July 25, 2017

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

PROJECT NO. 2016-001235-(1)  
CONDITIONAL USE PERMIT NO. RPPL2016005207  
ADMINISTRATIVE HOUSING PERMIT NO. RPPL2017006970  
CONDITIONAL USE PERMIT NO. RPPL2016005212  
ADMINISTRATIVE HOUSING PERMIT NO. RPPL2017006968  
APPLICANT: META HOUSING CORPORATION  
EASTSIDE UNIT NO. 1 ZONED DISTRICT (FIRST SUPERVISORIAL DISTRICT) (3-VOTES)

SUBJECT

META Housing Corporation (applicant) is requesting the approval of two Conditional Use Permits (CUP) in conjunction with two administrative housing permits to construct two apartment buildings (known as “Downey I” and “Downey II”) consisting of ground-floor retail commercial and 100 percent affordable housing units dedicated to low-income and/or very-low income households in the East Los Angeles Community Standards District. The Downey I is a three-story, 42-unit garden-style apartment building with 1,161 square feet of ground-floor retail space, residential amenities, and ground-level parking proposed on a 0.69-acre site located on the northwest corner of the Whittier Boulevard and Downey Road intersection. The Downey II is a four-story, 71-unit garden-style apartment building with 3,208 square feet of ground-floor retail space, residential amenities, ground-level and subterranean parking proposed on a 1.45-acre site located on the southeast corner of the Whittier Boulevard and Downey Road intersection. Vehicular access is provided via a driveway into a parking garage on Downey Road and pedestrian access is provided via a main entrance on Whittier Boulevard. Both sites are currently developed with several unoccupied commercial structures.

Both sites are split zoned between the R-3 (Limited Density Multiple Residence) Zone and C-3 (General Commercial) Zone. A CUP is required for the apartment house use in the C-3 Zone, but the residential use in the R-3 Zone is allowed by right. The
proposed commercial component of the project, which is allowed by right in the C-3 Zone, is located entirely in the C-3 Zone.

The applicant is also requesting three off-menu incentives related to density bonus, compact parking, and height increase as part of the administrative housing permits. The density bonus will allow Downey I to increase the permitted density by 110% from 20 units to the requested 42-units and allow Downey II to increase the permitted density by 65% from the allowed 43 units to the requested 71 units. The second incentive is to allow 26% of the parking at Downey I and 17% of the parking at Downey II to be compact spaces. The last incentive is to increase the maximum allowed building height of Downey I from 35 feet up to 36 feet in the R-3 Zone and from 40 feet up to 44 feet in the C-3 Zone. As for Downey II, the maximum allowed building height would increase from 35 feet up to 57 feet in the R-3 Zone and from 40 feet up to 53 feet in the C-3 Zone. The height increases are mainly attributed to the staircase towers and mechanical equipment screening walls.

The Regional Planning Commission (Commission) approved the project (5-0 vote) on May 31, 2017. The Commission's approval was appealed to the Board of Supervisors (Board) by Ms. Karina Rincon on June 13, 2017.

IT IS RECOMMENDED THAT THE BOARD AFTER THE PUBLIC HEARING,

1. Indicate its intent to declare the proposed project to be a Transit-Priority Project eligible for a Sustainable Communities Project Exemption under the California Environmental Quality Act (CEQA) Statute & Guidelines and California Public Resources Code (PRC) §21155.1.

2. Indicate its intent to deny the appeal and instruct County Counsel to prepare the necessary findings to affirm the Commission’s approval of CUP No. RPPL2016005207 in conjunction with Administrative Housing Permit No. RPPL2017006970 and CUP No. RPPL2016005212 in conjunction with Administrative Housing Permit No. RPPL2017006968.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The adopted policies of the Housing Element, Mobility Element and Land Use Element of the General Plan and the East Los Angeles Community Plan strongly support higher density infill development near transit and the creation of critical affordable housing units for low-income, very-low income, and special needs populations. The development of a total of 111 affordable units (not including two units dedicated to on-site property managers) will help meet the high demand for low cost housing and therefore have a positive impact. The proposed projects are also consistent with the applicable County Zoning Code provisions. Development of the project sites for apartment use with ground-floor retail commercial is consistent with the established land use pattern of the immediate area.
The Honorable Board of Supervisors
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Implementation of Strategic Plan Goals

The proposed project will work toward the implementation of Goal 1: Make Investments That Transform Lives by providing critically-needed affordable housing units. The 42-unit Downey I building and the 71-unit Downey II building are 100% affordable units dedicated to the low-income and/or very-low income groups and special needs group.

The Strategic Plan Goal 2: Foster Vibrant and Resilient Communities will also be met. The affordable housing units will be located in an area with high quality transit services and in an area being served by transit routes that connect to major regional employment centers. The project also promotes this goal by striving for Gold certification under the Leadership in Energy and Environmental Design (LEED) rating system, specifically promoting Strategy II.3 – Make Environmental Sustainability Our Daily Reality. Under the LEED Gold certification, sustainable design features such as the use of Energy Star rated appliances, low-flow water fixtures, and drought tolerant landscaping will help to conserve water and energy.

Furthermore, over 15% of the affordable units are equipped with mobility features or auditory and visual communication features. These accessible units are designed to accommodate the special needs group with vulnerabilities. Therefore, the project meets the Objective I.2.1 Provide Subsidized Housing for Vulnerable Populations under Strategy I.2 – Enhance Our Delivery of Comprehensive Interventions of Goal 2. The proposed project would help meet the County’s Regional Housing Needs Assessment allocation and provide much-needed affordable housing within close proximity to the neighborhood commercial services as well as immediate access to high quality transit services.

FISCAL IMPACT/FINANCING

Implementation of the proposed project is not anticipated to result in any new significant costs to the County as the applicant will bear the cost of development including infrastructure and services to construct and operate the project. The applicant will also apply for available public funds via the County of Los Angeles Community Development Commission for the development of affordable housing units.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

During the public hearing held by the Comission, nine speakers testified in opposition and expressed concerns related to traffic, parking, construction noise, lack of affordable units for the moderate-income group, and lack of community benefits such a housing project would bring to the local residents. Many speakers spoke of a desire to have community-oriented services or businesses be developed on the project sites, and oppose the housing development that will generate additional traffic on already congested local streets. The appellant, Ms. Karina Rincon, submitted a letter with over 100 resident signatures in opposition to the project and urged the Commission to not
grant the CEQA exemption. She stated that the Downey I and II sites contain hazardous contaminants such as arsenic. The community is already dealing with the Exide lead contamination. The community’s health and safety are at stake and the applicant has not indicated how they will address the environmental issues or remove the hazardous substances/materials such as arsenic found on both sites.

The applicant responded that multiple environmental site assessment and soil investigative reports were submitted to the Site Mitigation Unit (SMU) of the County Fire Department Health Hazardous Materials Division for review. Mr. Richard Clark, the supervisor of SMU, also presented at the hearing and clarified that the applicant has signed a voluntary environmental oversight agreement with SMU to clean up the project sites prior to grading activities. The applicant will be required to implement mitigation to address the environmental concerns identified in the investigative reports and any other environmental unknowns that may arise after project approval to the satisfaction of the County. Under the recommendation of SMU, the applicant had conducted additional soil sampling to assess the potential impacts of arsenic not only to the project’s permanent residents, but to the construction workers, neighbors, and the community in general. As a condition of approval, the Soil Management Plan (SMP) accompanied by a site-specific Health and Safety Plan will be required to be prepared and implemented. The SMP will address the removal of the shallow soils impacted by arsenic prior to any grading activities to avoid the spread of the impacted soil to the rest of the property and also address any potential environmental unknowns during evacuation. The detected lead concentrations at both sites are low. In conclusion, the SMU concurred that the conditions of approval incorporated in the project are adequate to address the environmental concerns. County Counsel further clarified that under the statutory CEQA exemption statute, the applicant is required to mitigate any potential presence of hazardous substance/materials at the sites.

ENVIRONMENTAL DOCUMENTATION

The project is determined to be a Transit Priority Project eligible for the Sustainable Communities Project Exemption and a response checklist was prepared to document the proposed project’s eligibility for CEQA exemption by meeting the seven land use criteria, eight environmental criteria, and one additional criteria related to affordable housing pursuant to the PRC §21155.1.

As a qualifying Transit Priority Project, the proposed project is not required to reference, describe, or discuss growth inducing impacts, any project-specific or cumulative impacts from cars and light-duty truck trips generated by the project on global warming or the regional transportation network pursuant to PRC §21159.28.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Action on the proposed project is not anticipated to have a significant impact on current services because the applicant will be responsible for the associated infrastructure
The Honorable Board of Supervisors
July 25, 2017
Page 5

improvements. The applicant will construct the infrastructure to service the project or pay the required impact fees, connection and service fees to cover its fair share to develop new infrastructure and services as determined necessary.

For further information, please contact Jolee Hui at (213) 974-6435, or at jhui@planning.lacounty.gov.

Respectfully submitted,

[Signature]

Richard J. Bruckner
Director

RJB:SA:JPH:ln

Attachments: Findings and Conditions
Commission Staff Reports and Correspondence

c: Executive Office, Board of Supervisors
   Assessor
   Chief Executive Office
   County Counsel
   Fire Department Health Hazardous Materials Division
   Public Works

K_CP_072517_PROJECT_NO_2016_001235
NON-APPLICANT

Date June 13, 2017

Zoning Section
Los Angeles County Board of Supervisors
Room 383, Kenneth Hahn
Hall of Administration
500 West Temple Street
Los Angeles, California 90012

PROJECT
NO./CUP NO.: 2016-001235-(1)

APPLICANT: Charles P. Rudel Trust/ META Housing Corporation

LOCATION: 4161, 4169, 4200-4224 Whittier Boulevard, Los Angeles CA 90023

Zoned District

Related zoning matters:

CUP(s) or VARIANCE No.

CUP: RPPL2016005207 RPPL2016005212

Change of Zone Case No.

Other Housing Permit No. RPPL2017006970. RPPL2017006968

This is an appeal on the decision of the Regional Planning Commission in the subject case. This form is to be presented in person with a check or money order made payable to the “Board of Supervisors” (check or money order must be presented with personal identification), during regular business hours 8:00 a.m. to 5:00 p.m. prior to the appeal deadline at the above address. Contact the Zoning Section of the Board of Supervisors for information: (213) 974-1426.

This is to appeal: (Check one)

_____ The cost of Denial of this request: $883.00*

X The cost of Approval of this request: $883.00*

*Except for Subdivision appeals: $130.00 of this appeal amount is allocated to the Board of Supervisors' Hearing
Briefly, explain the reason for the appeal (attach additional information if necessary):

The proposed use at the site will adversely affect the health, peace, comfort, and welfare of persons residing or working in the surrounding area. It will be materially detrimental to the use, enjoyment or valuation of property of persons located in the vicinity of the site, and will jeopardize, endanger and will constitute a menace to the public health, safety or general welfare.

The proposed site is not adequate in size and shape in order to integrate said use with the uses in the surrounding area.

See attached letters for additional information.

(Signed) Appellant

Karina Rincon
Print Name
935 South Sunol Drive
Address
Los Angeles, CA. 90023
City/Zip
323- 262-8605
Day Time Telephone Number
Krincon012@gmail.com
E-mail Address
May 28, 2017

Honorable Chair and Members of the
Los Angeles County Regional Planning Board

We write to you as a coalition of concerned East Los Angeles residents whose homes abut (or are in the immediate vicinity of) two vacant land parcels located at the intersection of Whittier Boulevard and Downey Road. We are informed that a self-described “mission driven for profit” developer, Meta Housing Corporation (“MHC”), has applied to construct two large, four-story, apartment complexes which are greatly out of scale with surrounding homes and which will also place serious burdens upon parking and traffic circulation on local streets where our homes are located, among other potential impacts.

We believe you have been given the mistaken impression that MHC undertook a thorough, thoughtful and exhaustive outreach effort and that the project has been well-received by existing residents. That is simply false. MHC undertook a very half-hearted (and frequently disorganized) effort at “community outreach”. MHC staff seldom had clear answers about the nature and scope of the project and we fear this was deliberate, if only to create the illusion responsible engagement with the community.

Indicative of this half-hearted effort was a so-called “Community Open House” held last Tuesday, March 1, 2016 in the East Los Angeles County Library:

- Notice for the meeting appears to have only been mailed to a few area residents;
- The Open House was held nearly two miles away from the proposed project site, notwithstanding the fact that it could have easily been held at locations just yards away from the project site within easy walking distance for the many residents who will be directly impacted by this project – including the El Camino Real County Public Library Facility located at 4264 Whittier Blvd; Amanecer Elementary School; or even the slightly closer Ruben Salazar Park Gymnasium which is familiar to most residents at the neighborhoods local polling station;
- Representatives of MHC seemed very ill-prepared to respond to pointed questions by members of the public.

The reality is that the proposed project will create significant environmental impacts to residents in the vicinity of the project, not only when the project is complete but during construction as well. The following summarizes our concerns:
MHC has not be forthright. MHC is creating a false narrative. The majority of impacted residents and stakeholders are opposed to this Project. The Staff Analysis Report prepared by Jolee P. Hui Regional Planning Assistant I, Zoning Permits East Section is inaccurate. On page 32 of this Staff Analysis Report, MHC inaccurately conveyed that the majority of the attendees at so-called “outreach meetings” expressed support for the project. This couldn’t be further from the truth. Notwithstanding, MHC’s apparent effort to schedule meeting at days, times and locations seemingly calculated to minimize public input, community stakeholders who did attend voice strong opposition to the project and were often frustrated by the inability of MHC staff to answer questions about impacts.

Regional Planning Commission should not approve the CEQA waiver. The health and safety of current residents is at stake. There are no remediation plans for the removal of hazardous substances found on the property, including arsenic. Rather the task of developing a soil management plan appears to be left as an issue to be dealt after the project has been approved and after the project would subject to any sort of public scrutiny. As noted in the Staff Analysis Report high levels of arsenic were found in both project sites. There are no existing plans to protect current residents from such substance during the construction process.

No Asbestos Analysis. The Downey II project site houses old buildings. One of the environmental issues identified in the Environmental Report of Downey II from September 30, 2016 warrants the discussion for asbestos due to the age of the buildings. This report also appears to suggest the need to sample to prevent exposure to workers. There are no remediate plans for the removal of asbestos. Again, the task of developing a remediation plan to protect current residents appears to be left as an issue to be dealt after the project has been approved.

No Green House Gas Analysis. Public agencies must consider the impacts relating to a project’s potential green house gas emissions under CEQA. The project does not propose a mitigation plan for possible Green House Gas Emissions. This project will bring 113 residents units into an already dense area of East Los Angeles. This means more cars, more trips and more burden on utilities and other infrastructure. During construction it is proposed that the project work will be performed 6 days a week (including weekends), generating noise, dust, emissions from trucks (including truck idling) and construction vehicles as well as emissions from
trucks driven by construction personnel. The report addresses none of this.

- **Construction hours and days are hazards to the health and safety of the current residents.** As stated, above, construction is proposed Monday through Saturday from 7:00 am to 7:00 pm, this would impact neighboring residences as well as people who use the Calavary Cemetery for running and exercising. Adults and children use Whittier Boulevard and Downey Road to exercise but MHC fails to state how these people will be protected during construction from hazardous waste and dust particles. It is preposterous that construction should be allowed on Saturdays at all. It is doubly preposterous that the project fails to address how issues like noise, dust, emissions for trucks and construction vehicles will be dealt with or where these vehicles will be parked during construction. The fear is that already congested feeder streets will become the unofficial parking lot for construction vehicles.

- **The project is out of proportion and depreciates the character and value of the surrounding community.** This project is too large for an area that has single or duplex residences.

- **The Staff Analysis Report also states that the unoccupied lots have depreciated the value of surrounding properties. This is also false. Property values have been stable or have increased** in the last three years despite the fact that the lots have been unoccupied. The construction of an out-of-scale four-story apartment complex adjacent to a community of single-story, single-family houses does risk hurting property values.

- **Traffic assessment and conclusions are inaccurate.** Whittier Boulevard and Downey Road are two of the major arteries of East Los Angeles and a high-density project such as this one would bring in more cars to an already overcrowded and transited area.

- **Lack of Parking.** There is no space for additional cars in the community. There is a well-found fear that residents requiring extra spaces and their guests will use neighboring streets to park their vehicles, only worsening congestion. Impacted residents can provide photographs of the neighboring streets to prove there is an oversaturation of cars. The Project also fails to mention where construction workers will park.

- The closure of the alley south of Whittier Boulevard will impede access to emergency and safety vehicles. The three streets south of Whittier Boulevard and east of Downey are too narrow for both fire trucks and paramedics to enter when there are vehicles double-parked. The alley is frequently used to access and leave these streets.
We acknowledge for some form of development on these land parcels is desirable. All we humbly ask is that serious and well-thought-through consideration be given to projects that the community actually wants and that enhance the quality of life for those who already live in this community. The housing needs of the County can be better met by placing projects like this in areas that do not abut single-story, single family neighborhoods. You would never consider such a project in wealthier areas of Los Angeles County and it is shameful that you have little concern for the voters who live and work in the vicinity of this project.

We thank you for your anticipated attention and support for our concerns.

Sincerely,

<table>
<thead>
<tr>
<th>NAME &amp; SIGNATURE</th>
<th>ADDRESS/ ORGANIZATION</th>
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<tbody>
<tr>
<td>1. Karina Rincon</td>
<td>935 S. Sunol Drive</td>
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<td>2. Guadalupe Rincon</td>
<td>935 S. Sunol Drive</td>
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<td>3. Guillermo Rincon</td>
<td>935 S. Sunol Drive</td>
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<tr>
<td>4. Estela Donlucas (Doluc)</td>
<td>931 S. Downey Rd</td>
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<td>5. Jose E. Donlucas (Joe Donlucas)</td>
<td>927 1/2 S. Downey Rd</td>
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<td>6. Maricela Donlucas (Maricela Donlucas)</td>
<td>929 S. Downey Rd</td>
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<td>7. Jose Donlucas G. (Jose Donlucas G)</td>
<td>927 1/2 S. Downey</td>
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<td>8. Silvia Martinez</td>
<td>945 Downey Rd G</td>
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<td>9. Afijno Botello</td>
<td>943 Downey Rd G</td>
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<td>10. Eva Duran H</td>
<td>9-59 Downey Rd LD</td>
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<td>11. Mary NAVarro</td>
<td>9-52 1/2 S. Downey</td>
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<td>12. Anthony Bunciega</td>
<td>958 5 S. Downey Rd</td>
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13. Hector Estrada  1017 S. Downey Rd.
14. Felici Estrada  1017 S. Downey Rd.
15. Lawrence Estrada  959 S. Eunice Rd.
17. Rafael Perez  1031 S. Downey Rd.
18. Violeta Acevedo  1081 S. Downey Rd.
19. Alejo Rojas  1081 S. Downey Rd.
20. Juan Carlos Rojas Acevedo  1081 S. Downey Rd.
21. Rosemarie McElhan  1041 S. Downey Rd.
22. Antonio Cruz  1039 S. Downey Rd.
23. Rodolfo Cardenas  1059 S. Downey Rd.
24. Rigoberto Peña  4792 Dennisson St.
25. Maria de Jesus Garcia  10375 Downey Rd. L.A., 90022
26. Lucia Garcia  1037 S. Downey Rd. L.A., 90023
27. Lucy Garcia  1031 S. Downey Rd. L.A., 90023
28. Elizabeth Garcia  1035 S. Downey Rd. L.A., 90023
29. Fernando Padilla  1085 S. Downey Rd.
30. Iseba Sanchez  1035½ S. Downey Rd. L.A., 90023
31. Concepcion Sanchez  1035½ S. Downey Rd. L.A., 90023
32. Carmen Carbajal  967 S. Downey Rd. 90023
33. Rosario Ruiz  965 S. Downey Rd. 90023
34. Ana de la Cruz  949 S. Downey Rd.
35. Owen Low  940 S. Downey Rd.
36. Anna Low  940 S. Downey Rd.
37. Arturo Angeles  940 S. Downey Rd.
38. Armando Moreno  940 S. Downey Rd.
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<tr>
<td>1. Katrin Rodriguez</td>
<td>934 S. Sunol Dr.</td>
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<td>2. Jaime Whitehead</td>
<td>934 S. Sunol Dr.</td>
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<td>3. Salvador Vasquez</td>
<td>934 S. Sunol Dr.</td>
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<td>4. John Doe</td>
<td>938 S. Sunol Dr.</td>
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<td>5. Jane Smith</td>
<td>938 S. Sunol Dr.</td>
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<td>6. Jonathan Armijo</td>
<td>936 S. Sunol Dr.</td>
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<td>7. John Doe</td>
<td>938 S. Sunol Dr.</td>
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<tr>
<td>8. Jane Smith</td>
<td>930 S. Sunol Dr.</td>
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<td>9. John Doe</td>
<td>930 S. Sunol Dr.</td>
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<td>10. Emily Coleman</td>
<td>944 S. Sunol</td>
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<td>11. Ruben Perez</td>
<td>944 S. Sunol</td>
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<td>12. Maria Sánchez</td>
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Sincerely,

NAME & SIGNATURE                        ADDRESS/ ORGANIZATION
1. Maria Elena Aguiler  937 S. Sunol Dr. LA CA 90023
2. Antonia Barajas  939 S. Sunol Dr. LA CA 90023
3. Maria A. Rodriguez  934 S. Sunol Dr. LA CA 90023
4. Ramon Rodriguez  934 S. Sunol Dr. LA CA 90023
5. Maritza Rodriguez  934 S. Sunol Dr. LA CA 90023
6. Rosalie Cahal  945 S. Turn Dr. LA CA 90023
7. Peter Money  817 S. Downey Rd. LA 90023
8. Peter tauzi  815 S. Downey Rd. LA CA 90023
9. 
10. 
11. 
12. 

13. Rosalia S. Orozco 944 S. Sunol Dr.
14. O A 944 S. Sunol Dr.
15. 
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Sincerely,

NAME & SIGNATURE

1. [Signature]

2. [Signature]

3. [Signature]

4. [Signature]

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12. 

ADDRESS/ ORGANIZATION

1. 653 S. Downey RD

2. 657 Downey RD

3. 643 S. Downey RD

4. 647 S. Downey RD
4. Joe R. Reyna

5. Maria Elyzidy 933 S. Downey Rd LA CA 90023

6. Ramon 933 S. Downey Rd LA CA 90023

7. SantAnna 949 S. Downey Rd LA CA 90023

8. Ben Vaztea 949 S. Downey Rd LA CA 90023

9. Leonelo Pineda 949 S. Downey Rd LA CA 90023

10. Daniel Por 932 S. Downey Rd LA CA 90023

11. AnaH Lopez 924 S. Sunol Dr # A 90023

12. Rafael Miguel 924 S. Sunol Dr # A 90023

13. Ofelia Sanchez 930 S. Downey Rd LA 90023

14. Pedro Gonzalez 930 S. Downey Rd LA 90023

15. Herencie Gonzalez 934 S. Downey Rd LA 90023

16. Alexander Gonzalez 934 S. Downey Rd LA 90023

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Sincerely,

NAME & SIGNATURE

1. Tito Duran
   41300 3rd St. MBA + MBAC

2. Stella Duran
   2333 Greer Pl. L.A.

3. Estela Gonzalez
   4729 E. Dozier St. LA

4. Carmen Medina
   4729 E. Dozier St. L.A. + MBAC

5. Esperanza Villarreal
   4715 Dozier St.

6. O.J.
   4119 Dozier St. L.A. 90022

7. Alicia Rueda
   4740 Dozier Ave. L.A. 90022

8. Alicia Vazquez
   4753 Dozier Ave. Los Angeles 90022

9. Maria Alons
   4755 Dozier

10. 

11. 

12. 

4
Fotographs taken on May 27, 2017 at 7:54 p.m.

Facing South Sunol Drive. South of Whittier Boulevard and East of Downey Road

On Whittier Boulevard and East of Downey Road.
Photograph taken May 27, 2017 at 7:55 p.m.

On Whittier Boulevard and east of Downey Road.

Photograph taken on May 27, 2017 at 8:13 p.m.

On the corner Whittier Boulevard and Downey Road. Facing northwest.
Photograph taken May 27, 2017 at 8:14 p.m.

On South Downey Road.
March 7, 2016

Dear Supervisor Hilda L. Solis:

We write to you as a coalition of concerned East Los Angeles residents whose homes immediately abut two vacant land parcels located at the intersection of Whittier Boulevard and Downey Road. We are informed that a self-described “mission driven for profit” developer, Meta Housing Corporation (“MHC”), is currently eyeing these two lots to construct large multi-family housing complexes which we fear will be greatly out of scale with surrounding homes and will also place serious burdens upon parking and traffic circulation on local streets where our homes are located.

While MHC appears to be going through half-hearted motions of appearing to engage in true community outreach, we must regretfully express our feeling that to date, MHC has left more questions unanswered than resolved. Indicative of this is a so-called “Community Open House” held last Tuesday, March 1, 2016 in the East Los Angeles County Library:

- Notice for the meeting appears to have only been mailed to a few area residents;

- The Open House was held nearly two miles away from the proposed project site, notwithstanding the fact that it could have easily been held at locations just yards away from the project site within easy walking distance for the many residents who will be directly impacted by this project – including the El Camino Real County Public Library Facility located at 4264 Whittier Blvd; Amanecer Elementary School; or even the slightly closer Ruben Salazar Park Gymnasium which is familiar to most residents at the neighborhoods local polling station;

- Representatives of MHC seemed very ill-prepared to respond to pointed questions by members of the public.

Among the many questions that remain to be answered are the potential impacts of the proposed project on neighborhood parking which is already extremely strained; impacts on traffic circulation; and impacts on other essential public infrastructure and services, including sewers, water systems, police and firefighter services and local schools. It is also unclear whether the parcels themselves are suitable for residential use. We currently have no information as to the condition of the soil or what measures the developer has even considered to mitigate construction phase impacts such as noise (e.g., from construction activity and trucking idling), dust, vibration, stormwater runoff, removal and containment of asbestos and any other contaminants during demolition of
existing structures and any grading and excavation of the property, and potential
ground subsidence associated with excavation just yards, if not feet, away from existing
family residences.

We acknowledge for some form of development on these land parcels is desirable. All
we humbly ask is that serious and well-thought-through consideration be given to
projects that the community actually wants and that enhance the quality of life for
those who already live in this community. With all this in mind, we respectfully request
you and your staff play close attention MHC’s efforts and lend your support for true
community outreach that will allow our community to have a say in the future of these
parcels, a future that we will inevitably be tied to - either for the better or the worse.
We ask that you urge you and your colleagues to explore other alternatives for these
parcels. If MHC is determined to move forward with this project, then we strongly urge
that they be instructed to engage in more meaningful and sincere public outreach and
that the County of Los Angeles hold this project accountable to be an asset to this
community and the health, safety and welfare of those of us who have lived and worked
in this community for generations are protected.

We thank you for your anticipated attention and support for our concerns.
el 5 de marzo de 2016

Estimada y Honorable Hilda L. Solís:

Le escribimos como una coalición de residentes preocupados del Este de Los Ángeles cuyos hogares están inmediatamente junto a los dos parcelas en la intersección de Whittier Boulevard y Downey Road. Estamos informados que una constructora auto descrita como “misión driven for profit” (misión motivada por lucro), Meta Housing Corporation (“MHC”), está mirando estos dos lotes para construir un complejo grande para viviendas multi-familiares el cual tememos será demasiado grande y fuera de escala con los hogares a su alrededor y también pondrá una seria carga en el estacionamiento y la circulación del tráfico en las calles locales donde están situados nuestros hogares.

Aunque MHC parece estar cumpliendo con las propuestas de aparentar estar realmente comprometido con la comunidad, lamentablemente tenemos que expresar que en nuestro sentimiento hasta la fecha, MHC ha dejado más preguntas sin responder que resueltas. Un ejemplo de esto es la tal llamada “Reunión Comunitaria” del pasado martes, el 1 de marzo de 2016 en East Los Ángeles County Library:

- La notificación de la reunión parece haber sido enviada a solamente pocos residentes del área;

- La Reunión Comunitaria fue en una localidad casi dos millas del sitio del proyecto propuesto, a pesar del hecho que podría haber sido en localidades a pocas yardas del sitio del proyecto al cual muchos residentes directamente impactados por el proyecto podrían haber ido caminado—incluyendo la facilidad de El Camino Real County Public Library situada en 4264 Whittier Blvd.; la Escuela Primaria Amanecer; o, inclusive un poco más cerca el Gimnasio del Parque Rubén Salazar el cual es familiar a muchos residentes como el local de votación;

- Los representantes de MHC no parecían estar preparados para responder preguntas específicas de los miembros del público.

