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INFORMATION
<http://planning.lacity.org>

SITE PLAN REVIEW

Date: September 25, 2015

8740 L Tijera Blvd. (LA) Owner,
LLC. (A)
4700 Wilshire Boulevard
Los Angeles, CA 90010

Matthew Hayden (R)
ThreeSixty
4309 Overland Avenue
Culver City, CA 90230

Los Angeles Department of
Building and Safety

Case No. DIR-2015-583-SPR
CEQA: ENV-2015-584-MND
Location: 8820 South Sepulveda Eastway
Council District: 11
Neighborhood Council: Westchester-Playa del Rey
Community Plan Area: Westchester-Playa del Rey
Planning Area
Land Use Designation: General Commercial and
Low Residential
Zone: R4-1 and R1-1
Legal Description: Pt. 3 Tract 12956; Pt. Lot 38,
Rancho Sausal Redondo; Fr. Lot
505-512, Tract 12574

Last Day to File an Appeal: October 12, 2015

DETERMINATION

Pursuant to Los Angeles Municipal Code Section 16.05, as the designee of the Director of Planning, I hereby:

Conditionally Approve a Site Plan Review for the construction, use and maintenance of a 136-unit apartment building in the R4-1 Zone;

Adopt Mitigated Negative Declaration No. ENV-2015-584-MND as the environmental clearance;

Adopt the Mitigation Monitoring Program for ENV-2015-584-MND;

Adopt the attached findings; and

Advise the applicant that pursuant to the California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that environmental mitigation measures are implemented and maintained through the life of the project and the City may require any necessary fees to cover the cost of such monitoring.

This approval is subject to the following terms and conditions:

1. **Site Plan.** The use and development of the subject property shall be in substantial conformance with the site plan labeled Exhibit "A" attached to the subject case file. The location, type, and size of signage is not a part of this approval. Minor deviations may be allowed in order to comply with provisions of the Municipal Code and the conditions of approval.
2. **Setbacks.** The building shall be setback at minimum of 18 feet from the easterly property line, abutting the R1 zoned properties, with the exception of the southernmost portion of the building, where the property line shifts as shown in Exhibit "A".
3. **Elevations.** Prior to the issuance of any building permits, the applicant shall submit updated Elevations to the Department of City Planning which are consistent with the Site Plan, Floor Plans, Sections and Renderings, as shown in Exhibit "A". The Elevations shall be dimensioned, including the maximum building height as measured per Department of Building and Safety and the heights of each story, and shall include all facade textures, colors or materials.
4. **Floor Area.** The total floor area shall not exceed 127,132 square feet or a 3 to 1 Floor Area Ratio (3:1 FAR), whichever is less.
5. **Height.** The project shall be limited to 67 feet in height and five stories.
6. **Parking.** The project shall provide 230 vehicle parking spaces and 150 bicycle parking spaces on-site, however short-term bicycle parking may be permitted in the right-of-way as permitted by the L.A.M.C. Section 12.21-A,16.
7. **Balconies.** Balconies shall be in substantial conformance with the Floor Plans as shown in Exhibit "A". Balconies shall not be used for storage and lighting shall be limited to the balconies in order to ensure light does not spillover into adjacent yards.
8. **Open Space/Landscaping.**
 - a. The project shall provide a minimum of 14,925 square feet of Open Space, consistent with the requirements of L.A.M.C. Section 12.21-G, as shown in Exhibit "A". The proposed leasing office/lounge shown on Sheet A107 of Exhibit "A" shall not count toward meeting the minimum requirements of this condition.
 - b. In addition to the requirements above (Condition No. 8.a), the project shall provide the following:
 - 1) The North Landscape Area, as referenced on Sheet L1 of the Preliminary Landscape Plan in Exhibit "A", shall be accessible and include a dog park, benches, landscaping, paving, lighting and fencing, as shown in Exhibit "A", Preliminary Landscape Plan (Sheet L4) and specified in the Enlarged Plan Key. Exhibit "A", Preliminary Landscape Plan (Sheets L1 and L4) shall be revised to show additional illuminated walkway bollards adjacent to the Public Walk. Chainlink fencing shall be prohibited.

