META Housing Corporation
1640 S. Sepulveda Blvd., Suite 425
Los Angeles, CA 90025
Attn: Taylor Rasmussen

REGARDING:

PROJECT NO. 2016-001235-(1)
CONDITIONAL USE PERMIT NO. RPPL2016005207
ADMINISTRATIVE HOUSING PERMIT NO. RPPL2017006970
4161 & 4169 WHITTIER BLVD, EAST LOS ANGELES
APN: 5236-005-032, 5236-005-033, 5236-005-034
(Northwest corner of Whittier Blvd/Downey Rd)

CONDITIONAL USE PERMIT NO. RPPL2016005212
ADMINISTRATIVE HOUSING PERMIT NO. RPPL2017006968
4200-4224 WHITTIER BLVD, EAST LOS ANGELES
(Southeast corner of Whittier Blvd/Downey Rd)

The Regional Planning Commission, by its action of May 31, 2017, has APPROVED the above-referenced project. Enclosed are the Commission’s Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or any other interested persons may appeal the Regional Planning Commission’s decision. The appeal period for this project will end at 5:00 p.m. on June 14, 2017. Appeals must be delivered in person.

Appeals: To file an appeal, please contact:
Executive Office of the Board of Supervisors
Room 383, Kenneth Hahn Hall of Administration
500 West Temple Street, Los Angeles, CA 90012
(213) 974-1426

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

In addition, any applicable CEQA fees for the Department of Fish and Wildlife shall be paid, and a Notice of Determination, if applicable must be filed with the County Clerk according to the instructions with the enclosed Affidavit of Acceptance. A Notice of Exemption, if applicable, may also be filed according to the instructions in the enclosed Affidavit of Acceptance.
For questions or for additional information, please contact Jolee Hui of the Zoning Permits East Section at (213) 974-6435, or by email at jhui@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner

[Signature]
Maria Masis, Supervising Regional Planner
Zoning Permits East Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion), Notice of Exemption

c: Board of Supervisors; DPW (Building and Safety); Zoning Enforcement

MM:JPH
FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION  
COUNTY OF LOS ANGELES  
PROJECT NO. 2016-001235-(1)  
CONDITIONAL USE PERMIT NO. RPPL2016005207  
ADMINISTRATIVE HOUSING PERMIT NO. RPPL2017006970

1. The Los Angeles County ("County") Regional Planning Commission ("Commission") conducted a duly-noticed public hearing on May 31, 2017, in the matter of Project No. 2016-001235-(1), consisting of Conditional Use Permit ("CUP") No. RPPL2016005207 and Administrative Housing Permit No. RPPL2017006970 ("Housing permit"). The CUP and housing permit are referred to collectively as "Project Permits."

2. The permittee, META Housing Corporation ("permittee"), requests the Project Permits to authorize construction, operation, and maintenance of a 42-unit apartment building ("Project") with 100 percent affordable units dedicated to lower income, very-low income, and special needs groups on a property located at 4161 and 4169 Whittier Boulevard in the unincorporated community of East Los Angeles ("Project Site").

3. The CUP is a request to authorize apartment house in the C-3 (General Commercial) Zone pursuant to Los Angeles County Code ("County Code") Section 22.28.200.

4. The administrative housing permit is a related request for three affordable housing incentives to allow 110% density bonus, a height increase from the maximum permitted height of 40 feet in the C-3 Zone up to 44 feet above grade and from the maximum permitted height of 35 feet in the R-3 Zone up to 36 feet above grade, and eight compact parking spaces for apartment house.

5. The Project Site is 0.69 acre in size and consists of four legal lots, two of which are tied together as one parcel. The Assessor's Parcel Numbers are 5236-005-032, 5236-005-033, and 5236-005-034.

6. The Project Site is located on the northwest corner of the Whittier Boulevard and Downey Road intersection. It is bounded by Whittier Boulevard on the south side, Downey Road on the east side, residences on the north side, and businesses and residences on the west side.

7. The Project Site is rectangular with generally level topography and is currently unoccupied with a chain-link fence enclosure.

8. The Project Site is located in the Eastside Unit No. 1 Zoned District and is currently zoned R-3 for the northern parcel and C-3 for the southern parcels.

9. The Project Site is located in the MD-Medium Density Residential and CC-Community Commercial land use categories of the East Los Angeles Community Plan. The split in land use categories corresponds to the split between the R-3 Zone and C-3 Zone.
10. The Project Site is located within the East Los Angeles Community Standard District (CSD).

11. Surrounding properties within a 500-foot radius are zoned as follows:

- North: R-3
- South: C-3, R-3
- East: OS (Open Space - 3rd Street Specific Plan)
- West: C-3, R-3

12. Surrounding land uses within a 500-foot radius include:

- North: Two-family residences, multi-family residences, single-family residences
- South: Neighborhood commercial retail businesses (e.g., florist, auto repair shop, market), two-family residences, and multi-family residences
- East: New Calvary Cemetery
- West: Neighborhood commercial retail businesses (e.g., head stone business, discount store, ice cream shop) and multi-family residences

13. There are no previous permit approvals for the former businesses on the Project Site. Building records show improvements were made to the former commercial/industrial structures in 1950s and 1970s. According to the Phase I Environmental Site Assessment, the property was undeveloped as early as 1894, developed with residential dwellings on the northeast and southwest portion circa 1921 and 1908, respectively. The property was then redeveloped to commercial and industrial use buildings in 1928 with the former dwelling on the west side being removed circa 1960s. Structures associated with the former LeGrand Vault were removed from the property on 4169 Whittier Boulevard in 2015. Structures associated with the former Superior Marble & Granite remain on the property on 4161 Whittier Boulevard.

14. Ordinance 1690, adopted on June 24, 1929 by the Board of Supervisors, established the northern portion of Downey I in the R4 (Unlimited) Zone and the southern portion in the M1 (Factory) Zone. Ordinance 880153Z, adopted on September 13, 1988 by the Board of Supervisors, established the northern portion of Downey I in the C-3 Zone and the southern portion in the R-3 (Unlimited) Zone.

15. The affordable housing portion of the Project consists of 41 affordable housing units, plus one unit for the on-site property manager (24 studio units, 13 one-bedroom units, and 4 two-bedroom units). The Project is a 100-percent affordable housing project for the low income (at 80 percent of the Area Median Income or "AMI") or very-low income households (at 50 percent of the AMI), and special needs groups. Up to 21 units are restricted to homeless frequent users of County's health services and 20 units are restricted to low-income households. Of the proposed 42 units, nine units will be built-out as "accessible" units with mobility features or auditory and visual communication features.
16. The site plan depicts a three-story building with 1,161 square feet of commercial retail space and vehicular and bicycle parking on the ground level (First Floor) and 100 percent affordable units are located on the two upper floors. The commercial/retail space would have storefront on Whittier Boulevard. Access to the residential and commercial parking spaces would be provided via a driveway on Downey Road. The commercial and residential parking would be separated by a gate.

A community room, computer room/kitchen, laundry facilities, gym, mailing room, and property and case management offices are also located on the ground floor. Landscaping is proposed along the property lines on the ground floor and on Level 2. A small outdoor terrace is included on the ground floor. The open courtyard/community patio area on Level 2 is designed with edible container garden and barbecue seating area.

The floor plans for Level 2 and Level 3 is U-shaped due to the open courtyard/open space area on Level 2. This open area on the west side of the building maximize sunlight for the inner residential units on Level 2 and Level 3. Residents will have access to their units via the elevator/staircase accessible from the secured ground floor lobby or via staircase from the ground-level residential parking lot.

17. The Project Site is accessible for vehicles by a driveway on Downey Road and accessible by pedestrians on Whittier Boulevard.

18. The Project will provide six commercial parking spaces and 21 residential parking spaces and four guest parking spaces. The parking will be covered and the residential parking will be located behind a gate.

19. The Department of Public Works, in a letter dated May 17, 2017, cleared the project for public hearing with conditions imposed for road improvements, grading, drainage review requirements, water purveyor compliance, and submittal to building plans to Building and Safety.

20. The Fire Department, Health Hazardous Material Division, in a letter dated May 23, 2017 cleared the Project for public hearing with conditions requiring arsenic remediation and a soil management plan.

21. The Fire Department Fire Prevention Division, in a letter dated April 13, 2017, cleared the project for public hearing with conditions requiring fire access requirements, maintenance, proper installation of fire hydrants and proof of fire flow, and installation of a sprinkler system.

22. The Department of Public Health, in letter dated February 6, 2017, cleared the Project for public hearing with conditions requiring the Project be connected to public water and public sewer, compliance with County Noise Control Ordinance requirements during operation and best management practices for notice mitigation and dust suppression requirements during construction.
23. Prior to the Commission's public hearing, Regional Planning staff determined that the Project is considered a transit priority project that qualified to be exempt from the California Environmental Quality Act (CEQA) under the Sustainable Communities Project Exemption as the Project meets all of the requirements in subdivisions (a), (b), and one requirement of subdivision (c) of the California Public Resources Code Section 21155.1 and CEQA Statute and Guidelines. The Project is declared a Transit Priority Project (TPP) by meeting the following definition:

- **Be consistent with the general plan designation, density, building intensity, and applicable policies in an approved sustainable community strategies or alternative planning strategy.**

  For Los Angeles County, Southern California Association of Governments (SCAG) updates the Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS) every four years to ensure that the state target for greenhouse gas emission reduction is achieved at the regional level. The County collaborates with SCAG and provides input throughout the development of RTP/SCS to ensure consistency in goals, policies, and implementation. Therefore, transit priority projects in the unincorporated areas in the County are consistent with the sustainable communities strategy.

The Project is consistent with the East Los Angeles Community Plan, General Plan policies of the Land Use Element, Mobility Element, and Housing Element. The projects would comply with applicable development standards set by the R-3 Zone, C-3 and East Los Angeles Community Standard District and meet the requirements of the Density Bonus Ordinance.

- **Be at least 50 percent residential use based on area and a floor area ratio (FAR) of not less than 0.75.**

  The Project has 1,161 square feet of commercial retail and 35,839 square feet of residential use, which is 97% residential, and a FAR greater than 1.0.

- **Be at least 20 units/acre.**

  With a requested density bonus, the Project would have a residential density of 61 dwelling units per acre.

- **Be within 1/4 mile of a major transit stop or high-quality transit corridor included the RTP/SCS (a high-quality transit corridor means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours).**

  The Project Site is located within a High-Quality Transit Area (HQTA) and High-Quality Transit Corridor (HQTC) in the Southern California Association of Governments' Regional Transportation Plan 2012-2035. Two Los Angeles Metro bus lines services the Project Site with greater frequencies than 15-minute frequencies during peak hours. They are Metro Rapid Line 720 and Metro Line 18.
A TPP is eligible for a full CEQA exemption if it meets seven land use criteria, eight environmental criteria, and one additional affordable housing or open space criteria. The proposed Project as a TPPs has been determined to meet the eight environmental criteria, seven land use criteria, and one affordable housing option criteria as detailed in the Sustainable Communities Project Exemption checklist responses.

24. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper (East Los Angeles Tribune), site property posting, library posting and DRP website posting.

25. Staff received one comment letter on May 30, 2017 from a local resident citing concerns related to traffic, parking, construction noise, size of the proposed development, CEQA exemption, and future retail tenants. Two general phone inquiries were also received about the project.

26. A duly noticed public hearing was held on May 31, 2017 before the Regional Planning Commission. Commissioners Louie, Shell, Smith, Moon, and McDugno were present. Commissioner Louie disclosed that over the past 30 years working as a commercial real estate broker, he has had discussion and provided information to the applicant, META Housing Corporation. He indicated that his prior interactions with the applicant would not affect his judgement on the proposed project.

Staff first presented on Downey I and Downey II concurrently. The applicant, Mr. Tim Soule (Vice President of META Housing Corporation), followed up with a presentation describing the past works of META Housing, past outreach effort, and META Housing’s intention to continue efforts to remain engaged with the community throughout the development process. META Housing has been in operation for over 20 years and have developed over 6,000 units in Southern California. The two proposed projects have been in the works since February 2016. META Housing was involved in four active community meetings and the community provided feedback that resulted in lower density on the southeast building and additional parking to address the community concerns. After approval, construction is anticipated to start at the end of this year or the first quarter of 2018. The commercial retail component is anticipated to be completed in 18 months. Downey I will be professionally managed by the John Stewart Company and the building will be staffed by a full-time onsite manager who will live in the building. During the outreach meeting, there were skepticism and concerns that the development will not serve the community.

Downey II targets the same households as Downey I but it offers more two-bedroom units and three-bedroom units for larger families. A play structure is also included for family with young children. A great focal point of the proposed project is to "activate" the corners of Whittier Boulevard and Downey Road by providing community-serving retail.
A local real estate broker has been hired to try to find a suitable tenant for the retail space. META Housing plans on meeting on a quarterly basis with community members and on a monthly basis with development team inclusive with the Supervisor's office and commercial consultant.

Commissioner Smith asked Mr. Soule to elaborate on the supportive services and the community partnerships as well as the affordability mix and tenant selection process. Mr. Soule answered that they will provide supportive services to those individuals in need of the support services and are partnering with the County Department of Health Services and County Department of Mental Health to find appropriate community-based vendors to serve those with affordable housing needs. There will be two types of services: residential services for all members to better integrate them into the community, and intensive case management services and specialized mental health services. The affordability mix will depend on funding sources. The targeted income groups will be mostly range from 30% AMI to 50% AMI and up to 60% AMI for larger units. Over 25% of the units will be dedicated to extremely low income. The outreach effort will continue in the community about the opportunity for affordable housing and to be on the waitlist. However, the selection will be drawn from a lottery to meet Fair Housing rules.

Commissioner Shell asked Mr. Soule if they have communicated with the homeowner of the one-story residences adjacent to the Downey II building. Mr. Soule answered that the community expressed concerns about the mass of the building but the immediate neighbors to these buildings have not voiced their opinion. Nine speakers from the public signed up to speak on the item.

Nine speakers testified in opposition of the proposed Project. Mr. Victor Salceo, a 61-year resident of the neighborhood testified that the area is a working class neighborhood earning $60,000 to $80,000 per year and local families will not qualify for the affordable housing units proposed by the Project. Several affordable housing projects have been constructed along Whittier Boulevard in the past few years but the width of Downey Road and Whittier Boulevard remain the same. These streets should be expanded to accommodate the increase in traffic from the residential projects.

Joe Cleveland has lived in East Los Angeles for over 40 years. He feels the area is overpopulated and a big parking problem exists. He further stated his concerns about the construction noise, the understaffed East Los Angeles Sheriff’s Station. He wants to see a better project such as a Boys and Girls’ Club, a museum, a science center, or a supermarket. The proposed structures are too high for the area. The community meetings that the applicant hosted were attended by people who do not live in the area because their area codes are not 90022 or 90023.

Ms. Karina Rincon opposed the CEQA exemption for the proposed Project. She submitted a letter with over 100 resident signatures opposing the Project. She pointed out the Downey I and II sites contained hazardous contaminants and these issues
have not been adequately addressed. She did not have access to the environmental assessment reports and the staff analysis until last week. The first meeting hosted by the applicant was actually an open house and a select few residents were notified of the event. The open house also took place more than two miles away from the proposed sites and not at an available venue closer to the residents. When she attended the meetings and asked detailed environmental impacts questions, META Housing representatives were not prepared to answer any of the questions. The community's health and safety is at stake and the Commission should not grant a CEQA relief for the proposed Project. META Housing has not indicated how they will address the environmental issues and remove the hazardous substances such as arsenic found on both sites. They are already dealing with Exide lead contamination. The environmental assessment only addressed impacts to the construction workers and not the local residents. Access for emergency and safety vehicles are not addressed and the proposed closure of the alley will impede access by fire trucks and paramedics.

Enedina Paz has testified in Spanish and her testimony was translated by Regional Planning staff. She lived in the community for 20 years and she opposed the Project. The developments provide no benefits to children and adolescents in the community. The opinion of the community members have not been taken into the consideration.

Guadalupe Rincon testified in Spanish and her testimony was translated by Regional Planning staff. She lives adjacent to the Project. She opposed the Project due to health concerns by the neighbors and the traffic on Sunol Drive and Downey Road.