Entre muchas de las preguntas que no han sido respondidas están los impactos potenciales del proyecto propuesto en el estacionamiento del vecindario que ya está extremadamente saturado; impactos en la circulación del tráfico; y los impactos en otros servicios, incluyendo el sistema de alcantarillado, el sistema de agua, el sistema de la policía y bomberos, y las escuelas locales. También no es claro si las parcelas mismas son aptas para uso residencial. En este momento no tenemos información sobre la condición de la tierra o qué medidas el contratista ha considerado para mitigar los impactos de la fase de construcción tales como ruido (p.ej. de la actividad de la construcción y la ocupación de camiones), polvo, vibraciones, escorrentías viales, la extracción y contención de asbestos y cualquier otro contaminante durante la
demolición de actuales estructuras y cualquier preparación y excavación de la propiedad, y la posible subsidencia asociada con la excavación a pocas yardas, sino a pies, de residencias familiares actuales.

Estamos conscientes que algún tipo de desarrollo en estas parcelas es deseado. Lo que nosotros humildemente pedimos es que una seria y bien pensada consideración se dé a los proyectos que la comunidad realmente quiere y que mejorarán la calidad de vida de aquellos que ya viven en esta comunidad. Con todo esto en mente, nosotros pedimos respetuosamente que usted y su equipo de empleados presten atención a las acciones de MHC y que nos den su apoyo para un verdadero compromiso comunitario que permita que nuestra comunidad tenga una voz en el futuro de estas parcelas, un futuro al que nosotros estaremos atados—sea para el bien o el mal. Nosotros les pedimos y exhortamos que usted y sus colegas exploren otras alternativas para estas parcelas. Si MHC está determinado a continuar con este proyecto, entonces les urgimos que ellos sean dados instrucciones para entablar un sincero y significativo compromiso comunitario y que el Condado de Los Ángeles mantenga a este proyecto responsable para proteger y ser un valor para esta comunidad y la salud, la seguridad y el bien estar de aquellos que hemos vivido y trabajado en esta comunidad por generaciones.

Le agradecemos de antemano por su atención y apoyo a nuestras preocupaciones.

Karina Rincón  
935. South Sunol Drive, LA 90023

Guillermo L. Rincón

Guadalupe Rincón

Gloria Cabrál  
944 S. Sunol Dr.

Rosalio Cabrál

Erica Cabrál

Gloria Cabrál

Jessica Cabrál  
944 S. Sunol Dr.

Lorraine Arred  
948 S. Sunol Dr. LA 90023

Joshua Tarango  
4326 Veracruz St LA 90023

Miguel Zayas

Salvador S. Gallo  
939 S. Sunol Dr. LA 90023
Ramon Rodriguez 934 S. Sunol Dr.
Xavier Rodriguez 934 S. Sunol Dr. LA CA 90023
Karina Rodriguez 934 S. Sunol Dr. LA CA 90023
Arij Ibrahim 753 S. Brannick St. CA 90023
Cecilio I. Roldes 938 S. Brannick Av. LA CA 90023
Norberto Torrez 938 S. Brannick Ave. LA CA 90023
Aracena Nazario 952 S. Downy Rd. LA CA 90023
Ruben Buncing 958 S. Downy Rd. LA CA 90023

Anthony Buncing
Mirayna Aguirre 940 S. Bonnie Beach Pl Apt A
Sharon Aguirre 940 S. Bonnie Beach Pl
Bryan Aguirre
Jose F Aguirre

Maria Vasquez 940 S. Bonnie Beach Pl Apt T
Xalondo Marreno 940 S. Bonnie Beach

Samuel Fauerlie

Tyler Wilson 940 S. B. A.

Marina Aquiler 938 S. Bonnie beach Pl

Saul Mondragon 825 S. Downey Rd

Gabriel Mondragon 825 S

Irla Perez 829 S. Downey Rd

Nilda Soto 932 S. Sunol Dr.
Johanna 932 S. Sunol Dr.

Berta Aguilera 939 S. Sunol Dr.

María Elena Aguilar 937 S. Sunol Dr. L.A. CA

Antonio Basajáquez 939 S. Sunol Dr.

David Aguilera Sunol 937 S. Sunol Dr.

Adolfo López 953 S. Brannick Ave.

Alberto Perales 4292 Dennisson St., Los Angeles CA 90029

Elena Montes 4292 Dennisson St., 34 Avenue 6th St., 5057

María Caicedo 1059 S. Downey Rd., L.A., CA 90023

Rodolfo Caicedo

Emelia Cort 944 N. Sunol Rd.

Additional Faxing for 930 S. Downey Rd. L.A. CA 90023

Adelia Valdez 930 S. Downey Rd. L.A. CA 90023

Lilia Sotomayor 930 S. Downey Rd., L.A., CA 90023

Julia Mendoza 945 S. Downey Rd. L.A. CA 9002
I support the letter from Concerned East Los Angeles Residents./ Yo apoyo la carta de los residentes preocupados del Este de Los Ángeles.

Norma Pérez  
985 South Record

Johana Altamirano  
955 S. Soud Dr

Luis A. Alvarado  
955 S. Soud Dr

Jasmine Díaz

José Alvarado  
957 S. Soud Dr

Jocelynn Montez  
4326 Verona St La Ca 90023

Jaime Tarango  
4326 Verona St La Ca 90023

Teresa Rivera  
4326 Verona St La Ca 90023

Jesus González  
4332 Verona St
I support the letter from Concerned East Los Angeles Residents. / Yo apoyo la carta de los residentes preocupados del Este de Los Ángeles.

Leticia Pérez 815 S Downey Rd L.A, CA 90023
Connie Frankel
Cynthia Mills
Alberto Mírez 817 S Downey Rd L.A, CA 90023
PETE

Eva M. Klein
Alberto Tapias
Elisabeth Alvarez 821 S. Downey Rd, LA CA 90023
Ruth E. Navarro
Lois Padilla

Ruth E. Navarro
Ruth E. Navarro
I support the letter from Concerned East Los Angeles Residents./ Yo apoyo la carta de los residentes preocupados del Este de Los Ángeles.

Carmen Carbajal 967 4th Street, Downey Rd. (323) 265-5683
María Concepción 874 3rd Street, Downey Rd. (323) 264-7361
Lourdes Salazar 947 S. Downey Rd. (323) 380-2873 9375 Downey Rd.
Sergio A. Arevalo 323-392-3738
Angelica Ojeda 323-367-6608
L. Angeles Quinto 323-367-8608
Santa Hernández 362-0029 948 S. Downey Rd.
Bento Vázquez (323) 319-8971
María García 323-763-2886
Nora Meneses 949 1/2 Downey Rd. (323) 488-0083
Jessica Ramírez 949 1/2 Downey Rd. (323) 488-0083
Héctor 1305 2nd Street 945 2nd Street
Héctor Martínez 945 S. Downey Rd. (323) 265-1650
Jorge Arevalo 945 S. Downey Rd. (323) 392-3788
Cristina Pérez 945 S. Downey Rd. (323) 265-4824
Felipe Pérez 945 S. Downey Rd. (323) 265-4824
Graciela Botello (626) 427-5243
Daniel Del Toro (626) 598-2840
Sandra Martinez 323-368-4884
Irene Escobar (323) 345-9187
I support the letter from Concerned East Los Angeles Residents./ Yo apoyo la carta de los residentes preocupados del Este de Los Angeles.

Dear Cecilia Amador
1218 S Downey Rd LA 90023

Miguel Angel Maribol Gonzalez
933 S Downey Rd LA 90023

Raul Lepe
933 S Downey Rd LA 90023

Jose Dominguez
927 E S Downey Rd LA 90023

Anabel Cruz
940 1/2 S Downey Rd LA 90023

Raul Cruz
940 1/8 S Downey Rd LA 90023

Anabel Cruz
940 1/8 S Downey Rd LA 90023

Philly Cruz
940 1/8 S Downey LA 90023

Arturo Angeles
940 1/2 S Downey Rd LA 90023

Ana Vasquez
940 1/4 S Downey Rd LA 90023

Jeffrey
Josefina Ibarea Cruz
940 S Downey Rd LA 90023

---
I support the letter from Concerned East Los Angeles Residents. / Yo apoyo la carta de los residentes preocupados del Este de Los Ángeles.

DOMINIC GONZALEZ 4154 WITTIER BLVD

ANAHI LOPEZ (523) 6520050 924 S. SUNO. D. # A 900

ROBERTO HERNANDEZ 323 830 7980

REGLIO O'HARA (323) 245-63-61 627 S. DOWNEY AVE.

EVELYN HERNANDEZ 323 580 7374 LOS ANGELES CA 900
March 22, 2016

To Supervisor Hilda L. Solis, Congresswoman Lucille Roybal-Allard, Senator Kevin De Leon, and Representative Jimmy Gomez:

I am following up with the previous email sent to you via your representatives on March 8, 2016. As mentioned in the attached letter (in my initial email), the majority of East Los Angeles residents whose homes are immediately abut the two vacant land parcels on Whittier Boulevard and Downey Road are opposed to the out of scale proposed project. As you may be aware, Meta Housing Corporation ("MHC") seeks to construct an out of scale multi-housing complexes in an already overpopulated area.

As the initial letter states, we are concerned that MHC has not informed the residents about the impacts of such project on our health, homes, local schools, traffic, parking, environment, and police and firefighter systems (please see our letter dated March 7, 2016 for more details). While MHC has held one "meeting" and a focus group, we must express once again that we continue to be left with more questions unanswered.

- On Tuesday, March 1, 2016 a so-called "Community Open House" was held in the East Los Angeles County Library. At this very disorganized "open house", the representatives of MHC seemed very ill-prepared to answer questions by members of the public. This "open house" also appears to have misled the public into believing that they would have any type of priority or guarantee for housing in this particular project.

- As a result of the public's dissatisfaction with the "Community Open House", a "Focus Group" met in the Ruben Salazar Park on Wednesday, March 16, 2016 with MHC and staff from Supervisor Solis' office, to provide feedback for community outreach. Again, we were left with more questions and concerns at the end of the meeting.
  - The email invitation to participate in this "Focus Group" informed me that it was for a group of people "closer to the project". When I asked if I could invite local residents, I was informed that this meeting was intended for a small group of about 15 people and was led to believe I could only invite a few neighbors.
  - During this meeting, upon introductions of all the attendees, my two neighbors and I became aware that the majority of the attendees, while they were East Los Angeles residents and activist, were not from the impacted neighborhood. Despite the fact the attendees were not from the impacted neighborhood we realized that the overwhelming majority of
the attendees were also opposed this project and shared the same concerns listed in our initial letter.

- During this meeting, there was also some discussion to form another focus group or committee to provide input for the project. However, there was no discussion on how this group would be selected or who would make such determination.

Thus far, Supervisor's Hilda L. Solis' office has shown an interest in including residents from the impacted neighborhood and has expressed a commitment to a transparent process. I hope that you and your offices can hold this project accountable to truly address the needs, health, safety, and welfare of those of us who have lived and worked in this community for generations.

Respectfully,

Karina Rincón
April 6, 2016

To Supervisor Hilda L. Solis, Congresswoman Lucille Roybal-Allard, Senator Kevin De Leon, and Representative Jimmy Gomez:

I am following up with the previous two emails sent to you via your representatives on March 8, 2016 and March 22, 2016. As mentioned in the two attached letters (in my emails), the majority of East Los Angeles residents whose homes are immediately abut the two vacant commercial land parcels on Whittier Boulevard and Downey Road are opposed to the out of scale proposed project that Meta Housing Corporation ("MHC") seeks to construct in an already overpopulated area.

To date, neither MHC nor the County of Los Angeles has responded to resident questions and concerns about the impacts of such massive complex in the neighborhood. We have yet to receive any feedback regarding how the project will impact property and public health, local schools, traffic, parking, County emergency response services and County infrastructure, much less how such impacts will be mitigated. ¹

Regrettably, the community has yet to receive a truly transparent and informative community meeting on this matter:

- The so-called “Community Open House” on March 1, 2016 at the East Los Angeles County Library failed to include those directly impacted by the project as both the location and the outreach were not properly executed and appear to have misled and misinformed the residents. The notifications of this “open house” appear to have been sent to a few residents within 3,000 feet (about half a mile) of the land parcels and the “open house” was held nearly 10,000 feet (about two miles) away from the proposed site notwithstanding the fact that it could have been held in the local El Camino Real Library. This failed outreach appears to have had the intention of purposely excluding residents in the process. This “open house” also failed to inform the attendees of any details of such project. The MHC representatives were ill prepared to answer any questions by members of the public. The lack of information at this so-called “open house” also appears to have misled the public into believing that they would have any type of priority or guarantee for housing in this particular project.

- The so-called “Focus Group” that was coordinated by MHC with the assistance of the Office of Supervisor Hilda L. Solis on March 16, 2016 in the Ruben Salazar Park did not answer any of the concerns by the attendees. At this Focus Group, MHC did not provide the attendees with any detailed information about the proposed project nor did they address questions and concerns about the impacts of their proposed project. Again, more questions were left unanswered than resolved. Furthermore, the majority of the

¹ Please see the letter dated March 7, 2016 for more detailed list of concerns.
attendees at this Focus Group included East Los Angeles activists and residents who do not live in the impacted neighborhood. Once more, the invitation to participate in this Focus Group was not open to all residents from the impacted neighborhood.  

We respectfully urge you and your colleagues to:

- Stop any ongoing proceedings, or permits related to this project until our concerns and questions are answered;
- Start the process over to hold MHC accountable to informing the residents of the impacts of their proposed project and how these impacts will be mitigated;
- Hold the First Community Meeting near the site of the proposed project in El Camino Real Library;
- Support a sincere outreach to members of the impacted neighborhood; and
- Consider alternative projects that will not further burden an overpopulated and underserved neighborhood but, instead, promote job creation and economic development for local residents.

We, with the support of local community based organizations, hope that you can hold this project accountable to truly address our concerns and that you commit to protecting the health, safety, needs, and welfare of the residents who live near the site of proposed project.

Respectfully,
Karina Rincón

CC: Tony DeMarco, Whittier Boulevard Merchants Association,
Carmen González, Maravilla Community Advisory Committee,
Victor Duran, Maravilla Community Advisory Committee,
Diana Turango, Former Co-Chair Metro Gold Line ARC,
Martha Hernandez, East Los Angeles Chamber,
Eddie Torres Jr., East Los Angeles Chamber of Commerce,
Teresa Marquez, Mothers of East Los Angeles

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2 Please see the letter dated March 22, 2016 for details of this Focus Group.
June 1, 2017

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.

320 West Temple Street • Los Angeles, CA 90012 • 213-974-6411 • Fax: 213-626-0434 • TDD: 213-617-2292
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

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
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 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 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 McDougno 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.
• **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 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 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. 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, 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 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.

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.

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 covenant 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 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
FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
PROJECT NO. 2016-001235-(1)
CONDITIONAL USE PERMIT NO. RPPL2016005212
ADMINISTRATIVE HOUSING PERMIT NO. RPPL2017006968

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 alteration 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 feet of 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 had 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 Soulé 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 designs 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-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 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 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 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 convey and agreement shall designate the qualified project 100% affordable (excluding one property manger'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 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. 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 Sunday 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 Roac, 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.

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 BALOTING 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.

☒ 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,

[Signature]

Stephen Salazar
Customer Service Manager

cc: Ting He – Cal Water Engineering Dept.

calwater.com
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 jplet@gmail.com.

For questions regarding road condition No. 1.13, please contact Sam Abdelhadi of Traffic and Lighting Division at (626) 300-4771 or sabel@gmail.com.

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](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 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. Geriits at (626) 458-4953 or egeriits@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
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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.

☒ 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.

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.


calwater.com
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) 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.

Reviewed by: Wally Collins

Date: April 13, 2017
LOCATION: 4169 & 4200-4224 Whittier Blvd. (Northwest & Southeast corners of the Whittier Blvd. & Downey Rd. intersection)

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.

BASSED 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 form 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.
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, dance 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>
</tr>
</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

1640 S. Sepulveda Boulevard, Suite 425, Los Angeles, California 90025
Tel: (310) 575-3543   Fax: (310) 575-3563
Email: www.metahousing.com
March 2017

VOLUNTARY OVERSIGHT OF HAZARDOUS MATERIAL IMPACTED SITES
(Remedial Action Agreement)

The Site Mitigation Unit (SMU) of the Health Hazardous Materials Division, Los Angeles County Fire Department (LACoFD) provides voluntary oversight in addition to requiring corrective action for remediation of contaminated properties within the jurisdiction of the Los Angeles County Certified Unified Program Agency (CUPA) and the cities of Santa Monica and Los Angeles. The voluntary oversight is provided to ensure protection of public health and the environment and to facilitate completion of site clean-up projects in an expeditious manner. Call the SMU Supervisor at (213) 200-3831 and schedule an in-person meeting at our office before submitting your voluntary oversight application and initial payment. Applications and checks submitted without a meeting or sufficient clearance will be rejected and returned to the sender.

SITE ASSESSMENT AND REMEDIATION OVERSIGHT AUTHORITY
California Health and Safety Code (HSC), §101480 and the Los Angeles County Code (LACC) Title 12, Chapter 12.60 gives authority to Los Angeles County Fire Department to provide voluntary oversight for the assessment and remediation of hazardous materials releases and to recover related costs from responsible parties (RP) and/or applicants. Furthermore, in May 2008, the Cal-EPA Department of Toxic Substances Control (DTSC) delegated corrective action authority (CAA) to LACoFD pursuant to HSC § 25200.3(c)(3), 25187, 25187.1, 25200.10 and 25200.14. A consent Agreement is required for sites mitigated under CAA.

SITE MITIGATION OVERSIGHT FEES
An initial fee (initial fee) of $2,212.00 is required to recover initial staff costs in conducting Cal-EPA Notifications (i.e., to the DTSC and LARWQC) and conducting preliminary screenings of submitted reports pertaining to site history in order to determine potential site regulatory/guidance requirements. The fee is held until this Department obtains clearance from the Cal-EPA. If clearance is not obtained or SMU declines oversight, the fee is returned to the applicant, and the application is not processed. In addition to (and separate from) the initial fee (after the applicant’s site case file is approved and processed), an hourly rate of $150.00 is then charged to the RP, as approved by the County Auditor Controller (LACC§12.60.050). Hourly charges begin upon assignment of the case to an SMU project health officer. The initial fee does not apply towards the hourly charges. Health Risk Assessments prepared for the site may have to be reviewed by the Cal-EPA Office of Environmental Health Hazard Assessment (OEHHA). Sites with groundwater contamination will require involvement of a SMU contracted professional geologist (PG) or a professional engineer (PE) if SMU’s in-house PE is not available. The RP/applicant is required to reimburse SMU for the cost incurred by OEHHA and/or the consultant PG/PE. Furthermore, if the assessment or mitigation activities of the site can significantly impact the neighboring community, the RP/applicant will be required to send notification of cleanup activities to local community residents under SMU’s directive. Permits are not issued for SMU oversight activities by the LACoFD. All necessary permits and/or approvals for any work associated with the RP/applicant’s environmental assessment/cleanup activities must be obtained from the appropriate agencies. SMU’s oversight involvement with environmentally impacted sites leaves unaffected any further site restrictions or restraints which may be contained in other laws and regulations or required by other agencies.

DOCUMENTATION/REPORTS
Reports must generally conform to Federal, State and local guidelines and requirements. Please refer to our website http://www.fire.lacounty.gov/hhmd/site-mitigation-unit-2/ for a list of references.

TO INITIATE SITE MITIGATION OVERSIGHT, PLEASE DO AND SUBMIT THE FOLLOWING:
- Call the SMU Supervisor at (213) 200-3831 and schedule a meeting before application submittal. Applications and checks submitted without a meeting or sufficient clearance will be rejected and returned to the sender.
- An initial fee check in the amount of $2,212.00 payable to Los Angeles County Fire Department.
- A completed Application (Request for Voluntary Oversight or Consent Agreement).

Please mail the original check and copy of the Application to:
Los Angeles County Fire Department
Financial Management Division-RM
Attention: Cashier
P.O. Box 910901
Los Angeles, CA 90091-0901

Mail a copy of the check and the original Application (plus the environmental reports in hard copy and in pdf) to:
Los Angeles County Fire Department
SMU Supervisor Richard Clark
5825 Rickenbacker Rd
Commerce, CA 90040
(323) 890-4106
REQUEST FOR VOLUNTARY OVERSIGHT  
(Remedial Action Agreement)  
HSC § 101480-101490

I, WDNW, L.P. and WDSE, L.P., request to enter into a voluntary oversight agreement per HSC § 101480-90 with the Los Angeles County Fire Department, Health Hazardous Materials Division, Site Mitigation Unit for the assessment and/or remediation of the property located at 4161, 4169 and 4200-4224 Whittier Boulevard, Unincorporated Los Angeles, CA 90023

I agree to pay costs associated with the oversight. Signature: [Signature] Date: 03/15/2017

Clearance/Authorization Number: _______ Call SMU Supervisor at (213) 200-3831 to arrange meeting to acquire oversight clearance.

PLEASE TYPE OR PRINT IN CAPITAL LETTERS THE FOLLOWING INFORMATION:

<table>
<thead>
<tr>
<th>Site (Facility) Name:</th>
<th>Downey I (Site A) &amp; Downey II (Site B)</th>
<th>Assessor's Parcel Number: 5236-005-032, -033</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Address:</td>
<td>4161, 4169 and 4200-4224 Whittier Boulevard Unincorporated Los Angeles CA 90023</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Property Owner:</th>
<th>Please see the attached Title Reports</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mailing Address:</td>
<td>Site addresses above match the property owners' mailing address</td>
</tr>
<tr>
<td>Contact Person:</td>
<td>Tim Soule</td>
</tr>
<tr>
<td>Company Name:</td>
<td>Meta Housing Corporation</td>
</tr>
<tr>
<td>Mailing Address:</td>
<td>1640 S. Sepulveda Boulevard, Suite 425 Los Angeles CA 90025</td>
</tr>
</tbody>
</table>

| Billing Contact:  | Anthony Roche                           |
| Company Name:     | Meta Housing Corporation                 |
| Billing Address:  | 1640 S. Sepulveda Boulevard, Suite 425 Los Angeles CA 90025 |
| Phone/E-mail:     | 310-575-3542 / aroche@metahousing.com    |

| Consultant:       | Jenny Redlin                             |
| Company Name:     | PARTNER ENGINEERING AND SCIENCE, INC.    |
| Mailing Address:  | 2154 Torrance Boulevard, Suite 200, Torrance, CA 90501 |
| Phone/E-mail:     | 310-765-7243 jenny@partneresi.com        |
Notice of Exemption

To: Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

County Clerk
County of: Los Angeles, Business Filings
12400 E. Imperial Hwy., #1201
Norwalk, CA 90650

From: LA County Regional Planning
320 W. Temple Street, 13th Floor
Los Angeles, CA 90012

Project Title: Downey I & Downey II Mixed Use Affordable Housing Project
Project Applicant: META Housing Corporation

Project Location - Specific:
4161 & 4169 Whittier Blvd (northwest corner of Whittier Blvd & Downey Rd), East Los Angeles, CA
4200-4224 Whittier Blvd (southeast corner of Whittier Blvd & Downey Rd), East Los Angeles, CA

Project Location - City: unincorporated
Project Location - County: Los Angeles

Description of Nature, Purpose and Beneficiaries of Project:
The applicant requests to develop two mixed use buildings (known as Downey I and Downey II) with 100 percent affordable housing units, totaling 113 apartment units, located on the northwest and southeast corners of the Whittier Boulevard and Downey Road intersection in the unincorporated community of East Los Angeles. [SEE ATTACHMENT]

Name of Public Agency Approving Project: Los Angeles County Department of Regional Planning
Name of Person or Agency Carrying Out Project: META Housing Corporation

Exempt Status: (check one):
☐ Ministerial (Sec. 21080(b)(1); 15268);
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
☐ Categorical Exemption. State type and section number: ____________________________
☐ Statutory Exemption. State code number: ____________________________
☒ Exemptions for Agricultural Housing, Affordable Housing, and Residential Infill Projects. State type and section number: Sustainable Communities Project Exemption, PRC Sec.21155.1

Reasons why project is exempt:
Regional Planning Commission declared the proposed Project as a transit priority project exempt from CEQA under the Sustainable Communities Project Exemption because the proposed developments meet all of the requirements in subdivisions (a), (b), and one requirement of subdivision (c) of the PRC Sec.21155.1 [SEE ATTACHMENT]

Lead Agency
Contact Person: Jolee Hui
Area Code/Telephone/Extension: (213)974-6435

If filed by applicant:
1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: ____________________________ Date: ____________ Title: ____________________________

☒ Signed by Lead Agency
☐ Signed by Applicant

Date Received for filing at OPR: ____________________________

Revised 4-2017
In 2008, the California Legislature and Governor Schwarzenegger enacted Senate Bill (SB) 375. This landmark bill coordinates land use and transportation planning to reduce greenhouse gas emissions from cars and light trucks. SB 375 amends CEQA to add Chapter 4.2 Implementation of the Sustainable Communities Strategy (SCS), which allows CEQA exemption for certain projects, as well as reduced CEQA analysis. A full CEQA exemption is provided for a special class of Transit Priority Project (TPP) determined to be a Sustainable Communities Project (SCP) (California Public Resources Code (PRC) Section 21155.1(a)). This special class of TPP must meet eight environmental criteria, seven land use criteria, and one additional criteria related to affordable housing or public open space. These criteria are outlined below.

As a qualifying TPP, a project is also not required to reference, describe, or discuss growth inducing impacts, any project-specific or cumulative impacts from cars and light-duty truck trips generated by the project on global warming or the regional transportation network pursuant to PRC Section 21155.28.

**Project Title:** DOWNEY I and DOWNEY II  
**Lead Agency Name and Address:** County of Los Angeles Department of Regional Planning  
320 W. Temple Street, Los Angeles, CA 90012  
**Contact Person and Phone Number:** Jolee Hui jhui@planning.lacounty.gov (213)974-6435  
**Project Location:** 4161 and 4169, 4200 to 4224 Whittier Boulevard in the unincorporated community of East Los Angeles  
**Project Sponsor’s name:** META Housing Corporation  
**General Plan Designation:** East Los Angeles Community Plan, CC- Community Commercial and MD-Medium Density Residential  
**Zoning:** R-3 (Limited Density Multiple Residence) Zone and C-3 Zone (General Commercial)

**Description of project:**
The applicant, META Housing Corporation, requests to develop two mixed use buildings (known as Downey I and Downey II) with 100 percent affordable housing units, totaling 113 apartment units, located on the northwest and southeast corners of the Whittier Boulevard and Downey Road intersection in the unincorporated community of East Los Angeles. Downey I consists of a three-story building with 42 units, ground-floor retail and parking, and Downey II consists of a four-story building with 71 units, ground-floor commercial retail, and subterranean parking.

**Surrounding land uses and setting:**
Surrounding properties within a 500-foot radius of Downey I are developed as follows:

**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
Surrounding properties within a 500-foot radius of Downey II are developed as follows:

North: New Calvary Cemetery, unoccupied commercial 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.

As defined by PRC Section 21155(a) and (b), a project must meet the following requirements to qualify as a Transit Priority Project:

1. The project is consistent with the land use designation, density, zoning, building intensity, and applicable policies in an approved sustainable community strategies (SCS) or alternative planning strategy (APS). ☑ Yes ☐ No

Consistency with SCS or APS:
For the 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 are consistent with the sustainable community strategies.

Consistency with land use designations and density:
The proposed projects are 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.

The southern portion of Downey I and the northern portion of Downey II are located within the CC (Community Commercial) land use category of the East Los Angeles Community Plan. The northern portion of Downey I and the southern portion of Downey II are located within the MD (Medium Density Residential) 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.

Both Downey I and Downey II apartment buildings are consistent with the land use policies of the East Los Angeles Community Plan and General Plan Housing Element. Small commercial spaces, community room, and office use are proposed on the ground floor of the buildings and on the parcels designated within the CC land use category. Apartment units are proposed on the upper two floors above the ground floor for Downey I and on four floors including the ground floor for Downey II, 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.

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 20 units on the 0.69-acre Downey I property and 43 units for 1.45-acre Downey II property. The applicant is requesting a 110 percent density bonus for 22 additional units (or residential density of 61 du/ac) for Downey I and a 65 percent density bonus for 28 additional units (or residential density of 49 du/ac) for Downey II. All dwelling units, except for one manager’s unit, for the proposed Downey I and Downey II are 100 percent affordable. The units will be restricted to very-low income or low 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.

The following policies of the East Los Angeles Community Plan are applicable to the proposed Downey I and Downey II projects:

Physical Environment Goals:
- To meet housing demand, both present and future, especially for low- and moderate-income families.
- To encourage high standards of development and improve the aesthetic qualities of the community.

Housing Policies:
- Encourage the construction of publicly assisted housing for special needs groups such as the handicapped, low and moderate income households, and senior citizens. Developments at lower densities (including single family detached and twin houses) should be encouraged for families while somewhat higher densities including townhouses and apartments should be encouraged to meet the needs of senior citizens. Notification of the surrounding residents and property owners shall be an integral part of the planning process to foster neighborhood review and application.

Downey I and Downey II are infill housing projects to provide a total of 113 new affordable units (minus two units allocated for on-site property managers) for the low income group, very-low income group, and/or special needs households with incomes below 80 percent AMI. Over 10 percent of the affordable units will be designed to accommodate individuals with needs for auditory/visual features or mobility features.