- 2) The Corner Patio, as referenced on Sheet L1 of the Preliminary Landscape Plan in Exhibit "A", shall include outdoor furniture (seating, tables, umbrellas, etc.), landscaping, paving and lighting, as shown in Exhibit "A", Preliminary Landscape Plan (Sheet L4) and specified in the Enlarged Plan Key.
 - 3) The Corner Patio, as shown on Sheet L4 of the Preliminary Landscape Plan in Exhibit "A", shall be revised to show publicly accessible pedestrian access from the sidewalk to the patio and not less than two (2) 24-inch box size shade trees (palm trees do not count toward meeting this requirement).
 - 4) The South Landscape Area, as referenced on Sheet L1 of the Preliminary Landscape Plan in Exhibit "A", shall be accessible and shall include a community garden, benches, landscaping, paving, lighting and fencing, as shown in Exhibit "A", Preliminary Landscape Plan (sheet L4) and specified in the Enlarged Plan Key. Chainlink fencing shall be prohibited.
 - 5) The area along the eastern property line, abutting the R1 zoned properties, shall be landscaped with a double row of *Cupressocyparis leylandii* (Leylandi Cypress) trees (or similar-type tree species) as shown in Exhibit "A", Preliminary Landscape Plan (sheet L5). The trees may be evenly split among 24-inch and 36-inch box size, however the 24-inch box size shall be reserved predominantly for those areas where the building is set back beyond the minimum proposed.
9. **Sound Wall.** Sheets A101, A201, A202, L1, L2 and L4 of Exhibit "A" shall be revised to show an eight-foot (8') high concrete masonry wall along the eastern property line, abutting the R1 zoned properties.
10. **Leasing Office/Lounge - Public Access.** The Leasing/Lounge area shall be open to the public during regular business hours and not less than 850 square feet. Sheets A102, A107, L1, L4 and L5 of Exhibit "A" shall be revised to show direct public access from the Leasing/Lounge area to the Corner Patio and public right-of-way along La Tijera Boulevard and Sepulveda Eastway.
11. **Location of Short-term Bicycle Parking.**
- a. A minimum of 14 short-term bicycle parking spaces shall be provided.
 - b. No more than eight (8) short-term bicycle parking spaces shall be permitted on the subject property and within 50 feet of walking distance from the Main Building Entrance. The limitation herein is to prevent the bicycle parking from dominating the Main Building Entrance.
 - c. No more than six (6) short-term bicycle parking spaces shall be permitted within 50 feet of walking distance from the entrance to the Leasing/Lounge area.
 - d. Required and additional short-term bicycle parking spaces may be located within the public right-of-way as permitted by L.A.M.C. Section 12.21-A,16.

12. **Rooftop Screening.** Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view of any abutting properties and the public right-of-way. All screening shall be setback at least five feet from the edge of the building.
13. **Public Walk.** The five-foot public right-of-way for Public Walk recorded April 26, 1955 as Instrument No. 3714 shall remain open to the public and clear of permanent visual obstructions as shown in Exhibit "A".
14. **Pool Hours of Operation.** Pool use shall be prohibited between the hours of 10 p.m. to 7 a.m., Sunday through Thursday and 11 p.m. to 8 a.m., Friday and Saturday.
15. **Community Area/Pool Area Complaint Monitoring.** Thirty days after the issuance of the Certificate of Occupancy, the building operator and/or owner shall appoint a designated property manager. The operator/owner shall provide the Planning Department, the Council District Office and the Westchester Playa Neighborhood Council with the name and phone number of the designated property manager. At the written request of the Council Office, the designated property manager shall meet with the neighbors once per year to discuss Community Area/Pool Area operations.

Environmental

16. **Aesthetics.**
 - a. **Aesthetics (Landscape Plan).** All open areas not used for buildings, driveways, parking areas, recreational facilities or sidewalks shall be attractively landscaped and maintained in accordance with a landscape plan and an automatic irrigation plan, prepared by a licensed Landscape Architect and to the satisfaction of the decision maker.
 - b. **Aesthetics (Light).** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.
 - c. **Aesthetics (Glare).** The exterior of the proposed structure shall be constructed of materials to minimize glare and reflected heat, such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces.
17. **Biological Resources.**
 - a. **Habitat Modification (Nesting Native Birds, Non-Hillside or Urban Areas).**
 - 1) Proposed project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take

means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture of kill (Fish and Game Code Section 86).