Eddie Torres, President of East Los Angeles Chamber of Commerce, testified in opposition of the Project. The community needs jobs and businesses, not additional housing. All the META Housing meetings he attended, he only witnessed overwhelming support for business commercial developments and very little support for housing. The community has a lack of parking in the area and the Project does not take into consideration the new State law that allows the development of accessory dwelling units at single-family dwellings, which would add more cars to the streets. The Chamber demands a full CEQA investigation, especially due to the impacts to the Exide contamination. There was an old gas station on the premises and the detection of arsenic. East Los Angeles has over 100,000 residents with only seven Sheriff's patrol cars. There are not enough patrol cars in the area.

Teresa Marquez testified in opposition of the Project and she is part of the advisory board for Exide, which is 1.7 miles away from the sites. The Project must take into consideration the contamination by Exide and special protocols should be in place to address the contamination and ensure proper cleanup process. She also attended the meetings and at those meetings, the attendees expressed a desire for grocery stores, commercial uses that will bring in jobs. As soon as the 6th Street Bridge opens, more traffic will flood on Whittier Boulevard. All the affordable housing she has heard are not designated for the local residents because they are not qualified.
Feng Lan Liu testified in opposition of the Project because she found parallels with another affordable housing project (Golden Motel Project) which would directly impact her. She stated the developers are generally reluctant to notice residents. They should notice residents within a 1,000-foot radius. Affordable housing for homeless people should not be located near schools. Homeless people are homeless because they have mental disabilities and should be put in hospitals, job training centers, vocational schools, and not near residents and schools.

Pedro Ortiz provided testimony in Spanish. He opposed the project because he sees no benefits to the community. There is discrimination because they are minority community. He has lived in the area for 25 years and he did not see a benefit to the past affordable projects to the community. Instead of benefiting locals, it will only hurt those who already reside there. He suggested that the Commission stop the Project and give a community a voice that is often silent due to the language barrier.

Mr. Tim Soule responded to the concerns and issues brought up by the public testimonies. He absolutely concurred that moderate income households (80% to 120% AMI) should be provided with affordable housing. Unfortunately, there are no financial programs in place to assist in construction of housing for moderate income and higher income working class groups. META Housing is trying to work to solve this but they are not there yet. He recognized that there will be construction noise, and it will be disruptive to the community. However, it’s important that the community understands that as result with partnership with the County, META Housing will be required to do outreach and find local businesses to anchor the corners of Whittier Boulevard and Downey Road. To his knowledge, the Project was publicly notified in accordance with County Code.

META Housing has submitted a Phase I Environmental Site Assessment, Phase II Subsurface Soil Investigation, and additional environmental documents to the County Fire Department Health Hazardous Material Division. They will be required to carry out mitigation to address the identified environmental concerns in the soil sampling results and any other unknowns that may arise to the satisfaction of the County. The local real estate broker has informed META Housing that the properties have been on the market for a very long time with mostly interest from residential developers. It will be a great challenge to find retail tenants that serve the local community, but META Housing is committed to work with the community to find the desired retail tenants.

Mr. Richard Clark, the supervisor of the Site Mitigation Unit (SMU) within the Fire Department Health Hazardous Material Division, provided details on the site investigation on hazardous containments and the remediation effort. He clarified that META Housing has signed a voluntary agreement with SMU to clean up the sites prior to grading activities. SMU had recommended additional soil sampling be completed on shallow soils from a depth of one foot and six foot to assess the potential impacts not only to residents of the Project, but to the neighbors and the community in general. The Soil Management Plan (SMP) will be required to address the removal of the shallow soils impacted by arsenic prior to any grading activities to avoid the spread of
impacted soil to the rest of the site. The SMP will also address any potential unknowns encountered during evacuation. The site has a long history like the rest of Los Angeles County. Lead concentrations at both sites are low. The nearby freeways also pollute the environment. In conclusion, Mr. Richard Clark agreed that the conditions of approval incorporated in the Project are adequate to address the environmental concerns. County Counsel further clarified that under the CEQA exemption statute, the applicant are required to mitigate any potential presence of hazardous substance at the sites.

Commissioner Smith concluded that due to the affordable housing and homeless crisis in the County, there is a great need for supportive housing. The County is half a million units short on affordable housing. The commercial component of the mixed use project will help to address the community’s desire for more community-serving retail uses. Commissioner Smith would also like to add a condition for the applicant to conduct periodic meetings with local community members and Supervisor’s office staff in order to continue on assessing the tenant selection for the retail space and address the challenges that may arise and future opportunities. He would like to keep the channel of communication open. The Commission closed the public hearing and approved the Conditional Use Permit No. RPPL2016005207 in conjunction with Administrative Housing Permit No. RPPL2017006970 and Conditional Use Permit No. RPPL2016005212 in conjunction with Administrative Housing Permit No. RPPL2017006968, subject to the conditions of approval.

27. The Commission finds that the Project is consistent with the intended uses of the East Los Angeles Community Plan CC - Community Commercial and MD - Medium Density Residential land use designations for the Project Site as well as the policies in the Housing Element and Land Use Element of the General Plan.

The MD land use category is intended for areas suited for apartments and other multi-family housing and has a maximum permitted density of 30 dwelling units per net acre. The CC land use category is intended for areas with mostly small businesses in centers or along strips and does not have a specified maximum permitted density for residential use. Since the CC land use category does not identify a maximum permitted density for residential use, the maximum permitted density for the parcels designated within the CC category was based on the prevailing residential land use category of the surrounding neighborhood within a 500-foot radius, which is the MD land use category or 30 dwellings units per net acre.

Under the MD land use category, the applicant would be permitted by right up to 20 units on the 0.69-acre Project Site. The applicant is requesting a 110 percent density bonus for 22 additional units (or residential density of 61 du/ac). All dwelling units, except for one manager’s unit, for the proposed Project are 100 percent affordable. The units will be restricted to very-low income or lower income groups, earning 50 percent of the area median income ("AMI") or 80 percent of the AMI, respectively. The density bonus requests are consistent with the provisions of Chapter 22.56, Part 18 of the Zoning Code and the County’s adopted General Plan Housing Element, which allows
for administrative housing permits to grant density bonus of more than 50 percent as an off-menu incentive for qualified affordable housing projects.

Small commercial spaces, community room, and office use are proposed on the ground floor of the building and on the parcels designated within the CC land use category. Apartment units are proposed on all floors above the ground floor, which is consistent with the intended use for Medium Density Residential. With an approved conditional use permit, the proposed residential use on the parcels designated within the CC land use categories would be consistent with the intended use of the underlying land use category.

28. The Commission finds that the Project is a qualified affordable housing project with 100 percent affordable housing set-asides for very-low or lower income groups and are eligible for three incentives pursuant to Section 22.52.1840 of the County Code (Density Bonus Ordinance). The applicant is requesting the following incentives and modifications to the development standards through the administrative housing permit process:

- Density Bonus Exceeding 50% (Off-Menu Incentive). The applicant requests an additional 22 affordable units or 110 percent density bonus.

- Increased Height (Off-Menu Incentives). The East Los Angeles CSD requires that a building or structure shall not exceed 40 feet, except for devices or apparatus essential to industrial processes or communications related to public health and safety may be 50 feet in height. In the R-3 Zone, maximum permitted height is 35 feet. To modify this height limit, the applicant requests an increase in the maximum permitted height of the proposed structure from 40 feet to 44 feet above grade in the C-3 Zone. The height of proposed structure in the R-3 Zone generally does not exceed the maximum permitted height of 35 feet. The roofline of this structure in the R-3 Zone is well under 35 feet except for the mechanical equipment screening wall that may extends up to 36 feet above grade. A large portion of the Downey I structure would not exceed 35 feet above grade in the R-3 Zone and 40 feet above grade in the C-3 Zone except for the staircase towers and parapet walls which may extend up to 44 feet above grade. The building structure is also setback 20 feet from the south property line where it is adjacent to single-family and two-family residential uses.

- Compact Parking (Off-Menu Incentive). The applicant requests that eight compact parking spaces (26%) out of 31 total spaces be allowed without a parking permit. Section 22.56.900 and Section 22.52.1082 generally allow up to 40 percent of the required parking spaces to be compact parking in apartment house and also requires a parking permit to establish these spaces. These compact spaces allow for the project to meet applicable parking requirements and include additional accessible parking spaces and clean air vehicle spaces.
29. The Commission finds that the requested incentives do result in identifiable and actual cost reduction to provide for affordable housing costs or affordable rents for the targeted units and the real estate pro forma prepared by the applicant was verified by the Los Angeles County Community Development Commission (CDC).

30. The Commission finds that the requested incentives would not have specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to very low, lower, or moderate income households.

31. The Commission finds that the Project Site was developed with a non-residential uses for the past five years prior to the Housing Permit submittal. No replacement of the property's pre-existing lower and/or very low income affordable rental units is warranted to become eligible for a density bonus and related incentives pursuant to Government Code 65915.

32. The Commission finds that as a 100 percent affordable housing project within one-half mile of a major transit stop that the Project meets the standards of Assembly Bill (AB) 744 and Government Code 65915, which supersedes the parking ratios provided in Section 22.52.1850 of the County Code. Under AB 744, the minimum parking requirement is 0.5 space per unit, inclusive of accessible and guest parking. The Project provides 23 resident parking spaces when 21 resident parking spaces are required.

33. The Commission finds the Project meets the commercial parking requirement pursuant to County Code Section 22.52.1100. Six parking spaces are required and seven parking spaces are provided.

34. The Commission finds that the Project meets the bicycle parking requirement pursuant to County Code Section 22.52.1225. Seven short-term bicycle parking spaces and 23 long-term bicycle parking spaces are required. Eight short-term bicycle parking spaces are provided and 24 long-term bicycle parking spaces are provided.

35. The Commission finds the Project meets the minimum yard setbacks as required in the R-3 Zone. The C-3 Zone does not have any required yard setbacks. Only the R-3 Zone portions of the Project Site is subject to the setback requirements. The front yard is located in the C-3 Zone; thus, no front yard setback is required. The R-3 Zone requires the following yard setbacks: five feet on corner side yard, seven and one-half feet on reversed corner side yard, and 15 feet on rear yard. For the portions of Project Site located in the R-3 Zone, the setbacks are provided as follows: 20 feet for west side yard, 15 feet for east side yard, and 20 feet for rear yard.
36. The Commission finds that the Project meets the 90% maximum lot coverage requirement of the Community Commercial land use designation and also the C-3 Zone requirement that buildings can only occupy 90% of the net area and a minimum of 10 percent of the net area must be landscaped with lawn, shrubbery, flowers, and/or trees, which shall be continuously maintained in good condition. Pursuant to Section 22.28.220, the building footprint is calculated at 66% and the proposed project provides 5,940 square feet of landscaping or nearly 20% of landscaping. The provided landscaping exceeds this requirement.

37. The Commission finds that the Project meets the East Los Angeles CSD landscaping requirements for C-3 Zone, where a 15-gallon tree would be provided for every 50 square feet of landscaped area, to be equally spaced along the buffer strip. To comply with the County Tree Planting Ordinance (Part 20 of Chapter 22.52), the Project will plant a minimum of six trees to meet the requirement of three trees for every 10,000 square feet of developed area.

38. The Commission finds that the Project meets the applicable development standards related to building design of the East Los Angeles CSD. The development standards are as follows:

- **Building Frontage.** The ground floor is designed to meet the requirements of the Shop Front frontages pursuant to County Code Section 22.44.118, E.5.d.iii. This frontage has substantial glazing at the sidewalk level, a minimum ground-floor height of 11 feet, a minimum ground floor transparency of 65 percent, and the depth of recessed entries not exceeding 10 feet. The upper floors of the Shop Front frontages shall generally have a window to wall area proportion that is less than that of ground floor shop fronts.

- **Wall Openings/Windows.** Glass shall be recessed or projected at least three inches from the exterior wall surface to add relief to the wall surface. Glass curtain or portions of the glass curtain are exempt from this standard. Reflective glazing shall not be used on windows. Clear or lightly tinted glass for windows shall be used at and near the street level to allow maximum visual interaction between sidewalk areas and the interior of the buildings. The Project has recessed windows that far exceed three inches from the exterior wall surface. Over 65 percent of the total width of the building's ground floor parallel to Whittier Boulevard is devoted to the entrances, windows, or other displays.

- **Main Building Entrance.** The main building entrance is required to be easily identifiable and distinguishable by being the widest entrance to a building and the one that most pedestrians are expected to use. The Project's main entrance is located roughly at the center of the façade and open directly into the building's lobby. The retail commercial space is located at a corner with a prominent entrance marked by a change in building surface material above the entrance.
• **Facade Height Articulation Requirement.** The Project is a multi-story building that is required to have a distinctive building base, building middle, and building top. At the building base on Whittier Boulevard and Downey Road, a durable material such as concrete, masonry, natural stone, faux stone, or other durable materials as approved by the Director of Department of Regional Planning, would be used to clad the walls facing publically accessible areas from ground level to a minimum height of three feet. The ground floor fronting Whittier Boulevard and the portion in the C-3 Zone fronting Downey Road would be dominated by aluminum glazed windows providing transparency over 65 percent. The middle building is accented by balconies, recessed windows, canopies above balconies, changing wall surface materials, and wall building siding materials while the building top is distinguished by parapets and canopies.

• **Roof Requirements.** A horizontal articulation shall be applied at the top of the building by projecting parapets, lintels, caps, cornices, or other architectural expression to cap the buildings, to different the roofline from the building, and to add visual interest to the building. Flat roofs are acceptable if a cornice and/or parapet wall is provided. The roofline is prominently defined by the parapet walls.

• **Wall Surface Material Requirements.** Building walls shall be constructed of durable materials such as brick, natural stone, terra-cotta, decorative concrete, metal, glass, or other similar materials. Changes in materials shall be used to articulate buildings elements such as base, body, parapets caps, bays, arcades, and structural elements. The wall surface is articulated by vertical planes. The articulation created by the staircase towers are covered by cement fiber boards while the remaining building surfaces on the upper floors alternate between corrugated aluminum panels in a gray color and smooth finish plaster. The ground floor is dominated by glazed glass windows for the storefronts. These wall surface materials would be generally painted to add contrasting trim colors. The sides of building is also given the similar level of trim and finish compatible with the front facade.

• **Service Area and Mechanical Equipment.** Mechanical equipment shall be visually unobtrusive and integrated with the design of the site and building. The mechanical equipment room and trash enclosures are integrated into the building. The mechanical equipment is also not within 10 feet from the frontage of the buildings. They are completely screened from view through the use of walls and/or landscaping. Per Floor Plans and Elevation Plans, all rooftop equipment is screened on all sides with parapet walls, with a design that will match the building architecture. As shown on the landscape plan, ground-level electric transformers and switch vault located on the northwest corner is
screened by a wall and with landscaping. The service entrance to the electrical and mechanical equipment is via the primary access on Downey Road.

- **Walls/Fences.** A solid masonry wall not more than six feet in height shall be provided along the side and rear property lines. Because the Project Site is a corner lot, the walls shall be designed to provide maximum sight distance to the satisfaction of the Director in consultation with the Department of Public Works. A solid masonry wall is proposed along the north and west property lines. The masonry walls would have a general height of six feet high, but will be reduced to three and one-half feet in height where said wall is closer than five feet to the Downey Road or Whittier Boulevard highway lines pursuant to Section 22.48.160, subsection (B) of County Code.

39. The Commission finds that the Project fronts Whittier Boulevard, an improved secondary highway highly-served by public transit. The Commission also finds the Project is not expected to produce significant amount of traffic. According to the Traffic Impact Study, the Project is not anticipated to generate significant amount of traffic at the following five study intersections: Whittier Boulevard/Herbert Avenue, Downey Road/3rd Street, Downey Road/Olympic Boulevard, and Eastern Avenue/Whittier Boulevard. Incremental but not significant impacts are noted at the study intersections with Project built-out. No direct traffic mitigation measures are warranted. The site is within walking distance of public transportation, shopping areas, library, medical offices, and a hospital. Therefore, the site is adequately served by highways or streets of sufficient width and by other public or private service facilities as required.