The two project sites are currently unoccupied with dilapidated structures and enclosed by chain-link fences. The two proposed mixed use buildings would fill in the spatial void along Whittier Boulevard and Downey Road. The proposed projects would bring raised planters, aluminum glazed window storefronts, landscaping, and neighborhood commercial uses to serve the nearby residents. These features would vastly improve the current occupied state of these corner properties.

The following policies of the General Plan are applicable:

Housing Element
- *Housing Element Goal 1A: Wide range of housing types in sufficient supply to meet the needs of current and future residents, particularly for persons with special needs, including but not*
limited to low income households, seniors, persons with disabilities, large households, single-parent households, the homeless and at risk of homelessness, and farmworkers.

- Housing Element Policy 1.1: Make available through land use planning and zoning an adequate inventory of vacant and underutilized sites to accommodate the County’s Regional Housing Needs Assessment (RHNA) allocation.
- Housing Element Policy 1.3: Coordinate with the private sector in the development of housing for low and moderate income households and those with special needs. Where appropriate, promote such development through incentives.
- Housing Element Policy 2.1: Support the development of housing for low and moderate income households and those with special needs near employment and transit.
- Housing Element Policy 2.2: Encourage mixed-use developments along major commercial and transportation corridors.
- Housing Element, Goal 3: A housing supply that ranges broadly in housing costs to enable all households, regardless of income, to secure adequate housing.
- Housing Element, Policy 4.1: Provide financial assistance and ensure that necessary supportive services are provided to assist low- and moderate-income households and those with special needs to attain and maintain affordable and adequate housing.
- Housing Element Policy 8.1: Support the distribution of affordable housing, shelters, and transitional housing in geographically diverse locations throughout the unincorporated areas, where appropriate support services and facilities are available in close proximity.

As previously mentioned, Downey I and Downey II would provide 100 percent affordable housing that will be restricted to low income, very-low income, or individuals with special needs from the County’s health services programs. The project sites have remained unoccupied since the last commercial tenants closed in 2013. Development of these underutilized parcels into housing would help meet the County’s Regional Housing Needs Assessment allocation. Downey I offers studio units, one-bedroom units, and two-bedroom units. In addition to one-bedroom units and two-bedroom units, Downey II also consists of three-bedroom units to accommodate larger households. The proposed projects would provide amenities such as community room, gym, open courtyards and support services such as the availability of on-site case managers. The ground-floor commercial spaces would add to the existing neighborhood businesses.

Whittier Boulevard is also highly-served by transit and highly-traveled commercial corridor. There are numerous shops and facilities within walking distance of the sites including a public library, restaurants, markets, a bakery, a hospital, and florists. Los Angeles Metro buses run regularly on Whittier Boulevard. A bus stop is conveniently located in front of Downey II on the southeast corner of Whittier Boulevard and Downey Road intersection.

**Land Use Element**

- General Plan, Policy LU 4.3: Encourage transit-oriented development in urban and suburban areas with the appropriate residential density along transit corridors and within station areas.
- General Plan, Policy LU 4.4: Encourage mixed-use development along major commercial corridors in urban and suburban areas.
- General Plan, Goal LU 5: Vibrant, livable and healthy communities with a mix of land uses, services and amenities.
- General Plan, Policy LU 5.3: Support a mix of land uses that promote bicycling and walking, and reduce Vehicle Miles Traveled (VMTs).
- General Plan, Policy LU 10.4: Promote environmentally-sensitive and sustainable design. LEED and possibly Energy Star Homes sustainable design elements will reduce the project’s environmental impact.

**Mobility Element**

- General Plan, Policy M 1.1: Provide for the accommodation of all users, including pedestrians, motorists, bicyclists, equestrians, users of public transit, seniors, children, and persons with
disabilities when requiring or planning for new, or retrofitting existing, transportation corridors/networks whenever appropriate and feasible.

- General Plan, Policy M 5.1: Facilitate transit-oriented land uses and pedestrian-oriented design, particularly in the first-last mile connections to transit, to encourage transit ridership.

Downey I and Downey II are two infill sites that replace 11 under-utilized parcels with much-needed housing along Whittier Boulevard, which is a major transportation and commercial corridor in the East Los Angeles community. The project sites are located within commuting distance of regional employment centers due to their proximity to multiple freeways and public transportation routes. The project sites are within a quarter mile of the Interstate 5, a half mile of the Interstate 710, and a three-quarters mile of State Route 60. There are two bus stops within a short walking distance of Downey I and Downey II. The two bus stops are serviced by the following bus lines:

- LA Metro 18 runs east-west spanning west to Wilshire Center to east to Montebello via Downtown Los Angeles, Boyle Heights and East Los Angeles.
- LA Metro Rapid 720 runs east-west spanning west to Santa Monica and east to Commerce via Westwood, Beverly Hills, Koreatown, Downtown Los Angeles and East Los Angeles.
- Los Department of Transportation Community DASH Boyle Heights runs northwest-southeast spanning northwest to LAC+USC Medical Center and southeast to East Los Angeles.
- County of Los Angeles Transit Services El Sol Shuttle Service runs from Union Pacific to Salazar Park.

A LA Metro 18 bus stop is located immediately in front of Downey II. The second bus stop is located two blocks west of the Downey I and Downey II on Herbert Avenue and Whittier Boulevard. This bus stop is utilized by the LA Metro 720 Rapid Line and LADOT Community DASH Boyle Heights line. Both bus stops serve the community within a 15-minute interval service time, making transit convenient. Although the two LA Metro Rail Gold line stations, Indiana Station and Maravilla Station, are located over one mile away from the project sites, they are accessible by LA Metro or DASH buses. Thus, the project sites are identified as being the ideal location for new development that combines housing and services near high-quality transit.

Furthermore, Downey I and Downey II will strive for Gold certification under Leadership in Energy and Environmental Design and incorporate environmental sensitive designs. Some potential design features may include but not limited to the following reduction overall irrigation water demand by at least 20 percent, drought-tolerant landscaping, low-flow fixtures, use of Energy-Star labeled appliances, installation of bike racks and electric-vehicle charging stations to encourage alternative fuel and alternative mode of transportation. Whittier Boulevard and Downey Road are also identified in the County’s 2012 Bicycle Master Plan for a proposed a Class III Bike Path.

Consistency with zoning and building intensity:
As previously noted, the project sites are split between two zones, C-3 Zone and R-3 Zone. The southern portion of the proposed Downey I’s mixed-use building and the northern portion of the proposed Downey II’s mixed-use building would be located in the C-3 Zone. The northern portion of the proposed Downey I and the southern portion of the proposed Downey II would be located in the R-3 Zone.

Apartment houses in the R-3 Zone are permitted by right but are permitted by CUP in the C-3 Zone. Thus, the proposed multi-family residential units and the associated residential amenities located in the C-3 Zone require a CUP. Furthermore, mixed-use developments and commercial retail use are not permitted in the R-3 Zone. For this reason, all ground-floor commercial retail spaces are proposed entirely within the C-3 Zone of the project sites. Although the R-3 Zone does not allow commercial retail use, the proposed commercial parking spaces within the R-3 Zone is permitted by Director’s review per Section 22.20.280.
Downey I and Downey II are qualified affordable housing projects with 100 percent affordable housing set-asides for very-low and low-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 Percent (Off-Menu Incentive)**
  The applicant requests an additional 22 affordable units or 110 percent density bonus for Downey I. The permitted units would increase from 20 to 42 affordable housing units for the low or very-low income households and special needs groups.

  The applicant also requests an additional 28 affordable units or 65 percent density bonus for Downey II. The permitted units would increase from 43 units to 71 affordable housing units for the low or very-low income households and special needs groups.

- **Increased Height (Off-Menu Incentives)**
  The East Los Angeles CSD requires a building or structure not to exceed 40 feet, except for devices or apparatus essential to industrial processes or communications related to public health and safety may be permitted up to 50 feet in height. The R-3 Zone has a maximum permitted height of 35 feet. To modify this height limit for Downey I, the applicant requests a height increase from 40 feet to 44 feet above grade in the C-3 Zone. The height of the Downey I structure in the R-3 Zone generally does not exceed 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.

  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 eight compact parking spaces (26%) out of 31 total spaces be allowed for Downey I and 16 compact spaces (or 17%) out of 92 spaces be allowed for Downey II 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 applicable parking requirements and include additional accessible parking spaces and clean air vehicle spaces.

Yards/Setbacks
The C-3 Zone does not have any required yard setbacks. Only the R-3 Zone portions of the project sites are subject to the setback requirements. The front yards of both Downey I and Downey II are located in the C-3 Zone; thus, no front yard 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 the Downey I 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. For the portions of the Downey II 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.

Lot Coverage/Landscaping
The CC land use category has a maximum 90 percent lot coverage requirement. The C-3 Zone further requires that buildings can only occupy 90 percent 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 for Downey I is calculated at 66 percent and the proposed project provides 5,940 square feet of landscaping or nearly 20 percent of landscaping. For Downey II, the building footprint would be 73 percent of the project site. Landscaping is 13,500 square feet or 21 percent on the ground level and an additional 4,250 square feet of landscaping is provided on the upper floors. The provided landscaping for both project sites exceeds this requirement.

Other development standards
In addition to the applicable development standards discussed above, the portion of the buildings in the C-3 Zone meet the development standards in the East Los Angeles Community Standard District (CSD) related building frontage, wall openings/windows, main building entrance requirements, façade height articulation requirements, roof requirements, wall surface requirements, service area and mechanical requirement requirements, and walls/fences.

2. The project contains at least 50% residential use, based on total building square footage and, if the project contains between 26 – 50% nonresidential uses, a floor area ratio of not less than 0.75. □ Yes □ No

Downey I has 1,161 square feet of commercial retail and 35,839 square feet of residential use, which is 97 percent residential. Downey II only has 3,208 square feet of commercial retail space out of the 96,640 square feet of floor area. The remaining area is dedicated residential-related uses. Both Downey I and Downey I have a FAR greater than 1.0.

3. The project provides a minimum net density of at least 20 dwelling units per acre. □ Yes □ No

With a requested density bonus, Downey I would have a residential density of 61 dwelling units per acre and Downey II would have a residential density of 49 dwelling units per acre.

4. The project is located within ½ mile of a major transit stop (e.g. rail station, ferry terminal served by either a bus or rail transit service, or intersection of two or more major bus routes
with service intervals of 15 minutes or less during peak commute hours) or a high-quality transit corridor (i.e. a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours). ☒ Yes ☐ No

The project sites are located within the High-Quality Transit Area (HQTA) and High-Quality Transit Corridor (HQTC) in the SCAG’s RTP 2012-2035. Two Los Angeles Metro bus lines, Metro Rapid Line 720 and Metro Line 18, services the project site with greater frequencies than 15-minute service interval during peak hours. During peak hours, Metro Rapid Line 720 has service intervals of 7 to 10 minutes.

5. All parcels within the project have no more than 25% of their area farther than ½ mile from the stop or corridor. ☒ Yes ☐ No

All parcels for the proposed projects are within ½ mile of a major transit stop or HQTC.

6. No more than 10% of the residential units or 100 units, whichever is less, in the project are farther than ½ mile from the stop or corridor. ☒ Yes ☐ No

The proposed projects are compact developments that have all units within ½ mile of the major transit stop and HQTC.

Pursuant to California Public Resources Code (PRC) §21155.1, a transit priority project that meets the following criteria is declared to be a sustainable communities project that is exempt from CEQA:

ENVIRONMENTAL CRITERIA

1. The project and other approved projects not yet built can be adequately served by existing utilities, and the applicant has paid, or has committed to pay, all applicable in-lieu or development fees. ☒ Yes ☐ No

The applicant has received Will-Serve letters from the California Water Company – East Los Angeles District for both Downey I and Downey II.

2. The project site does not contain wetlands or riparian areas and does not have significant value as a wildlife habitat. ☒ Yes ☐ No

The project sites is located in an urbanized area defined by CEQA and was developed for urban uses prior to 1928. The surrounding area is also highly developed with commercial and residential uses. Review of the National Wetland Inventory provided by the U.S. Fish and Wildlife Service (USFWS) also identified no wetlands or riparian areas within the project sites.

The project does not harm any species protected by the federal Endangered Species Act, the Native Plant Protection Act, or the California Endangered Species Act. ☒ Yes ☐ No

 Relevant literature, maps, databases, agency websites and aerial imaginary were obtained from public domain sources to assess the occurrence potential of the protected species. These
sources include: California Natural Diversity Database (CNDDDB) provided by the California Department of Fish and Wildlife, USFWS Critical Habitat data,

The project sites are identified as an urban area under CEQA and are currently unoccupied paved lots. Abandoned structures exist on the Downey II site but Downey I is an empty lot with vegetation such as weeds. They do not contain any suitable habitat for protected species and East Los Angeles is not an area known for high-occurrences of the protected animal and plant species.

The project does not cause the destruction or removal of any species protected by a local ordinance in effect at the time the application for the project was deemed complete.
☐ Yes ☐ No

The project sites are not identified within a conceptually mapped Significant Ecological Area, Environmentally Sensitive Habitat Area and Coastal Resources Areas, or any other areas containing biological values designated by Coastal Development Plan, the Community Plan or General Plan by the County. No ordinance-sized oak trees are found within the project sites.

3. The project site is not included on any list of facilities and sites compiled pursuant to Section 65962.5 of the Government Code. ☐ Yes ☐ No

Government Code Section 65962.5 requires the Department of Toxic Substances Control (DTSC), State Department of Health Services, State Water Resources Control Board, and local enforcement agency to compile and update as appropriate, at least annually, a “Cortese” List, and submit to the Secretary of Environmental Protection for consolidation and distribution. The Hazardous Waste and Substances Sites List is a planning document used by the State, local agencies and developers to comply with the California Environmental Quality Act requirements in providing information about the location of hazardous materials release sites. A review of the Hazardous Waste and Substances Site List –Site Cleanup database\(^1\) showed no records on the project sites. There is also no public drinking wells within the project sites that may pose conflicts with the lists compiled by the State Department of Health Services. The project sites are not included in any Water Board’s list of solid waste disposal sites, list of “active” orders where necessary actions have not yet been completed (known as Cease and Desist Orders (CDO) and Cleanup and Abatement Orders (CAO)).

4. The project site is subject to a preliminary endangerment assessment prepared by a registered environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity. ☐ Yes ☐ No

A Preliminary Endangerment Assessment (PEA) was prepared by Partner Engineering and Science, Inc, dated May 10, 2017.

(a) If a release of a hazardous substance is found to exist on the site, the release shall be removed, or any significant effects of the release shall be mitigated to a level of insignificance in compliance with state and federal requirements.

According to the PEA, the observed drums and buried metal debris throughout the northern portions of the Downey I site may contain suspect asbestos-containing materials (ACMs) and lead-based paints (LBPs). The removal or demolition of existing structures likewise could potentially result in the release of hazardous building materials (e.g., asbestos, lead paint, etc.) into the environment if standard protocols are not followed. The proposed projects will be required to comply with the applicable regulations from state-level agencies such as DTSC, in conjunction with the OSHA and the USEPA, on the removal, abatement, and transport procedures for ACMs and LBPs. Release of asbestos from demolition or construction activities are prohibited by the state and local regulations. Demolition activities are permitted by the Department of Public Works Building and Safety Division and other regulatory agencies including the South Coast Air Quality Management District. Medical evaluation and monitoring is required for employees performing activities that could expose them to asbestos. Additionally, the regulations include warnings that must be heeded and practices that must be followed to reduce the risk for asbestos emissions and exposure. Finally, federal, state, and local agencies must be notified prior to the onset of demolition or construction activities with the potential to release asbestos. Standard protocols would be adopted to minimize the risk associated with the hazardous materials and wastes. Hazardous wastes will be properly disposed at licensed facilities, or recycled to minimize wastes requiring disposal in accordance with the Health and Safety Plan and Soil Management Plan.

Based on the findings of the subsurface investigation performed on the project sites, the only chemical of concern identified as a potential risk to on-site workers is arsenic, which was detected in two locations at depths of 1 foot below ground surface (bgs) at concentrations of 226 micrograms per kilogram (mg/kg) at the Downey I site and 93.4 mg/kg at the Downey II site, and cadmium was detected at a single location at the Downey I site at depth of six feet bgs at concentration of 6.4 mg/kg exceeding residential regional screening level (RSL) but below the commercial/industrial screening level. The background concentration of arsenic for Southern California is 12 mg/kg, which was established by a report entitled Determination for a Southern California Regional Background Arsenic Concentration in Soil and published by DTSC which used data from 19 school sites distributed throughout Los Angeles Unified School District.

The presence of arsenic detected in the two soil borings appear to be isolated pockets in the area with dimensions approximately 20 feet by 20 feet with a depth of no more than 3 feet bgs. Excavation and off-site removal of soils from these two areas shall be performance in accordance with a Soil Management Plan approved by the County Fire Department Health Hazardous Material Division prior to grading and developments at the two sites [See Condition of Approval #37]

Volatile organic compounds (VOCs) and tetrachloroethylene (PCE) were detected in low concentrations in the soil vapor samples collected at the Downey I and II, but they do not pose significant health risk or hazards for the future residents.

Although several compounds were detected in the soil and soil vapor samples at the project sites throughout the course of the subsurface investigation, concentrations were below the recommended screening levels indicating the risks to the future residents and construction workers are acceptable. Arsenic is the sole exception that could potentially be considered a health risk because concentrations were detected at two locations above Southern California background concentration. Due to this potential health risk, the areas with elevated concentrations of arsenic will be delineated, and the removal of these soils will be performed in accordance with the SMP prior to the initiation of site grading and development. The arsenic remediation will be performed under the oversight of the County Fire Department Health Hazardous Materials Division Site Mitigation Unit and the requirements of a Health and Safety Plan as part of the SMP. Any potential environmental unknowns that may be encountered during
grading activities would also be addressed in the SMP. These requirements are memorialized in the conditions of approval as part of the entitlement requests.

(b) If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, the effects of the potential exposure shall be mitigated to a level of insignificance in compliance with state and federal requirements.

☐ Yes ☐ No ☐ Not Applicable

There are no land uses from the surrounding properties that may pose potential and significant hazards. The project site is surrounded by predominately small retail businesses and residences, and a cemetery.

5. The project does not have a significant effect on historical resources pursuant to Section 21084.1. ☒ Yes ☐ No

The project sites are unoccupied lots formerly used by grave stone and concrete vault businesses. All former structures on the Downey I site has been demolished and removed. The remaining commercial structures associated with the former grave stone manufacturing business on Downey II site are dilapidated and abandoned and the former operations do not have historical significance.

The sites do not contain any historical resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources or included in a local register of historical resources. According to the County’s Historic Resources Sites Policy Map\(^2\), there is no historic or cultural resource site within the vicinity of the project sites. The County of Los Angeles also does not consider the project sites to be a discretionary historical resource per Section 21084.1. Therefore, no significant effect on historical resources would result.

6. A) The project is not subject to a wildland fire hazard, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of a wildland fire hazard. ☒ Yes ☐ No

The project sites are not located in a Very High Fire Hazard Severity Zone mapped by the CALFIRE. The East Los Angeles is developed urban area not surrounded by wildland.

B) The project site is not subject to an unusually high risk of fire or explosion from materials stored or used on nearby properties. ☒ Yes ☐ No

There are no land uses from the surrounding properties that may pose unusually high risk or explosion from materials stored or used. The project site is surrounded by predominately small retail businesses and residences, and a cemetery.

C) The project site is not subject to the risk of a public health exposure at a level that would exceed the standards established by any state or federal agency. ☒ Yes ☐ No

The projects would be subject to applicable federal, state, and local programs, regulations, laws, standards, and policies including, but not limited to, the following: Resource Conservation and Recovery Act (RCRA); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); California Hazardous Waste Control Law; Occupational Safety and Health Administration (OSHA); South Coast Air Quality Management District; California Department of

\(^2\) PlaceWorks, 2014. Los Angeles County General Plan Programmatic EIR, FIGURE 5.5-1
Forestry and Fire Protection (CAL-FIRE); Los Angeles County Fire Department Health Hazardous Material Division and the County of Los Angeles Department of Public Health.

D) The project site is not within a delineated earthquake fault zone or a seismic hazard zone, unless the general plan or zoning ordinance contains provisions to mitigate the risk of an earthquake fault or seismic hazard zone. ☑ Yes ☐ No

According to the California Geological Survey (CGS) Seismic Hazard Zone Maps, the project sites are not located in a seismic hazard zone or earthquake fault zone.

E) The project site is not subject to landslide hazard, flood plain, flood way, or restriction zone, unless the general plan or zoning ordinance contains provisions to mitigate the risk of a landslide or flood. ☑ Yes ☐ No

According to the California Geological Survey Alquist-Priolo maps, the project sites are not located within a landslide hazard zone. The project sites are also not delineated in a flood plain by Federal Emergency Management Agency Flood Insurance Rate Map (FIRM) or in a floodway or restricted in the zone for landslide or flood.

7. The project site is not located on developed open space. ☑ Yes ☐ No

“Developed open space” means land that is 1) publicly owned, or financed in whole or in part by public funds, 2) generally open to, and available for use by, the public, and 3) predominantly lacking in structural development other than structures associated with open spaces, including playgrounds, swimming pools, ballfields, enclosed child play areas, and picnic facilities. It includes land that has been designated for acquisition by a public agency for developed open space, but does not include lands acquired with public funds dedicated to the acquisition of land for housing purposes.

The project sites are private properties not available for public use and lacks the structures generally associated with open spaces.

8. Project buildings are 15% more energy efficient than required by Title 24 (California Building Standards Code) and the buildings and landscaping are designed to achieve 25% less water usage than the average household use in the region. ☑ Yes ☐ No

The applicant is committed to make the project buildings 15% more energy efficient than Title 24 requirements, and the buildings and landscaping are designed to achieve 25% less water usage than the average household in the area. Downey I and Downey II will strive for Gold certification under Leadership in Energy and Environmental Design (LEED) and incorporate environmental sensitive designs. Some potential design features may include but not limited to the following reduction in overall irrigation water demand by at least 20 percent, drought-tolerant landscaping, low-flow fixtures, use of Energy-Star labeled appliances, installation of bike racks and electric-vehicle charging stations to encourage alternative fuel and alternative mode of transportation.

LAND USE CRITERIA

1. The project site is not more than eight acres in total area. ☑ Yes ☐ No

Downey I site is 0.69 acre and Downey II site is 1.49 acre.
2. The project does not contain more than 200 residential units. □ Yes □ No

Downey I consists of 42 units and Downey II consists of 71 units, totaling 113 units.

3. The project does not result in any net loss in the number of affordable housing units within the project area. □ Yes □ No

The Downey I and Downey I sites have been developed for commercial/industrial businesses since 1928. The last business ceased operation in 2013.

4. The project does not include any single level building that exceeds 75,000 square feet. □ Yes □ No

The Downey I’s building footprint is 19,995 square feet and Downey II’s building footprint is 46,000 square feet.

5. Any applicable mitigation measures or performance standards or criteria set forth in the prior environmental impact reports have been or will be incorporated into the project. □ Yes □ No □ None

Over 6,000 cubic yards of grading is proposed for Downey II due to the proposed subterranean parking. According to the General Plan 2035 Environmental Impact Report, CULT-5 mitigation measure will be incorporated in to the project as a condition of approval to address potential cultural resources or archaeological resources encountered during grading activities. A qualified cultural resources or archaeologist will be retained by the applicant to monitor grading activities at Downey II.

6. The project is determined not to conflict with nearby operating industrial uses. □ Yes □ No

The project sites are immediately surrounded by either residential uses or commercial uses. There are no operating industrial uses within the vicinity of the project sites.

7. The project is located within ⅛ mile of a rail transit station or a ferry terminal or within ¼ mile of a high-quality transit corridor included in a regional transportation plan. □ Yes □ No

The project sites front a high-quality transit corridor. As previously mentioned, the project sites are located within a High-Quality Transit Corridor (HQTC) in the SCAG’s RTP 2012-2035. Two Los Angeles Metro bus lines, Metro Rapid Line 720 and Metro Line 18, services the project site with greater frequencies than 15-minute service interval during peak hours. During peak hours, Metro Rapid Line 720 has service internals of 7 to 10 minutes.

8. The project meets at least one of the following three criteria:
   (a) The project meets both of the following:
      i) At least 20% of the housing will be sold to families of moderate income, or not less than 10% of the housing will be rented to families of low income, or not less than 5% of the housing is rented to families of very low income. □ Yes □ No
Downey I and Downey II are 100 percent affordable housing restricted to low-income or very low-income households.

ii) The project developer provides sufficient legal commitments to the appropriate local agency to ensure the continued availability and use of the housing units for very low, low-, and moderate-income households at monthly housing costs with an affordable housing cost or affordable rent, as defined in Section 50052.5 or 50053 of the Health and Safety Code, respectively, for the period required by the applicable financing. Rental units shall be affordable for at least 55 years. Ownership units shall be subject to resale restrictions or equity sharing requirements for at least 30 years.

☐ Yes ☐ No

A covenant or agreement, acceptable to the County of Los Angeles Community Development Commission, shall be recorded with the county recorder to ensure continuing availability of housing set-aside units for 55 years [Condition of Approval #19].

(b) The project developer has paid or will pay in-lieu fees pursuant to a local ordinance in an amount sufficient to result in the development of an equivalent number of units that would otherwise be required pursuant to paragraph (a).

☐ Yes ☐ No ☐ Not Applicable

The required covenant and agreement will include remedies for violations of the covenant, including, but not limited to monetary penalties [Condition of Approval #19].

(c) The project provides public open space equal to or greater than five acres per 1,000 residents of the project.

☐ Yes ☐ No ☐ Not Applicable
PRELIMINARY ENDANGERMENT ASSESSMENT REPORT

4161, 4169, 4200-4224 Whittier Boulevard
Los Angeles, California 90023

May 10, 2017
REVISED 6/1/17
Partner Project Number: SM17-184004

Prepared for:
Site Mitigation Unit
Los Angeles County Fire Department
5825 Rickenbacker Road
Commerce, California 90040

On Behalf Of
Meta Housing Corporation
1640 Sepulveda Boulevard, Suite 425
Los Angeles, California 90025

Engineers who understand your business
June 1, 2017

Mr. Taylor Rasmussen
Meta Housing Corporation
1640 Sepulveda Boulevard, Suite 425
Los Angeles, California 90025
Telephone: (310) 575-3542
Fax: (310) 739-2325
Email: trasmussen@metahousing.com

Subject: Preliminary Endangerment Assessment Report
4161, 4169, 4200-4224 Whittier Boulevard
Los Angeles, California 90023
Partner Project Number SM17-184004

Dear Mr. Rasmussen:

Partner Engineering and Science, Inc. (Partner) is pleased to provide this Preliminary Endangerment Assessment (PEA) Report for the above-referenced property. The following report follows the PEA Guidance Manual provided by the State of California Environmental Protection Agency Department of Toxic Substances Control (January 1994 Interim Final-Revised October 2013).

This assessment was performed utilizing methods and procedures consistent with good commercial or customary practices designed to conform to acceptable industry standards. The independent conclusions represent Partner’s best professional judgment based upon existing conditions and the information and data available to us during the course of this assignment.

We appreciate the opportunity to provide these services. If you have any questions concerning this report, or if we can assist you in any other matter, please contact David Lehnus at (860) 214-0041 or Robert Traylor at (714) 244-3650.

Sincerely,

David Lehnus, LEP
Project Manager – Site Mitigation

Robert Traylor, PG 5877, CHg 582
Principal – Site Mitigation
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1.0 EXECUTIVE SUMMARY

Overall, although several compounds were detected in soil and soil gas at the Site during the course of the investigation, concentrations were below screening levels indicating that risks to both Site residents and on-Site workers are acceptable. The sole exception that could potentially be considered a health risk is the concentrations of arsenic detected in two locations on-Site. Because of the potential risk, these areas of elevated arsenic will be delineated, and removal of these soils will be performed in accordance with an SMP prior to initiation of site grading and development.

1.1 Purpose

On behalf of Meta Housing Corporation, Partner Engineering and Science, Inc. (Partner) is submitting this Preliminary Endangerment Assessment (PEA) Report for ten parcels located on Whittier Boulevard in Los Angeles, California (herein referred to as the "Site"). The Site is divided into two lots, Lot A is comprised of two parcels identified by Los Angeles County Assessor Parcel Numbers (APN) 5236-005-033 and 5236-005-034, addressed as 4161 and 4169 Whittier Boulevard; and Lot B is comprised of eight parcels identified as APN 5236-016-025 through 5236-016-032, and addressed as 4200, 4210, 4212, and 4224 Whittier Boulevard. The location of the Site is shown on Figure 1. A topographic map of the Site area is included as Figure 2. This PEA Report is being submitted to the Site Mitigation Unit, Los Angeles County Fire Department (LACoFD) for review and approval.

This report originally submitted on May 10, 2017 has been updated to address comments provided by the Los Angeles County Fire Department (LACoFD).

