASE No. DIR-2023-1984)1

Dear Adams-Normandie Historic Preservation Overlay Zone Board (“Board”):

On behalf of USC Forward,¹ this office provides the City of Los Angeles (“City”) the following comments regarding the proposed 50-bedroom and 49-bathroom development claimed by the applicant Tripalink to be just 16-dwelling unit (“Project”) that seeks, among other things, a Certificate of Occupancy (“COA”). As discussed below, the applicant’s “Presentation”² shows the Project is inconsistent with numerous provisions under the applicable “Preservation Plan.”³ As such, *USC Forward urges the Board recommend denying the COA.*

First, Tripalink is a well-known developer and operator of dorm-style co-living facilities specifically targeted to USC students. Tripalink’s model is to rent students an individual bedroom with independent bathrooms and providing only access to common areas like hallways and kitchen. Here, while the applicant claims it is seeking only 16 dwelling units, but the plans show 50 beds with 49 bathrooms (*compare* Presentation, p. 38 with pp. 40-42). Hence, there is substantial evidence that the project will not operate as 16-dwelling units but rather as 50-room dorm-like student housing project. This runs afoul of several applicable zoning rules, such as conflicting with LAMC § 12.03 definitions of “dwelling unit” and “Family” which together provides that each unit is to serve “one family” that includes one or more persons living together with “common access” to “all living ... areas within the dwelling unit.” Additionally, it evades Conditional Use Permit requirements applicable to the Neighborhood Stabilization Ordinance for units with 5 or more habitable rooms that maybe campus serving housing (see LAMC § 12.24-W.52). Furthermore, it distorts the City’s CEQA review process by utilizing misleading project descriptions. This should be addressed by the Director and City prior to granting any Project Approvals.

Second, the proposed project is inconsistent with several Preservation Plan guidelines applicable to this HPOZ. For example:

1. The proposed project would entirely enclose the historic resource that would disrupt the historic context and visual access from the public right of ways (see [Presentation](#), pp. 27, 28). This is inconsistent with Preservation Plan § 10.1, Principles 1 and 2.
2. The Presentation cites Commercial infill guidelines (p. 13). However, the Preservation Plan § 9.2 makes clear that new multi-family projects should follow the Residential Infill Guidelines.

Response 1

Response 2

¹ A broad coalition of students, community organizations, and union members united to make USC a better neighbor and accountable to its surrounding communities.

² <https://drive.google.com/drive/folders/1xll2TewlPr9nHhkQ5paF9PPU5FdChZel>.

³ <https://planning.lacity.org/odocument/8b057ee1-ec8b-44b1-9919-db4f248ad62c/Adams%20Normandie%20PP%20.pdf>.

- 3. The proposed design does not observe the historic setbacks or front yards provide from either the Adams frontage or the Catalina frontage (id., at pp. 27, 38; see also [GoogleMaps](#)). This is inconsistent with the Preservation Plan § 9.3, Guidelines 1 and 2. Response 3
- 4. The Project occupies almost the entire lots with minimal open space—which is unlike GoogleMaps adjacent contributors on this block (id., at p. 38-39). This is inconsistent with Preservation Plan § 9.3, Guideline 7. Response 4
- 5. The Project has four enclosed stories, plus access to a rooftop deck, and a max elevation of roughly 66' above grade (Presentation, pp. 15, 16, 30-31, 42.) Thus, the Projects mass is 4 to 5 stories tall—despite all contributors on the block are no more than 2 stories. This is inconsistent with Preservation Plan § 9.4, Guideline 1. Response 5
- 6. The Presentation references the 4-story apartment building to the east (id., at 16), which is not a contributor and thus not an appropriate comparison. A more appropriate comparison would be the 3-story apartment building across Adams that is roughly 35-feet tall at the parapet with no roof-deck. Response 6
- 7. Immediately west of the project is a two-story contributor. However, the project's western frontage is generally 4-stories tall but for small corner of the NW corner that is 3-stories with a 4th level balcony above (id., at p. 30). This is inconsistent with Preservation Plan Commercial Infill Guidelines § 11.3 Guideline 1 and 3. More tiering should be incorporated, such as providing setbacks for upper floors above the 2-story—similar to what was done at the rear of the project (id. at p. 31). Response 6

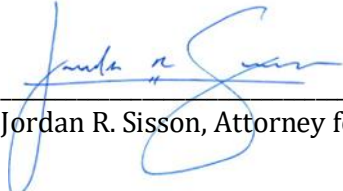
Third, for the above reasons, the Project does not comply with the Preservation Plan as required under the Code (see LAMC § 12.30.3 subd. K.4(c)). Thus, the Board should recommend denying the Certificate of Appropriateness until the Project is adequately redesigned, such as: (i) reducing stories and heights; (ii) removing roof deck; and (iii) providing greater front setbacks as well as open space.

Fourth, any suggestions that these recommendations are impractically, contrary to TOC guidelines, or prevent the proposed 16 dwelling units is unsubstantiated. For example, there is no explanation why the project needs 49 bathrooms, which is unnecessary to serve 16 dwelling units—unless of course Tripalink intends to rent individual rooms and bathrooms out to students per its business model. Additionally, just across Adams Street, is a 24-unit apartment complex built in 1912, during the period of significance for this Historic District (PP, pp 17-18). According to ZIMAS, the apartment complex includes 24-units with 24 total bathrooms—all contained in a 3-story structure roughly 35 feet tall, amounting to roughly 14,000 SF on a 5,400-SF lot (see [ZIMAS](#)). As compared to the Project, this 100-plus year-old building is providing 14 more units with roughly half as much lot area, half as much floor area, one less story, and with a parapet 21 feet lower. Response 7

In sum, the City cannot ignore the applicant's pattern and practice of building and operating student co-living facilities near USC. Doing so runs afoul of the City's zoning and CEQA rules. Additionally, the Project is inconsistent with the Preservation Plan and the Board should recommend denying the COA until it is redesigned with less floors, smaller heights, and more setbacks and open space. There is substantial evidence that these changes will not prevent 16 dwelling units—such as the building just across the street.

Thank you for your consideration.

Sincerely,



 Jordan R. Sisson, Attorney for USC Forward