- 2) If project activities cannot feasibly avoid the breeding bird season, beginning thirty days prior to the disturbance of suitable nesting habitat, the applicant shall:
 - i. Arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within properties adjacent to the project site, as access to adjacent areas allows. The surveys shall be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work.
 - ii. If a protected native bird is found, the applicant shall delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat for the observed protected bird species until August 31.
 - iii. Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest or as determined by a qualified biological monitor, shall be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. The buffer zone from the nest shall be established in the field with flagging and stakes. Construction personnel shall be instructed on the sensitivity of the area.
 - iv. The applicant shall record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds. Such record shall be submitted and received into the case file for the associated discretionary action permitting the project.

b. Tree Removal (Public Right-of-Way).

- 1) Removal of trees in the public right-of-way requires approval by the Board of Public Works.
- 2) The required Tree Report shall include the location, size, type, and condition of all existing trees in the adjacent public right-of-way and shall be submitted for review and approval by the Urban Forestry Division of the Bureau of Street Services, Department of Public Works (213-847-3077).
- 3) The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) trees in the public right-of-way.

- 4) All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.

18. **Geology And Soils.**

- a. **Erosion/Grading/Short-Term Construction Impacts.** The project applicant shall provide staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.

19. **Noise.**

- a. **Increased Noise Levels (Demolition, Grading, and Construction Activities).**

- 1) Construction and demolition shall be restricted to the hours of 7:00 A.M. to 6:00 P.M. Monday through Friday, and 8:00 A.M. to 6:00 P.M. on Saturday.
- 2) Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- 3) The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

- b. **Increased Noise Levels (Parking Structure Ramps).**

- 1) Concrete, not metal, shall be used for construction of parking ramps.
- 2) The interior ramps shall be textured to prevent tire squeal at turning areas.

20. **Public Services.**

- a. **Public Services (Fire).** The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department prior to the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
- b. **Public Services (Police – Demolition/Construction Sites).** Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.
- c. **Public Services (Police).** The plans shall incorporate the Design Guidelines (defined in the following sentence) relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public

and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design," published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.

21. Transportation and Traffic.

a. Increased Vehicle Trips/Congestion.

- 1) The project shall dedicate 5 feet along the La Tijera Boulevard Project frontage and widen the sidewalk by 3 feet.
- 2) The project shall dedicate 8 feet along the Sepulveda Eastway Project frontage and widen the sidewalk to 13 feet.

b. Transportation (Hauling).

- 1) The developer shall install traffic signs in accordance with the LAMC around the site to ensure pedestrian and vehicle safety.
- 2) Flag persons shall be utilized to direct haul trucks entering and leaving the site to ensure safe turning movements and prevent conflicts with pedestrian and vehicular traffic.

c. Transportation (Safety Hazards).

- 1) The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- 2) The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.

- d. Transportation/Traffic (Construction).** Off-street parking shall be provided for all contractors and construction workers generated by the project. No employees or subcontractors shall be allowed to park on surrounding streets for the duration of all construction activities. There shall be no staging or parking of construction vehicles, including vehicles that transport workers, on any residential street in the immediate area. All construction vehicles shall be stored on-site unless returned to the base of operations.

ADMINISTRATIVE

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

23. **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.
24. **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.
25. **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.
26. **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.
27. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
28. **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.
29. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.

- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. 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).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions include 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.

BACKGROUND

The applicant is requesting site plan review for the demolition of the existing church and associated charter middle school and the construction of a 136-unit apartment building. The proposed structure is five stories high (67 feet above grade at its highest point), which

includes one level of parking below grade and one level of parking partially below and at grade and five levels of residential units above the parking levels.