40. The Commission finds that the Project is consistent with the County Zoning Code and compatible with the surrounding neighborhood developed with a mixture of neighborhood commercial uses and housing types of various sizes including a 25-unit apartment house, single-family residences, duplexes, quadraplexes, and triplexes. Development of the project site for multi-family apartment use is in conformity with the established land use pattern of the immediate area. Although the proposed maximum building height of 44 feet (attributed to the staircase tower), is taller than the surrounding properties, the presence of the Project within a high-quality transit and transportation infrastructure is appropriate for the area and are consistent with the policies of the General Plan Land Use Element and Housing Element. Furthermore, most of the building structure does not exceed the permitted maximum height of 35 feet in the R-3 Zone. The construction, operation, and maintenance of the Project with neighborhood commercial use on the ground floor is unlikely to adversely affect the health, comfort, or welfare of the surrounding residents, be materially detrimental to the use, enjoyment or valuation of the surrounding properties, and would not constitute a menace to public health and safety.

41. The Commission finds that the County Housing Element promotes the development of affordable housing through density bonuses and other incentives designed to stimulate construction of affordable housing. The Project’s 41 affordable units will
contribute to meeting the goals of the County's General Plan, and the Regional Housing Needs Assessment (RHNA). The Project will have a 55-year covenant to maintain long-term affordability. Therefore, the proposed Project will assist in meeting affordable housing needs.

42. The Commission finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper (East Los Angeles Tribune and La Opinion), and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at El Camino library located in the vicinity of the East Los Angeles County. On April 25, a total of 155 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as four notices to those on the courtesy mailing list for the Eastside Unit No.1 Zoned District and to any additional interested parties.

43. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits West Section, Department of Regional Planning.

BÁSED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES THAT:

(With respect to Conditional Use Permit)

A. The proposed use with the attached conditions will be consistent with the adopted General Plan.

B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

(With respect to Housing Permit)

D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
E. That the proposed project at the location proposed has been designed to be complimentary to the surrounding area in terms of land use patterns and designs.

F. That the proposed project will assist in satisfying housing needs, and is viable in terms of continuing availability to meet such housing needs.

G. That the requests for waivers or modifications to development standards are necessary to make the housing units economically feasible.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to Section 21155.1 of the State CEQA Statute and Guidelines and California Public Resources Code; and

2. Approves Project No. 2016-001235-(1), Conditional Use Permit No. RPPL2016005207 and Housing Permit No. RPPL2017006970.

ACTION DATE: May 31, 2017

VOTE: 5:0:0:0

Concurring: Smith, Shell, Louie, Moon, Modugno

Dissenting: 0

Abstaining: 0

Absent: 0

MM: JPH
05/31/2017

c: Each Commissioner, Zoning Enforcement, Building and Safety
CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. 2016-001235-(1)
CONDITIONAL USE PERMIT NO. RPPL2016005207
ADMINISTRATIVE HOUSING PERMIT NO. RPPL2017006970

PROJECT DESCRIPTION
The project is a request to authorize the construction, operation, and maintenance of a 42-unit, 100-percent affordable apartment complex with ground-floor commercial located at the northwest corner of the Whittier Boulevard and Downey Road intersection in the C-3 (General Commercial) Zone and R-3 (Limited Density Multiple Residence) Zone. The project is approved as depicted on Exhibit "A", subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.

2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7[recording], and until all required monies have been paid pursuant to Condition No. 9[inspection fees]. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4[indemnification], and 5[litigation deposit] shall be effective immediately upon the date of final approval of this grant by the County.

3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.

4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to $5,000.00, from which actual costs
and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of $5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.

7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall record the terms and conditions of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.

8. This grant shall expire unless used within three (3) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.

9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of $600.00. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for three (3) inspections. There shall be one annual inspection for the first three years of the grant. Inspections shall be unannounced.
If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be $200 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

10. Prior to the issuance of any building permit(s), the permittee shall remit all applicable library facilities mitigation fees to the County Librarian, pursuant to Chapter 22.72 of the County Code. The permittee shall pay the fees in effect at the time of payment, pursuant to Section 22.72.030. Questions regarding fee payment can be directed to the County Librarian at (562) 940-8430. The permittee shall provide proof of payment upon request from Regional Planning.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public’s health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.

12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department.

13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.

14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").

15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.

16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, three (3) copies of a modified Exhibit "A" shall be submitted to Regional Planning by July 31, 2017.

18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit three (3) copies of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PERMIT SPECIFIC CONDITIONS - HOUSING PERMIT

19. Prior to the grant of a certificate of occupancy by the Department of Public Works for the qualified project for affordable housing use with supportive services, a 55-year affordability covenant and agreement for the entire development shall be acceptable to CDC and recorded with the County Recorder. The convenent and agreement shall designate the qualified project 100% affordable (excluding one property manager's unit) of which three (3) housing set-aside units for very low income use and include the descriptions and restrictions and procedures described in sections 22.56.2630 and 22.56.2640 which include: (i) a description of the total number of units in the development including the housing set-aside units; (ii) a description of the household income groups to be accommodated by the qualified project; (iii) the location, sizes (sq. ft.), and number of bedrooms of the housing set-aside units, and market-rate units, if applicable; (iv) a description of remedies, including monetary penalties, for breach of the agreement; (v) a description of the registration and monitoring program applicable to the housing set-aside units as required by CDC. The covenant and agreement shall also include, if rental housing development the rules and procedures for qualifying tenants, filling vacancies, and maintaining housing set-asides, and where applicable, establishing affordable rents;

Under certain circumstances, and after consultation with the executive director of the Community Development Commission of the County of Los Angeles (CDC), the covenant and agreement may be terminated by the director of planning after making written findings as to the need for releasing the covenant and/or agreement.

20. The CDC shall have the authority to verify income eligibility, monitor leasing of affordable housing set-aside units to qualified occupants, conduct periodic site inspections and administer the annual registration/certification of affordable housing
set-aside units. The permittee shall register their affordable housing set-aside units with the CDC prior to the granting of a certificate of occupancy by DPW for the qualified project and the permittee shall register each affordable set-aside unit and certify annually with the CDC thereafter, on or before January 1st of each year, that affordable set-aside housing units will remain in conformance with the terms of the housing permit.

The permittee shall pay monitoring fees pursuant to section 22.56.2640 to the satisfaction of the CDC. In the event of noncompliance, the owner of the housing set-aside units shall be subject to the enforcement procedures described in Part 6 of Chapter 22.60.

**DOWNEY I PROJECT SITE SPECIFIC CONDITIONS**

21. This grant shall authorize the construction and operation of a three-story, 42-unit affordable housing complex with ground-floor commercial use and parking.

22. A maximum of 42 units shall be maintained on the project site. All dwelling units, with the exception of the manager's unit, shall be deed/covenant restricted as affordable for low-income and/or very-low income group(s), as defined annually by the Department of Regional Planning in consultation with the California Department of Housing and Community Development.

23. The permittee shall provide residential parking as required by Assembly Bill 744 for affordable housing located within one-half mile of a major transit stop, calculated at a parking ratio of 0.5 spaces per unit. A minimum of 21 residential parking spaces and six commercial spaces on the project site, developed to the specifications of Section 22.52.1060 of the County Code, shall be continually available for vehicle parking.

24. The permittee shall provide a minimum of five short-term and 21 long-term bicycle parking spaces for residential use, and a minimum of two short-term and two long-term bicycle parking spaces for commercial use.

25. The project site consists of three parcels that shall be tied together through a recorded Covenant and Agreement to Hold Property as One Parcel.

26. A full-time property manager shall reside on-site, or as an alternative, a property manager shall be present on-site during the day, and an additional “keyholder” shall reside on-site at night to respond to the needs and concerns of tenants and area residents.

27. All landscaping, yards, and open areas shall be neatly maintained and free of debris, litter, overgrown weeds, and garbage. A minimum of ten percent of the net project area shall be maintained as landscaping. All landscaping shall be in substantial
conformance with the approved landscape plan reviewed by the staff biologist and comply with the Los Angeles County Drought Tolerant Landscaping requirements.

28. Structures on the property shall be well maintained. Fences and walls shall be kept in good repair. Structures shall be repainted as necessary to replace faded or peeling paint. The driveway and parking lot shall be remain free of cracks.

29. All outdoor lighting and glare shall be deflected, shaded, and focused away from all adjoining properties.

30. All gates shall conform to the County Fire Department emergency access requirements.

31. Waste and recycling receptacles shall not block vehicular access to and from the project site.

32. To ensure ongoing good maintenance and aesthetics of the facility, concrete, masonry, natural stone, faux stone, or other durable materials as approved by the Director of Department of Regional Planning, shall be used to clad the walls facing publically accessible areas from ground level to a minimum height of three feet.

PERMIT SPECIFIC CONDITIONS – CONDITIONAL USE PERMIT

33. Prior to the final selection of the commercial tenants, the applicant shall conduct leasing coordination meetings on a monthly basis with members of the community and on a quarterly basis with the development team inclusive of the Supervisor’s Office staff and/or advisor(s). These meetings shall be conducted in accordance with the goals and commitments stated in the META Housing Corporation letter dated May 30, 2017 attached hereto.

34. The permittee shall comply with all conditions set forth in the County Department of Public Health letter dated February 6, 2017, attached hereto and incorporated by this reference as if fully set forth herein, to the satisfaction of said department.

35. The permittee shall comply with all conditions set forth in the County Department of Public Works letter dated May 17, 2017, attached hereto and incorporated by this reference as if fully set forth herein, to the satisfaction of said department.

36. The permittee shall comply with all conditions set forth in the County Fire Department Fire Prevention Division letter dated April 13, 2017, attached hereto and incorporated by this reference as if fully set forth herein, to the satisfaction of said division.

37. The permittee shall comply with all conditions set forth in the County Fire Department Health Hazardous Materials Division letter dated May 23, 2017, attached hereto and
incorporated by this reference as if fully set forth herein, to the satisfaction of said division.

Attachments:
Public Health Letter dated February 6, 2017
Public Works Letter dated May 17, 2017
Fire Department Fire Prevention Division Letter dated April 13, 2017
Fire Department Health Hazardous Materials Division Letter dated 23, 2017
META Housing Corporation Letter dated May 30, 2017
1. The Los Angeles County ("County") Regional Planning Commission ("Commission") conducted a duly-noticed public hearing on May 31, 2017, in the matter of Project No. 2016-001235-(1), consisting of Conditional Use Permit ("CUP") No. RPPL2016005212 and Administrative Housing Permit No. RPPL2017006968 ("Housing permit"). The CUP and housing permit are referred to collectively as "Project Permits."

2. The permittee, META Housing Corporation ("permittee"), requests the Project Permits to authorize construction, operation, and maintenance of a 71-unit apartment building ("Project") with 100 percent affordable units dedicated to lower income, very-low income, and special needs groups on a property located at 4200-4224 Whittier Boulevard in the unincorporated community of East Los Angeles ("Project Site").

3. The CUP is a request to authorize apartment house in the within the C-3 (General Commercial) Zone pursuant to Los Angeles County Code ("County Code") Section 22.28.200.

4. The administrative housing permit is a related request for three affordable housing incentives including a density bonus of 65% or additional 28 units, a height increase from the maximum permitted height of 40 feet in the C-3 Zone to 53 feet above grade and from 35 feet above grade to 57 feet above grade in the R-3 Zone, and establishing compact parking spaces for apartment house without a parking permit.

5. The Project Site is 1.45 acre in size and consists of nine legal lots, two of which are tied together as one parcel, and an east-west alleyway that bisects the Project Site. The Assessor's Parcel Numbers are 5236-016-025, 5236-016-026, 5236-016-027, 5236-016-028, 5236-016-029, 5236-016-030, 5236-016-031, and 5236-016-032.

6. The Project Site is located on the southeast corner of the Whittier Boulevard and Downey Road intersection. It is bounded by Whittier Boulevard on the north side, Downey Road on the west side, Sunol Drive on the east side, and residences on the south side.

7. The Project Site is rectangular in shape with generally level topography and is currently developed with commercial buildings and surface parking.

8. The Project Site is located in the Eastside Unit No. 1 Zoned District and is currently zoned R-3 for the southern four parcels and C-3 for the southern four parcels.

9. The Project Site is located within MD-Medium Density Residential and CC-Community Commercial land use categories of the East Los Angeles Community Plan. The split in land use categories corresponds to the split between the R-3 Zone and C-3 Zone.
10. The Project Site is located within the East Los Angeles Community Standard District (CSD).

11. Surrounding properties within a 500-foot radius are zoned as follows:

North:  OS (Open Space - 3rd Street Specific Plan), C-3
South:  R-3, O-S (Open Space)
East:  C-3, R-3
West:  C-3, R-3

12. Surrounding land uses within a 500-foot radius include:

North:  New Calvary Cemetery, vacant properties
South:  Single-family residences, two-family residences, and multi-family residences.
East:  Retail commercial business (e.g., florist shop), public library
West:  Neighborhood commercial retail businesses (e.g., auto repair shop, florist, market), two-family residences, single-family residences, and multi-family residences.

13. There are no previous permit approvals for the former businesses on the Project Site. The earliest building records date to 1939 for alternation work to a gas station, construction of a steel building for a restroom, and shed. According to the Phase I Environmental Site Assessment, the Project Site was undeveloped as early as 1894. It was later developed as part of a cemetery between circa 1924 and circa 1927, developed with the current structures in 1928.

14. Ordinance 1690, adopted on June 24, 1929 by the Board of Supervisors, established the northern portion of Downey I in the R4 (Unlimited) Zone and the southern portion in the M1 (Factory) Zone. Ordinance 880153Z, adopted on September 13, 1988 by the Board of Supervisors, established the northern portion of Downey I in the C-3 Zone and the southern portion in the R-3 (Unlimited) Zone.

15. The affordable housing portion of the Project consists of 70 affordable housing units, plus one unit for the on-site property manager (34 one-bedroom units, 18 two-bedroom units, and 18 three-bedroom units). The Project is a 100-percent affordable housing project for the lower income (at 80 percent of the Area Median Income or "AMI") or very-low income households (at 50 percent of the AMI), and special needs groups. Up to 35 units are restricted to homeless frequent users of County's health services and 35 units are restricted to low-income households. Of the proposed 71 units, 12 units will be built-out as "accessible" units with mobility features or auditory and visual communication features.

16. The site plan depicts a four-story, garden-style design building with 3,208 square of feet commercial retail space, community room, laundry facilities, gym, offices for
property management and case managers, elevators, vehicular and bicycle parking on the ground level (Level 1). The 71 residential units are located on all four upper floors. The storefront of the two commercial/retail spaces would face Whittier Boulevard. Additional residential parking spaces are provided underground (subterranean parking). The building is equipped with two elevators. Residents will have 24-hour access to their units via the elevator/staircase accessible from the secured ground floor-lobby or via a staircase from the ground-level or subterranean residential parking lot. Most of the structure would not exceed a height of 50 feet above grade, except for the stair towers which extend up to 57 feet above grade.

The floor plans for Level 2 through Level 4 are U-shaped due to the open courtyard/community patio area on Level 2. This open area on the north side of the building allows the inner residential units on Level 2 and Level 3 to be exposed to natural sunlight. There is a pedestrian bridge on Level 3 and Level 4 to connect the east and west wings of the building. Level 4 is equipped with laundry facilities, gym, outdoor exercise area, and a patio area with barbeque seating. The open courtyard on Level 2 has an edible container garden and a play area. Landscaping is proposed along the east and west perimeter of the Project Site on Level 1 and on Level 2.

17. The Project Site is accessible for vehicles by a driveway on Downey Road and accessible by pedestrians on Whittier Boulevard.

18. The Project will provide 23 commercial parking spaces and 85 residential parking spaces. The parking will be covered and the residential parking will be located behind a gate.

19. The Department of Public Works, in a letter dated May 17, 2017, cleared the project for public hearing with conditions imposed for road improvements, grading, drainage review requirements, water purveyor compliance, and submittal to building plans to Building and Safety.

20. The Fire Department Health Hazardous Material Division, in a letter dated May 23, 2017 cleared the Project for public hearing with conditions requiring arsenic remediation and a soil management plan.

21. The Fire Department Fire Prevention Division, in a letter dated April 13, 2017, cleared the project for public hearing with conditions requiring fire access requirements, maintenance, proper installation of fire hydrants and proof of fire flow, and installation of a sprinkler system.