1.2 Objectives

Specific objectives of the PEA include:

- Assessing if a release of hazardous wastes/substances/materials has occurred at the Site and delineating the general extent of the contamination.
- Estimating what the potential threat to public health and/or the environment posed by the Site and providing an indicator of the relative risk.
- Assessing if an interim action is required to reduce an existing or potential threat to public health or the environment.
- Performing preliminary project scoping activities to identify data gaps and identify possible remedial action strategies to form the basis for development of a Site strategy.
- Providing the data and information to the regulatory agency.
- Assessing and providing for the informational needs of the community.
Based on information developed by the PEA, the LACoFD will then make a decision regarding potential risks posed by the Site. Possible outcomes of the LACoFD decision include: (a) the requirement for further investigation through the Remedial Investigation/Feasibility Study (RI/FS) process if the Site is found to be significantly impacted by hazardous substances; (b) the need to perform a Removal Action if localized impacts by hazardous substances are found at the Site; and (c) issuance of a no further action (NFA) determination if the Site is found not to be significantly impacted and risks to human health and the environment are found to be within acceptable levels based on a conservative screening level risk assessment.

1.3 Site background and current status

Partner prepared Phase I Environmental Site Assessment Reports (Phase I) for each Lot dated December 17, 2015, prepared on behalf of Meta Housing Corporation. The Phase I for Lot A did not include an assessment of 4161 Whittier Boulevard in the December 2015 reports. Updated Phase I reports dated September 20, 2016 were prepared for each of the parcels, including 4161 Whittier Boulevard. A summary of the findings for each property is presented below.

4161 Whittier Boulevard

According to the Phase I, the former onsite operations on property are associated with the former stone cutting and sandblasting business, Superior Marble & Granite Works. Operations included cutting of stone and mechanical methods of stone engraving, including sandblasting. According to available historical sources, the subject property was formerly undeveloped as early as 1894 and developed with residential dwellings circa 1928. The existing shed located on the northern side of the property was constructed in 1941. Tenants on the subject property included Superior Marble & Granite from 1928 to 2013.

Partner did not identify any Recognized Environmental Conditions (RECs) for the property, however removal of observed drums and buried metal debris throughout the northern portion of the property was recommended. Also, suspect asbestos containing materials (ACMs) and lead based paint (LBPs) identified during the site inspection would need to be sampled to confirm the presence or absence of asbestos and/or lead prior to renovation or demolition activities to prevent potential exposure to workers and/or building occupants.

4169 Whittier Boulevard

Based on the Phase I, the property was first developed with a residence on the north portion circa 1921. The three former industrial buildings occupying the property were constructed in 1928 and demolished in 2015. LeGrand Vaults occupied the Site from circa 1942 through 2015. Information regarding commercial tenants from 1928 through 1942 was not readily available.

According to historical sources, LeGrand Vaults manufactured concrete vaults from circa 1942 to 2015. Building department records and historical site plans identified a spray booth (1989) and a
coating room (1995) with concrete floor located in the southwest corner of the former Building 2. Based on the duration of the concrete manufacturing operations on the property (73 years) and the presence of a former spray booth and wash pits, the historical use of the Site for concrete manufacturing purposes was identified as a REC.

Additionally, according to records on file with the regulatory agencies, the Site was formerly equipped with one 550-gallon gasoline underground storage tank (UST) located on the southeast portion of the property. Based on the removal of the tank, the analytical results, and the regulatory closure, the former UST is considered a historical recognized environmental condition (HREC). However, Partner notes the former UST was not closed in accordance with current UST closure guidelines. As discussed above, the soil sample was not analyzed for volatile constituents.

4200-4224 Whittier Boulevard

The property was first developed as part of a cemetery between circa 1924 and circa 1927 and developed with the current structures in 1928. Tenants on the subject property have included numerous commercial and service businesses (1924-2013).

According to historical sources, an automotive repair and auto body repair business operated at the property from circa 1928 to approximately 1976. Hazardous substances and/or petroleum-based products including paints, solvents, motor oil, hydraulic oil and other automotive fluids are typically used, stored and generated as part of automotive and auto body repair operations. Partner did not identify information regarding the historical use, storage, or disposal practices of hazardous substances or petroleum-based products in association with these former on-site operations. Additionally, Partner notes these operations were conducted primarily in an era prior to regulatory oversight.

According to the review of historical records, the northwest corner of the property was developed with a gasoline station as early as 1929 until circa 1986. The subject property was formerly equipped with five USTs including: two 550-gallon waste oil USTs, a 3,000-gallon gasoline UST, a 7,500-gallon gasoline UST, and a 55-gallon waste oil UST. Based on the reported removal of USTs, review of the analytical results, and regulatory closure, the former USTs are considered a HREC. However, Partner noted the former USTs closed in 1986 were not closed in accordance with current UST closure guidelines and soil samples were not analyzed for volatile organic compounds (VOCs).

1.4 Previous Investigations

In January 2016, Partner conducted a Phase II Subsurface Investigation at the Site to investigate the potential impact of petroleum hydrocarbons and/or VOCs to the subsurface from the historical operations conducted on both Lots. A copy of the Phase II report is attached as Appendix A. The scope of the Phase II Subsurface Investigation included a geophysical survey to identify former tankholds and associated piping and dispensers and the advancement of 11 soil borings (B1
through B11). One sample was collected from each boring and analyzed for carbon-chain total petroleum hydrocarbons (TPH-cc), VOCs, and polynuclear aromatic hydrocarbons (PAHs). A total of 13 soil gas samples were collected and analyzed for VOCs.

The geophysical survey identified three backfilled excavations and three shallow soil disturbances on the northwest portion of Lot B and one possible backfilled excavation on the southeast portion of the Lot A. No USTs or metallic objects were detected throughout the Site.

Numerous junk pipes, which in some cases lead directly to the backfilled excavation boundaries, were detected on the northwest portion of Lot B. It was concluded that the former USTs were located to the west of the former gas station building and directly adjacent to what appeared to be a former pump island. A vent pipe was also observed adjacent to the northwest of the former gas station building. Two additional backfilled excavations were identified to the south of the former gas station building which appear to be UST-related and in the vicinity of the expected former tankholds observed in historical records. Borings were advanced at locations targeting these potential former UST areas.

None of the analyzed compounds were detected in any of the soil samples submitted for analysis.

Five of the analyzed soil gas samples located on Lot B and one replicate soil gas sample (B1-SG10 REP) contained detectable concentrations of tetrachloroethylene (PCE) above the laboratory detection limit. One of the detected concentrations at B3-SG10 exceeded the recommended residential soil gas screening level of 240 micrograms per cubic meter (240 μg/m3) for PCE as presented in the DTSC Human and Ecological Risk Office (HERO) Human Health Risk Assessment (HHRA) Note 7 dated October 17, 2016. Based on the detection of PCE at concentrations exceeding residential screening levels and the planned development of the Site for residential purposes, the Johnson/ettenger Model (J/E Model) was applied to further evaluate the incremental risk from vapor intrusion to indoor air as a carcinogen for residential properties. Based on the results of the J/E Model, it was concluded that the detected concentration of PCE exceeding residential screening levels represented a de minimis concentration and is not expected to represent a vapor intrusion concern to future residential occupants.

Partner prepared a Site Assessment Work Plan, dated April 5, 2017 for additional investigation at the Site. The proposed scope of work is based upon a recommendation from the LACoFD Site Mitigation Unit (SMU) for further investigation of former USTs and subgrade structures identified on Site, and to provide a general assessment of shallow soils to identify potential surficial releases from former operations.

The objectives of the site assessment include the following:

- Nine shallow soil borings were advanced on Lot A to a depth of 6 feet below ground surface (bgs), the borings located adjacent to targeted subgrade structures including a
former wash pit, molding area and coating room, as well as areas of stained soil, concrete, or asphalt, to assess potential surficial or shallow subsurface releases from these locations;

- Nine shallow soil borings were advanced on Lot B to assess potential surficial or shallow subsurface releases from the former auto repair operations conducted on-site. Three of these borings were advanced in the southern parking lot;
- Six intermediate borings were advanced to a depth of approximately 10 feet bgs beneath the following:
  - Four borings beneath four former UST locations (one beneath each location) on Lot B;
  - One boring to a depth of 12 feet beneath a former UST location on Lot A; and
  - One boring beneath a shallow soil disturbance located in the southeast corner of Lot A;
- One deep boring was advanced in the suspected vicinity of a former septic tank on the northwestern corner of Lot B. This boring was advanced to a depth of 35 feet bgs and soil samples were collected at depths of 25 feet, 30 feet, and 35 feet bgs. A soil vapor probe was installed at a depth of 35 feet bgs in this boring to assess soil vapor in the vicinity of the former septic tank at the approximate depth of the bottom of the proposed excavation.

Following this investigation and prior to initiation of grading and development of the Site, Partner will prepare a Soil Management Plan (SMP) that will be used to guide soil handling and disposal for the Site during development. The SMP will include guidance for screening soils and provide options for on-site reuse, or stockpiling and disposal of soil. This SMP will be applicable and in use during the duration of soil movement activities conducted on-site.

In general, although several compounds were detected in soil and soil gas at the Site during the course of the investigation, concentrations were below screening levels indicating that risks to both Site residents and on-Site workers are acceptable. The sole exception that could potentially be considered a health risk is the concentrations of arsenic detected in two locations on-Site. Because of the potential risk, these areas of elevated arsenic will be delineated, and removal of these soils will be performed in accordance with an SMP prior to initiation of site grading and development.
2.0 SITE DESCRIPTION

2.1 Site Information

The Site consists of two lots, herein referred to as Lots A and B, located within a mixed commercial and residential area of Los Angeles, Los Angeles County, California. Lot A is comprised of two parcels addressed as 4161 and 4169 Whittier Boulevard, encompassing 0.17 and 0.52 acres respectively. Lot A is located on the northwest corner of the intersection of Whittier Boulevard and South Downey Road. The parcel addressed as 4161 Whittier Boulevard is currently developed with an 817-square foot commercial building and detached garage/warehouse that were constructed in 1908 and 1911. The building is currently occupied by Superior Marble and Granite Works who manufacture cemetery headstones. A former manufacturing building previously occupied 4169 Whittier Boulevard, which has since been demolished. Paved parking areas, concrete building foundations and remnants of a pit formerly used to store sand and gravel remain intact on the parcel.

Lot A is bound by residential dwellings to the north, Calvary Cemetery to the east across South Downey Road, Express Auto Service to the south across Whittier Boulevard, unoccupied commercial buildings formerly operated as LeGrand Wilber Vaults, Lot B to the southeast across the intersection of Whittier Boulevard and South Downey Road, and residential dwellings to the west.

Lot B, addressed as 4200-4224 Whittier Boulevard, consists of eight parcels of land comprising approximately 1.34 acres located on the southeast corner of the intersection of Whittier Boulevard and South Downey Road. Lot B is currently developed with three single-story commercial/industrial buildings (4200 Whittier Boulevard, 4210-4212 Whittier Boulevard, and 4224 Whittier Boulevard), which were constructed between 1924 and 1946, having a total of 19,272 square feet. The lot also includes a paved parking lot on the south side of the property. Lot B is surrounded by a barbed-wire chain link fence. The Lot is currently unoccupied, with the exception of an office in the 4210-4212 Whittier Avenue building used by the property owner.

Lot B is bound by Calvary Cemetery to the north across Whittier Boulevard, residences to the south and to the east across South Sunol Drive, Express Auto Service and residences to the west across South Downey Road, and Lot A to the northwest across the intersection of Whittier Boulevard and South Downey Road.
2.2 Site Geology and Hydrology

The Site is situated within the Los Angeles County coastal plain of the western Transverse Ranges geomorphic province of the State of California. The uppermost geologic formation underlying the soils at the subject property is the Upper Pleistocene Age Lakewood Formation. The Lakewood Formation comprises the underlying stratigraphy and consists mostly of marine and continental gravel, sand, silty sand, clay, and silt. The thickness of the Lakewood Formation is estimated to be over 200 feet. The Lakewood Formation is underlain by the San Pedro Formation, which are estimated to be approximately 1,000 feet thick.

Based on information obtained from the United States Department of Agriculture (USDA) Natural Resources Conservation Service Web Soil Survey online database, no soil data are available for the subject property area (Los Angeles County, Southeastern Part, CA969, February 2014). Soil information obtained from subsurface investigations on the subject property found that soil consisted of sand and silt to a depth of approximately 10 feet bgs.

According to topographic map interpretation, the direction of groundwater in the vicinity of the subject property is inferred to flow toward the south. The nearest surface water in the vicinity of the subject property is the Los Angeles River located approximately 2.5 miles west of the subject property. No settling ponds, lagoons, surface impoundments, wetlands or natural catch basins were observed at the subject property during this assessment.

According to available information, a public water system operated by the Los Angeles County Department of Public Works Water Resources Division (WRD) serves the subject property vicinity. According to a representative of the WRD, shallow groundwater beneath the subject property is not utilized for domestic purposes. The sources of public water for the County of Los Angeles are surface water from the State Water Project.

According to a previous subsurface investigation conducted on a nearby property (4411 E. Whittier Boulevard and Case # T0603778678), the depth of groundwater in the vicinity of the subject property is reported to be approximately 143 to 151 feet bgs.
3.0 BACKGROUND

3.1 4161 and 4169 Whittier Boulevard Site Status and History

No onsite operations were observed during the site reconnaissance.

According to available historical sources, the subject property was formerly undeveloped as early as 1894; developed with residential dwellings on the northeast and southwest portion circa 1921 and 1908, respectively; and redeveloped with the commercial and industrial use buildings in 1928, with the former dwelling on the west side of the property being removed circa the 1960s and the former structures associated with LeGrand Vaults on the east side of the property being removed in 2015. Tenants on the subject property included Superior Marble & Granite (1928-2013) and LeGrand Vaults (1942-2013).

According to the Los Angeles County Assessor, the property boundary description of the subject property is described as "STEPHENSON AVE TRACT LOTS 102, 104 AND LOT 105, currently owned by Mr. Charles Rudel and STEPHENSON AVE TRACT LOT 103", currently owned by Ms. Carol Frenotovich.

3.1.1 City Directories

Partner reviewed historical city directories obtained from Environmental Data Resources (EDR) for past names and businesses that were listed for the subject property and adjacent properties. The findings are presented in the following table:

<table>
<thead>
<tr>
<th>Year(s)</th>
<th>Occupant Listed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1929</td>
<td>Betty Falon (4161 Whittier Boulevard)</td>
</tr>
<tr>
<td>1937</td>
<td>Frank Wachowiak (4161 Whittier Boulevard)</td>
</tr>
<tr>
<td>1942</td>
<td>LeGrand FC casket mfr (4169 Whittier Boulevard), Superior Marble and Granite</td>
</tr>
<tr>
<td></td>
<td>Works/Frantonovich Monuments</td>
</tr>
<tr>
<td>1951</td>
<td>Whittier LeGrand Vaults/Whittier Independent Monument Co. (4169 Whittier</td>
</tr>
<tr>
<td></td>
<td>Boulevard), Superior Marble and Granite Works/Frantonovich Monuments</td>
</tr>
<tr>
<td>1958</td>
<td>LeGrand Vaults/LeGrand Caskets (4169 Whittier Boulevard), Superior Marble</td>
</tr>
<tr>
<td></td>
<td>and Granite Works/Frantonovich Monuments</td>
</tr>
<tr>
<td>1962</td>
<td>Cemetery Memorials, LeGrand Vaults LeGrand Caskets (4169 Whittier Boulevard),</td>
</tr>
<tr>
<td></td>
<td>Superior Marble and Granite Works/Frantonovich Monuments</td>
</tr>
<tr>
<td>1967</td>
<td>LeGrand Vaults (4169 Whittier Boulevard), Superior Marble and Granite Works/</td>
</tr>
<tr>
<td></td>
<td>Frantonovich Monuments</td>
</tr>
<tr>
<td>1971</td>
<td>Legrand Vaults (4169 Whittier Boulevard), Superior Marble and Granite Works/</td>
</tr>
<tr>
<td></td>
<td>Frantonovich Monuments</td>
</tr>
<tr>
<td>1976</td>
<td>LeGrand Vaults (4169 Whittier Boulevard), Superior Marble and Granite Works/</td>
</tr>
<tr>
<td></td>
<td>Frantonovich Monuments</td>
</tr>
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</table>
**City Directory Search for 4161 Whittier Boulevard (Subject Property)**

<table>
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<tr>
<th>Year(s)</th>
<th>Occupant Listed</th>
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<tbody>
<tr>
<td>2000</td>
<td>XXXX (4169 Whittier Boulevard), Superior Marble and Granite Works/Frantonovich Monuments</td>
</tr>
<tr>
<td>2013</td>
<td>Superior Marble and Granite Works/Frantonovich Monuments</td>
</tr>
</tbody>
</table>

Based on the city directory review, the subject property was occupied by LeGrand Vaults from approximately 1942 to 1976 and a Stone Cutting Business from approximately 1942 to 2013. Other historical sources reviewed indicated that LeGrand Vaults operated on the subject property until 2015.

**City Directory Search for Adjacent Properties**

<table>
<thead>
<tr>
<th>Year(s)</th>
<th>Occupant Listed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1929</td>
<td>Laguna Pharmacy (4200 Whittier Boulevard); no listing (4202 Whittier Boulevard); Reed Deli (4204 Whittier Boulevard); Josephine paint (4206 Whittier Boulevard); no listings (4208/4210/4212 Whittier Boulevard); California Marble and Granite Works (4216 Whittier Boulevard); U P Hotel/East Side Civic Council/barber (4218 Whittier Boulevard); no listing (4220/4222 Whittier Boulevard); Kiethley gas station (4224 Whittier Boulevard)</td>
</tr>
<tr>
<td>1933</td>
<td>Rose Drugs (4200 Whittier Boulevard); Brooks Florist (4202 Whittier Boulevard); Eastside Guardian (4204 Whittier Boulevard); no listing (4206 Whittier Boulevard); no listings (4208/4210/4212 Whittier Boulevard); Bernardino monuments (4216 Whittier Boulevard); no listings (4218/4220/4222 Whittier Boulevard); Kiethley gas station (4224 Whittier Boulevard)</td>
</tr>
<tr>
<td>1937</td>
<td>No listing (4200 Whittier Boulevard); no listing (4202 Whittier Boulevard); Fred Golsch artist (4204 Whittier Boulevard); no listing (4206 Whittier Boulevard); Simon Ellis gas station (4208 Whittier Boulevard); no listings (4210/4212 Whittier Boulevard); Bernardino monuments (4216 Whittier Boulevard); Foster clothes cleaners (4218 Whittier Boulevard); Gospel of Peace Tabernacle (4220 Whittier Boulevard); no listings (4222 Whittier Boulevard); Wetzel gas station (4224 Whittier Boulevard)</td>
</tr>
<tr>
<td>1951, 1958</td>
<td>Simon Ellis service station/D&amp;J Service (4200 Whittier Boulevard); no listings (4202/4202/4206/4208/4210/4212/4216/4218/4220 Whittier Boulevard); Roger Fitz auto sales (4224 Whittier Boulevard)</td>
</tr>
<tr>
<td>1962</td>
<td>Simon Ellis service station/D&amp;J Service (4200 Whittier Boulevard); no listings (4202/4206/4208 Whittier Boulevard); Jack’s Refrigeration (4210 Whittier Boulevard); Welder’s Supply Company (4212 Whittier Boulevard); no listings (4216/4218/4220/4222 Whittier Boulevard); Pepe’s Garage (4224 Whittier Boulevard)</td>
</tr>
<tr>
<td>1967</td>
<td>D&amp;J Service (4200 Whittier Boulevard); no listings (4202/4206/4208 Whittier Boulevard); Jack’s Refrigeration (4210 Whittier Boulevard); no listings (4212/4216/4218/4220/4222 Whittier Boulevard); Artistic Body Shop (4224 Whittier Boulevard)</td>
</tr>
</tbody>
</table>
### City Directory Search for Adjacent Properties

<table>
<thead>
<tr>
<th>Year(s)</th>
<th>Occupant Listed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1971, 1976</td>
<td>D&amp;J Service (4200 Whittier Boulevard); no listings (4202/4206/4208 Whittier Boulevard); Gaiton's Lawnmower Shop (4210 Whittier Boulevard); Artistic Body Shop (4212 &amp; 4224 Whittier Boulevard); no listings (4216/4218/4220/4222 Whittier Boulevard)</td>
</tr>
<tr>
<td>1981</td>
<td>D&amp;J Service (4200 Whittier Boulevard); no listings (4202/4206/4208/4210 Whittier Boulevard); LeGrand Vaults (4212 Whittier Boulevard); no listings (4216/4218/4220/4222/4224 Whittier Boulevard)</td>
</tr>
<tr>
<td>1986-2013</td>
<td>LeGrand Vaults (4212 Whittier Boulevard)</td>
</tr>
<tr>
<td>1929, 1937</td>
<td>John and Thelma Field (4166 Whittier Boulevard)</td>
</tr>
<tr>
<td>1967</td>
<td>Guadalahara Shell Service (4166 Whittier Boulevard)</td>
</tr>
<tr>
<td>1976</td>
<td>Leo's Super Shell (4166 Whittier Boulevard)</td>
</tr>
<tr>
<td>1981</td>
<td>Juanita's Tacos/Tampa Motors (4166 Whittier Boulevard)</td>
</tr>
<tr>
<td>1986, 1990,</td>
<td>Tampa Motors/Super Auto Electric (4166 Whittier Boulevard)</td>
</tr>
<tr>
<td>2000</td>
<td></td>
</tr>
<tr>
<td>2006, 2008,</td>
<td>Express Auto (4166 Whittier Boulevard)</td>
</tr>
<tr>
<td>2013</td>
<td></td>
</tr>
</tbody>
</table>

#### 3.2 4200-4224 Whittier Boulevard Site Status and History

The subject property is currently unoccupied, with the exception of an office in the 4210-4212 Whittier Avenue building used by the subject property owner.

According to available historical sources, the subject property was formerly undeveloped as early as 1894; developed as part of a cemetery between circa 1924 and circa 1927; and developed with the current structures in 1928. Tenants on the subject property include numerous commercial and service businesses (1924-2013).

According to the Los Angeles County Assessor (LACA), the property boundary description of the subject property is described as "TRACT #7707 E 30 FT OF S 72.35 FT AND W 20 FT OF LOT 12 AND ALL OF LOT 13; TRACT #7707 LOT 11 AND E 30 FT OF N62 FT OF LOT 12, TRACT NO 7707 LOTS 9 & 10", TRACT #7707 LOT 14, 15 and 16. The current property owner was not listed on the LACA website.

#### 3.2.1 City Directories

Partner reviewed historical city directories obtained from EDR on December 2, 2015, for past names and businesses that were listed for the subject property and adjacent properties. The findings are presented in the following table:
<table>
<thead>
<tr>
<th>Year(s)</th>
<th>Occupant Listed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1924</td>
<td>Mikos Bartha real estate (4200 Whittier); Fred Hanna restaurant (4202 Whittier); no listings (4204 Whittier Boulevard); Louis Freelander deli/Wright Anthony lab (4206 Whittier); <strong>Jos. Gamion clock-potential clothes cleaner (4208 Whittier)</strong>; Fred Berlew blacksmith (4210 Whittier); Beardsley bindery (4212 Whittier); Whittier Boulevard Cabinet Co. (4216 Whittier); Louis Hoberman grocery (4218 Whittier); barber/Kauffman iron works/Roehmholdt sheetmetal (4216 Whittier); Belvedere Egg and Poultry (4222 Whittier); no listings (4224 Whittier)</td>
</tr>
<tr>
<td>1929</td>
<td>Laguna Pharmacy (4200 Whittier); no listing (4202 Whittier); Reed Deli (4204 Whittier Boulevard); Josephine paint (4206 Whittier); no listings (4208/4210/4212 Whittier); California Marble and Granite Works (4216 Whittier); U P Hotel/East Side Civic Council/barber (4218 Whittier); no listing (4220/4222 Whittier); <strong>Kiethley gas station (4224 Whittier)</strong></td>
</tr>
<tr>
<td>1933</td>
<td>Rose Drugs (4200 Whittier); Brooks Florist (4202 Whittier); Eastside Guardian (4204 Whittier Boulevard); no listing (4206 Whittier); no listings (4208/4210/4212 Whittier); Bernardino monuments (4216 Whittier); no listings (4218/4220/4222 Whittier); <strong>Kiethley gas station (4224 Whittier)</strong></td>
</tr>
<tr>
<td>1937</td>
<td>No listing (4200 Whittier); no listing (4202 Whittier); Fred Golsch artist (4204 Whittier Boulevard); no listing (4206 Whittier); <strong>Simon Ellis gas station (4208 Whittier)</strong>; no listings (4210/4212 Whittier); Bernardino monuments (4216 Whittier); <strong>Foster clothes cleaners (4218 Whittier)</strong>; Gospel of Peace Tabernacle (4220 Whittier); no listings (4222 Whittier); <strong>Wetzel gas station (4224 Whittier)</strong></td>
</tr>
<tr>
<td>1951, 1958</td>
<td><strong>Simon Ellis service station/D&amp;J Service (4200 Whittier)</strong>; no listings (4202/4202/4206/4208/4210/4212/4216/4218/4220 Whittier); Roger Fitz auto sales (4224 Whittier)</td>
</tr>
<tr>
<td>1962</td>
<td><strong>Simon Ellis service station/D&amp;J Service (4200 Whittier)</strong>; no listings (4202/4206/4208 Whittier); Jack's Refrigeration (4210 Whittier); Welder's Supply Company (4212 Whittier); no listings (4216/4218/4220/4222 Whittier); Pepe's Garage (4224 Whittier)</td>
</tr>
<tr>
<td>1967</td>
<td><strong>D&amp;J Service (4200 Whittier)</strong>; no listings (4202/4206/4208 Whittier); Jack's Refrigeration (4210 Whittier); no listings (4212/4216/4218/4220/4222 Whittier); Artistic Body Shop (4224 Whittier)</td>
</tr>
<tr>
<td>1971, 1976</td>
<td><strong>D&amp;J Service (4200 Whittier)</strong>; no listings (4202/4206/4208 Whittier); Gaiton's Lawnmower Shop (4210 Whittier); Artistic Body Shop (4212 &amp; 4224 Whittier); no listings (4216/4218/4220/4222 Whittier)</td>
</tr>
</tbody>
</table>
City Directory Search for 4200-4224 Whittier Boulevard (Subject Property)

<table>
<thead>
<tr>
<th>Year(s)</th>
<th>Occupant Listed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1981</td>
<td>D&amp;J Service (4200 Whittier); no listings (4202/4206/4208/4210 Whittier); LeGrand Vaults (4212 Whittier); no listings (4216/4218/4220/4222/4224 Whittier)</td>
</tr>
<tr>
<td>1986-2013</td>
<td>LeGrand Vaults (4212 Whittier)</td>
</tr>
</tbody>
</table>

Based on the city directory review, the subject property was occupied by numerous commercial and service tenants from 1924 to 1981, including a gas station at 4200 Whittier Boulevard (1951-1981), cleaners (1924), delicatessen, auto sales, welders supplies, auto body shops, grave monument maker, etc. After 1981, the subject property tenant was LeGrand Vaults at the 4212 Whittier Boulevard address.

The historical city directory abstract compiled by EDR listed a gas station on the subject property at 4224 Whittier Boulevard. EDR listed WR Kiethley, WM Craig and SJ Wetzel gasoline and oil service station and automobile repairing as an EDR Historic Auto Station in 1929, 1933 and 1937 in 1929, 1933, and 1937. Review of historical Sanborn Fire Insurance Maps, aerial photographs, building record and regulatory database listings, this portion of the subject property was not historically developed as a gasoline services station. In addition, the 1928 Sanborn map reveals the subject property was previously addressed as 4300 to 4316 Whittier Boulevard. As such, this gas station was likely located a block away from the subject property. Based on this information, this listing is not considered a REC for the subject property.

Based on review of historical sources, a potential dry cleaner (Foster clothes cleaner and Jos. Gamion clothes cleaner) was located at 4208 and 4218 Whittier Boulevard from circa 1924 to approximately 1937. Partner notes that chlorinated solvents, including PCE, were not widely utilized in the dry cleaning industry until the mid- to late-1930s. Prior to the use of chlorinated solvents, dry cleaners would typically utilize hand-washing techniques or utilize a petroleum-based solvent (i.e. Stoddard Solvent). As such, based on the dates of operations, Partner concluded it is unlikely the former onsite dry cleaner utilized chlorinated solvents. Review of historical Sanborn Fire Insurance Maps, aerial photographs, building record and regulatory database listings, this portion of the subject property was not historically developed as a dry cleaner. In addition, the 1928 Sanborn map reveals the subject property was previously addressed as 4300 to 4316 Whittier Boulevard. As such, this dry cleaner was likely located a block away from the subject property. Based on this information, this listing is not considered a REC for the subject property.
3.3 Hazardous Material/Substance / Waste Management Information

3.3.1 4161 and 4169 Whittier Boulevard

LeGrand Vaults manufactured concrete vaults on the subject property (4169 Whittier Boulevard) from circa 1942 to 2015. Building department records and historical site plans identified a spray booth (1989) and a coating room (1995) with concrete floor located in the southwest corner of the former subject property building. The use of the spray booth and coating room is unknown, however, spray booths are typically associated with painting and potential use of solvents. Two former wash pits were depicted on the 1995 site plan located in the northeast corner of the building. The construction of the former wash pits is unknown. Concrete manufacturing typically produces waste streams with high pH and there is a potential that impacts to the soil may have occurred if the wash pits were utilized to store or treat waste water from the concrete manufacturing process.