The subject property is a slightly-sloping, 59,845 square-foot corner lot and includes approximately 54,724 square feet in the R4 Zone and 5,121 square feet in the R1 Zone. The property is located within the Westchester-Playa Del Rey Community Planning Area and has two General Plan Land Use designations: General Commercial (that portion zoned R4 - Multiple Dwelling Zone) with corresponding zones C1.5, C2, C4, CR, RAS3, and RAS4; and Low Residential (that portion zoned R1 - One Family Zone) with corresponding zones RE9, RS, R1, RU, RD6, and RD5.

The subject property is also located within the Los Angeles Coastal Transportation Corridor Specific Plan Area and a State Enterprise Zone. A portion of the subject property is located within the boundaries of the Airport Influence Area for the Los Angeles International Airport (LAX) and is therefore subject to the Los Angeles County Airport Land Use Plan (Airport Land Use Plan), which requires residential projects that fall within the Airport Influence Area's 65 dBA Community Noise Exposure Level (CNEL) contour, to be constructed in a manner that achieves a 45 dBA interior noise level. Additionally, the subject property is adjacent to the Downtown Westchester Community Design Overlay (CDO).

Surrounding land uses consist of a mixture of commercial and residential uses. Properties to the north, across La Tijera Boulevard are zoned [Q]C2-1-CDO and developed with one- and two-story commercial retail and medical uses. Properties to the east are zoned R1-1 and developed with one-story single-family dwellings. Properties to the south are zoned R4-1 and developed with a two-story, multi-family dwelling. Properties to the west are zoned [Q]C2-2D-CDO and developed with surface parking.

The subject property is currently occupied by an existing church and associated charter middle school with 249 students. The existing structures on-site include approximately 16,500 square feet of floor area and approximately 45 surface parking spaces are included on-site.

The proposed project includes 136 apartment units within a 127,132 square-foot, five-story (67 feet in height) building above two levels of parking (one subterranean level and one partially below and at-grade level). The project provides a total of 230 vehicle parking spaces: 129 parking spaces at the subterranean level and 92 parking spaces at the partially below and at-grade level. The project exceeds the amount of required vehicle parking by 14 spaces. The project will also provide 150 bicycle parking spaces.

The proposed project will provide 14,925 square feet of open space, as required by L.A.M.C. Section 12.21-G, which will include two courtyards and a gym/recreation room. The project will include a double row of trees along the easterly property line, abutting the R1 zoned properties to the east. In addition, the project will provide three outdoor spaces to the north of the building, to the south of the building and at the corner of La Tijera Boulevard and Sepulveda Eastway.

SITE PLAN REVIEW FINDINGS

I have reviewed the subject development project and hereby find the following findings based on the information contained in the application, the report of the Site Plan Review staff, reports received from other departments, supplemental written documents submitted

and review of environmental impacts associated with the project pursuant to Section 16.05-C of the Municipal Code:

- 1. The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and does not conflict with any applicable regulations, standards, and any applicable specific plan.**

The proposed project complies with all applicable provisions of the Los Angeles Municipal Code, the Westchester-Playa Del Rey Community Plan and Los Angeles Coastal Transportation Corridor Specific Plan Area. The project is adjacent, but not subject to the Downtown Westchester Community Design Overlay (CDO).

There are twelve elements of the General Plan. Each of these elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of Code requirements of the Los Angeles Municipal Code.

The Land Use Element of the City's General Plan is divided into 35 Community Plans. The subject property is located within the Westchester-Playa Del Rey Community Plan, which designates the site for both General Commercial land uses, with corresponding zones C1.5, C2, C4, CR, RAS3, and RAS4 and Low Residential land uses with corresponding zones RE9, RS, R1, RU, RD6, and RD5.

While the subject property includes two zones (R4 and R1) and two land use designations (General Commercial and Low Residential), 91% of the site is within the R4 Zone and General Commercial land use designation. In addition, the entire building and all residential amenities are located on the R4 and General Commercial land use designated portion of the property.

The proposed project is consistent with the following goals and policies of the Westchester-Playa Del Rey Community Plan:

Goal 1: Provide a safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the Westchester-Playa Del Rey community.

Objective 1-1: Provide for the preservation of existing quality housing, and for the development of new housing to meet the diverse economic and physical needs of the existing residents and expected new residents in the Westchester-Playa del Rey Community Plan Area to the year 2025.