22. The Department of Public Health, in letter dated February 6, 2017, cleared the Project for public hearing with conditions requiring the Project be connected to public water and public sewer, compliance with County Noise Control Ordinance requirements during operation and best management practices for notice mitigation and dust suppression requirements during construction.
23. Prior to the Commission’s public hearing, Regional Planning staff has determined that the Project is considered a transit priority project that qualified to be exempt from the California Environmental Quality Act (CEQA) under the Sustainable Communities Project Exemption as the Project meets all of the requirements in subdivisions (a), (b), and one requirement of subdivision (c) of the California Public Resources Code Section 21155.1 and CEQA Statute and Guidelines. The Project is declared a Transit Priority Project (TPP) by meeting the following definition:

- **Be consistent with the general plan designation, density, building intensity, and applicable policies in an approved sustainable community strategies or alternative planning strategy.**
  For Los Angeles County, Southern California Association of Governments (SCAG) updates the Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS) every four years to ensure that the state target for greenhouse gas emission reduction is achieved at the regional level. The County collaborates with SCAG and provides input throughout the development of RTP/SCS to ensure consistency in goals, policies, and implementation. Therefore, transit priority projects in the unincorporated areas in the County are consistent with the sustainable communities strategy.

The Project is consistent with the East Los Angeles Community Plan, General Plan policies of the Land Use Element, Mobility Element, and Housing Element. The projects would comply with applicable development standards set by the R-3 Zone, C-3 and East Los Angeles Community Standard District and meet the requirements of the Density Bonus Ordinance.

- **Be at least 50 percent residential use based on area and a floor area ratio (FAR) of not less than 0.75.**
  The Project has only has 3,208 square feet of commercial retail space out of the 96,640 square feet of floor area and a FAR greater than 1.0.

- **Be at least 20 units/acre.**
  With a requested density bonus, the Project would have a residential density of 49 dwelling units per acre.

- **Be within ½ mile of a major transit stop or high-quality transit corridor included the RTP/SCS (a high-quality transit corridor means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours).**
  The Project Site is located within a High-Quality Transit Area (HQTA) and High-Quality Transit Corridor (HQTC) in the Southern California Association of Governments’ Regional Transportation Plan 2012-2035. Two Los Angeles Metro bus lines services the Project Site with greater frequencies than 15-minute frequencies during peak hours. They are Metro Rapid Line 720 and Metro Line 18.
A TPP is eligible for a full CEQA exemption if it meets seven land use criteria, eight environmental criteria, and one additional affordable housing or open space criteria. The proposed Project as a TPPs has been determined to meet the eight environmental criteria, seven land use criteria, and one affordable housing option criteria as detailed in the Sustainable Communities Project Exemption checklist.

24. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper (East Los Angeles Tribune), site property posting, library posting and DRP website posting.

25. Staff has not received any comments at this time except for one general phone inquiry. The caller did not provide an opinion on the project.

26. A duly noticed public hearing was held on May 31, 2017 before the Regional Planning Commission. Commissioners Louie, Shell, Smith, Moon, and Modugno were present. Commissioner Louie disclosed that over the past 30 years working as a commercial real estate broker, he has had discussion and provided information to the applicant, META Housing Corporation. He indicated that his prior interactions with the applicant would not affect his judgement on the proposed project.

Staff first presented on Downey I and Downey II concurrently. The applicant, Mr. Tim Soule (Vice President of META Housing Corporation), followed up with a presentation describing the past works of META Housing, past outreach effort, and META Housing’s intention to continue efforts to remain engaged with the community throughout the development process. META Housing has been in operation for over 20 years and have developed over 6,000 units in Southern California. The two proposed projects have been in the works since February 2016. META Housing was involved in four active community meetings and the community provided feedback that resulted in lower density on the southeast building and additional parking to address the community concerns. After approval, construction is anticipated to start at the end of this year or the first quarter of 2018. The commercial retail component is anticipated to be completed in 18 months. Downey I will be professionally managed by the John Stewart Company and the building will be staffed by a full-time onsite manager who will live in the building. During the outreach meeting, there were skepticism and concerns that the development will not serve the community.

Downey II targets the same household as Downey I but it offers more two-bedroom units and three-bedroom units for larger families. A play structure is also included for family with young children. A great focal point of the proposed project is to “activate” the corners of Whittier Boulevard and Downey Road by providing community-serving retail.

A local real estate broker has been hired to try to find a suitable tenant for the retail space. META Housing plans on meeting on a quarterly basis with community
members and on a monthly basis with development team inclusive with the Supervisor’s office and commercial consultant.

Commissioner Smith asked Mr. Soule to elaborate on the supportive services and the community partnerships as well as the affordability mix and tenant selection process. Mr. Soule answered that they will provide supportive services to those individuals in need of the support services and are partnering with the County Department of Health Services and County Department of Mental Health to find appropriate community-based vendors to serve those with affordable housing needs. There will be two types of services: residential services for all members to better integrate them into the community, and intensive case management services and specialized mental health services. The affordability mix will depend on funding sources. The targeted income groups will be mostly range from 30% AMI to 50% AMI and up to 60% AMI for larger units. Over 25% of the units will be dedicated to extremely low income. The outreach effort will continue in the community about the opportunity for affordable housing and to be on the waitlist. However, the selection will be drawn from a lottery to meet Fair Housing rules.

Commissioner Shell asked Mr. Soule if they have communicated with the homeowner of the one-story residences adjacent to the Downey II building. Mr. Soule answered that the community expressed concerns about the mass of the building but the immediate neighbors to these buildings have not voiced their opinion. Nine speakers from the public signed up to speak on the item.

Nine speakers testified in opposition of the proposed Project. Mr. Victor Salceo, a 61-year resident of the neighborhood testified that the area is a working class neighborhood earning $60,000 to $80,000 per year and local families will not qualify for the affordable housing units proposed by the Project. Several affordable housing projects have been constructed along Whittier Boulevard in the past few years but the width of Downey Road and Whittier Boulevard remain the same. These streets should be expanded to accommodate the increase in traffic from the residential projects.

Joe Cleveland has lived in East Los Angeles for over 40 years. He feels the area is overpopulated and a big parking problem exists. He further stated his concerns about the construction noise, the understaffed East Los Angeles Sheriff’s Station. He wants to see a better project such as a Boys and Girls’ Club, a museum, a science center, or a supermarket. The proposed structures are too high for the area. The community meetings that the applicant hosted were attended by people who do not live in the area because their area codes are not 90022 or 90023.

Ms. Karina Rincon opposed the CEQA exemption for the proposed Project. She submitted a letter with over 100 resident signatures opposing the Project. She pointed out the Downey I and II sites contained hazardous contaminants and these issues have not been adequately addressed. She did not have access to the environmental assessment reports and the staff analysis until last week. The first meeting hosted by the applicant was actually an open house and a select few residents were notified of
the event. The open house also took place more than two miles away from the proposed sites and not at an available venue closer to the residents. When she attended the meetings and asked detailed environmental impacts questions, META Housing representatives were not prepared to answer any of the questions. The community's health and safety is at stake and the Commission should not grant a CEQA relief for the proposed Project. META Housing has not indicated how they will address the environmental issues and remove the hazardous substances such as arsenic found on both sites. They are already dealing with Exide lead contamination. The environmental assessment only addressed impacts to the construction workers and not the local residents. Access for emergency and safety vehicles are not addressed and the proposed closure of the alley will impede access by fire trucks and paramedics.

Enedina Paz has testified in Spanish and her testimony was translated by Regional Planning staff. She lived in the community for 20 years and she opposed the Project. The developments provide no benefits to children and adolescents in the community. The opinion of the community members have not been taken into the consideration.

Guadalupe Rincon testified in Spanish and her testimony was translated by Regional Planning staff. She lives adjacent to the Project. She opposed the Project due to health concerns by the neighbors and the traffic on Sunol Drive and Downey Road.

Eddie Torres, President of East Los Angeles Chamber of Commerce, testified in opposition of the Project. The community needs jobs and businesses, not additional housing. All the META Housing meetings he attended, he only witnessed overwhelming support for business commercial developments and very little support for housing. The community has a lack of parking in the area and the Project does not take into consideration the new State law that allows the development of accessory dwelling units at single-family dwellings, which would add more cars to the streets. The Chamber demands a full CEQA investigation, especially due to the impacts to the Exide contamination. There was an old gas station on the premises and the detection of arsenic. East Los Angeles has over 100,000 residents with only seven Sheriff's patrol cars. There are not enough patrol cars in the area.

Teresa Marquez testified in opposition of the Project and she is part of the advisory board for Exide, which is 1.7 miles away from the sites. The Project must take into consideration the contamination by Exide and special protocols should be in place to address the contamination and ensure proper cleanup process. She also attended the meetings and at those meetings, the attendees expressed a desire for grocery stores, commercial uses that will bring in jobs. As soon as the 6th Street Bridge opens, more traffic will flood on Whittier Boulevard. All the affordable housing she has heard are not designated for the local residents because they are not qualified.

Feng Lan Liu testified in opposition of the Project because she found parallels with another affordable housing project (Golden Motel Project) which would directly impact her. She stated the developers are generally reluctant to notice residents. They should
notice residents within a 1,000-foot radius. Affordable housing for homeless people should not be located near schools. Homeless people are homeless because they have mental disabilities and should be put in hospitals, job training centers, vocational schools, and not near residents and schools.

Pedro Ortiz provided testimony in Spanish. He opposed the project because he sees no benefits to the community. There is discrimination because they are minority community. He has lived in the area for 25 years and he did not see a benefit to the past affordable projects to the community. Instead of benefiting locals, it will only hurt those who already reside there. He suggested that the Commission stop the Project and give a community a voice that is often silent due to the language barrier.

Mr. Tim Soule responded to the concerns and issues brought up by the public testimonies. He absolutely concurred that moderate income households (80% to 120% AMI) should be provided with affordable housing. Unfortunately, there are no financial programs in place to assist in construction of housing for moderate income and higher income working class groups. META Housing is trying to work to solve this but they are not there yet. He recognized that there will be construction noise, and it will be disruptive to the community. However, it's important that the community understands that as result with partnership with the County, META Housing will be required to do outreach and find local businesses to anchor the corners of Whittier Boulevard and Downey Road. To his knowledge, the Project was publicly notified in accordance with County Code.

META Housing has submitted a Phase I Environmental Site Assessment, Phase II Subsurface Soil Investigation, and additional environmental documents to the County Fire Department Health Hazardous Material Division. They will be required to carry out mitigation to address the identified environmental concerns in the soil sampling results and any other unknowns that may arise to the satisfaction of the County. The local real estate broker has informed META Housing that the properties have been on the market for a very long time with mostly interest from residential developers. It will be a great challenge to find retail tenants that serve the local community, but META Housing is committed to work with the community to find the desired retail tenants.

Mr. Richard Clark, the supervisor of the Site Mitigation Unit (SMU) within the Fire Department Health Hazardous Material Division, provided details on the site investigation on hazardous containments and the remediation effort. He clarified that META Housing has signed a voluntary agreement with SMU to clean up the sites prior to grading activities. SMU had recommended additional soil sampling be completed on shallow soils from a depth of one foot and six foot to assess the potential impacts not only to residents of the Project, but to the neighbors and the community in general. The Soil Management Plan (SMP) will be required to address the removal of the shallow soils impacted by arsenic prior to any grading activities to avoid the spread of impacted soil to the rest of the site. The SMP will also address any potential unknowns encountered during evacuation. The site has a long history like the rest of Los Angeles County. Lead concentrations at both sites are low. The nearby freeways also pollute
the environment. In conclusion, Mr. Richard Clark agreed that the conditions of approval incorporated in the Project are adequate to address the environmental concerns. County Counsel further clarified that under the CEQA exemption statute, the applicant are required to mitigate any potential presence of hazardous substance at the sites.

Commissioner Smith concluded that due to the affordable housing and homeless crisis in the County, there is a great need for supportive housing. The County is half a million units short on affordable housing. The commercial component of the mixed use project will help to address the community's desire for more community-serving retail uses. Commissioner Smith would also like to add a condition for the applicant to conduct periodic meetings with local community members and Supervisor's office staff in order to continue on assessing the tenant selection for the retail space and address the challenges that may arise and future opportunities. He would like to keep the channel of communication open. The Commission closed the public hearing and approved the Conditional Use Permit No. RPPL2016005207 in conjunction with Administrative Housing Permit No. RPPL2017006970 and Conditional Use Permit No. RPPL2016005212 in conjunction with Administrative Housing Permit No. RPPL2017006968, subject to the conditions of approval.

27. The Commission finds that the Project is consistent with the intended uses of the East Los Angeles Community Plan CC - Community Commercial and MD - Medium Density Residential land use designations for the Project Site as well as the policies in the Housing Element and Land Use Element of the General Plan.

The MD land use category is intended for areas suited for apartments and other multi-family housing and has a maximum permitted density of 30 dwelling units per net acre. The CC land use category is intended for areas with mostly small businesses in centers or along strips and does not have a specified maximum permitted density for residential use. Since the CC land use category does not identify a maximum permitted density for residential uses, the maximum permitted density for the parcels designated within the CC category was based on the prevailing residential land use category of the surrounding neighborhood within a 500-foot radius, which is the MD land use category or 30 dwellings units per net acre.

Under the MD land use category, the applicant would be permitted by right up to 43 units on the 1.45-acre Project Site. The applicant is requesting a 65 percent density bonus for 28 additional units (or residential density of 49 du/ac). All dwelling units, except for one manager's unit, for the proposed Project are 100 percent affordable. The units will be restricted to very-low income or lower income groups, earning 50 percent of the area median income ("AMI") or 80 percent of the AMI, respectively. The density bonus requests are consistent with the provisions of Chapter 22.56, Part 18 of the Zoning Code and the County's adopted General Plan Housing Element, which allows for administrative housing permits to grant density bonus of more than 50 percent as an off-menu incentive for qualified affordable housing projects.
Small commercial spaces, community room, and office use are proposed on the ground floor of the building and on the parcels designated within the CC land use category. Apartment units are proposed on four floors, including the ground floor, which is consistent with the intended use for Medium Density Residential. With an approved conditional use permit, the proposed residential use on the parcels designated within the CC land use categories would be consistent with the intended use of the underlying land use category.

28. The Commission finds that the Project is a qualified affordable housing project with 100 percent affordable housing set-asides for very low or lower income groups and are eligible for three incentives pursuant to Section 22.52.1840 of the County Code (Density Bonus Ordinance). The applicant is requesting the following incentives and modifications to the development standards through the administrative housing permit process:

- Density Bonus Exceeding 50% (Off-Menu Incentive). The applicant requests an additional 28 affordable units or 65 percent density bonus.

- Increased Height (Off-Menu Incentives). The East Los Angeles CSD requires that a building or structure shall not exceed 40 feet, except for devices or apparatus essential to industrial processes or communications related to public health and safety may be 50 feet in height. In the R-3 Zone, maximum permitted height is 35 feet. To modify this height limit, the applicant also requests an increase in the maximum permitted height of the proposed Downey II structure from 35 feet above grade to 57 feet above grade in the R-3 Zone and an increase in the maximum permitted height of 40 feet above grade to 53 feet above grade in the C-3 Zone. This height increase is mainly attributed to the staircase tower structure on the south side of the building, located approximately 65 feet away from the nearest residential structure. Most of the Downey II building structure that faces the one-story residences on the south side does not exceed 44 feet above grade. A 20-foot setback is proposed between the southern edge of the structure and the southern property line that is adjacent to the one-story residential structures.

- Compact Parking (Off-Menu Incentive). The applicant requests that 16 compact parking spaces (17%) out of 92 total spaces be allowed without a parking permit. Section 22.56.900 and Section 22.52.1082 generally allow up to 40 percent of the required parking spaces to be compact parking in apartment house and also requires a parking permit to establish these spaces. These compact spaces allow for the project meet to applicable parking requirements and include additional accessible parking spaces and clean air vehicle spaces.

29. The Commission finds that the requested incentives are do result in identifiable and actual cost reduction to provide for affordable housing costs or affordable rents for the
targeted units and the real estate pro forma prepared by the applicant was verified by the Los Angeles County Community Development Commission (CDC).