The subject property was also formerly equipped with a 550-gallon fuel UST on the southern portion of the property, which was reportedly installed in 1950. According to records at the LACDPW, the UST was removed in 1986 under the regulatory oversight of the LACDPW. During tank closure, a soil sample was collected from the bottom of the tankhold and analyzed for total recoverable petroleum hydrocarbons as gasoline (TRPH). As a result, the LACDPW issued a NFA letter to LeGrand Vaults (responsible party) in 1986. However, the laboratory analysis of the soil samples did not include VOCs, nor a soil vapor survey. Additionally, the former subject property tenant operated a spray and a coating room with wash pits, which may have been a source for liquid waste streams with high pH. Therefore, in January 2016, a geophysical survey was conducted to identify USTs remaining in place and/or backfilled tankholds. One possible backfilled excavation was detected on the southeast portion of the subject property; no other anomaly that may be indicative of a former UST location was identified and no metal was detected beneath the subsurface in the area of the anomaly.

On January 14, 2016, Partner oversaw the advancement of five soil borings (B7 through B11) at the subject property to evaluate if the former UST and historical onsite operations had impacted the subsurface at the subject property. Borings B7 through B10 were advanced in the vicinity of the former wash out pit, northern portion of former molding area, southern portion of former molding area, and former coating room, respectively. Boring B11 was advanced within the shallow soil disturbance on the southeast portion of the property which was identified during the geophysical survey. Boring B11 was advanced to 20-feet with samples collected at 5, 10, 15, and 20-foot intervals and borings B7-B10 were advanced to 10-feet with samples collected from 2, 5, and 10-foot intervals. Samples were analyzed onsite with a photo-ionization detected (PID). According to the report, none of the samples exhibited discoloration or an odor and none of the PID readings suggested the presence of elevated volatile organics concentrations. According to the report, soil gas probes were constructed within the boreholes and soil gas samples were
collected in general accordance with the July 2015 Department of Toxic Substances Control (DTSC) and Los Angeles Regional Water Quality Control Board (LARWQCB) “Advisory – Active Soil Gas Investigations.” One soil sample per boring was analyzed for TPH-cc in accordance with United States Environmental Protection Agency (EPA) Method 8015B, for VOCs in accordance with EPA Method 8260B, and for PAHs by gas chromatograph/mass spectrometer (GC/MS) Semivolatiles. Soil gas samples from each boring were each analyzed for VOCs in accordance with EPA Method 8260B. None of the analyzed soil samples contained detectable concentrations of TPH-cc, VOCs, or PAHs above laboratory Practical Quantitation Limits (PQLs) or Reporting Limits (RLs) and none of the soil gas samples (B7-B11) contained concentrations of VOCs above the PQLs. Therefore, based on review of the analytical results, the former onsite UST and historical operations are considered an HREC for the subject property and no further investigation is considered necessary.

3.3.2 4200-4224 Whittier Boulevard

An automotive repair and auto body repair business was historically in operation at the subject property from circa 1928 to approximately 1976. No evidence of below-grade or above-grade hydraulic lifts or evidence of the previous automotive service operations was observed in the subject property buildings at the time of Partners’ reconnaissance. Based on a review of regulatory records, the subject property was issued a permit for a paint spray booth in 1967 and 1974. The permit was likely associated with Artistic Auto Body (4224 Whittier Boulevard), a former tenant of the subject property identified during historic city directory review. Hazardous substances and/or petroleum-based products including paints, solvents, motor oil, hydraulic oil and other automotive fluids are typically used, stored and generated as part of automotive and auto body repair operations. Partner did not identify information regarding the historical use, storage, or disposal practices of hazardous substances or petroleum-based products in association with these former onsite operations. Additionally, Partner notes these operations were conducted primarily in an era prior to regulatory oversight. Partner conducted a Phase II subsurface investigation at the subject property in January 2016 to evaluate the historical use as well as former USTs, as discussed further in Section 5.2.6.

3.3.3 Site Assessment Investigation

Summary of Investigation Activities

An investigation was performed in accordance with the Site Assessment Work Plan (dated April 5, 2017) which was based upon a recommended scope of work suggested by the Los Angeles County LACofD SMU. The assessment was performed to further investigate former USTs and subgrade structures identified on Site, and to provide a general assessment of shallow soils to identify potential surficial releases from former operations. A summary of the investigation scope is presented on Table 1.
A total of 25 soil borings were advanced on the two Lots as part of this investigation using two Geoprobe direct push drilling rigs operated by Kehoe Drilling and Testing of Huntington Beach, California.

Boring B-B14 was also the location of a soil vapor sample collected from the terminal depth of 35 feet bgs.

VOCs were detected in only one boring, A-B7, with PCE present at a concentration of 1.3 micrograms per kilogram (µg/kg). This concentration of PCE is below the Regional Screening Level (RSL) concentration of 600 µg/kg. A summary of VOC analytical results is presented on Table 2.

TPH compounds were detected in several soil samples, as presented on Table 3. On Lot A, boring A-B8 contained 210 mg/kg of TPH-diesel (TPH-d) and 810 mg/kg of TPH-oil (TPH-o) detected in the sample collected from a depth of 6 feet bgs. Borings B-B1, B-B6, and B-B9 on Lot B contained 386, 315, and 360 mg/kg of TPH-d, respectively, at 1 foot bgs. Borings B-B1 and B-B9 had 223 and 444 mg/kg of TPH-o, respectively, at a depth of 1 foot bgs. Because TPH compounds were detected in these samples, they were re-issued for polychlorinated biphenyl (PCB) analysis as stated in the Work Plan. PCBs were not detected in these samples, as presented on Table 4.

The pH of samples was tested at all the shallow boring locations. The pH values were generally within a neutral range from 6.80 to 9.91, with a single elevated reading of 12.30 recorded for the sample collected from A-A3-1; this sample collected adjacent to the former wash pit in the industrial building at 1269 Whittier Boulevard. A record of measured soil pH can be found on Table 5.

As presented on Table 6, metals were detected in each of the soil samples submitted for analysis. Metals present in the soil samples at the Site include arsenic, barium, cadmium, cobalt, chromium, copper, molybdenum, nickel, lead, vanadium, zinc, and mercury. Because of the presence of elevated concentrations of arsenic in two locations identified during performance of the subsurface investigation, delineation of the extent of the elevated arsenic concentrations was performed. The results of the arsenic delineation are presented on Table 7.

As presented on Table 8, VOC compounds PCE, trichlorofluoromethane (TCFM), and dichlorodifluoromethane were detected in the soil gas sample collected from a depth of 35 feet bgs in boring B-B14. PCE was detected at a concentration of 0.497 micrograms per liter (µg/L), TCFM was detected at concentrations of 0.011 µg/L, and dichlorodifluoromethane was detected at a concentration of 0.009 µg/L.
Discussion

Based upon the results of the laboratory analysis, low levels of TPH compounds in the diesel and oil ranges were detected on both lots of the Site.

PCE was detected in a single soil sample from a depth of 6 feet bgs in boring A-B7 at 4161 Whittier Boulevard. The concentration detected in this sample (1.3 μg/kg) was below the RSL for this compound (600 μg/kg) and PCE was not detected in the other samples collected from 1 and 6 feet bgs collected from this property. Because of the low concentration detected and the absence of PCE in other samples collected on-site, the presence of PCE in this sample does not represent a significant release on the Site.

Metals were present in each of the samples collected on-site, generally at concentrations below RSL concentrations.

The majority of soil samples tested for pH fell within the general neutral range of 6 to 10.

VOCs were detected in the soil gas sample collected on Lot B from boring B-B14 at a depth of 35 feet below the ground surface. Based on the detection of PCE at the concentration of the calculated residential screening level and the planned development of the Site for residential purposes, the J/E Model was applied to further evaluate the incremental risk from vapor intrusion to indoor air as a carcinogen for residential properties. Based on the result of the J/E Model, the detected concentration of PCE exceeding the residential screening level represents a de minimis concentration and is not expected to represent a vapor intrusion concern to future residential occupants.

In general, although several compounds were detected in soil and soil gas at the Site during the course of the investigation, concentrations were below screening levels indicating that risks to both Site residents and on-Site workers are acceptable. The sole exception that could potentially be considered a health risk is the concentrations of arsenic detected in two locations on-Site. Because of the potential risk, these areas of elevated arsenic will be delineated, and removal of these soils will be performed in accordance with a SMP prior to initiation of site grading and development.

3.4 Current and Historical Uses of Surrounding Properties

3.4.1 4161 and 4169 Whittier Boulevard

The properties are located within a mixed commercial and residential area of Los Angeles County. During the vicinity reconnaissance, Partner observed the following land use on properties in the immediate vicinity of the subject property:

<table>
<thead>
<tr>
<th>Immediately Surrounding Properties</th>
<th>North</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
</tbody>
</table>
**Immediately Surrounding Properties**

**South:** Whittier Boulevard beyond which is Express Auto Service (4166 Whittier Boulevard) and retail stores

**Southeast:** Unoccupied commercial buildings former operated as LeGrand Wilbert Vaults (4200-4224 Whittier Boulevard)

**East:** South Downey Road beyond which is the Calvary Cemetery (4201 Whittier Boulevard)

**West:** Residential

The adjacent property to the south (4166 Whittier Boulevard) was identified as an EDR United States Historic Automotive Station (EDR US Hist Auto Station), the adjacent property to the east was identified as a Leaking Underground Storage Tank (LUST), Statewide Environmental Evaluation and Planning System UST (SWEEPS UST), HIST UST, and Historical Cortese list (HIST CORTESE) site, and the property adjacent southeast was identified as a SWEEPS UST, HIST UST, Waste Discharge System (WDS), Registered Government Archive Leaking Underground Storage Tank (RGA-LUST), Los Angeles County Industrial Waste and Underground Storage Tank Sites (Los Angeles Co. HMS), Facility Index Systems (FINDS), Emissions Inventory (EMI), EDR US Hist Cleaner and EDR US Hist Auto Station site in the regulatory database report of the Phase I.

### 3.4.2 4200-4224 Whittier Boulevard

During the vicinity reconnaissance, Partner observed the following land use on properties in the immediate vicinity of the subject property:

**Immediately Surrounding Properties**

**North:** Whittier Boulevard beyond which is the Calvary Cemetery (4201 Whittier Boulevard)

**Northwest:** Intersection of Whittier Boulevard beyond which is a vacant property (4169 Whittier Boulevard) formerly used as a facility to mix concrete for the former subject property business operations; Rock of Ages Superior Marble and Granite Works (4161 Whittier Boulevard)

**South:** Residential dwellings

**East:** South Sunol Drive beyond which are residential dwellings

**West:** South Downey Road beyond which is Express Auto Service (4166 Whittier Boulevard); and residential dwellings

The adjacent property to the west was identified as an EDR US Hist Auto Station, and the adjacent property to the north was identified as a Leaking Underground Storage Tank (LUST), SWEEPS, HIST UST, and Historical Cortese list (HIST CORTESE) site in the regulatory database report.
3.5 AAI Required Information

Interviews with past owners, operators and occupants were not conducted since information regarding the potential for contamination at the subject property was obtained from other sources.

Partner was provided with a preliminary title report for review as part of this assessment. No AULs or environmental liens were identified for the subject property. No specialized knowledge of environmental conditions associated with the subject property was provided by the User at the time of the assessment. No actual knowledge of any environmental lien or AULs encumbering the subject property or in connection with the subject property was provided by the User at the time of the assessment. No knowledge of valuation reductions associated with the subject property was provided by the User at the time of the assessment. The User did not provide information that is commonly known or reasonably ascertainable within the local community about the subject property at the time of the assessment.

3.6 Records Review Information

3.6.1 4161 and 4169 Whittier Boulevard Aerial Photograph Review

Partner obtained available aerial photographs of the subject property and surrounding area from EDR. The following observations were noted to be visible on the subject property and adjacent properties during the aerial photograph review:

<table>
<thead>
<tr>
<th>Date: 1928</th>
<th>Scale: 1”=500'</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Subject Property:</strong></td>
<td>Appears developed with one or more commercial structures and dwellings</td>
</tr>
<tr>
<td><strong>North:</strong></td>
<td>Developed with dwellings</td>
</tr>
<tr>
<td><strong>South:</strong></td>
<td>Developed with dwellings and what appears to be a gas station across a street, and what appears to be a gas station and other commercial buildings to the southeast</td>
</tr>
<tr>
<td><strong>East:</strong></td>
<td>Developed with a cemetery across a street</td>
</tr>
<tr>
<td><strong>West:</strong></td>
<td>Developed with dwellings</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date: 1938, 1948, 1952</th>
<th>Scale: 1”=500'</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Subject Property:</strong></td>
<td>No significant changes visible</td>
</tr>
<tr>
<td><strong>North:</strong></td>
<td>No significant changes visible</td>
</tr>
<tr>
<td><strong>South:</strong></td>
<td>No significant changes visible</td>
</tr>
<tr>
<td><strong>East:</strong></td>
<td>No significant changes visible</td>
</tr>
<tr>
<td><strong>West:</strong></td>
<td>No significant changes visible</td>
</tr>
</tbody>
</table>
3.6.2 4161 and 4169 Whittier Boulevard Fire Insurance Maps

Partner reviewed the collection of Sanborn Fire insurance maps from Environmental Data Resources (EDR). The following observations were noted to be depicted on the subject property and adjacent properties during the fire insurance map review:

**Date: 1921**

- **Subject Property:** Developed with dwellings on the northeast and southwest sides
- **North:** Developed with dwellings
- **South:** Developed with a small structure labeled "stone cutting" and "office" and residential dwellings across Downey Road
- **East:** Not depicted
- **West:** Developed with a dwelling

**Date: 1949**

- **Subject Property:** Developed with a dwelling on the northwest side, with a stone cutting and office structures immediately south, a concrete on casket manufacturer on the north, central and eastern sides of the property, and auto storage on the northeast side of the property
- **North:** No significant changes depicted
- **South:** Developed with "gas and oil station", "auto sales" and "auto repairing", "used auto sales", and "auto sales" across Whittier Boulevard
- **East:** Developed with an office across Downer Road
- **West:** No significant changes depicted
### 3.6.3 4200-4224 Whittier Boulevard Aerial Photograph Review

Partner obtained available aerial photographs of the subject property and surrounding area from EDR on December 2, 2015. The following observations were noted to be visible on the subject property and adjacent properties during the aerial photograph review:

<table>
<thead>
<tr>
<th>Date</th>
<th>Scale: 1”=500’</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1928</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Subject Property:</strong></td>
<td>Appears developed with a small structure on the northwest corner. The remainder of the property appears developed with dirt roads and landscaping</td>
</tr>
<tr>
<td><strong>North:</strong></td>
<td>Developed with a cemetery across a street, and residential dwellings to the northwest</td>
</tr>
<tr>
<td><strong>South:</strong></td>
<td>Developed with residential dwellings</td>
</tr>
<tr>
<td><strong>East:</strong></td>
<td>Developed with what appears to be large commercial building and residential dwellings across a street</td>
</tr>
<tr>
<td><strong>West:</strong></td>
<td>Developed with what appears to be commercial and residential structures across a street</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date</th>
<th>Scale: 1”=500’</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1938</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Subject Property:</strong></td>
<td>In addition to the small structure on the northwest corner, appears developed with two commercial buildings along the north portion. The southern portion appears to be used as a parking lot</td>
</tr>
<tr>
<td><strong>North:</strong></td>
<td>No significant changes visible to the north; property to the northwest appears developed with commercial structures</td>
</tr>
<tr>
<td><strong>South:</strong></td>
<td>No significant changes visible</td>
</tr>
<tr>
<td><strong>East:</strong></td>
<td>No significant changes visible</td>
</tr>
<tr>
<td><strong>West:</strong></td>
<td>No significant changes visible</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date</th>
<th>Scale: 1”=500’</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1948, 1952</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Subject Property:</strong></td>
<td>No significant changes visible</td>
</tr>
<tr>
<td><strong>North:</strong></td>
<td>No significant changes visible</td>
</tr>
<tr>
<td><strong>South:</strong></td>
<td>No significant changes visible</td>
</tr>
<tr>
<td><strong>East:</strong></td>
<td>No significant changes visible</td>
</tr>
<tr>
<td><strong>West:</strong></td>
<td>No significant changes visible</td>
</tr>
</tbody>
</table>
**Date: 1964**

<table>
<thead>
<tr>
<th>Subject Property:</th>
<th>No significant changes visible</th>
</tr>
</thead>
<tbody>
<tr>
<td>North:</td>
<td>No significant changes visible</td>
</tr>
<tr>
<td>South:</td>
<td>No significant changes visible</td>
</tr>
<tr>
<td>East:</td>
<td>No significant changes visible</td>
</tr>
<tr>
<td>West:</td>
<td>Redeveloped with what appears to be a gas station</td>
</tr>
</tbody>
</table>


<table>
<thead>
<tr>
<th>Subject Property:</th>
<th>No significant changes visible</th>
</tr>
</thead>
<tbody>
<tr>
<td>North:</td>
<td>No significant changes visible</td>
</tr>
<tr>
<td>South:</td>
<td>No significant changes visible</td>
</tr>
<tr>
<td>East:</td>
<td>No significant changes visible</td>
</tr>
<tr>
<td>West:</td>
<td>No significant changes visible</td>
</tr>
</tbody>
</table>

**3.6.4 4200-4224 Whittier Boulevard Fire Insurance Maps**

Partner reviewed the collection of Sanborn Fire insurance maps from EDR on December 1, 2015. The following observations were noted to be depicted on the subject property and adjacent properties during the fire insurance map review:
**Date: 1921**

**Subject Property:** Not depicted

**North:** Not depicted

**South:** Not depicted

**East:** Not depicted

**West:** Developed with a small structure labeled "stone cutting" and "office" across Downey Road

---

**Date: 1928**

**Subject Property:** Divided into five parcels addressed, from west to east: 4300, 4208, 4310, 4214 and 4316 Whittier Boulevard. The 4300 parcel is depicted developed with a structure labeled "gas and oil", no tanks are depicted. The 4308 parcel is depicted developed with a structure labeled "vulcanizing" and "auto repair". The 4310 parcel is depicted developed with a structure labeled as a "store", and the 4314 and 4316 parcels are depicted developed with a building labeled as "theatrical scenery" and "machine shop". The southern portion of the property is depicted as undeveloped.

**North:** Not depicted

**South:** Developed with residential dwellings

**East:** Developed with a commercial building labeled as "Loew's Theater and residential dwellings across S. Sunol Drive

**West:** Not depicted

---

**Date: 1950**

**Subject Property:** The map depicts the addresses 4200, 4200½, 4210, 4212, 4216, and 4224 Whittier Boulevard. The 4200 address is the gas and oil station. The building at 4212 is labeled as "auto sales" and "auto repairing". The 4216 portion of the property is labeled as "used auto sales", and the building at the 4224 address is labeled as "auto sales". The southern portion of the property is depicted as vacant.

**North:** Not depicted

**South:** No significant changes depicted

**East:** No significant changes depicted. The theater is renamed the Strand Theater.

**West:** Not depicted
Date: 1968

Subject Property: Depicted as developed with gas and oil station (900 South Downey Road and 4200 Whittier Boulevard), Welders supplies warehouse (4212 Whittier Boulevard) and a used car sales lot (4224 Whittier Boulevard and 901 South Sunol Drive) with parking lot to the south across Belvedere

North: Not depicted
South: Residential dwellings

Date: 1968

East: Commercial store and restaurant and warehouse building labeled "buttons sewing on cards for retail sale"
West: Not depicted

Date: 1970

Subject Property: Not depicted
North: Depicted developed with a cemetery across Whittier Boulevard (4310-4303 Whittier Boulevard), and depicted developed with a concrete facility, a stone cutting business (4161-4169 Whittier Boulevard and 943 South Downey Road) across intersection of South Downey Road and Whittier Boulevard
South: Not depicted
East: Not depicted
West: Depicted developed with residential dwellings (925-933 South Downey Road) and commercial building (4166 Whittier Boulevard and 901 South Downey Road) across South Downey Road

3.7 Site Reconnaissance

3.7.1 4161 and 4169 Whittier Boulevard Site Reconnaissance

The weather at the time of the site visit was overcast. The table below provides the site assessment details:

<table>
<thead>
<tr>
<th>Site Assessment Data</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Assessment Performed By:</td>
</tr>
<tr>
<td>Site Assessment Conducted On:</td>
</tr>
</tbody>
</table>

The table below provides the subject property personnel interviewed during the field reconnaissance:
**Site Visit Personnel for 4161 Whittier Boulevard (Subject Property)**

<table>
<thead>
<tr>
<th>Name</th>
<th>Title/Role</th>
<th>Contact Number</th>
<th>Site Walk*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Janine Cummins</td>
<td>Subject property owner</td>
<td>(626) 330-1358</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>representative</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Accompanied Partner during the field reconnaissance activities and provided information pertaining to the current operations and maintenance of the subject property

3.7.1.1 General Site Characteristics

3.7.1.1.1 Solid Waste Disposal

Solid waste is not currently generated at the subject property. No evidence of illegal dumping of solid waste was observed during the Partner site reconnaissance.

3.7.1.1.2 Sewage Discharge and Disposal

Sanitary discharges on the subject property are directed into the municipal sanitary sewer system. The City of Los Angeles services the subject property vicinity. No wastewater treatment facilities or septic systems are observed or reported on the subject property.

3.7.1.1.3 Surface Water Drainage

Storm water is removed from the subject property primarily by sheet flow action across the paved surfaces towards storm water drains located in the public right of way. Site storm water from roofs, landscaped areas, and paved areas also percolations into the ground. The subject property is connected to a municipal owned and maintained sewer system.

The subject property is not a designated wetland area, based on information obtained from the United States Fish & Wildlife Service. No surface impoundments, wetlands, natural catch basins, settling ponds, or lagoons are located on the subject property. No drywells were identified on the subject property.

3.7.1.2 Source of Heating and Cooling

Heating and cooling systems as well as domestic hot water equipment are fueled by electricity/natural gas provided by Edison and the Gas Company. The mechanical system is comprised of a wall mounted AC and heating unit. Hot water is provided by a natural gas hot water heater.

3.7.1.2.1 Wells and Cisterns

No aboveground evidence of wells or cisterns was observed during the site reconnaissance.

3.7.1.2.2 Wastewater

Domestic wastewater generated at the subject property is disposed by means of the sanitary sewer system. No industrial process is currently performed at the subject property.
3.7.1.2.3  Septic Systems

No septic systems were observed or reported on the subject property.

3.7.1.2.4  Additional Site Observations

Partner observed abandoned granite and marble stones as well as metal equipment buried and covered with foliage on the northwest side of the property. In addition, Partner observed what appeared to be abandoned HVAC equipment as well as an approximately 5-gallon metal container. Additionally, approximately twelve 55-gallon steel drums were located at the property. According to the daughter of the subject property owner, Ms. Janine Cummings, the drums were used for trash. Partner observed what appeared to be waste dust from granite and marble sandblasting in several open drums. Two drums appeared to contain liquid; however, Partner was not able to open the drums to verify their contents. The majority of the drums appeared to be empty. No signs of a release or spill were observed in the vicinity of the metal debris or drums. Therefore, based on observations, the onsite metal debris and drums are not considered a REC for the subject property at this time.

3.7.2  4200 - 4224 Whittier Boulevard Site Reconnaissance

The weather at the time of the site visit was sunny and clear. The table below provides the site assessment details:

<table>
<thead>
<tr>
<th>Site Assessment Data</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Assessment Performed By: Colin Donohue</td>
</tr>
<tr>
<td>Site Assessment Conducted On: September 13 and 23, 2016</td>
</tr>
</tbody>
</table>

The table below provides the subject property personnel interviewed during the field reconnaissance:

| Site Visit Personnel for 4200-4224 Whittier Boulevard (Subject Property) |
|-----------------------------|-----------------|-----------------|-----------------|
| Name                        | Title/Role       | Contact Number  | Site Walk*      |
| Mr. Arman Kazaryan          | Key Site Manager | (323) 767-2041  | Yes             |
| Mr. Charles Rudel           | Property Owner   | Not Provided    | No              |

* Accompanied Partner during the field reconnaissance activities and provided information pertaining to the current operations and maintenance of the subject property

3.7.2.1  General Site Characteristics

3.7.2.1.1  Solid Waste Disposal

At the time of the site visit, no solid waste was observed to be generated at the subject property and no commercial dumpsters were observed.
3.7.2.1.2 Sewage Discharge and Disposal

Sanitary discharges on the subject property are directed into the municipal sanitary sewer system. The County of Los Angeles Sanitation District services the subject property vicinity. No wastewater treatment facilities or septic systems are observed or reported on the subject property.

3.7.2.1.3 Surface Water Drainage

Storm water is removed from the subject property primarily by sheet flow action across the paved surfaces towards storm water drains located in the public right of way. Site storm water from roofs, and paved areas is directed to the public right of way. The subject property is connected to a municipal owned and maintained sewer system.

The subject property is not a designated wetland area, based on information obtained from the United States Fish & Wildlife Service. No surface impoundments, wetlands, natural catch basins, settling ponds, or lagoons are located on the subject property. No drywells were identified on the subject property.

3.7.2.1.4 Source of Heating and Cooling

Heating and cooling systems as well as domestic hot water equipment are fueled by electricity/natural gas provided by Southern California Edison and Southern California Gas Company. The mechanical system is comprised of a rooftop-mounted packaged electric split HVAC units. Hot water is provided by a central natural gas water heater.

3.7.2.1.5 Wells and Cisterns

No aboveground evidence of wells or cisterns was observed during the site reconnaissance.

3.7.2.1.6 Wastewater

Domestic wastewater generated at the subject property is disposed by means of the sanitary sewer system. No industrial process is currently performed at the subject property.

3.7.2.1.7 Septic Systems

No septic systems were observed or reported on the subject property.

3.7.2.1.8 Additional Site Observations

No additional general site characteristics were observed during the site reconnaissance.

3.8 Interviews

3.8.1 4161 and 4169 Whittier Boulevard

Ms. Jeannie Cummins, the daughter of the owner, was not aware of any pending, threatened, or past litigation relevant to hazardous substances or petroleum products in, on, or from the subject
property; any pending, threatened, or past administrative proceedings relevant to hazardous substances or petroleum products in, on, or from the subject property; or any notices from a governmental entity regarding any possible violation of environmental laws or possible liability relating to hazardous substances or petroleum products.

According to Ms. Cummins, the property was developed in 1908 for residential use and was used for stone cutting purposes by her grandfather and father until recently. Ms. Cummins further stated that there are no USTs, above ground storage tanks (ASTs), clarifiers, oil/water separators, groundwater monitoring wells, or hazardous substance use/storage/generation on the subject property to the best of her knowledge. Ms. Cummins stated that all stone cutting and engraving was conducted by mechanic techniques and that the paints and solvents were likely from minor alterations or maintaining the sand blasting equipment and general repairs. Ms. Cummins stated that the 55-gallon drums were used to store waste sand and trash.

Mr. Armen Kazaryan, key site manager, indicated that he had no information pertaining to any pending, threatened, or past litigation relevant to hazardous substances or petroleum products in, on, or from the subject property; any pending, threatened, or past administrative proceedings relevant to hazardous substances or petroleum products in, on, or from the subject property; or any notices from a governmental entity regarding any possible violation of environmental laws or possible liability relating to hazardous substances or petroleum products.

According to Mr. Kazaryan, he is the broker for the buyer of the subject property and has no knowledge regarding the subject property beyond the previous Phase I and Phase II reports.

### 3.8.2 4200-4224 Whittier Boulevard

Mr. Charles Rudel, subject property owner, was not aware of any pending, threatened, or past litigation relevant to hazardous substances or petroleum products in, on, or from the subject property; any pending, threatened, or past administrative proceedings relevant to hazardous substances or petroleum products in, on, or from the subject property; or any notices from a governmental entity regarding any possible violation of environmental laws or possible liability relating to hazardous substances or petroleum products.

According to Mr. Rudel, the subject property was developed in the 1940s for commercial use. Prior to that, Mr. Rudel had no knowledge of the prior use of the subject property. Mr. Rudel further stated that there are no ASTs, clarifiers, oil/water separators, groundwater monitoring wells, or hazardous substance use/storage/generation on the subject property to the best of his knowledge. According to Mr. Rudel, Underground storage tanks (USTs) were located on the subject property that were associated with a former gas station business from the 1940s to the 1980s.