Policy 1-1.1: Protect existing stable single family and low density residential neighborhoods, such as Kentwood, from encroachment by higher density residential uses and other uses that are incompatible as to scale and character, or would otherwise diminish quality of life.

Policy 1-1.3: Provide for adequate Multiple Family residential development.

Objective 1-2: Locate housing near commercial centers, public facilities, and bus routes and other transit services, to reduce vehicular trips and congestion and increase access to services and facilities.

Policy 1-2.1: Locate higher residential densities near commercial centers, public facilities, bus routes and other transit services.

The proposed project will result in the development of new housing (136 new apartment units) on an existing R4 zoned property, thereby meeting the physical needs of the expected new residents in the Westchester-Playa del Rey Community Plan Area to the year 2025 while protecting the adjacent single-family and low density residential neighborhood from encroachment by higher density residential uses.

The proposed project will also locate housing and higher residential densities near commercial centers, bus routes and other transit services. The project is directly south and east of "Downtown Westchester", an area that contains a mix of commercial uses, including restaurants, fast food establishments, larger national retail chain stores, smaller locally-owned retail shops and professional offices. The project is also within 500 feet of the intersection of Sepulveda Boulevard and La Tijera Boulevard, which has numerous bus stops for local and regional service.

Therefore, the project is in substantial conformance with the purposes, intent and provisions of the Westchester-Playa Del Rey Community Plan and does not conflict with any applicable regulations or standards.

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

The proposed project includes 136 apartment units within a 127,132 square-foot (with an FAR of approximately 2.95 to 1), five-story (67 feet in height) building above two levels of parking (one subterranean level and one partially below and at-grade level). The project provides a total of 230 vehicle parking spaces: 129 parking spaces at the subterranean level and 92 parking spaces at the partially below and at-grade level. The project exceeds the amount of required vehicle parking by 14 spaces. The project will also provide 150 bicycle parking spaces.

The subject property is a slightly-sloping, 59,845 square-foot corner lot and includes approximately 54,724 square feet in the R4 Zone and 5,121 square feet in the R1 Zone.

Surrounding land uses consist of a mixture of commercial and residential uses. Properties to the north, across La Tijera Boulevard are zoned [Q]C2-1-CDO and developed with one- and two-story commercial retail and medical uses. Properties to the east are zoned R1-1 and developed with one-story single-family dwellings. Properties to the south are zoned R4-1 and developed with a two-story, multi-family dwelling. Properties to the west are zoned [Q]C2-2D-CDO and developed with surface parking.

Height, Bulk and Setbacks

The proposed project has been designed to maintain compatibility with the adjacent to the R1 zoned properties to the east by limiting the amount of building along the setback area adjoin the R1 zoned properties. The subject property shares approximately 850 feet of lot line with the adjacent to the R1 zoned properties to the east, however only approximately 300 linear feet of the building's façade is within 18 feet of the shared common lot line, with the exception of where the property line shifts at the building's southernmost portion. The bulk of the building is set back to a maximum distance of approximately 70 feet from the adjoining lot line by a 5,235 square-foot courtyard.

The project is within the R4 Zone and therefore has no height restriction. Nevertheless, the project has been proposed at five stories and 67 feet in height. In addition, the project will provide a double row of *Cupressocyparis leylandii* (Leylandi Cypress) trees, which can reach a height of 50 feet, within the setback area adjacent to the R1 zoned properties.

Lastly, the subject property is directly south and east of "Downtown Westchester" and the Downtown Westchester Community Design Overlay (CDO). Those properties within the CDO and adjacent to the subject property are permitted an FAR 3:1 for commercial projects and 6:1 for mixed-use projects that include residential dwelling units. The proposed project, built at an FAR of approximately 2.95:1, is consistent with both the R4-1 Zone (that which the project is located within) and the FAR allowed by the CDO on the neighboring properties directly to the north and west.

Therefore, the height, bulk and setbacks of the residential building will be compatible with the existing and future developments in the neighborhood.