30. The Commission finds that the requested incentives would not have specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to very low, lower, or moderate income households.

31. The Commission finds that the Project Site was developed with a non-residential uses for the past five years prior to the Housing Permit submittal. No replacement of the property's pre-existing lower and/or very low income affordable rental units is warranted to become eligible for a density bonus and related incentives pursuant to Government Code 65915.

32. The Commission finds that as a 100 percent affordable housing project within one-half mile of a major transit stop that the Project meets the standards of Assembly Bill (AB) 744 and Government Code 65915, which supersedes the parking ratios provided in Section 22.52.1850 of the County Code. Under AB 744, the minimum parking requirement is 0.5 space per unit, inclusive of accessible and guest parking. The Project provides 77 resident parking spaces when 36 resident parking spaces are required.

33. The Commission finds the Project meets the commercial parking requirement pursuant to County Code Section 22.52.1100 by providing 15 commercial parking spaces when 14 parking spaces are required.

34. The Commission finds that the Project meets the bicycle parking requirement pursuant to County Code Section 22.52.1225 by providing 10 short-term bicycle parking spaces and 41 long-term bicycle parking spaces.

35. The Commission finds the Project meets the minimum yard setbacks as required in the R-3 Zone. The C-3 Zone does not have any required yard setbacks. Only the R-3 Zone portions of the Project Site is subject to the setback requirements. The front yard is located in the C-3 Zone; thus, no front yard setback is required. The R-3 Zone requires the following yard setbacks: five feet on corner side yard, seven and one-half feet on reversed corner side yard, and 15 feet on rear yard. For the portions of Project Site located in the R-3 Zone, the setbacks are provided as follows: 28 feet on the west side yard, 29 feet on the east side yard and 20 feet on the rear yard.

36. The Commission finds that the Project meets the 90% maximum lot coverage requirement of the Community Commercial land use designation and also the C-3 Zone requirement that buildings can only occupy 90% of the net area and a minimum of 10 percent of the net area must be landscaped with lawn, shrubbery, flowers, and/or trees, which shall be continuously maintained in good condition. Pursuant to Section
22.28.220, the building footprint is calculated at 73% and the Project would provide 13,500 square feet or 21% of landscaping on the ground level and an additional 4,250 square feet of landscaping is provided on the upper floors. The provided landscaping exceeds this requirement.

37. The Commission finds that the Project meets the East Los Angeles CSD landscaping requirements for C-3 Zone, where a 15-gallon tree would be provided for every 50 square feet of landscaped area, to be equally spaced along the buffer strip. To comply with the County Tree Planting Ordinance (Part 20 of Chapter 22.52), the Project will plant a minimum of 14 trees to meet the requirement of three trees for every 10,000 square feet of developed area.

38. The Commission finds that the Project meets the applicable development standards related to building design of the East Los Angeles CSD. The development standards are as follows:

- **Building Frontage.** The ground floor is designed to meet the requirements of the Shop Front frontages pursuant to County Code Section 22.44.118, E.5.d.iii. This frontage has substantial glazing at the sidewalk level, a minimum ground-floorn height of 11 feet, a minimum ground floor transparency of 65 percent, and the depth of recessed entries not exceeding 10 feet. The upper floors of the Shop Front frontages shall generally have a window to wall area proportion that is less than that of ground floor shop fronts.

- **Wall Openings/Windows.** Glass shall be recessed or projected at least three inches from the exterior wall surface to add relief to the wall surface. Glass curtain or portions of the glass curtain are exempt from this standard. Reflective glazing shall not be used on windows. Clear or lightly tinted glass for windows shall be used at and near the street level to allow maximum visual interaction between sidewalk areas and the interior of the buildings. The Project has recessed windows that far exceed three inches from the exterior wall surface. Over 65 percent of the total width of the building’s ground floor parallel to Whittier Boulevard is devoted to the entrances, windows, or other displays.

- **Main Building Entrance.** The main building entrance is required to be easily identifiable and distinguishable by being the widest entrance to a building and the one that most pedestrians are expected to use. The Project’s main entrance is located at the center of the façade and open directly into the building’s lobby. The main entrance is further accented by an open area and other architectural elements such as changes in the vertical plane and the roofline. While the retail commercial spaces are located at both corners of the Project Site with a prominent entrance marked by building mass above the entrance.

- **Façade Height Articulation Requirement.** The Project is a multi-story building that is required to have a distinctive building base, building middle, and building
top. At the building base on Whittier Boulevard and Downey Road, a durable material such as concrete, masonry, natural stone, faux stone, or other durable materials as approved by the Director of Department of Regional Planning, would be used to clad the walls facing publicly accessible areas from ground level to a minimum height of three feet. The ground floor fronting Whittier Boulevard and the portion in the C-3 Zone fronting Downey Road would be dominated by aluminum glazed windows providing transparency over 65 percent. The middle building is accented by balconies, recessed windows, canopies above balconies, changing wall surface materials, and wall building siding materials while the building top is distinguished by parapets and canopies.

- **Roof Requirements.** A horizontal articulation shall be applied at the top of the building by projecting parapets, lintels, caps, cornices, or other architectural expression to cap the buildings, to different the roofline from the building, and to add visual interest to the building. Flat roofs are acceptable if a cornice and/or parapet wall is provided. The roofline is roofline is capped by lintels, canopies, and parapet walls.

- **Wall Surface Material Requirements.** Building walls shall be constructed of durable materials such as brick, natural stone, terra-cotta, decorative concrete, metal, glass, or other similar materials. Changes in materials shall be used to articulate buildings elements such as base, body, parapets caps, bays, arcades, and structural elements. The Project purposes wall surface materials such as metal siding, cement plaster, fiber cement slats and fiber cement lap siding. The ground floor is dominated by glazed glass windows for the storefronts. These wall surface materials would be generally painted to add contrasting trim colors. The sides of building is also given the similar level of trim and finish compatible with the front façade.

- **Service Area and Mechanical Equipment.** Mechanical equipment shall be visually unobtrusive and integrated with the design of the site and building. The mechanical equipment room and trash enclosures are integrated into the building. The mechanical equipment is also not within 10 feet from the frontage of the buildings. They are completely screened from view through the use of walls and/or landscaping. Per Floor Plans and Elevation Plans, all rooftop equipment is screened on all sides with parapet walls, with a design that will match the building architecture. The service entrance to the electrical and mechanical equipment is via the primary access on Downey Road.

- **Walls/Fences.** A solid masonry wall not more than six feet in height shall be provided along the side and rear property lines. Because the Project Site is a corner lot, the walls shall be designed to provide maximum sight distance to the satisfaction of the Director in consultation with the Department of Public Works. A solid masonry wall is proposed along the south line. The masonry
walls would have a general height of six feet high, but will be reduced to three and one-half feet in height where said wall is closer than five feet to the Downey Road or Whittier Boulevard highway lines pursuant to Section 22.48.160, subsection (B) of County Code.

39. The Commission finds that the Project fronts Whittier Boulevard, an improved secondary highway highly-served by public transit. The Commission also finds the Project is not expected to produce significant amount of traffic. According to the Traffic Impact Study, the Project is not anticipated to generate significant amount of traffic at the following five study intersections: Whittier Boulevard/Herbert Avenue, Downey Road/3rd Street, Downey Road/Olympic Boulevard, and Eastern Avenue/Whittier Boulevard. Incremental but not significant impacts are noted at the study intersections with Project built-out. No direct traffic mitigation measures are warranted. The site is within walking distance of public transportation, shopping areas, library, medical offices, and a hospital. Therefore, the site is adequately served by highways or streets of sufficient width and by other public or private service facilities as required.

40. The Commission finds that the Project is consistent with the County Zoning Code and compatible with the surrounding neighborhood developed with a mixture of neighborhood commercial uses and housing types of various sizes including a 25-unit apartment house, single-family residences, duplexes, quadruplexes, and triplexes. Development of the Project Site for multi-family apartment use is in conformity with the established land use pattern of the immediate area. Although the proposed maximum building height of 57 feet is taller than the surrounding properties, the presence of the Project within a high-quality transit and transportation infrastructure is appropriate for the area and are consistent with the policies of the General Plan Land Use Element and Housing Element. This height increase is mainly attributed to the staircase tower structure on the south side of the building, located approximately 65 feet away from the nearest residential structure. In the R-3 Zone, a large section of building structure that faces the one-story residences on the south side does not exceed 44 feet above grade. The construction, operation, and maintenance of the Project with neighborhood commercial use on the ground floor is unlikely to adversely affect the health, comfort, or welfare of the surrounding residents, be materially detrimental to the use, enjoyment or valuation of the surrounding properties, and would not constitute a menace to public health and safety.

41. The Commission finds that the County Housing Element promotes the development of affordable housing through density bonuses and other incentives designed to stimulate construction of affordable housing. The Project's 70 affordable units will contribute to meeting the goals of the County's General Plan, and the Regional Housing Needs Assessment (RHNA). The Project will have a 55-year covenant to maintain long-term affordability. Therefore, the proposed Project will assist in meeting affordable housing needs.

42. The Commission finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail,
newspaper (East Los Angeles Tribune and La Opinion), and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning’s website and at El Camino library located in the vicinity of the East Los Angeles County. On April 25, a total of 155 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor’s record within a 500-foot radius from the Project Site, as well as four notices to those on the courtesy mailing list for the Eastside Unit No.1 Zoned District and to any additional interested parties.

43. The location of the documents and other materials constituting the record of proceedings upon which the Commission’s decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits West Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES THAT:

(With respect to Conditional Use Permit)

A. The proposed use with the attached conditions will be consistent with the adopted General Plan 2035.

B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

(With respect to Housing Permit)

D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

E. That the proposed project at the location proposed has been designed to be complimentary to the surrounding area in terms of land use patterns and designs.

F. That the proposed project will assist in satisfying housing needs, and is viable in terms of continuing availability to meet such housing needs.
G. That the requests for waivers or modifications to development standards are necessary to make the housing units economically feasible.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to Section 21155.1 of the State CEQA Statute and Guidelines and California Public Resources Code; and

2. Approves Project No. 2016-001235-(1), Conditional Use Permit No. RPPL2016005212 and Housing Permit No. RPPL2017006968.

ACTION DATE: May 31, 2017

VOTE: 5:0:0:0

Concurring: Smith, Shell, Louie, Moon, Modugno

Dissenting: 0

Abstaining: 0

Absent: 0

MM: JPH
05/31/2017

c: Each Commissioner, Zoning Enforcement, Building and Safety
CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. 2016-001235-(1)
CONDITIONAL USE PERMIT NO. RPPL2016005212
ADMINISTRATIVE HOUSING PERMIT NO. RPPL2017006968

PROJECT DESCRIPTION

The project is a request to authorize the construction, operation, and maintenance of a 71-unit, 100-percent affordable apartment complex with ground-floor commercial located at the southeast corner of the Whittier Boulevard and Downey Road intersection in the C-3 (General Commercial) Zone and R-3 (Unlimited Density Multiple Residence) Zone. The project is approved as depicted on Exhibit "A", subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term “permittee” shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.

2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7[recording], and until all required monies have been paid pursuant to Condition No. 9[inspection fees]. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4[indemnification], and 5[litigation deposit] shall be effective immediately upon the date of final approval of this grant by the County.

3. Unless otherwise apparent from the context, the term “date of final approval” shall mean the date the County’s action becomes effective pursuant to Section 22.60.260 of the County Code.

4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to $5,000.00, from which actual costs
and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of $5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.

7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall record the terms and conditions of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.

8. This grant shall expire unless used within three (3) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.

9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of $600.00. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for three (3) inspections. There shall be one annual inspection for the first three years of the grant. Inspections shall be unannounced.
If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be $200 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

10. Prior to the issuance of any building permit(s), the permittee shall remit all applicable library facilities mitigation fees to the County Librarian, pursuant to Chapter 22.72 of the County Code. The permittee shall pay the fees in effect at the time of payment, pursuant to Section 22.72.030. Questions regarding fee payment can be directed to the County Librarian at (562) 940-8430. The permittee shall provide proof of payment upon request from Regional Planning.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.

12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department.

13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.

14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").

15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.

16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, three (3) copies of a modified Exhibit "A" shall be submitted to Regional Planning by July 31, 2017.

18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit three (3) copies of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PERMIT SPECIFIC CONDITIONS - HOUSING PERMIT

19. Prior to the grant of a certificate of occupancy by the Department of Public Works for the qualified project for affordable housing use with supportive services, a 55-year affordability covenant and agreement for the entire development shall be acceptable to CDC and recorded with the County Recorder. The covenant and agreement shall designate the qualified project 100% affordable (excluding one property manager’s unit) of which seven (7) housing set-aside units for very low income use and include the descriptions and restrictions and procedures described in sections 22.56.2630 and 22.56.2640 which include: (i) a description of the total number of units in the development including the housing set-aside units; (ii) a description of the household income groups to be accommodated by the qualified project; (iii) the location, sizes (sq. ft.), and number of bedrooms of the housing set-aside units, and market-rate units, if applicable; (iv) a description of remedies, including monetary penalties, for breach of the agreement; (v) a description of the registration and monitoring program applicable to the housing set-aside units as required by CDC. The covenant and agreement shall also include, if rental housing development the rules and procedures for qualifying tenants, filling vacancies, and maintaining housing set-asides, and where applicable, establishing affordable rents;

Under certain circumstances, and after consultation with the executive director of the Community Development Commission of the County of Los Angeles (CDC), the covenant and agreement may be terminated by the director of planning after making written findings as to the need for releasing the covenant and/or agreement.

20. The CDC shall have the authority to verify income eligibility, monitor leasing of affordable housing set-aside units to qualified occupants, conduct periodic site inspections and administer the annual registration/certification of affordable housing
set-aside units. The permittee shall register their affordable housing set-aside units with the CDC prior to the granting of a certificate of occupancy by DPW for the qualified project and the permittee shall register each affordable set-aside unit and certify annually with the CDC thereafter, on or before January 1st of each year, that affordable set-aside housing units will remain in conformance with the terms of the housing permit.

The permittee shall pay monitoring fees pursuant to section 22.56.2640 to the satisfaction of the CDC. In the event of noncompliance, the owner of the housing set-aside units shall be subject to the enforcement procedures described in Part 6 of Chapter 22.60.

DOWNEY II PROJECT SITE SPECIFIC CONDITIONS

21. This grant shall authorize the construction and operation of a four-story, 71-unit affordable housing complex with ground-floor commercial use and subterranean parking.

22. A maximum of 71 units shall be maintained on the project site. All dwelling units, with the exception of the manager’s unit, shall be deed/covenant restricted as affordable for low-income and/or very-low income group(s), as defined annually by the Department of Regional Planning in consultation with the California Department of Housing and Community Development.

23. The permittee shall provide residential parking as required by Assembly Bill 744 for affordable housing located within one-half mile of a major transit stop, calculated at a parking ratio of 0.5 spaces per unit. A minimum of 36 residential spaces and 15 commercial spaces, developed to the specifications of Section 22.52.1060 of the County Code, shall be continually available for vehicle parking.

24. The permittee shall provide a minimum of eight short-term and 36 long-term bicycle parking spaces for residential use, and a minimum of four short-term and four long-term bicycle parking spaces for commercial use.

25. A full-time property manager shall reside on-site, or as an alternative, a property manager shall be present on-site during the day, and an additional “keyholder” shall reside on-site at night to respond to the needs and concerns of tenants and area residents.

26. The project site consists of three parcels that shall be tied together through a recorded Covenant and Agreement to Hold Property as One Parcel.

27. All landscaping, yards, and open areas shall be neatly maintained and free of debris, litter, overgrown weeds, and garbage. A minimum of ten percent of the net project area shall be maintained as landscaping. All landscaping shall conform to the
landscaping plan reviewed by the County staff biologist and demonstrate compliance with the Los Angeles County Drought Tolerant Landscaping requirements, as determined by the Director of the Department of Regional Planning.

28. Structures on the property shall be well maintained. Fences and walls shall be kept in good repair. Structures shall be repainted as necessary to replace faded or peeling paint. The driveway and parking lot shall remain free of cracks.