Mr. Armen Kazaryan, key site manager, indicated that he had no information pertaining to any pending, threatened, or past litigation relevant to hazardous substances or petroleum products.
in, on, or from the subject property; any pending, threatened, or past administrative proceedings relevant to hazardous substances or petroleum products in, on, or from the subject property; or any notices from a governmental entity regarding any possible violation of environmental laws or possible liability relating to hazardous substances or petroleum products.

According to Mr. Kazaryan, the subject property was developed in 1942 for commercial use. Prior to that, the subject property was undeveloped. Mr. Kazaryan further stated that there are no USTs, ASTs, clarifiers, oil/water separators, groundwater monitoring wells, or hazardous substance use/storage/generation on the subject property to the best of his knowledge. According to Mr. Kazaryan, the subject property was formerly occupied by a gas station the operated USTs. Mr. Kazaryan did not know the period the gas station operated.
4.0 APPARENT PROBLEM

The results of background research for Lot A of the Site identified historic manufacturing of concrete vaults and associated facilities and waste streams as potential sources of contamination that required further evaluation. Concrete manufacturing typically produces waste streams with high pH and there is a potential that impacts to the soil may have occurred if the wash pits were utilized to store or treat waste water from the concrete manufacturing process. In addition the former presence of a 500-gallon fuel UST was identified on Lot A.

Lot B of the Site was formerly equipped with five USTs that consisted of the following: 2 550-gallon waste oil USTs, a 3,000-gallon gasoline UST, a 7,500-gallon gasoline UST, and a 55-gallon waste oil UST. Based on the reported removal of USTs, review of the analytical results, and regulatory closure, the former USTs and LUST case are considered a HREC for the subject property; however, Partner notes the former USTs closed in 1986 were not closed in accordance with current UST closure guidelines. As discussed above, soil samples were not analyzed for VOCs. Additionally, only one soil sample was collected from beneath each of the two 550-gallon waste oil USTs. Also, soil vapor conditions were not analyzed during the UST closure or LUST activities.
5.0 ENVIRONMENTAL SETTING

5.1 Conceptual Site Model

A Site Conceptual Model is a site-specific description of how contaminants enter the environment, how they are transported, and the routes of exposure to human and environmental.

Lot A was the former location of a concrete vault manufacturer. Contaminants of concern (COCs) potentially associated with the former fuel UST and waste streams that are associated with industrial operations include VOCs, PCBs, and metals.

Lot B was the former location of a former auto repair shop and included five USTs that contained gasoline and waste oil, potentially with COCs including VOCs, PCBs, TPH compounds, and lead.

Potential impacted media for both lots include soil and soil vapor. Groundwater is not considered to be a probable pathway due to the reported depth to water of approximately 143 to 151 feet bgs. In addition, a public water system operated by the Los Angeles County Department of Public Works Water Resources Division serves the subject property vicinity. Surface water is not considered a likely pathway due the absence of wetlands or natural catch basins were observed at the subject property during this assessment.

Potential current receptors include construction worker, commercial worker, and trespassers. Potential future receptors include residents.

5.2 Factors Related To Soil Pathways

Based upon the results of the laboratory analysis, low levels of TPH compounds in the diesel and oil ranges were detected on both lots of the Site.

Metals were present in each of the samples collected on-site, generally at concentrations below RSL concentrations as established by the DTSC. Exceptions include the concentration of cadmium detected in soil sample A-B1-6 (6.4 mg/kg) exceeding cadmium's Residential DTSC screening level of 5.2 mg/kg, but below the industrial commercial screening level of 7.3 mg/kg. Also, the concentrations of arsenic in 21 of the samples exceeding the residential and commercial RSLs. However, all but two of the arsenic concentrations detected in soil samples were below the background concentration of 12 milligrams per kilogram (mg/kg) as established in the report entitled Determination of a Southern California Regional Background Arsenic Concentration in Soil published by the DTSC which used data from 19 school sites distributed through the Los Angeles Unified School District. Two samples collected from a depth of 1 foot bgs in soil samples A-B8 and B-B2 were detected at concentrations of 226 mg/kg and 93.4 mg/kg, above the background concentration presented in the publication. Because of the potential risk, these areas of elevated arsenic will be removed in accordance with a SMP prior to initiation of site grading and development.
The majority of soil samples tested for pH fell within the general neutral range of 6 to 10. The sample collected from 1 foot bgs in boring A-B3 had a recorded pH of 12.3, which is highly alkaline compared to the rest of the Site. This boring was located near the former wash pit on Lot A where acids could have been used to clean metals and other materials during industrial activities. To neutralize the acids, strong basic chemicals could have been employed in the wash pit as well, likely resulting in the elevated pH in this area. Because of the elevated pH, soils in this area will be handled in accordance with the SMP.

5.2.1 Topography

According to the contour lines on the topographic map, the Site is located at approximately 220 feet above mean sea level (MSL). The ground surface contour lines in the area of the Site indicate the area is sloping moderately downward toward the south.

5.2.2 Site Geology

The Site is situated within the Los Angeles County coastal plain of the western Transverse Ranges geomorphic province of the State of California. The uppermost geologic formation underlying the soils at the subject property is the Upper Pleistocene Age Lakewood Formation. The Lakewood Formation comprises the underlying stratigraphy and consists mostly of marine and continental gravel, sand, silty sand, clay, and silt. The thickness of the Lakewood Formation is estimated to be over 200 feet. The Lakewood Formation is underlain by the San Pedro Formation, which are estimated to be approximately 1,000 feet thick.

Appendix C contains boring logs which provide details on the lithology encountered at each boring location from the April 2017 investigation.

5.3 Factors Related To Water Pathways

5.3.1 Groundwater Pathway

According to topographic map interpretation, the direction of groundwater in the vicinity of the subject property is inferred to flow toward the south.

According to available information, a public water system operated by the Los Angeles County Department of Public Works Water Resources Division serves the subject property vicinity. According to a representative of the WRD, shallow groundwater beneath the subject property is not utilized for domestic purposes. The sources of public water for the County of Los Angeles are surface water from the State Water Project.

According to a previous subsurface investigation conducted on a nearby property (4411 E. Whittier Boulevard and Case # T0603778678), the depth of groundwater in the vicinity of the subject property is reported to be approximately 143 to 151 feet bgs.
5.3.2 Surface Water Pathway

The nearest surface water in the vicinity of the subject property is the Los Angeles River located approximately 2.5 miles west of the subject property. No settling ponds, lagoons, surface impoundments, wetlands or natural catch basins were observed at the subject property during this assessment.

5.4 Factors Related To Air Pathways

VOCs were detected in the soil gas sample collected on Lot B from boring 8-B14. However, based upon calculations using the J/E Model for risk assessment, the concentration of PCE in soil gas beneath the building is below both the cancer risk and hazard index and does not present a human health risk to occupants of the building. A copy of the J/E Model calculations are provided in Appendix B.
6.0 SAMPLING ACTIVITIES AND RESULTS

6.1 Summary of Activities

An investigation was performed in accordance with the Site Assessment Work Plan (dated April 5, 2017) which was based upon a recommended scope of work suggested by the LACoFD SMU. The assessment was performed to further investigate former USTs and subgrade structures identified on Site, and to provide a general assessment of shallow soils to identify potential surficial releases from former operations. A summary of the investigation scope is presented on Table 1.

Prior to drilling activities, Partner delineated the outdoor work areas with white spray paint and notified Underground Services Alert to clear public utility lines and subcontracted Util Locate, a private utility location company, to further identify on-site subsurface features. Based upon the presence of subgrade utility lines identified in the vicinity of proposed borings, two borings were moved: boring A-B4 was moved southwest onto the Rock of Ages Superior Marble and Granite driveway and boring B-B3 was moved outside the warehouse on Lot B. Partner also prepared a site-specific Health and Safety Plan (HASP) prior to initiating the investigation.

A total of 25 soil borings were advanced on the two Lots as part of this investigation using two Geoprobe direct push drilling rigs operated by Kehoe Drilling and Testing of Huntington Beach, California. A description of the borings is presented below and depicted on Figures 3a and 3b.

Lot A

- Nine shallow borings (A-B1 through A-B9) were advanced to a depth of 6 feet below ground surface (bgs) on the two parcels comprising Lot A (4161 and 4169 Whittier Boulevard). The borings were organized in a grid across the two properties to provide a general assessment of subsurface conditions.

  Soil samples were collected from depths of 1 foot bgs and 6 feet bgs from these borings. Soil samples collected from 1 foot bgs were analyzed for TPH-d and TPH-o in accordance with United States Environmental Protection Agency (EPA) Method 8015; California Administrative Metals (CAM) 17 metals in accordance with EPA Method 6010B/7471A; and pH. Soil samples collected from 6 feet bgs were analyzed for TPH-d, TPH-o, CAM 17 metals, pH, gasoline range total petroleum hydrocarbons (TPH-g) and VOCs in accordance with EPA Method 8260B.

- Because of the detection of TPH compounds in soil sample A-B8-6 at 6 feet bgs, the sample was resubmitted for analysis for PCBs in accordance with EPA Method 8082.

- Two borings (A-B10 and A-B11) were advanced to a depth of 10 feet bgs at the locations of former USTs identified on the southeast corner of Lot A. Soil samples were collected from a depth of 10 feet bgs and submitted for analysis for metals and PCBs.
- Seven borings (A-B8-W10, -W20, -N10, -N20, -E10, -E20, -S10) were advanced to a depth of 4 feet in each direction surrounding boring A-B8 to delineate elevated arsenic concentrations. Soil samples were collected from a depth of 1 foot bgs and either 3 or 4 feet bgs, depending upon the soil lithology and recovery volume. These samples were analyzed for arsenic.

**Lot B**

- Nine shallow borings (B-B1 through B-B9) were advanced to a depth of 6 feet bgs on Lot B. The borings were advanced in a grid across the property to provide a general assessment of subsurface conditions, with three located in the southern parking lot located across the alley abutting the developed portion of the Lot.

Soil samples were collected from depths of 1 foot bgs and 6 feet bgs from these borings. Soil samples collected from 1 foot bgs were analyzed for TPH-d, TPH-o, CAM 17 metals and pH. Soil samples collected from 6 feet bgs were analyzed for TPH-g, TPH-d, TPH-o, CAM 17 metals, pH, and VOCs.

TPH compounds were detected in a soil samples from borings B-B1, B-B6, and B-B9. Therefore the samples were resubmitted for analysis for PCBs in accordance with EPA Method 8082.

- Six borings (B-B2-W10, -N10, -E10, -E20, -S10 and -S20) were advanced to a depth of 4 feet in each direction surrounding boring B-B2 to delineate elevated arsenic concentrations. Soil samples were collected from a depth of 1 foot bgs and either 3 or 4 feet bgs, depending upon the soil lithology and recovery volume. These samples were analyzed for arsenic.

- Four intermediate borings (B-B10 through B-B13) were advanced to a depth of 10 feet bgs at the locations of former USTs identified on the northwestern corner of Lot B. Soil samples were collected from a depth of 10 feet bgs and were submitted for analysis for lead.

- One deep boring (B-B14) was advanced on the northwestern corner of Lot B in the vicinity of a suspected historical septic system identified in Los Angeles Department of Public Works (DPW) files. This boring was advanced to a depth of 35 feet bgs, the depth at which fill was identified in documents in DPW files and to assess soil vapor present beneath the parking garages to be developed to a depth of approximately 32 feet bgs. Soil samples were collected from depths of 25 feet bgs, 30 feet bgs, and 35 feet bgs and analyzed for VOCs.
Boring B-B14 was also the location of a soil vapor sample collected from the terminal depth of 35 feet bgs. This soil vapor sample was collected in order to assess the condition of soil vapor beneath the subgrade parking structure. A semi-permanent soil gas probe was installed within the borehole after soil sampling. The borehole was backfilled with dry, granular bentonite to approximately six inches below the desired sampling depth. A new section of ¼-inch diameter polyethylene tubing with a new ¼-inch diameter polypropylene filter at the terminal end was inserted into the borehole to 35 feet bgs. Sand was poured into the boring annulus to form an approximately one-foot long sand pack around the polypropylene probe. Approximately one foot of dry, granular bentonite was placed atop the sand pack, and the remainder of the borehole was backfilled with hydrated bentonite to the ground surface to form a seal.

A soil gas sample was collected by a technician from Jones Environmental Laboratories, Inc. (Jones) in general accordance with the April 2012 DTSC and LARWQCB “Advisory – Active Soil Gas Investigations.” The probe was allowed to equilibrate for more than two hours after installation, before it was sampled. Three probe volumes were purged prior to sample collection into a teflon bag for analysis for VOCs in accordance with EPA Method 8260B at Jones’s offsite laboratory.

A tracer gas mixture of n-pentane, n-hexane, and n-heptane was placed around the probe at the ground surface during sampling to detect possible ambient air intrusion and assess the integrity of the bentonite seal.

Small amounts of Investigation derived waste (IDW) consisting of drill cuttings (soil) and decontamination fluids were produced during the investigation. Drill cuttings were returned into the boring from which it was collected at the end of the collection of samples from each boring. Decontamination water was collected into a single 5-gallon bucket and removed off-site by the driller.

Based upon the findings of the subsurface investigation, additional delineation of elevated arsenic levels was performed in two areas: adjacent to soil boring A-B8 on Lot A and boring B-B2 on Lot B. Seven additional borings were advanced in the vicinity of soil boring A-B8, located on the south-central portion of Lot A near Whittier Boulevard, and six borings were advanced in the vicinity of soil boring B-B2, located on the north-central portion of Lot B near Whittier Boulevard. These additional borings were advanced at 10 feet and 20 feet in each direction from the target borings, when accessible. Because of the inaccessibility of the on-site buildings on Lot B, only one boring was advanced to the east of soil boring B-B2. Also, due to the proximity of Whittier Boulevard to both of the target borings, only one additional boring was advanced to the south of A-B8 and to the north of B-B2. The delineation borings were identified as A-B8-W10, -W20, -N10, -N20, -E10, -E20, -S10 on Lot A and B-B2-W10, -N10, -E10, -E20, -S10 and -S20 on Lot B. Figures depicting the location of these borings are attached as Figures 3a and 3b.
Each of the delineation soil borings were advanced to a depth of 4 feet bgs. Because the elevated arsenic concentrations were detected in the 1 foot bgs sample of borings A-B8 and B-B2, soil samples were collected from depths of 1 foot bgs in the delineation borings. An additional sample was collected from a depth of 3 feet or 4 feet bgs from each boring, depending upon the soil lithology and recovery volume. These deeper samples were collected in an attempt to identify the bottom of the elevated arsenic zone.

6.2 Presentation of Data

Soil samples collected on site were stored in an iced cooler and delivered to Jones Environmental Laboratories, Inc. (Jones) for analysis. A summary of analytical results from the soil sampling program is available on Tables 2 through 7.

As presented on Table 2, VOCs were detected in only one boring, A-B7, with PCE present at a concentration of 1.3 micrograms per kilogram (μg/kg). This concentration of PCE is below the RSL concentration of 600 μg/kg.

TPH compounds were detected in several soil samples, as presented on Table 3. On Lot A, boring A-B8 contained 210 mg/kg of TPH-d and 810 mg/kg of TPH-o detected in the sample collected from a depth of 6 feet bgs. Borings B-B1, B-B6, and B-B9 on Lot B contained 386, 315, and 360 mg/kg of TPH-d, respectively, at 1 foot bgs. Borings B-B1 and B-B9 had 223 and 444 mg/kg of TPH-o, respectively, at a depth of 1 foot bgs. Because TPH compounds were detected in these samples, they were re-issued for PCB analysis as stated in the Work Plan. PCBs were not detected in these samples, as presented on Table 4.

The pH of samples was tested at all the shallow boring locations. The pH values were generally within a neutral range from 6.80 to 9.91, with a single elevated reading of 12.30 recorded for the sample collected from A-A3-1; this sample collected adjacent to the former wash pit in the industrial building at 1269 Whittier Boulevard. A record of measured soil pH can be found on Table 5.

As presented on Table 6, metals were detected in each of the soil samples submitted for analysis. Metals present in the soil samples at the Site include arsenic, barium, cadmium, cobalt, chromium, copper, molybdenum, nickel, lead, vanadium, zinc, and mercury. Concentrations of arsenic ranged from non-detected (ND) to a maximum of 226 mg/kg in the one foot bgs interval of boring A-B8. Barium was detected with concentrations ranging from ND to 152 mg/kg in the 6 foot bgs interval of boring B-B4. Cadmium was detected with concentrations ranging from ND to a 6.4 mg/kg in the 6 foot bgs interval of boring A-B1. Concentrations of cobalt ranged from 3.7 mg/kg to 13.7 mg/kg in the six foot bgs intervals of borings A-B3 and A-B1 respectively. Chromium was detected in all soil samples with concentrations ranging from 7.1 mg/kg in sample B-B9-6 to 50.0 mg/kg in sample B-B5-1. Copper concentrations ranged from 0.6 mg/kg in the 6 foot bgs interval of boring A-B1 to 109 mg/kg in the 1 foot bgs interval of boring B-B5. Concentrations of molybdenum
ranged from ND to 9.4 mg/kg in the six foot interval of boring B-B1. Nickel was detected in all samples, ranging from 4.4 mg/kg to 24.6 mg/kg in the six foot bgs intervals of borings B-B9 and B-B1 respectively. Concentrations of lead ranged from ND in the six foot interval of boring A-B1 to 65.7 mg/kg in one foot bgs interval of boring B-B1. Vanadium was detected in all soil samples, ranging from 17.6 mg/kg to 57.5 mg/kg in the six foot intervals of borings B-B9 and B-B1 respectively. Zinc ranged from 20.5 mg/kg to 63.6 mg/kg in the six foot intervals of borings B-B9 and A-B1. Concentrations of mercury ranged from 0.031 mg/kg in soil sample A-B7-1 to 0.178 mg/kg in sample A-B6-1.

In an effort to delineate the extent of the elevated arsenic concentrations at A-B8 and B-B2, seven additional borings were advanced in the vicinity of soil boring A-B8, located on the south-central portion of Lot A near Whittier Boulevard, and six borings were advanced in the vicinity of soil boring B-B2, located on the north-central portion of Lot B near Whittier Boulevard. These additional borings were advanced at a distance of 10 feet and 20 feet in each direction from the target borings, when accessible. Because of the inaccessibility of the on-site buildings on Lot B, only one boring was advanced to the east of soil boring B-B2. Also, due to the proximity of Whittier Boulevard to both of the target borings, only one additional boring was advanced to the south of A-B8 and to the north of B-B2. The delineation borings were identified as A-B8-W10, -W20, -N10, -N20, -E10, -E20, -S10 on Lot A and B-B2-W10, -N10, -E10, -E20, -S10 and -S20 on Lot B. As presented on Table 7, arsenic was detected in 17 of the 26 delineation soil samples analyzed at concentrations ranging from 0.05 mg/kg to 2.0 mg/kg. In general, each of the soil samples collected from Lot A showed the presence of arsenic at concentrations above the residential and commercial SLs, but well below the regional background concentration of 12 mg/kg, as presented in the Summary of Additional Site Assessment Investigation report. Arsenic was detected in 3 of the 12 samples submitted from Parcel B at concentrations of 0.5 mg/kg in each sample. As with the concentrations detected on Lot A, these concentrations were above the SLs, but below the regional background concentrations.

As presented on Table 8, VOC compounds PCE, trichlorofluoromethane (TCFM), and dichlorodifluoromethane were detected in the soil gas sample collected from a depth of 35 feet bgs in boring B-B14. PCE was detected at a concentration of 0.497 ug/L, TCFM was detected at concentrations of 0.011 ug/L, and dichlorodifluoromethane was detected at a concentration of 0.009 ug/L.

Copies of laboratory analytical reports are included in Appendix D.
6.3 Discussion of Results

Based upon the results of the laboratory analysis, low levels of TPH compounds in the diesel and oil ranges were detected on both lots of the Site. However, they were detected at concentrations below the DTSC HERO Soil Screening Levels. TPH compounds were detected in the soil samples collected from boring A-B8 in general proximity to the former UST on this lot. The presence of TPH compounds at A-B8 is likely attributable to residual TPH present from the removal of the former UST as TPH were not detected in other samples submitted from this Lot, including the sample collected from the 1 foot bgs interval of the same boring.

TPH compounds were also detected in three samples collected from Lot B. Each of the three detected in borings B-B1, B-B7, and B-B9 were in the shallow 1 foot bgs sample. Because of the former use of this Lot as an auto repair facility, the presence of TPH in these borings is likely attributable to incidental surficial releases associated with vehicle repair and maintenance.

PCE was detected in a single soil sample from a depth of 6 feet bgs in boring A-B7 at 4161 Whittier Boulevard. The concentration detected in this sample (1.3 µg/kg) was below the RSL for this compound (600 µg/kg) and PCE was not detected in the other samples collected from 1 and 6 feet bgs collected from this property. Because of the low concentration detected and the absence of PCE in other samples collected on-site, the presence of PCE in this sample does not represent a significant release on the Site.

Metals were present in each of the samples collected on-site, generally at concentrations below RSL concentrations. Exceptions include the concentration of cadmium detected in soil sample A-B1-6 (6.4 mg/kg) exceeding the DTSC Residential screening level of 5.2 mg/kg and the concentrations of arsenic in 21 of the samples exceeding the residential and commercial RSLs. In general, all but two of the arsenic concentrations detected in soil samples were below the background concentration of 12 mg/kg as established in the report entitled Determination of a Southern California Regional Background Arsenic Concentration in Soil published by the DTSC which used data from 19 school sites distributed through the Los Angeles Unified School District. However, two samples collected from a depth of 1 foot bgs in A-B8 and B-B2 were detected at concentrations of 226 mg/kg and 93.4 mg/kg, this above the background concentration presented in the publication. Based upon the findings of the investigation delineating the presence of arsenic at these locations, the presence of arsenic detected in soil borings A-B8 and B-B2 appear to be isolated pockets in an area with dimensions approximately 20 feet by 20 feet with a depth of no more than 3 feet bgs. Excavation and off-site removal of soils from these two areas will be performed under a SMP prior to grading and development of the lots.

The majority of soil samples tested for pH fell within the general neutral range of 6 to 10. The sample collected from 1 foot bgs in boring A-B3 had a recorded pH of 12.3, which is highly alkaline compared to the rest of the Site. This boring was located near the former wash pit on Lot A where acids could have been used to clean metals and other materials during industrial activities.
neutralize the acids, strong basic chemicals could have been employed in the wash pit as well, likely resulting in the elevated pH in this area.

VOCs were detected in the soil gas sample collected on Lot B from boring B-B14. The concentration of PCE was above the residential SGSL established by the DTSC HERO Note 7. However, the concentration of PCE was below the commercial/industrial SGSL. Based upon risk calculations using the J/E Model, the presence of PCE in soil gas beneath the building does not appear to constitute a human health risk.

In general, although several compounds were detected in soil and soil gas at the Site during the course of the investigation, concentrations were below screening levels indicating that risks to both Site residents and on-Site workers are acceptable. The sole exception that could potentially be considered a health risk is the concentrations of arsenic detected in two locations on-Site. Because of the potential risk, these areas of elevated arsenic will be delineated, and removal of these soils will be performed in accordance with a SMP prior to initiation of site grading and development.
7.0 HUMAN HEALTH SCREENING EVALUATION

This human health screening evaluation involves identifying constituents of concern and evaluating exposure pathways and media of concern, assessing chemical toxicity and characterizing human health risks. Estimated health risks are based on a calculated dose (i.e. the amount of chemical intake), which integrates exposure parameters for the receptors of concern (e.g., contact rates, exposure frequency and duration), with chemical-specific toxicity criteria (e.g., reference doses and slope factors) and exposure concentrations for the media of concern. The calculated risks are then compared to health-based guidelines developed by EPA and DTSC. For the purpose of this PEA screening evaluation, the potential risks are calculated based on a commercial land use scenario.

7.1 Exposure Pathways and Media of Concern

Exposure to chemicals detected in soil at the Site can only occur if there is a complete pathway by which the chemicals can be contacted by humans. Exposure pathways include a source; a mechanism for release, retention or transport of a chemical in a given media, a point of contact with the affected media; and an exposure route at the point of contact, e.g., dermal contact, ingestion or inhalation. If any of these elements are missing, the pathway is considered incomplete and does not represent an exposure pathway.

Based upon the findings of subsurface investigations performed at the Site and the planned development of the lots as residential apartments with ground-level commercial development. The building constructed at Lot B will be developed with a two-level subgrade parking garage to a depth of approximately 32 feet bgs in the central portion of the Lot. Residential apartments will be constructed along South Downey Road on the eastern side of the Lot and along South Sunol Drive on the eastern side of the Lot. With the exception of occasional landscaped medians, each property will be developed with a building or paved parking and driveways. As such, the exposure pathway to residents or trespassers is not considered complete. Based upon the development plan, the only complete pathway to soil exposure would be on-site workers who would be exposed during site grading and development.

Soil vapor samples were collected from beneath historical USTs located on both Lots from depths of 5 and 10 feet bgs and analyzed for VOCs. A deeper soil vapor sample was collected from a depth of 35 bgs to assess the condition of soil vapor at the lowest level of development. PCE was detected in two soil vapor samples collected from boring B-3 and B-B14, both located on the northwest corner of Lot B, at depths of 10 feet bgs and 35 feet bgs, respectively, at concentrations of 482 µg/m³ and 497 µg/m³. These concentrations are above the DTSC-recommended residential SG SL and below the DTSC-recommended commercial/industrial SGSL. Because of the results of the J/E Model calculations discussed above, soil vapor is not considered a complete pathway to occupants of the proposed Site buildings.
Groundwater was not detected during the course of the subsurface investigations performed on the Site. Because groundwater is expected to be a depth of approximately 140 to 150 feet bgs and no public water production wells are not identified in the vicinity of the Site, groundwater is not considered to be a complete pathway to on-site workers or occupants of the buildings.

7.2 Exposure Concentrations and Chemicals

Based upon the findings of the subsurface investigations performed at the Site, the only chemicals of concern identified as a potential risk to on-site workers is arsenic, which was detected in two locations at depths of 1 foot bgs at concentrations of 226 mg/kg and 93.4 mg/kg and cadmium, which was detected in a single location at a depth of 6 feet bgs at a concentration of 6.4 mg/kg exceeding the residential RSL and below the commercial/industrial RSL.

In addition to the elevated metals concentrations detected, an elevated pH of 12.30 was identified on Lot A in the vicinity of the wash pit, which is located on the northeastern portion of 4169 Whittier Boulevard.

7.3 Human Health Screening Levels

Soil analytical data were compared to residential screening levels established in the DTSC HERO Note 3 tables to assess human health risk levels. Soil vapor concentrations were compared to DTSC HERO Note 7 screening levels for PCE in soil vapor. Based upon the screening assessment, soil gas samples were further evaluated for assessment of health risk using the J/E Model. A summary of the use of the J/E Model is described in the section below.

7.4 Toxicity Values

The toxicity assessment characterizes the relationship between the magnitude of exposure to chemicals of concern, and the nature and magnitude of adverse health effects that may result from such exposure. For purposes of calculating exposure criteria to be used in risk assessments, adverse health effects are classified into two broad categories, non-carcinogens and carcinogens. Toxicity values/exposure criteria are generally developed based on the threshold approach for non-carcinogenic effects and the non-threshold approach for carcinogenic effects. Toxicity values may be based on epidemiological studies, short-term human studies, and subchronic or chronic animal data.

Partner used the J/E Model to calculate toxicity values for residential occupants of the proposed building. The J/E Model was established as a screening-level model that incorporates both convective and diffusive mechanisms for estimating the transport of contaminant vapors emanating from either subsurface soils or groundwater into indoor spaces located directly above the source of contamination. The model was adapted for use by the USEPA in 1991 and is recommended for use by DTSC in the October 2011 Vapor Intrusion Guidance Document. The
model provides cancer risk and hazard index values for exposure to occupants of the building. Partner compared the calculated J/E Model indices to the cancer risk value of $1 \times 10^{-6}$ and non-cancer hazard value of 1 as established in the Vapor Intrusion Guidance Document.

### 7.5 Risk Characterization Summary

Subsurface investigations have revealed concentrations of arsenic in shallow soil samples at two locations that present a potential health risk to on-site workers that may be exposed during Site grading and development. Because of the health concern associated with these locations, localized excavations will be performed at these locations to remove the impacted soils under a SMP to be prepared for Site development.

Elevated concentrations of cadmium and pH were also identified in deeper soil samples (6 feet bgs) collected from the northern portion of Lot A. Excavation to a depth of 6 feet is not anticipated during development of the Site and these soils are not expected to be encountered. However, in the event that these soils will be exposed during development, the soils will be handled according to the proposed SMP.