Off-street Parking Facilities

The proposed project will provide a total of 230 vehicle parking spaces: 129 parking spaces at the subterranean level and 92 parking spaces at the partially below and at-grade level. The project exceeds the amount of required vehicle parking by 14 spaces. The project will also provide 150 bicycle parking spaces.

Due to the building and subterranean and semi-subterranean design of the parking facilities, such parking facilities will not be visible from the public right-of-way. Additionally, all ingress and egress will be from Sepulveda Eastway (designated a Collector Street). Curb cuts and driveways along La Tijera Boulevard (designated Boulevard II (Major Highway - Class II) and a Tier II Bike Lane as shown in Mobility Plan 2035) were specifically avoided in order to reduce any impact on circulation in the surrounding area.

In addition, all required short-term bicycle parking shall be located within 50 feet of an entrance, however such parking shall be split between the main building entrance along Sepulveda Eastway, and at the patio area at the corner of Sepulveda Eastway and La Tijera Boulevard (which will provide a pedestrian entrance to the leasing office) or within the public right-of-way along Sepulveda Eastway.

No more than eight (8) short-term bicycle parking spaces shall be permitted within 50 feet of walking distance from a main pedestrian entrance and on the subject property,

however unlimited short-term bicycle parking spaces within 50 feet of walking distance from a main pedestrian entrance shall be permitted within the public right-of-way.

Therefore, the off-street parking facilities will be compatible with the existing and future developments in the neighborhood.

Lighting

The proposed lighting, as shown on Exhibit "A", is primarily low-level and safety lighting. Furthermore, as required by Condition No. 15.b, outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.

Therefore, the lighting will be compatible with the existing and future developments in the neighborhood.

On-Site Landscaping

The project will provide a minimum of 14,925 square feet of open space, including 5,815 square feet of private open space (in the form of balconies and patios), two courtyards and a 2,380 square-foot gym/recreation room. The project has been conditioned (Condition No. 8 - Open Space/Landscaping) to improve 1) the North Landscape Area (the area to the north of the Public Walk) with a dog park, benches, landscaping, paving, lighting and fencing; 2) the Corner Patio (the corner of La Tijera and Sepulveda Eastway) with a patio, direct access from the sidewalk, site furniture (seating, tables, umbrellas, etc.), landscaping, paving and lighting as a waiting area and outside lounge for future and current tenants; and, 3) the South Landscape Area (area to the south of the building) with a community garden, benches, landscaping, paving, lighting and fencing.

In addition, the project has been conditioned to provide an eight-foot (8') high concrete masonry wall along the eastern property line, abutting the R1 zoned properties.

Therefore, the on-site landscaping will be compatible with the existing and future developments in the neighborhood.

Trash Collection

The project will provide trash collection in conformance with the L.A.M.C. Compliance with this regulation will allow the project to be compatible with existing and future development.

Therefore, as proposed and conditioned, the project is compatible with existing and future development on neighboring properties.

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

The proposed project will include 136 residential units and a minimum of 14,925 square feet of open space. The project will include 28 studio units, 55 one-bedroom units and 53 two-bedroom units with a range in size from 518 square feet (studio) to 1,097 square

feet.

The project, as proposed, will provide a minimum of 14,925 square feet of open space, including 5,815 square feet of private open space (in the form of balconies and patios), two courtyards and a 2,380 square-foot gym/recreation room. The main courtyard will include a swimming pool, a spa, a fire pit with patio seating, an outdoor kitchen with BBQ grilles, a cabana, poolside site furnishings, a fireplace, an overhead flowering vine arbor and tables with umbrellas. The project has been conditioned (Condition No. 8.b.5) to plant a double row of 24-inch and 36-inch box size *Cupressocyparis leylandii* (Leylandi Cypress) trees (or similar-type tree species) along the eastern property line, abutting the R1 zoned properties to minimize any impacts on these properties for any outdoor activities.

The project has also been conditioned (Condition No. 8 - Open Space/Landscaping) to improve three (3) areas in addition to those proposed above.