29. All outdoor lighting and glare shall be deflected, shaded, and focused away from all adjoining properties.

30. All gates shall conform to the County Fire Department emergency access requirements.

31. Waste and recycling receptacles shall not block vehicular access to and from the project site.

32. Ensure ongoing good maintenance and aesthetics of the facility, concrete, masonry, natural stone, faux stone, or other durable materials as approved by the Director of Department of Regional Planning, shall be used to clad the walls facing publically accessible areas from ground level to a minimum height of three feet.

PERMIT SPECIFIC CONDITIONS – CONDITIONAL USE PERMIT

33. Prior to the issuance of a grading permit, the applicant shall provide written evidence to the County of Los Angeles that a County-certified archaeologist or qualified cultural resources monitor has been retained to observe grading activities greater than six feet in depth and salvage and catalogue archaeological resources as necessary. The archaeologist shall be present at the pre-grade conference, shall establish procedures for archaeological resource surveillance, and shall establish, in cooperation with the applicant, procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of the artifacts as appropriate.

34. Prior to the final selection of the commercial tenants, the applicant shall conduct leasing coordination meetings on a monthly basis with members of the community and on a quarterly basis with the development team inclusive of the Supervisor’s Office staff and/or advisor(s). These meetings shall be conducted in accordance with the goals and commitments stated in the META Housing Corporation letter dated May 30, 2017 attached hereto.

35. The permittee shall comply with all conditions set forth in the County Department of Public Health letter dated February 6, 2017, attached hereto and incorporated by this reference as if fully set forth herein, to the satisfaction of said department.
36. The permittee shall comply with all conditions set forth in the County Department of Public Works letter dated May 17, 2017, attached hereto and incorporated by this reference as if fully set forth herein, to the satisfaction of said department.

37. The permittee shall comply with all conditions set forth in the County Fire Department Fire Prevention Division letter dated April 13, 2017, attached hereto and incorporated by this reference as if fully set forth herein, to the satisfaction of said division.

38. The permittee shall comply with all conditions set forth in the County Fire Department Health Hazardous Materials Division letter dated May 23, 2017, attached hereto and incorporated by this reference as if fully set forth herein, to the satisfaction of said division.

Attachments:
Public Health Letter dated February 6, 2017
Public Works Letter dated May 17, 2017
Fire Department Fire Prevention Division Letter dated April 13, 2017
Fire Department Health Hazardous Materials Division Letter dated 23, 2017
META Housing Corporation Letter dated May 30, 2017
February 6, 2017

TO: Jolee Hui
Regional Planning Assistant II
Department of Regional Planning

FROM: Michelle Tsiebos, REHS, MPA, DPA
Environmental Health Division
Department of Public Health

SUBJECT: CUP Consultation
PROJECT NO. 2016-001235/ RPPL2016005207
Downey Affordable Housing – Downey I
NW & SE Corners of Whittier Blvd. and Downey Rd., East Los Angeles

☑ Public Health recommends approval of this CUP.
☐ Public Health does NOT recommend approval of this CUP.

The Department of Public Health - Environmental Health Division has reviewed the information provided for the project identified above. The CUP request is for the proposed construction of a 42-unit affordable housing project with 1,300 sq. ft. of ground floor retail in a 3-story and 43 foot tall building including ground floor parking.

The Department recommends approval of the CUP. The conditions stated in the sections below shall be satisfied when applicable.

Potable Water Supply

The applicant proposes an approved source of potable water. A current (issued within the past twelve months) water availability letter from the California Water Service, East Los Angeles District, assuring potable water connection and service to the proposed project has been submitted to the Department.
Wastewater Disposal Method

The applicant proposes a connection to public sewer for wastewater disposal. The Department does not have jurisdiction over the public sewer.

Noise and Air Quality

Staff from Toxics Epidemiology Program reviewed the Plans and documents provided by the applicant and conducted a site visit of the subject properties. The following comments are presented:

Noise (Downey I&II):

- The applicant shall adhere to the requirements of the Los Angeles County Noise Control Ordinance, as contained in Chapter 12.08 of the Los Angeles County Code, Title 12. Other related noise regulations not enforced by this department but are applicable are Title 26 chap 12, section 12.07 of the Los Angeles County Building Code.

- Project residential HVAC shall not exceed 55 dBA at any point on neighboring residential property line (12.08.530).

- Construction activities shall be limited to the hours of 7am to 7pm Monday through Saturday. No construction work on Sundays and Holidays. The applicant shall adhere to the construction noise requirements contained in the Los Angeles County Noise Control Ordinance, Title 12, section 12.08 Part 3.

- The following noise reduction measures are recommended to minimize construction noise affecting nearby sensitive (i.e. residential) properties:
  1. Construction vehicles and equipment shall not be left idling for longer than five minutes when not in use.
  2. Stationary equipment that exceeds the noise construction standards (12.08.440B) at nearby residential uses shall be shielded. Apply the appropriate shielding to reduce equipment noise levels by at least 10 dB. Apply barriers or shielding where necessary to minimize noise to nearby sensitive uses.
  3. All noise from worker’s radios shall be controlled to a point that they are not audible at sensitive receptors near construction activity.
  4. A noise disturbance coordinator shall be designated by the contractor to respond to any local complaints about construction noise and require that reasonable measures be taken to correct the problem. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site.
  5. All combustion engine powered equipment shall be equipped with suitable exhaust and air-intake silencers in good working order (12.08.440C)
  6. Locate noise construction activities as far away from residential receptors as feasible.

- Based on short-term ambient noise measurements (>60 Leq dBA ldn) taken at both sites, an acoustical analysis may be required by Building and Safety to include building noise insulation measures to comply with Building Code Title 26 Chapter 12, section 12.07. Consult with Building and Safety.

We do not anticipate any significant noise impacts with adherence to Title 12 and Title 26 Codes and applying best management practices.
Air Quality (Downey I & II):

- An Environmental phase I site assessment (ESA) by Partner Inc. for Downey I was reviewed. We suggest that the recommendations listed in the report by Partner Inc. be implemented. This report should be reviewed by those regulatory agencies such as LA County Hazmat and DTSC that may have environmental oversight in these matters. At this time, we have no knowledge if an ESA for Downey II was conducted. We recommend that an ESA be conducted for Downey II or consult with the applicable agencies with jurisdiction in these matters.

- During the demolition/construction and or possible grading operations phases of the project dust suppression engineering techniques should be applied in order to minimize temporary increase in dust air emissions. Soil dust emissions can result in public exposure to fungal spores such as Coccidioides immitis, and can cause Coccidioidomycosis (Valley Fever) Comply with AQMD and Cal-OSHA regulations.

- Downey I & II are within roughly 1500 ft. from a major freeway (5 interstate), please see our comments below on “Air Quality recommendations for Local Jurisdictions”:

For any questions regarding the above sections, please contact Evenor Masis or Robert Vasquez of the Toxics Epidemiology Program (TEP) at (213) 738-3220 or at cmasis@ph.lacounty.gov and rvasquez@ph.lacounty.gov.

For any other questions regarding this report, please contact me at (626) 430-5380 or at mtsiebos@ph.lacounty.gov.
AIR QUALITY RECOMMENDATIONS FOR LOCAL JURISDICTIONS

Development of new schools, housing, and other sensitive land-uses in proximity to freeways

Studies indicate that residing near sources of traffic pollution is associated with adverse health effects such as exacerbation of asthma, onset of childhood asthma, non-asthma respiratory symptoms, impaired lung function, reduced lung development during childhood, and cardiovascular morbidity and mortality. These associations are diminished with distance from the pollution source.

Given the association between traffic pollution and health, the California Air Resources Board recommends that freeways be sited at least 500 feet from residences, schools, and other sensitive land uses. Other reputable research entities such as the Health Effects Institute indicate that exposure to unhealthy traffic emissions may in fact occur up to 300 to 500 meters (approximately 984 to 1640 feet). The range reported by HEI reflects the variable influence of background pollution concentrations, meteorological conditions, and season.

Based on this large body of scientific evidence, the Los Angeles County Department of Public Health strongly recommends:

- A buffer of at least 500 feet should be maintained between the development of new schools, housing or other sensitive land uses and freeways. Consideration should be given to extending this minimum buffer zone based on site-specific conditions, given the fact that unhealthy traffic emissions are often present at greater distances. Exceptions to this recommended practice should be made only upon a finding by the decision-making body that the benefits of such development outweigh the public health risks.

- New schools, housing or other sensitive land uses built within 1500 feet of a freeway should adhere to current best-practice mitigation measures to reduce exposure to air pollution which may include: the use of air filtration to enhance heating, ventilation and air conditioning (HVAC) systems, and the orientation of site buildings and placement of outdoor facilities designed for moderate physical activity as far from the emission source as possible.

Development of parks and active recreational facilities in proximity to freeways

Parks and recreational facilities provide great benefits to community residents including increased levels of physical activity, improved mental health, and opportunities to strengthen social ties with neighbors. However, siting parks and active recreational facilities near freeways may increase public exposure to harmful pollutants, particularly while exercising. Studies show that heavy exercise near sources of traffic pollution may have adverse health effects. However, there are also substantial health benefits associated with exercise. Therefore, DPH recommends the following cautionary approach when siting parks and active recreational facilities near freeways:

- New parks with athletic fields, courts, and other outdoor facilities designed for moderate to vigorous physical activity, should be sited at least 500 feet from a freeway. Consideration should be given to extending this minimum buffer zone based on site-specific conditions given the fact that unhealthy traffic emissions are often present at greater distances. Exceptions to this recommended practice should be made only upon a finding by the decision-making body that the benefits of such development outweigh the public health risks.
• New parks built within 1500 feet of freeways should adhere to best-practice mitigation measures that minimize exposure to air pollution. These include the placement of athletic fields, courts, and other active outdoor facilities as far as possible from the air pollution source.

May 17, 2017

TO: Maria Masis  
Zoning Permits East Section  
Department of Regional Planning  

Attention Jolee Hui

FROM: Art Vander Vis  
Land Development Division  
Department of Public Works

PLAN NO. RPPL 2016005207  
PLAN TYPE: PERMITS AND REVIEWS  
WORK CLASS: CUP  
PROJECT NO. 2016-001235  
DOWNEY I ("SITE A")  
4161-4169 WHITTIER BOULEVARD  
ASSESSORS MAP BOOK NO. 5236, PAGE 5, PARCEL NOS. 32, 33, AND 34  
UNINCORPORATED COUNTY COMMUNITY OF EAST LOS ANGELES

Thank you for the opportunity to review the zoning permit application and site plan for the proposed project located at 4161-4169 Whittier Boulevard in the unincorporated County community of East Los Angeles. The proposed project consists of a 42-unit, three-story, mixed-use apartment complex with 41 units restricted to very low-income residents and 1,300 square feet of ground-floor retail.

☑ Public Works recommends that the conditions shown below be applied to the project if ultimately approved by the advisory agency.

☐ Public Works has comments on the submitted documents; therefore, a Public Hearing shall NOT be scheduled until the comments have been addressed.
1. **Road**

1.1 Dedicate an additional 10 feet of right of way along the property frontage on Downey Road to achieve an ultimate right-of-way width of 40 feet from the street centerline to the satisfaction of Public Works. A processing fee will be required for the review of the dedication documents.

1.2 Dedicate an adequate right-of-way corner cut-off based on a future curb return radius of 25 feet at the northwest corner of Whittier Boulevard and Downey Road to the satisfaction of Public Works. The right-of-way corner cut-off must be large enough to accommodate a non-depressed curb ramp that meets current Americans with Disabilities Act (ADA) guidelines and to the satisfaction of Public Works. A fee will be required for review of the dedication documents.

1.3 Reconstruct the curb ramp at the northwest corner of Whittier Boulevard and Downey Road, based on the existing 12-foot curb return radius, to meet current ADA guidelines. Relocate any affected utilities.

1.4 Close the unused driveways on Whittier Boulevard and Downey Road with standard curb, gutter, and sidewalk along the property frontage.

1.5 Construct the proposed driveway approach on Downey Road to comply with current ADA guidelines and to the satisfaction of Public Works. Relocate any affected utilities.

1.6 Provide and continuously maintain adequate sight distance (10 feet minimum) from all proposed on-site driveways to the sidewalk fronting the site to the satisfaction of Public Works. This means there cannot be any obstruction, such as landscaping or block walls, above 3.5 feet high within 10 feet of the public right of way.

1.7 Plant street trees along the property frontage on Whittier Boulevard and Downey Road to the satisfaction of Public Works. Please contact Public Works' Road Maintenance Division, Maintenance District 4 office, at (562) 862-0517 to obtain information regarding the desirable tree species to be planted along the property frontage.

1.8 Construct drainage devices (parkway/curb drains) along the property frontage of the site (if needed) and execute a drainage covenant for the private maintenance of the devices.
1.9 Submit street improvement plans and acquire street plan approval before obtaining a grading permit. A plan checking fee will be required.

Please note that the County has an upcoming road improvement project, ID No. RDC0016013, along the east side of Downey Road, north of Whittier Boulevard, and along the north side of Whittier Boulevard east of Downey Road. Should this County project be scheduled and constructed ahead of the applicant's development, a moratorium of at least two years will be placed along the affected roadways. No developer-related construction that involves pavement work within the public right of way will be allowed during the moratorium period unless otherwise approved by Public Works. Exceptions could be made if acceptable rehabilitation measures are provided to the satisfaction of Public Works. Please contact Mike Azhand of Public Works' Programs Development Division at (626) 458-5198, mazhand@dpw.lacounty.gov, to obtain additional information regarding the County's project.

1.10 Comply with all the requirements listed in the attached letter from Public Works' Traffic and Lighting Division dated May 15, 2017.

1.11 Comply with the street lights requirements listed in the attached memo from Public Works' Traffic and Lighting Division dated February 16, 2017.

For questions regarding road condition Nos. 1.1-1.9, please contact Ed Gerlits of Public Works' Land Development Division at (626) 458-4915 or egerlits@dpw.lacounty.gov.

For questions regarding road condition No. 1.10, please contact Jeff Pletyak of Traffic and Lighting Division at (626) 300-4721 or iplety@dpw.lacounty.gov.

For questions regarding road condition No. 1.11, please contact Daniel Zahid of Traffic and Lighting Division at (626) 300-4771 or dzahid@dpw.lacounty.gov.

2. Drainage/Grading

2.1 Submit a drainage and grading plan for review and approval that complies with the approved hydrology study dated April 13, 2017 (or the latest revision) to the satisfaction of Public Works. The drainage and grading plans must provide for the proper distribution of drainage and for contributory drainage from adjoining properties by eliminating the sheet overflow, ponding, and high-velocity scouring action to protect the lots. The plans
need to call-out the construction of at least all drainage devices and details; paved driveways; elevation of all pads, water quality devices, Low-Impact Development (LID) features; and existing easements. Additionally, the applicant is required to obtain the necessary easement holder approvals for the proposed work.

2.2 Comply with all National Pollutant Discharge Elimination System, Storm Water Management Plan, and Water Quality requirements.

2.3 Provide a maintenance agreement/covenant for any privately maintained drainage devices.

2.4 Provide soil/geology approval of the drainage/grading plan from Public Works' Geotechnical and Materials Engineering Division.

2.5 The infiltration rate for the project site has been assumed by the project applicant. The rate must be approved by Geotechnical and Material Engineering Division prior to the approval of grading plans. Any changes to the assumed infiltration rate may require a revised hydrology study.

2.6 Obtain connection permits from Public Works' Land Development Division's Encroachment Permits and Inspection Section for the site's storm drain connections to DDI 026 and RDD 0249.

2.7 Comply with LID standards per County Code Section 12.84.460. The LID Standards Manual can be found at [http://dpw.lacounty.gov/ldd/web](http://dpw.lacounty.gov/ldd/web).

For questions regarding the drainage/grading conditions, please contact Vilong Truong of Public Works' Land Development Division at (626) 458-4921 or vtruong@dpw.lacounty.gov.