The calculated risk values for PCE in soil vapor beneath the Site are below the established cancer risk and non-cancer hazard values and do not pose an unacceptable risk for building tenants.
8.0 ECOLOGICAL SCREENING EVALUATION

The Site and all properties surrounding the Site has been developed since at least 1928 for commercial and/or residential land uses. With the exception of some decorative landscaping, the Site properties are currently and are proposed to be almost entirely covered by pavement or buildings. The Site and adjacent properties do not support riparian habitat, wetlands or migratory corridors. Therefore, an ecological risk screening evaluation is not necessary and was not conducted.
9.0 COMMUNITY PROFILE

The Site is located in East Los Angeles, a densely developed unincorporated area of Los Angeles County. The area is mixed commercial and residential with Calvary Cemetery and Mount Zion Cemetery located in the immediate vicinity. According to the 2010 United States Census, East Los Angeles includes a population of 126,500, which includes 30,816 households, 56.8% of which had children under the age of 18. The population distribution includes 31.5% under the age of 18, 12.0% aged 18 to 24, 29.5% aged 25 to 44, 18.4% aged 45 to 64, and 8.6% aged 65 years of age or older. The median age is 29.1 years. The population density is 4,320.8 per square mile.

The WRD serves the subject property vicinity. According to a representative of the WRD, shallow groundwater beneath the subject property is not utilized for domestic purposes. The sources of public water for the County of Los Angeles are surface water from the State Water Project. The Department of Public Works also provides public sanitary and storm sewer systems to the Site vicinity.
10.0 OPINION OF ENVIRONMENTAL PROFESSIONAL

The subsurface investigation performed at the Site have revealed limited impacts to subsurface soil and soil vapor. Based upon the findings of the investigations, upon the excavation of elevated concentrations of arsenic from two limited areas on the Site prior to site development, exposure to soil by on-site workers and potential occupants of the proposed commercial and residential development does not present a health risk.

Also, based upon risk values calculated using the J/E Model, the presence of PCE in soil vapor beneath the Site does not present an unacceptable health risk to occupants of the building.
11.0 CONCLUSIONS AND RECOMMENDATIONS

11.1 Summary and Conclusions
Subsurface investigations performed at the Site included the collection of soil samples across the entire area of both Lots that comprise the Site. Soil samples collected at depths of up to 35 feet bgs and has revealed low levels of TPH, metals, and VOCs present in soil on each of the Lots. With the exception of few isolated detections of metals arsenic and cadmium, widespread presence of constituents of concern is not present in soil on the Site.

The VOC compound PCE was detected in two soil vapor samples collected from depths of 10 feet and 35 feet bgs on the northwest corner of Lot B at elevated concentrations. Risk modeling performed for PCE in soil vapor indicates that at the concentration detected, PCE in soil vapor does not represent a potential health risk to occupants of the building. Also, the absence of PCE in soil samples collected from Lot B suggests that the presence of PCE in subsurface soil vapor likely is not associated with on-site operations conducted on the Lot.

11.2 Recommendations
Because of the presence of elevated concentrations of arsenic above background concentrations in two shallow soil samples on Lot B, targeted excavations to remove the arsenic in these areas in accordance with a SMP is recommended.

11.3 Data Gaps
A thorough assessment of soil and soil vapor has been performed on the Site during phased subsurface investigations including targeted sampling of potential areas of concern as well as a general assessment of soils across the entire Site area. All identified constituents of concern including TPH, metals, PCBs, PAHs, and VOCs were included in the analytical suite and substantial releases of any of the compounds were not identified in Site soil and soil vapor. As such, no data gaps were identified during this investigation.
TABLES
Table 1: Summary of Investigation Scope
4161, 4169 and 4200-4224 Whittier Boulevard
Los Angeles, CA 90023
Partner Project Number SM17-184004
May 2017

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<th>Boring Identification</th>
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<td>60 foot grid pattern across Lot A</td>
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Notes:
lgt = below ground surface
TPH = Total petroleum hydrocarbons tested using Environmental Protection Agency (EPA) Method 8015M
THC = Total hydrocarbons as gasoline
THC-d = total petroleum hydrocarbons as diesel
THC-o = total petroleum hydrocarbons as oil
VOCs = Volatile organic compounds tested using EPA Method 8260B
Metals and Pb tested using EPA Method 6010B/7471A
pH tested using EPA Method 9015C
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Notes:
- mg/kg = milligrams per kilogram
- VODs = volatile organic compounds
- ND = not detected
- USEPA = United States Environmental Protection Agency
- RSLs = Screening levels provided at the June 2016 DTSC Human and Ecological Risk Office (HERO) Human Health Risk Assessment (HERA) Note 3 Where DTSC RSLs were not available, EPA Region 9 RSLs were utilized.

PCE = Tetrachloroethylene
TCE = Trichloroethylene
1,2-DCE = 1,2-Dichloroethene
1,2-DDT = 1,2-Dichloroethane
BBM = 1,2-Dibromomethane
BF = Bromoform
eBB = o, o-Butylbenzene
dBB = m, p-Butylbenzene
cBB = p-Butylbenzene
cCB = p-Chlorobenzene
CT = Carbon tetrachloride
CB = Chlorobenzene
EDB = 1,2-Dibromoethane
BBM = 1,2-Dibromomethane
1,2-DCB = 1,2-Dichlorobenzene
1,3-DCB = 1,3-Dichlorobenzene
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<th>VOCs in 0256B (µg/kg)</th>
<th>Units</th>
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Notes:
- aq/kg = micrograms per kilogram
- VOCs = volatile organic compounds
- NE = not established
- USEPA = United States Environmental Protection Agency
- ND = not detected above laboratory TQLs

RSLs = Screening levels provided by the 2010 DTSC Human and Ecological Risk Office (HERO) Human Health Risk Assessment (HHRA) Note 3 Where DTSC RSLs were not available, EPA Region 9 RSLs were utilized.
| USEPA Method | Sample Identification | Sample Depth (feet lbs) | 4-PTX | DCM | Naphthalene | p-xylene | 1,1,1,2-TCFA | 1,1,2,2-TCFA | Toluene | 1,2,3-TCB | 1,2,4-TCB | 1,1,1-TCA | 1,1,2-TCA | TCFM | 1,2,4-TM | 1,3,5-TM | Vinyl Chloride |
|--------------|-----------------------|-------------------------|-------|-----|-------------|----------|--------------|--------------|---------|------------|------------|----------|-----------|-----------|------|----------|----------|---------------|
| A-B1-6       | 6                     | ND                      | ND    | ND  | ND          | ND       | ND           | ND           | ND      | ND         | ND         | ND       | ND        | ND        | ND   | ND       | ND       | ND             |
| A-B2-6       | 6                     | ND                      | ND    | ND  | ND          | ND       | ND           | ND           | ND      | ND         | ND         | ND       | ND        | ND        | ND   | ND       | ND       | ND             |
| A-B3-6       | 6                     | ND                      | ND    | ND  | ND          | ND       | ND           | ND           | ND      | ND         | ND         | ND       | ND        | ND        | ND   | ND       | ND       | ND             |
| A-B4-6       | 6                     | ND                      | ND    | ND  | ND          | ND       | ND           | ND           | ND      | ND         | ND         | ND       | ND        | ND        | ND   | ND       | ND       | ND             |
| A-B5-6       | 6                     | ND                      | ND    | ND  | ND          | ND       | ND           | ND           | ND      | ND         | ND         | ND       | ND        | ND        | ND   | ND       | ND       | ND             |
| A-B6-6       | 6                     | ND                      | ND    | ND  | ND          | ND       | ND           | ND           | ND      | ND         | ND         | ND       | ND        | ND        | ND   | ND       | ND       | ND             |
| A-B7-6       | 6                     | ND                      | ND    | ND  | ND          | ND       | ND           | ND           | ND      | ND         | ND         | ND       | ND        | ND        | ND   | ND       | ND       | ND             |
| A-B8-6       | 6                     | ND                      | ND    | ND  | ND          | ND       | ND           | ND           | ND      | ND         | ND         | ND       | ND        | ND        | ND   | ND       | ND       | ND             |
| A-B9-6       | 6                     | ND                      | ND    | ND  | ND          | ND       | ND           | ND           | ND      | ND         | ND         | ND       | ND        | ND        | ND   | ND       | ND       | ND             |
| B-B1-6       | 6                     | ND                      | ND    | ND  | ND          | ND       | ND           | ND           | ND      | ND         | ND         | ND       | ND        | ND        | ND   | ND       | ND       | ND             |
| B-B2-6       | 6                     | ND                      | ND    | ND  | ND          | ND       | ND           | ND           | ND      | ND         | ND         | ND       | ND        | ND        | ND   | ND       | ND       | ND             |
| B-B3-6       | 6                     | ND                      | ND    | ND  | ND          | ND       | ND           | ND           | ND      | ND         | ND         | ND       | ND        | ND        | ND   | ND       | ND       | ND             |
| B-B4-6       | 6                     | ND                      | ND    | ND  | ND          | ND       | ND           | ND           | ND      | ND         | ND         | ND       | ND        | ND        | ND   | ND       | ND       | ND             |
| B-B5-6       | 6                     | ND                      | ND    | ND  | ND          | ND       | ND           | ND           | ND      | ND         | ND         | ND       | ND        | ND        | ND   | ND       | ND       | ND             |
| B-B6-6       | 6                     | ND                      | ND    | ND  | ND          | ND       | ND           | ND           | ND      | ND         | ND         | ND       | ND        | ND        | ND   | ND       | ND       | ND             |
| B-B7-6       | 6                     | ND                      | ND    | ND  | ND          | ND       | ND           | ND           | ND      | ND         | ND         | ND       | ND        | ND        | ND   | ND       | ND       | ND             |
| B-B8-6       | 6                     | ND                      | ND    | ND  | ND          | ND       | ND           | ND           | ND      | ND         | ND         | ND       | ND        | ND        | ND   | ND       | ND       | ND             |
| B-B9-6       | 6                     | ND                      | ND    | ND  | ND          | ND       | ND           | ND           | ND      | ND         | ND         | ND       | ND        | ND        | ND   | ND       | ND       | ND             |
| B-B14-25     | 30                    | ND                      | ND    | ND  | ND          | ND       | ND           | ND           | ND      | ND         | ND         | ND       | ND        | ND        | ND   | ND       | ND       | ND             |
| B-B14-30     | 30                    | ND                      | ND    | ND  | ND          | ND       | ND           | ND           | ND      | ND         | ND         | ND       | ND        | ND        | ND   | ND       | ND       | ND             |
| B-B14-35     | 45                    | ND                      | ND    | ND  | ND          | ND       | ND           | ND           | ND      | ND         | ND         | ND       | ND        | ND        | ND   | ND       | ND       | ND             |
| Residential/Residential (Residential) | NE | 9                | 1    | 1   | 1            | 1         | 1            | 1            | 1       | 1           | 1          | 1        | 1          | 1          | 1     | 1         | 1         | 1              |
| Commercial/Industrial (Residential) | NE | 3                | 3    | 3   | 3            | 3         | 3            | 3            | 3       | 3           | 3          | 3        | 3          | 3          | 3     | 3         | 3         | 3              |

Notes:
- mg/kg = milligrams per kilogram
- VOCs = volatile organic compounds
- NE = not established
- USEPA = United States Environmental Protection Agency
- ND = not detected above laboratory PQLs

Notes:
- 1,2,3-TCFA = 1,2,3-Trichlorofluorobenzene
- 1,1,1,2-TCFA = 1,1,1,2-Tetrachlorofluorobenzene
- 1,1,2,2-TCFA = 1,1,2,2-Tetrachloroethane
- 1,2,3-TCB = 1,2,3-Trichlorobenzene
- 1,2,4-TCB = 1,2,4-Trichlorobenzene
- 1,1,1-TCA = 1,1,1-Trichloroethane
- 1,1,2-TCA = 1,1,2-Trichloroethane
- 1,2,3-TCA = 1,2,3-Trichloroethane
- 1,2,4-TCA = 1,2,4-Trichloroethane
- 1,3,5-TM = 1,3,5-Tetrachlorobenzene
- TCFM = trichlorofluoromethane

Screening levels provided in the June 2016 DTSC Human and Ecological Risk Office (HERO) Human Health Risk Assessment (HRA). Notes 3 and 4. When DTSC RSLs were not available, EPA Region 9 RSLs were utilized.
### Table 2: Summary of VOC Concentrations in Soil Samples
4101, 4109 and 4200-4224 Winstead Boulevard
Los Angeles, CA 90023
Partner Project Number NAA’-184004
April 23, 2017

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<th>VOCs (in ng/g)</th>
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**Notes:**
- ng/kg = nanograms per kilogram
- VOCs = volatile organic compounds
- ND = not detected
- USEPA = United States Environmental Protection Agency
- NE = not established
- MTBE = Methyl tertiary butyl ether
- ETBE = Ethyl tertiary butyl ether
- DiPE = Dimethyl propyl ether
- TAME = n-amyl methyl ether
- TBA = tertiary butyl alcohol
- TPHg = Total Petroleum Hydrocarbons - Gasoline Range Organics

**RSLs** = Screening levels provided in the June 2016 DTSC Human and Ecological Risk Office (HERO) Human Health Risk Assessment (HRA) Note 3. Where DTSC RSLs were not available, EPA Region 9 RSLs were used.
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**Maximum SSLs**

- **C6-C10**: 10,000
- **C10-C28**: 50,000

**Notes:**
USEPA = United States Environmental Protection Agency
C6-C10 = carbon range 6 to 10
C10-C28 = carbon range 10 to 28
C28-C40 = carbon range 28 to 40
TPH-I = total petroleum hydrocarbons in gasoline
TPH-II = total petroleum hydrocarbons in diesel
TPH-III = total petroleum hydrocarbons as oil
mg/kg = milligrams per kilogram
ND = not detected above laboratory Practical Quantitation Limit (PQL)
NA = not analyzed
SSLs = Los Angeles Regional Water Quality Control Board Soil Screening Levels
### Table 4: Summary of PCB Concentrations in Soil Samples

4161, 4169 and 4200-4224 Whittier Boulevard
Los Angeles, CA 90023
Partner Project Number SM17-184004
April 25, 2017

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**Notes:**
- USEPA = United States Environmental Protection Agency
- PCBs = polychlorinated biphenyls
- mg/kg = milligrams per kilograms
- bgs = below ground surface
- ND = not detected above indicated laboratory Practical Quantitation Limit (PQL)
- CHHSL = California Human Health Screening Level
### Table 5: Summary of Soil Sample pH

4161, 4169 and 4200-4224 Whittier Boulevard
Los Angeles, CA 90023
Partner Project Number SM17-184004
May 2017

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Notes:
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bgs = below ground surface
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| Residential RSL      | 580                      | 0.11| 5,700| 16  | 5.2 | 330 | 100,000| 3,000| 580 |
| Commercial/Industrial RSL | 4,800             | 0.36| 63,000| 190 | 7.3 | 660 | 100,000| 38,000| 4,800|

Note:
USEPA = United States Environmental Protection Agency
CAM = California Administrative Manual
mg/kg = milligrams per kilograms
ND = not detected above indicated laboratory Practical Quantitation Limit (PQL)
NA = not analyzed
With the exception of arsenic, metal background concentrations are from the Kearney Foundation of Soil Science March 1996 report Background Concentrations of Trace and Major Elements in California Soils. Background concentrations of metals are considered to be within one standard deviation from the mean metal concentrations determined by the study.
*From California Department of Toxic Substances Control March 2008 report Determination of a Southern California Regional Background Arsenic Concentration in Soil.
Concentrations highlighted in orange exceed the residential RSL
RSL = USEPA Regional Screening Level
<table>
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<tr>
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<th>Pb (mg/kg)</th>
<th>Sh (mg/kg)</th>
<th>Se (mg/kg)</th>
<th>TI (mg/kg)</th>
<th>Y (mg/kg)</th>
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Notes:
USEPA = United States Environmental Protection Agency
CAM = California Administrative Manual
mg/kg = milligrams per kilogramms
ND = not detected above indicated laboratory Practical Quantitation Limit (PQL)
NA = not analyzed
With the exception of arsenic, metal background concentrations are from the Kearney Foundation of Soil Science March 1996 report Background Concentrations of Trace and Major Elements in California Soils. Background concentrations of metals are considered to be within one standard deviation from the mean metal concentrations determined by the study.
*From California Department of Toxic Substance Control March 2008 report Determinations of a Southern California Regional Background Arsenic Concentration in Soil.
Concentrations highlighted in orange exceed the residential RSL.
RSL = USEPA Regional Screening Level
# Table 7: Summary of Arsenic Concentrations in Soil Samples

4169 and 4200-4224 Whittier Boulevard  
Los Angeles, California 90023  
Partner Project Number SM17-184004  
May 2017

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<th>Sample Depth (feet bgs)</th>
<th>Arsenic via 6010B/7471A (mg/kg)</th>
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**Background Concentration**

| 12 |

**Notes:**

USEPA = United States Environmental Protection Agency  
ND = not detected above indicated laboratory Practical Quantitation Limit (PQL)  
*From California Department of Toxic Substance Control March 2008 report *Determination of a Southern California Regional Background Arsenic Concentration in Soil*.

mg/kg = milligrams per kilograms
Table 8: Summary of VOC Concentrations in Soil Vapor Samples
4161, 4169 and 4200-4224 Whittier Boulevard
Los Angeles, CA 90023
Partner Project Number 9617-183404
April 25, 2017

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<td>Sample Depth (ft bgs)</td>
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<tr>
<td>Residential SGSIL</td>
<td>35</td>
<td>0.497</td>
</tr>
<tr>
<td>Commercial/Industrial SGSIL</td>
<td>2</td>
<td>0.23</td>
</tr>
</tbody>
</table>

Notes:

1µg/L = micrograms per kilogram
VOCs = volatile organic compounds
NE = not established
USEPA = United States Environmental Protection Agency
ND = not detected above laboratory POUs
SGSIL = Soil Gas Screening Level Department of Toxic Substances Control (HERO)
Note 1: October 2016

PCE = Tetrachloroethene
TCE = Trichloroethene
Benzene = Bromoform
BROM = Bromodichloromethane
nBB = normal-Butylbenzene
tBB = tert-Butylbenzene
CT = Carbon tetrachloride
CB = Chlorobenzene
2-CT = 2-Chlorotoluene
4-CT = 4-Chlorotoluene
DBCM = Dichlorobromomethane
1,2-D-3-C = 1,2-Dichloro-3-chloropropane
EDBS = 1,2-Dibromoethene
DBM = 1,2-Dibromomethane
1,2-DCB = 1,2-Dichlorobenzene
1,3-DCB = 1,3-Dichlorobenzene
Table 8: Summary of VOC Concentrations in Soil Vapor Samples

4151, 4169 and 4209-4224 Whittier Boulevard
Los Angeles, CA 90023
Partner Project Number SM17-18-4004
April 23, 2017

<table>
<thead>
<tr>
<th>USEPA Method</th>
<th>Units</th>
<th>VOCs via 8260B (µg/L)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>1,2-DCB</td>
</tr>
<tr>
<td>Sample ID</td>
<td></td>
<td></td>
</tr>
<tr>
<td>B-1H4-A35</td>
<td>35</td>
<td>ND</td>
</tr>
<tr>
<td>Residential SGSL</td>
<td>NE</td>
<td>NE</td>
</tr>
<tr>
<td>Commercial/Industrial SGSL</td>
<td>NE</td>
<td>NE</td>
</tr>
</tbody>
</table>

Notes:
- µg/L = micrograms per kilogram
- VOCs = volatile organic compounds
- NE = not established
- USEPA = United States Environmental Protection Agency
- ND = not detected above laboratory PQLs
- SGSL = Soil Gas Screening Level Department of Toxic Substances Control (California)
- Note: October 2016

1,4-DCB = 1,4-Dichlorobenzene
DCDF = Dichlorodifluoromethane
1,1-DCA = 1,1-Dichloroacetone
1,2-DCA = 1,2-Dichloroacetone
1,1-DCE = 1,1-Dichloroethane
1,2-DCE = 1,2-Dichloroethane
cis-1,2-DCP = cis-1,2-Dichloropropane
trans-1,2-DCP = trans-1,2-Dichloropropane
1,3-DCP = 1,3-Dichloropropane
1,2-DCP = 1,2-Dichloropropane
1,3-DCP = 1,3-Dichloropropane
2,2-DCP = 2,2-Dichloropropane
1,1-DCP = 1,1-Dichloroethylene
cis-1,3-DCP = cis-1,3-Dichloropropane
trans-1,3-DCP = trans-1,3-Dichloropropane
E1H = Ethylbenzene
HCB = Hexachlorobenzene
IPB = Isopropylbenzene
<table>
<thead>
<tr>
<th>USEPA Method</th>
<th>VOCS via 8260B (µg/L)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Units</td>
</tr>
<tr>
<td>Sample ID</td>
<td></td>
</tr>
<tr>
<td>B-514-A35</td>
<td>35</td>
</tr>
<tr>
<td>Residential SGSL</td>
<td></td>
</tr>
<tr>
<td>Commercial/Industrial SGSL</td>
<td></td>
</tr>
</tbody>
</table>

Note:
- ng/L = micrograms per kilogram
- VOCs = volatile organic compound
- NE = not established
- US EPA = United States Environmental Protection Agency
- ND = not detected above laboratory PQLs
- SGSL = Soil Gas Screening Level Department of Toxic Substances Control MELO
- Note 3: October 2019

4-IP = 4-Iso-propylphenol
DCM = Methylene chloride
n-TB = n-Propylbenzene
1,1,2,2-TCA = 1,1,2,2-Tetrachloroethane
1,2,3-TCB = 1,2,3-Trichlorobenzene
1,2,4-TCB = 1,2,4-Trichlorobenzene
1,1,2-TCA = 1,1,2-Trichloroethane
1,1,2,2-TCA = 1,1,2,2-Tetrachloroethane
TCFM = trichlorofluoromethane
1,2,3-TCP = 1,2,3-Trichloropropene
1,2,5-TMB = 1,2,5-Trichlorobenzene
1,3,5-TMB = 1,3,5-Trichlorobenzene

Table 8: Summary of VOC Concentrations in Soil Vapor, Samples 4161, 4169, and 4200-1224 Whittier Boulevard, Los Angeles, CA 90023
Partner Project Number: 8U17-C4404
April 21, 2017
Table 8: Summary of VOC Concentrations in Soil Vapor Samples
4161, 4169 and 4200-2224 Whitter Boulevard
Los Angeles, CA 90023
Partner Project Number SMT-184094
April 25, 2017

<table>
<thead>
<tr>
<th>USEPA Method</th>
<th>VOCs via 8260B</th>
<th>Units</th>
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<tr>
<td></td>
<td></td>
<td>(µg/L)</td>
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<tr>
<td>Sample</td>
<td>Identification</td>
<td>Sample Depth</td>
</tr>
<tr>
<td>B-314-A35</td>
<td>35</td>
<td>ND</td>
</tr>
<tr>
<td>Residential SGSL</td>
<td>NE</td>
<td>NE</td>
</tr>
<tr>
<td>Commercial/Industrial SGSL</td>
<td>NE</td>
<td>NE</td>
</tr>
</tbody>
</table>

Notes:
- µg/L = micrograms per liter
- VOCs = volatile organic compounds
- NE = not established
- USEPA = United States Environmental Protection Agency
- ND = not detected above laboratory PQLs
- SGSL = Soil Gas Screening Level
- MTBE = Methyl t-butyl ether
- ETBE = Ethyl tert-butyl ether
- DPE = Di-isopropyl ether
- TAME = tri-isopropylmethylether
- TBA = tertiary butyl alcohol
- GRO = Gasoline Range Organics

Note: 3 - October 2016
May 24, 2017

TO: Doug Smith, Chair
    David W. Louie, Vice Chair
    Laura Shell, Commissioner
    Elvin W. Moon, Commissioner
    Pat Modugno, Commissioner

FROM: Jolee Hui
      Zoning Permits East Section

Project No. 2016-001235-(1)
Conditional Use Permit No. RPPL2016005207 ("DOWNEY I")
Housing Permit No. RPPL2017006970
Conditional Use Permit No. RPPL2016005212 ("DOWNEY II")
Housing Permit No. RPPL2017006968
RPC Meeting: May 31, 2017 - Agenda Item: 10

The above mentioned item is a request for approval of two conditional use permits ("CUP") and two housing permits to authorize the construction and use of two 100-percent affordable housing mixed-use buildings with ground-floor commercial use, comprising of a 42-unit apartment ("Downey I") and 71-unit apartment ("Downey II"), within the C-3 (General Commercial) Zone and R-3 (Limited Density Multiple Residence) Zone.

Please find enclosed revised and additional materials for the above referenced item. The additional items include:

1) Revised Staff Analysis, Page 1, "PROJECT DESCRIPTION" (track changes redline copy enclosed). The original text inadvertently describes Downey I and Downey II as being located on the "northeast and southwest corners of Whittier Boulevard and Downey Road," which is incorrect.

REVISED TEXT:
PROJECT DESCRIPTION
The applicant requests to construct two affordable housing buildings (known as Downey I and Downey II) with garden style design, totaling 113 apartment units, located on the northeast-northwest and southwest-southeast corners of the Whittier Boulevard and Downey Road intersection in the unincorporated community of East Los Angeles.

Both Downey I and II have on-site offices for case managers and property managers. Pedestrian entrance into Downey I and Downey II would be on Whittier Boulevard and vehicular entrance would be on Downey Road.

2) Revised Staff Analysis, Page 2, table for Downey I. The zone should be corrected to R-3 Zone.

REVISED TABLE:

<table>
<thead>
<tr>
<th>DOWNNEY I</th>
<th>Quantity/Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>4161 &amp; 4169 Whittier Blvd.</td>
<td>30,088 SF (0.69 acre)</td>
</tr>
<tr>
<td>Project Site</td>
<td>3 stories</td>
</tr>
<tr>
<td>Number of stories</td>
<td>Up to 44 feet in C-3 Zone</td>
</tr>
<tr>
<td>Proposed Maximum Height</td>
<td>Up to 36 feet in R-2, R-3 Zone</td>
</tr>
</tbody>
</table>

3) Revised Staff Analysis, Page 3, the subparagraph under "Downey II," first sentence should state "Downey II, also formerly called Site B, is proposed to be constructed on eight adjoining parcels...", and not "nine adjoining parcels."

4) Revised Staff Analysis, Page 4, table for Downey II. The square footage for the proposed gym is missing.

REVISED TABLE:

<table>
<thead>
<tr>
<th>DOWNNEY II</th>
<th>Quantity/Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>4200-4224 Whittier Blvd</td>
<td>63,443 SF (1.45 acre)</td>
</tr>
<tr>
<td>Project Site</td>
<td>4 stories + subterranean</td>
</tr>
<tr>
<td>Number of Stories</td>
<td>Up to 53 feet in C-3 Zone</td>
</tr>
<tr>
<td>Proposed Maximum Height</td>
<td>Up to 57 feet in R-3 Zone</td>
</tr>
<tr>
<td>Residential Dwelling Units</td>
<td>71 units</td>
</tr>
<tr>
<td>One-bedroom (34)</td>
<td></td>
</tr>
<tr>
<td>Two-bedroom (18)</td>
<td></td>
</tr>
<tr>
<td>Three-bedroom (18)</td>
<td></td>
</tr>
<tr>
<td>Manager's Unit (1)</td>
<td></td>
</tr>
<tr>
<td>Community Room</td>
<td>1,064 SF</td>
</tr>
<tr>
<td>Property/Case Management Offices</td>
<td>423 SF</td>
</tr>
<tr>
<td>Gym</td>
<td>531 SF</td>
</tr>
</tbody>
</table>

5) Revised Staff Analysis, Page 5, "EXISTING LAND USES" for Downey I (track changes redline copy enclosed). The Downey I project site is not entirely vacant. The structures on the eastern parcel (APN 5236-005-034) have been vacated but structures associated with the former Superior Marble & Granite remain on the
western parcel (5236-006-003). The Existing Land Use paragraph has been revised to clarify the existing site conditions for Downey I.

**REVISED TEXT:**

**EXISTING LAND USES**

**Downey I**

The project site is currently unoccupied. The last commercial/industrial tenants closed in 2013 and all associated structures were subsequently removed. The former Superior Marble & Granite operated on the west side of the project site from 1928 to 2013. This business was associated with the manufacturing of grave stones with operations including stone cutting and stone engraving as well as sandblasting. Structures related to the Superior Marble & Granite operation currently remain on the property. A second former tenant, LeGrand Wilbert Vault, Inc., operated on the east side of the project site from 1942 to 2013. The business last used the property to fabricate concrete vaults for caskets. All facilities associated with LeGrand Wilbert Vault, Inc. was demolished and removed from the project site in November 2015.

6) Revised Draft Findings #7, #13, and #29 for Downey I, Conditional Use Permit No. 2016005207 and Housing Permit No. RPPL2017006970 (track changes redline copy enclosed). Findings have been revised to reflect revisions in the Staff Analysis and updates to the State Density Bonus Law.

7) Revised Draft Findings #7, #13, and #29 for Downey II, Conditional Use Permit No. RPPL2016005212 and Housing Permit No. RPPL2017006968 (track changes redline copy enclosed). Findings have been revised to clarify existing site conditions and reflect updates to the State Density Bonus Law.