1. The North Landscape Area (the area to the north of the Public Walk), as referenced on Sheet L1 of the Preliminary Landscape Plan in Exhibit "A", will include a dog park, benches, landscaping, paving, lighting and fencing. The project will also provide additional illuminated walkway bollards adjacent to the Public Walk.
2. The Corner Patio (the corner of La Tijera and Sepulveda Eastway), as referenced on Sheet L1 of the Preliminary Landscape Plan in Exhibit "A", will provide a patio with direct public access from the sidewalk, outdoor furniture (seating, tables, umbrellas, etc.), landscaping, paving and lighting, and may be used as a waiting area and outside lounge for future and current tenants. This area will also provide two (2) 24-inch box size shade trees to minimize the effects of the afternoon sun.
3. The South Landscape Area (the area to the south of the building), as referenced on Sheet L1 of the Preliminary Landscape Plan in Exhibit "A", will include a community garden, benches, landscaping, paving, lighting and fencing.

These additional amenities will enhance habitability for the residents.

The project will provide 14 parking spaces in excess of the minimum required by the Code resulting in available guest parking and relieving the burden on on-street parking in the surrounding area.

Therefore, as proposed and conditioned, the project is compatible with existing and future development on neighboring properties.

ADDITIONAL MANDATORY FINDINGS

4. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone X, which are areas identified on the flood map as areas determined to be outside the 0.2% annual chance floodplain.
5. On July 15, 2015, the City Planning Department issued Mitigated Negative Declaration No. ENV-2015-584-MND. On August 1, 2015, the City Council adopted Mobility Plan

2035 amending the Mobility Element of the General Plan. Upon adoption of Mobility Plan 2035, the City amended the Street Standards Plans (Standard Plan No. S-470-1). Therefore, in order to make the environmental mitigations required by this action consistent with the Mobility Element of the General Plan, Condition No. 16.a has been modified to require dedications and improvements consistent with Mobility Plan 2035. On the basis of the whole of the record before the lead agency including any comments received and the modification discussed herein, the lead agency finds that, with imposition of the mitigation measures described in the MND, there is no substantial evidence that the proposed project will have a significant effect on the environment. This Mitigated Negative Declaration reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts are mitigated to a less than significant level. I hereby adopt that action. The custodian of the documents or other material which constitute the record of proceedings upon which the decision is based are located with the City of Los Angeles, Planning Department located at 200 North Spring Street, Room 750, Los Angeles, California.

Authorization - Time Limit and Transferability

The authorization granted herein shall be for a three year period from the effective date. If building permits are not issued and construction work is not begun within such time and carried on diligently so that building permits do not lapse, this approval shall become null and void. There are no time extensions available beyond this three year period. Furthermore, this grant is not a permit or license and that permits and licenses required by all applicable laws must be obtained from the proper agency.

In the event the property is sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise such person or corporation regarding the conditions of this authorization. If any portion of the authorization is utilized, the conditions and requirement of the grant will become operative and must be strictly observed

Appeal Period - Effective Date

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 if the same be 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.

The Determination in this matter will become effective after October 12, 2015 unless an appeal there from is filed with the Department of City Planning. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of this Determination, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://cityplanning.lacity.org/>.** Planning Department public offices are located at:

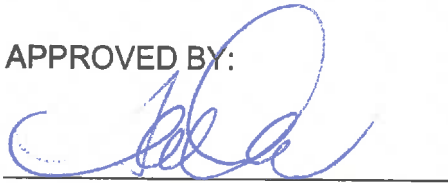
Figueroa Plaza 201 North Figueroa Street, Fourth Floor Los Angeles, CA 90012-2601 Phone: (213) 482-7077	Marvin Braude San Fernando Valley Constituent Services Center 6262 Van Nuys Boulevard, Suite 251 Van Nuys, CA 91401 Phone: (818) 374-5050
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The applicant is further advised that all subsequent contact with this office regarding this Determination must be with the decision-maker who acted on the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished by appointment only, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

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

MICHAEL LOGRANDE
Director of Planning

APPROVED BY:



Jae H. Kim
Senior City Planner



Jane Choi, AICP
City Planner



Oliver Netburn, City Planning Associate
(213) 978-1382

Attachments:

Exhibit A: Site Plans, Floor Plans, Sections, Landscape Plans, Renderings