3. **Water**

3.1 The applicant shall comply with the requirements as stipulated by the attached Will Serve letter dated November 23, 2016, issued by the California Water Service Company. The will serve letter will expire on November 23, 2018. It shall be the sole responsibility of the applicant to renew the aforementioned Will Serve letter upon expiration and abide by all requirements of the water purveyor.
For questions regarding the water condition, please contact Tony Khalkhali of Public Works’ Land Development Division at (626) 458-4921 or tkhalkh@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Mr. Gerlits at (626) 458-4953 or egerlits@dpw.lacounty.gov.
May 15, 2017

Ms. Clare M. Look-Jaeger
Linscott, Law & Greenspan, Engineers
600 South Lake Avenue, Suite 500
Pasadena, CA 91106

Dear Ms. Look-Jaeger:

WHITTIER BOULEVARD MIXED-USE PROJECT
4161-4169 WHITTIER BOULEVARD AND
4200-4224 WHITTIER BOULEVARD
TRAFFIC IMPACT STUDY (MARCH 20, 2016)
UNINCORPORATED EAST OF LOS ANGELES AREA

We reviewed the Traffic Impact Study (TIS) for the Whittier Boulevard Mixed-Use project located at 4161-4169 Whittier Boulevard and 4200-4224 Whittier Boulevard in the unincorporated East Los Angeles area.

Project's Transportation Impact

According to the TIS, the traffic generated by the project alone, as well as cumulatively with other related projects, will not have a significant transportation impact to County roadways and intersections in the area based on the County's Traffic Impact Analysis Guidelines. We generally agree with the findings in the TIS.

Site Access Requirements

The project shall provide full ingress and egress access to Site A and Site B from the driveways located on Downey Road.

To provide left egress access at Site B, the applicant shall submit a signing and striping plan to maintain through movement of vehicles and maintain existing on-street parking along Downey Road.

We recommend the applicant consult with the State of California Department of Transportation to obtain concurrence with any potential California Environmental Quality Act impacts within its jurisdiction.
If you have any questions regarding the review of this document, please contact Mr. Kent Tsuji of Traffic and Lighting Division, Traffic Studies Section, at (626) 300-4776.

Very truly yours,

MARK PESTRELLA  
Director of Public Works

DEAN R. LEHMAN  
Assistant Deputy Director  
Traffic and Lighting Division

GS:ma
STREET LIGHTING REQUIREMENTS
4161 and 4169 and 4200-4224 (L014-2017)

☐ Provide streetlights on concrete poles with underground wiring on all streets and highways within _____ to the satisfaction of Department of Public Works or as modified by Department of Public Works. Submit street lighting plans along with existing and/or proposed underground utilities plans to Traffic and Lighting Division, Street Lighting Section, for processing and approval.

☐ Provide streetlights on concrete poles with underground wiring along the property frontage on South Downey Road and South Sunol Drive to the satisfaction of Department of Public Works or as modified by Department of Public Works. Submit street lighting plans along with existing and/or proposed underground utilities plans to Traffic and Lighting Division, Street Lighting Section, for processing and approval.

☐ Provide streetlights on concrete poles with underground wiring on non-gated private or public future streets along the property frontage on _____ to the satisfaction of Department of Public Works or as modified by Department of Public Works. Submit street lighting plans along with existing and/or proposed underground utilities plans to Traffic and Lighting Division, Street Lighting Section, for processing and approval.

☐ Provide streetlights on concrete poles with underground wiring on gated private future street(s) along the property frontage on _____ with fixtures acceptable to Southern California Edison and to the satisfaction of Department of Public Works or as modified by Department of Public Works. The operation and maintenance of the streetlights shall remain the responsibility of the owner/developer/Home Owners Association until such time as the street(s) are accepted for maintenance by the County. Assessments will be imposed on portions of the development served by gated private and future streets (if any) as a result of benefits derived from existing or future streetlights on adjacent public roadways. Submit street lighting plans along with existing and/or proposed underground utilities plans to Traffic and Lighting Division, Street Lighting Section, for processing and approval.

☐ Provide street lighting plan to upgrade the existing streetlights from HPSV to LED fixtures along the property frontage on _____ to the satisfaction of Department of Public Works or as modified by Department of Public Works. Submit street lighting plans along with existing and/or proposed underground utilities plans to Traffic and Lighting Division, Street Lighting Section, for processing and approval.

☐ New streetlights are not required.
ANNEXATION AND ASSESSMENT BALOTTING REQUIREMENTS:

☐ The proposed project or portions of the proposed project are not within an existing lighting district. Annexation to street lighting district is required. Street lighting plans cannot be approved prior to completion of annexation process. See Conditions of Annexations below.

X Upon CUP approval (CUP only), the applicant shall comply with conditions of acceptance listed below in order for the lighting districts to pay for the future operation and maintenance of the streetlights. It is the sole responsibility of the owner/developer of the project to have all street lighting plans approved prior to the issuance of building permits. The required street lighting improvements shall be the sole responsibility of the owner/developer of the project and the installation must be accepted per approved plans prior to the issuance of a certificate of occupancy.

☐ Upon issuance of an Agreement to Improve (R3 only), the applicant shall comply with conditions of acceptance listed below in order for the lighting districts to pay for the future operation and maintenance of the streetlights. It is the sole responsibility of the owner/developer of the project to have all street lighting plans approved prior to the issuance of building permits. The required street lighting improvements shall be the sole responsibility of the owner/developer of the project and the installation must be accepted per approved plans prior to the issuance of a certificate of occupancy.

☐ Upon tentative map/parcel map approval (subdivision only), the applicant shall comply with conditions of acceptance listed below in order for the lighting districts to pay for the future operation and maintenance of the streetlights. It is the sole responsibility of the owner/developer of the project to have all street lighting plans approved prior to the map recordation. The required street lighting improvements shall be the sole responsibility of the owner/developer of the project and the installation must be accepted per approved plans prior to the issuance of a certificate of occupancy. If phasing of the project is approved, the required street lighting improvements shall be the sole responsibility of the owner/developer of the project and will be made a condition of approval to be in place for each phase.

CONDITIONS OF ACCEPTANCE FOR STREET LIGHT TRANSFER OF BILLING:

All required streetlights in the project must be constructed according to Public Works approved plans. The contractor shall submit one complete set of "as-built" plans. The lighting district can assume the responsibility for the operation and maintenance of the streetlights by July 1st of any given year, provided all required streetlights in the project have been constructed per Public Works approved street lighting plan and energized and the owner/developer has requested a transfer of billing at least by January 1st of the previous year. The transfer of billing could be delayed one or more years if the above conditions are not met. The lighting district cannot pay for the operation and maintenance of streetlights located within gated communities.
November 23, 2016

Matt Pourde
Project Manager
724 S. Spring Street #304
Los Angeles, CA 90014

Will Serve Letter
Tract or Parcel Map No: 5236-005-033,034
Developer: Meta Housing Corporation

Meta Housing Corporation

As a regulated utility, California Water Service Company East Los Angeles district “Cal Water” has an obligation to provide water service in accordance with the rules and regulations of the California Public Utility Commission (CPUC). Assuming you receive all required permits from Los Angeles County, Cal Water will provide water service to the above referenced project. Cal Water agrees to operate the water system and provide service in accordance with the rules and regulations of the California Public Utilities Commission (CPUC) and the company’s approved tariffs on file with the CPUC. This will serve letter shall remain valid for two years from the date of this letter. If construction of the project has not commenced within this two year time frame, Cal Water will be under no further obligation to serve the project unless the developer receives an updated letter from Cal Water reconfirming our commitment to serve the above mentioned project. Additionally, Cal Water reserves the right to rescind this letter at any time in the event its water supply is severely reduced by legislative, regulatory or environmental actions.

Cal Water will provide such potable water at such pressure as may be available from time to time as a result of its normal operations per the company’s tariffs on file with the CPUC. Installation of facilities through developer funding shall be made in accordance with the current rules and regulations of the CPUC including, among others, Tariff Rules 15 and 16 and General Order 103-A. In order for us to provide adequate water for domestic use as well as fire service protection, it may be necessary for the developer to fund the cost of special facilities, such as, but not limited to, booster pumps, storage tanks and/or water wells, in addition to the cost of mains and services. Cal Water will provide more specific information regarding special facilities and fees after you provide us with your improvement plans, fire department requirements, and engineering fees for this project.

This letter shall at all times be subject to such changes or modifications by the CPUC as said Commission may, from time to time, require in the exercise of its jurisdiction.
If you have any questions regarding the above, please call me at (323) 722-8601.

Sincerely,

Stephen Salazar
Customer Service Manager

cc: Ting He – Cal Water Engineering Dept.
May 17, 2017

TO: Maria Masis
Zoning Permits East Section
Department of Regional Planning

Attention Jolee Hui

FROM: Art Vander Vis
Land Development Division
Department of Public Works

PLAN NO. RPPL 2016005212
PLAN TYPE: PERMITS AND REVIEWS
WORK CLASS: CUP
PROJECT NO. 2016-001235
DOWNEY II ("SITE B")
4200-4224 WHITTIER BOULEVARD
ASSESSORS MAP BOOK NO. 5236, PAGE 16, PARCEL NOS. 25 THRU 32
UNINCORPORATED COUNTY COMMUNITY OF EAST LOS ANGELES

Thank you for the opportunity to review the zoning permit application and site plan for the proposed project located at 4200-4224 Whittier Boulevard in the unincorporated County community of East Los Angeles. The proposed project consists of a 71-unit, four-story, mixed-use apartment complex with 70 units restricted to very low-income residents and 3,700 square feet of ground-floor retail.

☐ Public Works recommends that the conditions shown below be applied to the project if ultimately approved by the advisory agency.

☐ Public Works has comments on the submitted documents; therefore, a Public Hearing shall NOT be scheduled until the comments have been addressed.
1. **Road**

1.1 Vacate the alley prior to the issuance of a grading permit. Please contact Jose Suarez of Public Works’ Survey Mapping and Property Management Division at (626) 458-7060, jsuarez@dpw.lacounty.gov, to obtain vacation procedures.

1.2 Dedicate an adequate right-of-way corner cut-off based on a future curb return radius of 25 feet at the southeast corner of Whittier Boulevard and Downey Road to the satisfaction of Public Works. The right-of-way corner cut-off must be large enough to accommodate a non-depressed curb ramp that meets current Americans with Disabilities Act (ADA) guidelines and to the satisfaction of Public Works. A fee will be required for review of the dedication documents.

1.3 Dedicate an adequate right-of-way corner cut-off based on a future curb return radius of 25 feet at the southwest corner of Whittier Boulevard and Sunol Drive to the satisfaction of Public Works. The right-of-way corner cut-off must be large enough to accommodate a non-depressed curb ramp that meets current ADA guidelines and to the satisfaction of Public Works. A fee will be required for review of the dedication documents.

1.4 Reconstruct the curb ramp at the southeast corner of Whittier Boulevard and Downey Road and the southwest corner of Whittier Boulevard and Sunol Drive, based on the existing 10-foot curb return radius, to meet current ADA guidelines. Relocate any affected utilities.

1.5 Construct sidewalk transitions/pop-outs along the property frontage on Whittier Boulevard, Downey Road, and Sunol Drive, where needed, to meet current ADA guidelines and to the satisfaction of Public Works.

1.6 Close all unused driveways on Whittier Boulevard, Downey Road, and Sunol Drive with standard curb, gutter, and sidewalk along the property frontage.

1.7 Construct the proposed driveway approach on Downey Road to comply with current ADA guidelines and to the satisfaction of Public Works. Relocate any affected utilities.
1.8 Provide and continuously maintain adequate sight distance from the proposed on-site driveway on Downey Road to the sidewalk fronting the site to the satisfaction of Public Works. This means there shall not be any obstructions, such as landscaping or block walls, above 3.5 feet in height within the 10 feet of the public right of way.

1.9 Plant street trees along the property frontage on Whittier Boulevard, Downey Road, and Sunol Drive to the satisfaction of Public Works. Please contact Public Works’ Road Maintenance Division, Maintenance District 4 office, at (562) 862-0517 to obtain information regarding the desirable tree species to be planted along the property frontage.

1.10 Construct drainage devices (parkway/curb drains) along the property frontage of the site (if needed) and execute a drainage covenant for the private maintenance of the devices.

1.11 Submit street improvement plans and acquire street plan approval before obtaining a grading permit. A plan checking fee will be required.

Please note that the County has an upcoming road improvement project, ID No. RDC0016013, along the east side of Downey Road, north of Whittier Boulevard, and along the north side of Whittier Boulevard east of Downey Road. Should this County project be scheduled and constructed ahead of the applicant’s development, a moratorium of at least two years will be placed along the affected roadways. No developer-related construction that involves pavement work within the public right of way will be allowed during the moratorium period unless otherwise approved by Public Works. Exceptions could be made if acceptable rehabilitation measures are provided to the satisfaction of Public Works. Please contact Mike Azhand of Public Works’ Programs Development Division at (626) 458-5198, mazhand@dpw.lacounty.gov, to obtain additional information relating to the County’s project.

1.12 Comply with the requirements listed in the attached letter from Public Works’ Traffic and Lighting Division dated May 15, 2017.

1.13 Comply with the street light requirements listed in the attached letter from Traffic and Lighting Division dated February 16, 2017.

For questions regarding road condition Nos. 1.1-1.11, please contact Ed Gerlits of Public Works’ Land Development Division at (626) 458-4953 or egerlits@dpw.lacounty.gov.
For questions regarding road condition No. 1.12, please contact Jeff Pletyak of Traffic and Lighting Division at (626) 300-4721 or jpletty@dpw.lacounty.gov.

For questions regarding road condition No. 1.13, please contact Sam Abdelhadi of Traffic and Lighting Division at (626) 300-4771 or sabdel@dpw.lacounty.gov.

2. Drainage/Grading

2.1 Submit a drainage and grading plan for review and approval that complies with the approved hydrology study dated April 13, 2017 (or the latest revision), to the satisfaction of Public Works. The drainage and grading plans must provide for the proper distribution of drainage and for contributory drainage from adjoining properties by eliminating the sheet overflow, ponding, and high-velocity scouring action to protect the lots. The plans need to call-out the construction of at least all drainage devices and details; paved driveways; elevation of all pads, water quality devices, and Low-Impact Development (LID) features; and existing easements. Additionally, the applicant is required to obtain the necessary easement holder approvals for the proposed work.

2.2 Comply with all National Pollutant Discharge Elimination System, Storm Water Management Plan, and Water Quality requirements.

2.3 Provide a maintenance agreement/covenant for any privately maintained drainage devices.

2.4 Provide soil/geology approval of the drainage/grading plan from Public Works' Geotechnical and Materials Engineering Division.

2.5 The infiltration rate for the project site has been assumed by the project applicant. The rate must be approved by Geotechnical and Material Engineering Division prior to the approval of grading plans. Any changes to the assumed infiltration rate may require a revised hydrology study.

2.6 Obtain connection permits from Public Works' Land Development Division, Encroachment Permits and Inspection Section, for the site's storm drain connections to DDI 026 and RDD 0249.

2.7 Comply with LID standards per County Code Section 12.84.460. The LID Standards Manual can be found at http://dpw.lacounty.gov/ldd/web.
For questions regarding the drainage/grading conditions, please contact Vilong Truong of Public Works' Land Development Division at (626) 458-4921 or vtruong@dpw.lacounty.gov.

3. Water

3.1 The applicant shall comply with the requirements as stipulated by the attached Will Serve letter dated November 7, 2016, issued by the California Water Service Company. The will serve letter will expire on November 7, 2018. It shall be the sole responsibility of the applicant to renew the aforementioned Will Serve letter upon expiration and abide by all requirements of the water purveyor.

For questions regarding water conditions, please contact Tony Khalkahli of Public Works' Land Development Division at (626) 458-4921 or tkhalkh@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Mr. Gerlits at (626) 458-4953 or egerlits@dpw.lacounty.gov.
May 15, 2017

Ms. Clare M. Look-Jaeger  
Linscott, Law & Greenspan, Engineers  
600 South Lake Avenue, Suite 500  
Pasadena, CA 91106

Dear Ms. Look-Jaeger:

WHITTIER BOULEVARD MIXED-USE PROJECT  
4161-4169 WHITTIER BOULEVARD AND  
4200-4224 WHITTIER BOULEVARD  
TRAFFIC IMPACT STUDY (MARCH 20, 2016)  
UNINCORPORATED EAST OF LOS ANGELES AREA

We reviewed the Traffic Impact Study (TIS) for the Whittier Boulevard Mixed-Use project located at 4161-4169 Whittier Boulevard and 4200-4224 Whittier Boulevard in the unincorporated East Los Angeles area.

Project's Transportation Impact

According to the TIS, the traffic generated by the project alone, as well as cumulatively with other related projects, will not have a significant transportation impact to County roadways and intersections in the area based on the County's Traffic Impact Analysis Guidelines. We generally agree with the findings in the TIS.

Site Access Requirements

The project shall provide full ingress and egress access to Site A and Site B from the driveways located on Downey Road.

To provide left egress access at Site B, the applicant shall submit a signing and striping plan to maintain through movement of vehicles and maintain existing on-street parking along Downey Road.

We recommend the applicant consult with the State of California Department of Transportation to obtain concurrence with any potential California Environmental Quality Act impacts within its jurisdiction.
If you have any questions regarding the review of this document, please contact Mr. Kent Tsujii of Traffic and Lighting Division, Traffic Studies Section, at (626) 300-4776.

Very truly yours,

MARK PESTRELLA
Director of Public Works

DEAN R. LEHMAN
Assistant Deputy Director
Traffic and Lighting Division

GS:ma
STREET LIGHTING REQUIREMENTS
4161 and 4169 and 4200-4224 (L014-2017)

☐ Provide streetlights on concrete poles with underground wiring on all streets and highways within _______ to the satisfaction of Department of Public Works or as modified by Department of Public Works. Submit street lighting plans along with existing and/or proposed underground utilities plans to Traffic and Lighting Division, Street Lighting Section, for processing and approval.

☐ Provide streetlights on concrete pole with underground wiring along the property frontage on South Downey Road and South Sunol Drive to the satisfaction of Department of Public Works or as modified by Department of Public Works. Submit street lighting plans along with existing and/or proposed underground utilities plans to Traffic and Lighting Division, Street Lighting Section, for processing and approval.

☐ Provide streetlights on concrete poles with underground wiring on non-gated private or public future streets along the property frontage on ________ to the satisfaction of Department of Public Works or as modified by Department of Public Works. Submit street lighting plans along with existing and/or proposed underground utilities plans to Traffic and Lighting Division, Street Lighting Section, for processing and approval.

☐ Provide streetlights on concrete poles with underground wiring on gated private future street(s) along the property frontage on ________ with fixtures acceptable to Southern California Edison and to the satisfaction of Department of Public Works or as modified by Department of Public Works. The operation and maintenance of the streetlights shall remain the responsibility of the owner/developer/Home Owners Association until such time as the street(s) are accepted for maintenance by the County. Assessments will be imposed on portions of the development served by gated private and future streets (if any) as a result of benefits derived from existing or future streetlights on adjacent public roadways. Submit street lighting plans along with existing and/or proposed underground utilities plans to Traffic and Lighting Division, Street Lighting Section, for processing and approval.

☐ Provide street lighting plan to upgrade the existing streetlights from HPSV to LED fixtures along the property frontage on ________ to the satisfaction of Department of Public Works or as modified by Department of Public Works. Submit street lighting plans along with existing and/or proposed underground utilities plans to Traffic and Lighting Division, Street Lighting Section, for processing and approval.

☐ New streetlights are not required.
ANNEXATION AND ASSESSMENT BALLOTING REQUIREMENTS:

☐ The proposed project or portions of the proposed project are not within an existing lighting district. Annexation to street lighting district is required. Street lighting plans cannot be approved prior to completion of annexation process. See Conditions of Annexations below.

X Upon CUP approval (CUP only), the applicant shall comply with conditions of acceptance listed below in order for the lighting districts to pay for the future operation and maintenance of the streetlights. It is the sole responsibility of the owner/developer of the project to have all street lighting plans approved prior to the issuance of building permits. The required street lighting improvements shall be the sole responsibility of the owner/developer of the project and the installation must be accepted per approved plans prior to the issuance of a certificate of occupancy.

☐ Upon issuance of an Agreement to Improve (R3 only), the applicant shall comply with conditions of acceptance listed below in order for the lighting districts to pay for the future operation and maintenance of the streetlights. It is the sole responsibility of the owner/developer of the project to have all street lighting plans approved prior to the issuance of building permits. The required street lighting improvements shall be the sole responsibility of the owner/developer of the project and the installation must be accepted per approved plans prior to the issuance of a certificate of occupancy.

☐ Upon tentative map/parcel map approval (subdivision only), the applicant shall comply with conditions of acceptance listed below in order for the lighting districts to pay for the future operation and maintenance of the streetlights. It is the sole responsibility of the owner/developer of the project to have all street lighting plans approved prior to the map recordation. The required street lighting improvements shall be the sole responsibility of the owner/developer of the project and the installation must be accepted per approved plans prior to the issuance of a certificate of occupancy. If phasing of the project is approved, the required street lighting improvements shall be the sole responsibility of the owner/developer of the project and will be made a condition of approval to be in place for each phase.

CONDITIONS OF ACCEPTANCE FOR STREET LIGHT TRANSFER OF BILLING:

All required streetlights in the project must be constructed according to Public Works approved plans. The contractor shall submit one complete set of "as-built" plans. The lighting district can assume the responsibility for the operation and maintenance of the streetlights by July 1st of any given year, provided all required streetlights in the project have been constructed per Public Works approved street lighting plan and energized and the owner/developer has requested a transfer of billing at least by January 1st of the previous year. The transfer of billing could be delayed one or more years if the above conditions are not met. The lighting district cannot pay for the operation and maintenance of streetlights located within gated communities.
November 7, 2016

Department of Public Works
Land Development Division
County of Los Angeles
900 South Fremont Avenue
Alhambra, California 91803-1331

Will Serve Letter
Tract or Parcel Map No: 5236-016-032,031,030,029,028,027,026 and 025
Developer: Matt Plourde

Land Development Unit – Water Code Enforcement Subunit

As a regulated utility, California Water Service Company East Los Angeles district “Cal Water” has an obligation to provide water service in accordance with the rules and regulations of the California Public Utility Commission (CPUC). Assuming you receive all required permits from Los Angeles County, Cal Water will provide water service to the above referenced project. Cal Water agrees to operate the water system and provide service in accordance with the rules and regulations of the California Public Utilities Commission (CPUC) and the company’s approved tariffs on file with the CPUC. This will serve letter shall remain valid for two years from the date of this letter. If construction of the project has not commenced within this two year time frame, Cal Water will be under no further obligation to serve the project unless the developer receives an updated letter from Cal Water reconfirming our commitment to serve the above mentioned project. Additionally, Cal Water reserves the right to rescind this letter at any time in the event its water supply is severely reduced by legislative, regulatory or environmental actions.

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This letter shall at all times be subject to such changes or modifications by the CPUC as said Commission may, from time to time, require in the exercise of its jurisdiction.

calwater.com
CALIFORNIA WATER SERVICE

If you have any questions regarding the above, please call me at (323) 722-8601.

Sincerely,

[Signature]

Stephen Salazar
Customer Service Manager

cc: Ting He – Cal Water Engineering Dept.
THE FIRE DEPARTMENT RECOMMENDS CLEARANCE OF THIS PROJECT TO PROCEED TO PUBLIC HEARING AS PRESENTLY SUBMITTED WITH THE FOLLOWING CONDITIONS OF APPROVAL.

ACCESS REQUIREMENTS

1. Fire Apparatus Access Roads must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4

2. All fire lanes shall be clear of all encroachments, and shall be maintained in accordance with the Title 32, County of Los Angeles Fire Code.

3. The Fire Apparatus Access Roads and designated fire lanes shall be measured from flow line to flow line.

4. Provide a minimum unobstructed width of 28 feet, exclusive of shoulders and an unobstructed vertical clearance "clear to sky" Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building, as measured by an approved route around the exterior of the building when the height of the building above the lowest level of the Fire Apparatus Access Road is more than 30 feet high, or the building is more than three stories. The access roadway shall be located a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official. Fire Code 503.1.1 & 503.2.2

   a. The public street will be used for ladder truck access when the building wall is within 20 feet of the public street and there are no obstructions such as street parking, power and telephone lines, trees, etc.
b. The power lines adjacent to Downey Road (Downey I – Northwest corner I) will be required to be either placed underground, or relocated to the opposite side of the street.

5. On Whittier Blvd., Downey Road & Sunol Drive, provide approved signs or other approved notices or markings that include the words “NO PARKING - FIRE LANE”. Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be provided for fire apparatus access roads, to clearly indicate the entrance to such road, or prohibit the obstruction thereof and at intervals, as required by the Fire Inspector. Fire Code 503.3

6. A minimum 5 foot wide approved firefighter access walkway leading from the fire department access road to all required openings in the building's exterior walls shall be provided for firefighting and rescue purposes. Fire Code 504.1

a. The firefighter access walkways are required on the North and west sides of Downey I (Northwest corner), and on the Southside of Downey II (Southeast corner).

7. Security barriers, visual screen barriers or other obstructions shall not be installed on the roof of any building in such a manner as to obstruct firefighter access or egress in the event of fire or other emergency. Parapets shall not exceed 48 inches from the top of the parapet to the roof surface on more than two sides. Fire Code 504.5

8. Approved building address numbers, building numbers or approved building identification shall be provided and maintained so as to be plainly visible and legible from the street fronting the property. The numbers shall contrast with their background, be Arabic numerals or alphabet letters, and be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. Fire Code 505.1
WATER SYSTEM REQUIREMENTS

1. All fire hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal, and shall be installed in accordance with the County of Los Angeles Fire Department Regulation 8.

2. All required PUBLIC fire hydrants shall be installed, tested and accepted prior to beginning construction. Fire Code 501.4
   a. Prior to building permit approval, submit a minimum of three (3) copies of the water plans indicating the new fire hydrant locations to the Fire Department’s Land Development Unit for review. The required public fire hydrants shall be installed prior to construction of the proposed buildings.

3. The required fire flow for the public fire hydrants for this project is 2000 gpm at 20 psi residual pressure for 2 hours. Two (2) public fire hydrants flowing simultaneously may be used to achieve the required fire flow. Fire Code 507.3 & Appendix B105.1

4. An approved automatic fire sprinkler system is required for the proposed buildings within this development. Submit design plans to the Fire Department Sprinkler Plan Check Unit for review and approval prior to installation.

5. For Downey I (Northwest corner), install one (1) public fire hydrant on Whittier Blvd, west of Downey Road, as noted on the Fire Department Access Plan.

6. For Downey II (Southeast corner), install two (2) public fire hydrants as noted on the Fire Department Access Plan.
   a. Install one (1) public fire hydrant on Whittier Blvd, approximately 50 west of Sunol Drive.
COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION
Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: 2016-001235
RPPL2016005207
RPPL2016005212

DATE: 04/13/2017

LOCATION: 4169 & 4200-4224 Whittier Blvd. (Northwest & Southeast corners of the
Whittier Blvd. & Downey Rd. intersection)

PLANNER: Jolee Hui

b. Install one (1) public fire hydrant on Downey Road on the South property
line of the development

For any questions regarding the report, please contact FPEA Wally Collins at (323) 890-4243 or at Wally.Collins@fire.lacounty.gov.
COUNTY OF LOS ANGELES FIRE DEPARTMENT
HEALTH HAZARDOUS MATERIALS DIVISION
Site Mitigation Unit
5825 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4045, Fax (323) 890-4046

PROJECT: 2016-001235
RPPL2016005207
RPPL2016005212

DATE: 05/23/2017

LOCATION: 4169 & 4200-4224 Whittier Blvd. (Northwest & Southeast corners of the Whittier Blvd. & Downey Rd. intersection)

PLANNER: Jolee Hui


BASED ON THIS REVIEW OF INFORMATION PROVIDED IN THE PRELIMINARY ENDANGERMENT ASSESSMENT (PEA) REPORT AND WITH THE PROVISION THAT THE INFORMATION WAS ACCURATE AND REPRESENTATIVE OF EXISTING CONDITIONS, THE SITE MITIGATION UNIT (SMU) OF THE FIRE DEPARTMENT RECOMMENDS CLEARANCE OF THIS PROJECT TO PROCEED TO PUBLIC HEARING AS PRESENTLY SUBMITTED WITH THE FOLLOWING CONDITIONS OF APPROVAL.

1.0 IMPLEMENTATION OF A SOIL MANAGEMENT PLAN

Prior to initiation of grading and development of the Project Site (Site), a Soil Management Plan (SMP) must be prepared and, then, reviewed and approved by SMU. The purpose of the SMP is to guide onsite soil handling, sampling, testing and disposal before and during Site development activities. The SMP should include guidance and protocols for environmental screening of soils and should also include procedures for assessing and mitigating unexpected soil impacts associated with potential environmental "unknowns", such as buried tanks, septic systems, containers, and trash if encountered during grading activities. The SMP will be accompanied with a site-specific health and safety plan (HASP).

2.0 FUTURE DEMOLITION ACTIVITIES

SMU does not issue permits and has no direct authority over demolition activities. Demolition permits for Site development will be acquired from the Los Angeles County Department of Public Works, Building and Safety. Other permits associated with demolition will be required from various other agencies (e.g., South Coast Air Quality Management District). It is the responsible party's responsibility to abide by hazardous waste regulations when conducting demolition activities, when applicable. Meaning, demolition debris should be chemically profiled and disposed at appropriate disposal facilities, when applicable. If it is observed/determined that onsite soil may be impacted by hazardous demolition debris (e.g., asbestos and lead-based paint), then, the SMP would likely have to be implemented to assess and/or properly dispose the impacted soil.

Reviewed by: Richard Clark

Date: 05/23/2017

Page 1 of 2
3.0 REMEDIATION OF ARSENIC-AFFECTED SOIL

Small quantities of shallow soil at two known onsite locations are impacted by elevated concentrations of arsenic as described in the PEA. This arsenic-impacted soil must be excavated and disposed at an appropriate disposal facility before commencing onsite grading activities. Removal of the onsite arsenic-impacted soil must be conducted in accordance to the SMP to be implemented at the site.

If you have any questions regarding this memorandum, please call SMU supervisor Richard Clark at (213) 200-3831 or email him at Richard.Clark@fire.lacounty.com.
May 30, 2017

Regional Planning Commission
320 West Temple Street, 13th Floor
Los Angeles, CA 90012

Re: Commitment to Commercial Leasing Process

Regional Planning Commission:

Meta Housing Corporation is committed to developing healthy synergies between the neighboring Pedestrian Path at the Calvary Cemetery and the retail spaces within the Whittier and Downey Road Northwest and Southeast affordable housing communities.

In support of this commitment, the four community meetings conducted thus far have solicited input from the community concerning commercial businesses that they would like to see at the development. The community has expressed a desire for community retail uses such as a coffee shop, day care facility, restaurant, bakery, cance studio, and a Trader Joe’s market.

The most recent outreach meeting on May 16, featured a breakout discussion concerning the commercial space that was facilitated by a local real estate broker, Carlos Vasquez of VCA Realty. Meta will continue working with Mr. Vasquez and VCA to locate appropriate and community-oriented tenants for the commercial spaces within the developments. At the May 16 meeting, Meta committed to coordinating additional meetings to update the community on the status of the retail space and solicit feedback and additional suggestions concerning appropriate tenants for the commercial spaces at the projects.

Meta will coordinate the next community meeting upon securing the financing necessary for project feasibility. Subsequent commercial space-focused community meetings will be held on a quarterly basis over the course of the construction period, beginning after the first 6 months of construction.

Meta proposes that the development team, inclusive of Mr. Vasquez and the Supervisor’s staff and/or advisor(s), convene on a monthly basis after the next community meeting, to review progress of leasing efforts and, as necessary, discuss means and methods of securing desired tenants.

Projected Leasing Coordination Meeting Dates

<table>
<thead>
<tr>
<th>Meeting Type</th>
<th>Date for First Meeting</th>
<th>Frequency of Meetings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Meeting</td>
<td>November 2017</td>
<td>Quarterly until tenants are selected</td>
</tr>
<tr>
<td>Development Team Meeting</td>
<td>November 2017</td>
<td>Monthly until tenants are selected</td>
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</tbody>
</table>

It is Meta’s goal that the collaborative, transparent process described above result in identification and selection of commercial tenants that deliver the benefits sought by the community, the Supervisor, and Meta and result in the creation of a valuable community-serving resources at the Whittier Boulevard and Downey Road.

Sincerely,

Kasey M. Burke
President
Meta Housing Corporation