If you need further information, please contact Jolee Hui at (213) 974-6435 or jhui@planning.lacounty.gov. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

MM: JPH

Enclosure(s): (1) revised Staff Analysis, Page 1-5 (redline); (3) revised Draft Findings for Downey I (redline); (4) revised Draft Findings for Downey II (redline).
ENTITLEMENTS REQUESTED
The applicant, META Housing Corporation, is requesting the following entitlements to authorize the construction, operation, and maintenance of two 100-percent affordable apartment complexes with ground-floor commercial retail use: a 42-unit apartment building ("Downey I") and a 71-unit apartment building ("Downey II").

Downey I
- Conditional Use Permit ("CUP") No. RPPL2016005207 to authorize residential use (apartment house and associated residential amenities) in the C-3 (General Commercial) Zone pursuant to Section 22.28.200 of the Los Angeles County ("County") Planning and Zoning Code ("Code").
- Administrative Housing Permit No. RPPL2017006970 to authorize a density bonus of 22 additional dwelling units (110 percent) over the maximum allowed (20 units) per the East Los Angeles Community Plan as well three incentives related to a height increase, density bonus, and compact parking by setting aside all proposed units (except for one manager's unit) for the low-income and/or very-low income households and special needs groups pursuant to County Code Section 22.56.2690.

Downey II
- Conditional Use Permit No. RPPL2016005212 to authorize residential use (apartment house) in the C-3 (General Commercial) Zone pursuant to County Code Section 22.28.200.
- Administrative Housing Permit No. RPPL2017006968 to authorize a density bonus of 28 additional dwelling units (65 percent) over the maximum allowed (43 units) as well three incentives related height increase, density bonus, and compact parking by setting aside all proposed units (except for one manager's unit) for low-income and/or very-low income households and special needs groups pursuant to County Code Section 22.56.2690.

PROJECT DESCRIPTION
The applicant requests to construct two affordable housing buildings (known as Downey I and Downey II) with garden style design, totaling 113 apartment units, located on the northeast-northwest and southwest-southeast corners of the Whittier Boulevard and Downey Road intersection in the unincorporated community of East Los Angeles.

Both Downey I and II have on-site offices for case managers and property managers. Pedestrian entrance into Downey I and Downey II would be on Whittier Boulevard and vehicular entrance would be on Downey Road.
Downey I

Downey I, also formerly called Site A, is proposed to be constructed on three adjoining parcels located on the northwest corner of the Whittier Boulevard and Downey Road intersection at 4161 and 4166 Whittier Boulevard.

The proposed three-story building would have 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.

<table>
<thead>
<tr>
<th>DOWNEY I</th>
<th>Quantity/Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Site</td>
<td>30,088 SF (0.69 acres)</td>
</tr>
<tr>
<td>Number of stories</td>
<td>3 stories</td>
</tr>
<tr>
<td>Proposed Maximum Height</td>
<td>Up to 44 feet in C-3 Zone</td>
</tr>
<tr>
<td></td>
<td>Up to 35 feet in R-2, R-3 Zone</td>
</tr>
<tr>
<td>Residential Dwelling Units</td>
<td>42 units</td>
</tr>
<tr>
<td>Studio (24)</td>
<td></td>
</tr>
<tr>
<td>One-bedroom (13)</td>
<td></td>
</tr>
<tr>
<td>Two-bedroom (4)</td>
<td></td>
</tr>
<tr>
<td>Manager's Unit (1)</td>
<td></td>
</tr>
<tr>
<td>Community Room</td>
<td>617 SF</td>
</tr>
<tr>
<td>Property/Case Management Offices</td>
<td>602 SF</td>
</tr>
<tr>
<td>Gym</td>
<td>302 SF</td>
</tr>
<tr>
<td>Commercial/Retail Space</td>
<td>1,161 SF</td>
</tr>
<tr>
<td>Vehicle Parking (ground level)</td>
<td>31 stalls</td>
</tr>
<tr>
<td>Standard (19)</td>
<td></td>
</tr>
<tr>
<td>ADA (2)</td>
<td></td>
</tr>
<tr>
<td>EVCS (1)</td>
<td></td>
</tr>
<tr>
<td>Compact (8)</td>
<td></td>
</tr>
<tr>
<td>Loading (1)</td>
<td></td>
</tr>
<tr>
<td>Bicycle Parking</td>
<td>32 stalls</td>
</tr>
<tr>
<td>Community Patio/Courtyards</td>
<td>5,495 SF</td>
</tr>
<tr>
<td>Landscaping</td>
<td>5,940 SF</td>
</tr>
</tbody>
</table>

Affordable Housing Units

Level 2 and Level 3 of the building would consist of 41 affordable units and one unrestricted property manager's unit, totaling 42 units. The affordable units would be restricted to low-income and/or very-low income households and users of the Los Angeles...
County's health services. Nine units will be built-out as "accessible" units with mobility features or auditory and visual communication features.

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.

Residential parking is located on the ground floor behind a secured gate. 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 residential parking lot.

Amenities
A community room, computer room/kitchen, laundry facilities, gym, mail room, and property and case management offices are 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.

Downey II
Downey II, also formerly called Site B, is proposed to be constructed on nine northeast adjoining parcels located on the southeast/southeast corner of the Whittier Boulevard and Downey Road intersection at 4200 to 4224 Whittier Boulevard in the unincorporated community of East Los Angeles. The existing east-west alleyway that currently bisects the site will be vacated/eliminated as part of the project. The subject property is bounded by Whittier Boulevard to the north, Downey Road to the west, Sunol Drive to the east, and residences to the south.

The existing commercial structures would be demolished and removed for the new construction. The proposed four-story building would have 3,208 square feet of 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 floors. The storefront of the two commercial/retail spaces would face Whittier Boulevard. An additional 54 residential parking spaces are provided underground (subterranean parking). 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.
Affordable Housing Units
In addition to the non-residential uses, Level 1 also consists of six affordable units. The second, third, fourth floors (Level 1 through 4) have an additional 64 affordable units plus one unit designated for the property manager, totaling 71 units. The affordable units would be restricted to low-income and/or very-low income households and users of the Los Angeles County’s health services. Of the 71 units, 12 units will be built-out as “accessible” units with mobility features or auditory and visual communication features.

Similar to Downey I, 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.

Residential parking is located on the ground floor behind a secured gate and underground. Downey II 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 staircase from the ground-level or subterranean residential parking lot.
Amenities
A community room and property and case management offices are located on the ground floor. 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.

EXISTING ZONING

Downey I
The northern portion is zoned R-3 (Limited Density Multiple Residence) and the southern portion of the project site is zoned C-3 (General Commercial). 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

Downey II
The southern portion of the project site is zoned C-3 (General Commercial) and the northern portion is zoned R-3 (Limited Density Multiple Residence). 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

EXISTING LAND USES

Downey I
The project site is currently unoccupied. The last commercial/industrial tenants closed in 2013 and all associated structures were subsequently removed. The former Superior Marble & Granite operated on the west side of the project site from 1928 to 2013. The business was associated with the manufacturing of grave stones with operations including stone cutting and stone engraving as well as sandblasting. Structures related to the Superior Marble & Granite operation currently remain on the property. A second former tenant, LeGrand Wilbert Vault, Inc., operated on the east side of the project site from 1942 to 2013. The business last used the property to fabricate concrete vaults for caskets. All facilities associated with LeGrand Wilbert Vault, Inc. was demolished and removed from the project site in November 2015.
DRAFT FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTRY OF LOS ANGELES
PROJECT NO. 2016-001235-(1)
CONDITIONAL USE PERMIT NO. RPPL2016005207
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 in shape with generally level topography and is currently vacant 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.

CC 00714
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 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 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.
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 extend 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 stairscase 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 housing 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 not result in identifiable and actual cost reduction to provide for affordable housing costs or affordable rents for the targeted units. In order to provide for affordable housing costs or affordable rents, as determined in the real estate development pro forma prepared by the applicant and approved by the real estate pro forma prepared by the applicant was verified by the Los Angeles County Community Development Commission (CDC).
DRAFT FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
PROJECT NO. 2016-001235-(1)
CONDITIONAL USE PERMIT NO. RPPL2016005212
HOUSING PERMIT NO. RPPL2017006968

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,

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 vacant—commercial buildings and abandoned—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 abandoned-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.
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 29 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 80 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 not result in identifiable and actual cost reduction to provide for affordable housing costs or affordable rents for the targeted units required to provide for affordable housing costs or affordable housing rents, as determined in the real estate development pro forma prepared by the applicant and verified by the real estate pro forma prepared by the applicant was verified by the Los Angeles County Community Development Commission (CDC).
May 30, 2017

TO: Doug Smith, Chair
    David W. Louie, Vice Chair
    Laura Shell, Commissioner
    Elvin W. Moon, Commissioner
    Pat Modugno, Commissioner

FROM: Jolee Hui
       Zoning Permits East Section

Project No. 2016-001235-(1)
Conditional Use Permit No. RPPL2016005207 ("DOWNEY I")
Housing Permit No. RPPL2017006970
Conditional Use Permit No. RPPL2016005212 ("DOWNEY II")
Housing Permit No. RPPL2017006968
RPC Meeting: May 31, 2017 - Agenda Item: 10

The above mentioned item is a request for approval of two conditional use permits ("CUP") and two housing permits to authorize the construction and use of two 100-percent affordable housing mixed-use buildings with ground-floor commercial use, comprising of a 42-unit apartment ("Downey I") and 71-unit apartment ("Downey II"), within the C-3 (General Commercial) Zone and R-3 (Limited Density Multiple Residence) Zone.

Please find enclosed additional materials for the above referenced item. The items include:

1) Public comment letter dated May 26, 2017 and received on May 30, 2017 from a local resident expressing opposition and concerns to the proposed projects.
2) Final clearance letter from the Fire Department Health Hazardous Material Division dated May 23, 2017. The draft letter was not dated and this final letter would replace the draft clearance letter included in the hearing package submittal.
3) Revised letter from Los Angeles County Community Development Commission (CDC) dated May 17, 2017. The previously submitted letter inadvertently describes the total number of affordable units as 77 unit. The total number of affordable units has been corrected to 113 units.
4) Revised draft findings for Conditional Use Permit No. RPPL2016005212 ("Downey II"). The distance from the southern staircase tower to the nearest residential structure is approximately 65 feet and not 80 feet away. Finding #28 and #40 have been respectively revised to reflect this correction.

If you need further information, please contact Jolee Hui at (213) 974-6435 or jhui@planning.lacounty.gov. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

MM:JPH

Enclosure(s): (1) Public comment letter dated May 26, 2017; (2) Final letter from Fire Department Health Hazardous Material Division dated May 23, 2017; (3) Revised letter from CDC dated May 17, 2017; (4) Draft findings for Conditional Use Permit No. RPPL2016005212 (redline track changes).
Los Angeles County of Regional and Urban Planning  
320 W. Temple St.  
Los Angeles, CA 90012

Unable to attend this very important hearing in person because of work commitments and being a life-long resident of a home on Downey Rd for over 50 years, I am writing to state my objections to the proposed Housing and Commercial Development at the intersection of Downey Rd and Whittier Blvd. What essentially is being proposed are two gigantic strip malls with residential housing above these storefronts. There are several reasons why this development is not appropriate for this area and should not proceed.

   Most importantly it appears that a CEQA exemption has been sought on the proposed site. This is a grave mistake. For several decades, until about 1980, a gas station existed on the SE corner of Downey Rd. This has the potential to be another “Exide lead” crisis as gas tank leaks, leaking petroleum products or other hazardous waste products may have contaminated the area and could potentially lay beneath the surface, consequently exposing the community to another dangerous health hazard.

   Also, 71 units is way too many apartments units. Throughout the neighborhood there are a few apartment buildings with no more than 10 to 15 units that are appropriately sized. Having six times that amount in such a small space will cause many problems in the community, even with the so-called “Underground Parking.” 71 units is virtually as many as a hotel. A hotel across from a cemetery in a tight-knit community is a mistake,

   Just as important, from a safety prospective is the added traffic. From mid-afternoon to the evening, weekends included, Downey Rd receives the detoured traffic from the Pomona Fwy (60) and
Long Beach Fwy (710). It is a virtual parking lot, making entry and exits from driveways extremely dangerous, often needing additional personnel to exit the driveway safely. Vehicles including big rigs, semis and other Class A Vehicles roll down Downey Rd. Many vehicles also use the center lane to avoid being caught in traffic, racing at dangerous speed to avoid delays. Collisions and just as many close calls have occurred with drivers demonstrating road rage tendencies. These will continue to occur, and occur more frequently, if this project is allowed to proceed. Downey Rd also serves as a main artery for students heading to and from school from grades K-12; putting them in harms way is unconscionable.

Also what kind of stores, are being proposed if this project is allowed to proceed? Marijuana dispensaries? Zoning laws should be enforced. To have stores hawking goods or services directly across from the cemetery is disrespectful and inappropriate.

And finally, from this short list of objections which in truth would raise many more, there is the sanctity of the surrounding area. Historic Calvary Cemetery is the final resting place for many beloved from the community. As the largest of 4 cemeteries located within 2 blocks of each other, these sacred grounds also receive many local residents paying their respects not only on Sundays, but many days throughout the year such as holidays, birthdays, anniversaries and many more because they are missed. The idea of loud and objectionable sounds emanating through these hallowed grounds is liable to wake up the dead.

I unequivocally object to this project being allowed to proceed destroying our quiet and decent community for the sake of increased revenue for the developers. Better alternatives would be an educational/instructional center to improve our youths potential for success in employment opportunities, a senior center, a family restaurant to serve the needs of cemetery visitors and the community, and a sheriff substation to keep the community safer and secure.

James P Mesa

**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
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 17, 2017

Jolee Hui,
Regional Planning Assistant II
Los Angeles County Department of Regional Planning
320 W. Temple Street, Room 1346
Los Angeles, CA 90012

Dear Ms. Hui:

VIA EMAIL

DOWNEY I AND II – DENSITY BONUS FINANCIAL FEASIBILITY REVIEW

The following provides a summary of the Downey I and II projects (collectively, the “Project”) and the oversight and approval obligations of the Community Development Commission (“CDC”) related to the housing permit/density bonus commitments.

As the CDC understands the application, Meta Housing Corporation (“Applicant”) is requesting three incentives for the Project, including density bonus, increased height, and compact parking. These incentives will yield an additional 50 affordable units, allocated as follows: 22 affordable units, or 110 percent density bonus for Downey I, and 28 affordable units, or 65 percent density bonus for Downey II. As a result, the Applicant will be required to set-aside 10 of the units as very low-income, defined by the State of California Department of Housing and Community Development’s income and rent limits.

If approved, an Affordable Housing Covenant and Agreement (“Covenant) related to the density bonus units shall be required by the CDC and recorded prior to issuance of Certificate of Occupancy. The Covenant will have a priority lien position on title and shall restrict 10 units as very low-income for a period of 55 years. A long-term monitoring fee of $68,750 will be collected for these 10 units to ensure compliance over the 55-year term. The total monitoring fee, payable to the CDC prior to issuance of Certificate of Occupancy, is calculated based $125 per restricted unit for a term of 55 years.

The CDC has reviewed the development and operating budgets, unit mix and rents, and the 15-year cash flows, among other Project particulars. Of the 113 units in the Project, 111 units will be reserved for low-income households at rents between 30% and 50% of the Area Median Income for the Los Angeles-Long Beach Metropolitan Statistical Area,
adjusted for family size, as established by the U.S. Department of Housing and Urban Development. The remaining two units will be reserved for onsite managers.

Because of the deep affordability included in the Project, the CDC has determined that approving the additional affordable units will allow the Project to be financially feasible and serve the intended low-income populations.

If you need more information or have any questions, please contact me by phone at (626) 586-1809, or by email at Matt.Lust@lacdc.org.

Sincerely,

MATT LUST, Sr. Project Manager
Economic and Housing Development Division
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 vacant--commercial buildings and abandoned--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, C-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 abandoned 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 36 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 feet of 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 18, 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 exempted 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 Statutes 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 96,840 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 1/2 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. [RESERVED FOR HEARING PROCEEDINGS]

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 80-65 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 do result in identifiable and actual cost reduction to provide for affordable housing costs or affordable housing rents for the targeted units required to provide for affordable housing costs or affordable housing rents, as determined in the real estate development pro forma prepared by the applicant and verified 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-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 sanded 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 accentuated 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 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 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 purpose 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, 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 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 80 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 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:

Concurring:

Dissenting:

Abstaining:

Absent:

MM: JPH
05/31/2017

c: Each Commissioner, Zoning Enforcement, Building and Safety
Regional Planning Commission
Transmittal Checklist

<table>
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<tr>
<th>Project Number:</th>
<th>2016-001235-(1)</th>
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<td>Conditional Use Permit No. RPPL2016005207</td>
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<tr>
<td>Housing Permit No. RPPL2017006970</td>
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<tr>
<td>Planner:</td>
<td>Jolee Hui</td>
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</tbody>
</table>

- Project Summary
- Property Location Map
- Staff Analysis
- Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- Draft Findings
- Draft Conditions + Other department letters of recommended conditions
- Previous CUP Conditions of Approval
- Burden of Proof Statement(s)
- Environmental Documentation (ND / MND / EIR)
- Correspondence
- Photographs
- Aerial Image(s)
- Land Use/Zoning Map
- Tentative Tract / Parcel Map
- Site Plan / Floor Plans / Elevations
- Exhibit Map
- Landscaping Plans
- Photo Simulations
- Sustainable Communities Exemption Checklist

Reviewed By: [Signature]
PROJECT NUMBER: 2016-001235-(1)
HEARING DATE: May 31, 2017

REQUESTED ENTITLEMENTS:
- Conditional Use Permit No. RPPL2016005207
- Housing Permit No. RPPL2017006970

OWNER / APPLICANT:
Charles P. Rudel Trust/META Housing Corporation

PROJECT SUMMARY

PROJECT OVERVIEW
The proposed Project ("Downey I") is a request to authorize the demolition of existing commercial structures and the construction of a 42-affordable housing unit apartment complex with ground floor commercial retail space and parking. The three-story building would consist of twenty-four (24) studio units, thirteen (13) 1-bedroom units, five (5) 2-bedroom units, courtyard, gym, management office, community room, bicycle storage, and other amenities.

LOCATION
4161 and 4169 Whittier Blvd.

ACCESS
Downey Road

ASSESSORS PARCEL NUMBER(S)
5236-005-032, 5236-005-033, 5236-005-034

SITE AREA
0.69 acre (30,088 square feet)

GENERAL PLAN / LOCAL PLAN
East Los Angeles Community Plan

ZONED DISTRICT
Eastside Unit No.1

LAND USE DESIGNATION
CC-Community Commercial
MD-Medium Density Residential (30 du/net ac)

ZONE
C-3 (General Commercial Zone)
R-3 (Limited Density Multiple Residence)

PROPOSED UNITS
42 units

MAX DENSITY/UNITS
20 units

COMMUNITY STANDARDS DISTRICT
East Los Angeles CSD

ENVIRONMENTAL DETERMINATION (CEQA)
CEQA exemption as a Transit-Priority Project (TPP) and a Sustainable Communities Project (SCP) pursuant to California Public Resources Code and CEQA Statute and Guidelines Section 21155.1.

KEY ISSUES
- Consistency with the Los Angeles County General Plan and East Los Angeles Community Plan
- Satisfaction of the following Sections of Title 22 of the Los Angeles County Code:
  - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
  - 22.44.118 (East Los Angeles CSD requirements)
  - 22.56, Part 18 (Housing Permits – for density bonus and other incentives)

CASE PLANNER:
Jolee Hui

PHONE NUMBER:
(213) 974 - 6435

E-MAIL ADDRESS:
jhui@planning.lacounty.gov
**PROJECT NUMBER**
2018-001235-(1)  
**HEARING DATE**
May 31, 2017  
**REQUESTED ENTITLEMENTS**
Conditional Use Permit No. RPPL2016005207  
Housing Permit No. RPPL2017006970

### PROJECT SUMMARY

**OWNER / APPLICANT**
Charles P. Rudel Trust/ META Housing Corporation  
**MAP/EXHIBIT DATE**

### PROJECT OVERVIEW

The proposed Project ("Downey I") is a request to authorize the demolition of existing commercial structures and the construction of a 42-affordable housing unit apartment complex with ground floor commercial retail space and parking. The three-story building would consist of twenty-four (24) studio units, thirteen (13) 1-bedroom units, five (5) 2-bedroom units, courtyard, gym, management office, community room, bicycle storage, and other amenities.

### LOCATION
4161 and 4169 Whittier Blvd.

### ACCESS
Downey Road

### ASSESSORS PARCEL NUMBER(S)
5236-005-032, 5236-005-033, 5236-005-034

### SITE AREA
0.69 acre (30,088 square feet)

### GENERAL PLAN / LOCAL PLAN
East Los Angeles Community Plan  
**ZONED DISTRICT**
Eastside Unit No.1

### LAND USE DESIGNATION
CC-Community Commercial  
MD-Medium Density Residential (30 du/net ac)

### ZONE
C-3 (General Commercial Zone)  
R-3 (Limited Density Multiple Residence)

### PROPOSED UNITS
42 units

### MAX DENSITY/UNITS
20 units

### COMMUNITY STANDARDS DISTRICT
East Los Angeles CSD

### ENVIRONMENTAL DETERMINATION (CEQA)

CEQA exemption as a Transit-Priority Project (TPP) and a Sustainable Communities Project (SCP) pursuant to California Public Resources Code and CEQA Statute and Guidelines Section 21155.1.

### KEY ISSUES

- Consistency with the Los Angeles County General Plan and East Los Angeles Community Plan
- Satisfaction of the following Sections of Title 22 of the Los Angeles County Code:
  - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
  - 22.44.118 (East Los Angeles CSD requirements)
  - 22.56, Part 18 (Housing Permits – for density bonus and other incentives)

### CASE PLANNER:
Jolee Hui  
**PHONE NUMBER:**
(213) 974 – 6435  
**E-MAIL ADDRESS:**
jhui@planning.lacounty.gov
PROJECT SUMMARY

OWNER / APPLICANT
Charles P. Rudel Trust/ META Housing Corporation

PROJECT OVERVIEW
The proposed Project ("Downey II") is a request to authorize the demolition of existing commercial structures and the construction of a 71-affordable housing unit apartment complex with ground floor commercial retail and underground parking. The four-story building would consist of thirty four (34) 1-bedroom units, nineteen (19) 2-bedroom units, eighteen (18) 3-bedroom units, community room, courtyards, management office, storage, and other amenities.

LOCATION
4200-4224 Whittier Blvd.

ASSESSORS PARCEL NUMBER(S)

GENERAL PLAN / LOCAL PLAN
East Los Angeles Community Plan

LAND USE DESIGNATION
CC-Community Commercial
MD-Medium Density Residential (30 du/net ac)

PROPOSED UNITS
71 units

ENVIRONMENTAL DETERMINATION (CEQA)
CEQA exemption as a Transit-Priority Project (TPP) and a Sustainable Communities Project (SCP) pursuant to California Public Resources Code and CEQA Statute and Guidelines Section 21155.1.

KEY ISSUES
- Consistency with the Los Angeles County General Plan and East Los Angeles Community Plan
- Satisfaction of the following Sections of Title 22 of the Los Angeles County Code:
  - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
  - 22.44.118 (East Los Angeles CSD requirements)
  - 22.56, Part 18 (Housing Permits – for density bonus and other incentives)

CASE PLANNER:
Jolee Hui

PHONE NUMBER:
(213) 974 – 6435

E-MAIL ADDRESS:
jhui@planning.lacounty.gov
ENTITLEMENTS REQUESTED
The applicant, META Housing Corporation, is requesting the following entitlements to authorize the construction, operation, and maintenance of two 100-percent affordable apartment complexes with ground-floor commercial retail use: a 42-unit apartment building ("Downey I") and a 71-unit apartment building ("Downey II").

Downey I
- Conditional Use Permit ("CUP") No. RPPL2016005207 to authorize residential use (apartment house and associated residential amenities) in the C-3 (General Commercial) Zone pursuant to Section 22.28.200 of the Los Angeles County ("County") Planning and Zoning Code ("Code").

- Administrative Housing Permit No. RPPL2017006970 to authorize a density bonus of 22 additional dwelling units (110 percent) over the maximum allowed (20 units) per the East Los Angeles Community Plan as well three incentives related to a height increase, density bonus, and compact parking by setting aside all proposed units (except for one manager's unit) for the low-income and/or very-low income households and special needs groups pursuant to County Code Section 22.56.2690.

Downey II
- Conditional Use Permit No. RPPL2016005212 to authorize residential use (apartment house) in the C-3 (General Commercial) Zone pursuant to County Code Section 22.28.200.

- Administrative Housing Permit No. RPPL2017006968 to authorize a density bonus of 28 additional dwelling units (65 percent) over the maximum allowed (43 units) as well three incentives related height increase, density bonus, and compact parking by setting aside all proposed units (except for one manager's unit) for low-income and/or very-low income households and special needs groups pursuant to County Code Section 22.56.2690.

PROJECT DESCRIPTION
The applicant requests to construct two affordable housing buildings (known as Downey I and Downey II) with garden style design, totaling 113 apartment units, located on the northeast and southwest corners of the Whittier Boulevard and Downey Road intersection in the unincorporated community of East Los Angeles.

Both Downey I and II have on-site offices for case managers and property managers. Pedestrian entrance into Downey I and Downey II would be on Whittier Boulevard and vehicular entrance would be on Downey Road.
Downey I
Downey I, also formerly called Site A, is proposed to be constructed on three adjoining parcels located on the northwest corner of the Whittier Boulevard and Downey Road intersection at 4161 and 4166 Whittier Boulevard.

The proposed three-story building would have 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.

<table>
<thead>
<tr>
<th>DOWNEY I</th>
<th>4161 &amp; 4169 Whittier Blvd.</th>
<th>Quantity/Area</th>
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<tbody>
<tr>
<td>Project Site</td>
<td>30,088 SF (0.69 acre)</td>
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<tr>
<td>Number of stories</td>
<td>3 stories</td>
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<td>Proposed Maximum Height</td>
<td>Up to 44 feet in C-3 Zone Up to 36 feet in R-2 Zone</td>
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<td>Residential Dwelling Units</td>
<td>42 units</td>
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<td>Studio (24)</td>
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<td>One-bedroom (13)</td>
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<td>Two-bedroom (4)</td>
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<td>Manager's Unit (1)</td>
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<td>Community Room</td>
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<td>Property/Case Management Offices</td>
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<td>Gym</td>
<td>302 SF</td>
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<td>Vehicle Parking (ground level)</td>
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Affordable Housing Units
Level 2 and Level 3 of the building would consist of 41 affordable units and one unrestricted property manager's unit, totaling 42 units. The affordable units would be restricted to low-income and/or very-low income households and users of the Los Angeles County's health services. Nine units will be built-out as "accessible" units with mobility features or auditory and visual communication features.
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.

Residential parking is located on the ground floor behind a secured gate. 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 residential parking lot.

Amenities
A community room, computer room/kitchen, laundry facilities, gym, mail room, and property and case management offices are 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.

Downey II
Downey II, also formerly called Site B, is proposed to be constructed on nine adjoining parcels located on the southwest corner of the Whittier Boulevard and Downey Road intersection at 4200 to 4224 Whittier Boulevard in the unincorporated community of East Los Angeles. The existing east-west alleyway that currently bisects the site will be vacated/eliminated as part of the project. The subject property is bounded by Whittier Boulevard to the north, Downey Road to the west, Sunol Drive to the east, and residences to the south.

The existing commercial structures would be demolished and removed for the new construction. The proposed four-story building would have 3,208 square feet of 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 floors. The storefront of the two commercial/retail spaces would face Whittier Boulevard. An additional 54 residential parking spaces are provided underground (subterranean parking). 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.
DOWNEY II
4200-4224 Whittier Blvd.  

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<th>Description</th>
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<td></td>
<td>Up to 57 feet in R-3 Zone</td>
</tr>
<tr>
<td>Residential Dwelling Units</td>
<td>71 units</td>
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<tr>
<td>One-bedroom (34)</td>
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<tr>
<td>Two-bedroom (18)</td>
<td></td>
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<tr>
<td>Three-bedroom (18)</td>
<td></td>
</tr>
<tr>
<td>Manager's Unit (1)</td>
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<tr>
<td>Community Room</td>
<td>1,064 SF</td>
</tr>
<tr>
<td>Property/Case Management Offices</td>
<td>423 SF</td>
</tr>
<tr>
<td>Commercial/Retail Space</td>
<td>3,208 SF</td>
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<td>Vehicle Parking</td>
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<td>Standard (66)</td>
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<td>ADA (4)</td>
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<td>EVCS (5)</td>
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<td>Van Pool/Clean Air (1)</td>
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<td>Compact (16)</td>
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<td>Bicycle Parking</td>
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<td>Community Patio/Courtyards</td>
<td>7,300 SF</td>
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<td>Landscaping</td>
<td>17,750 SF</td>
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</table>

**Affordable Housing Units**

In addition to the non-residential uses, Level 1 also consists of six affordable units. The second, third, fourth floors (Level 1 through 4) have an additional 64 affordable units plus one unit designated for the property manager, totaling 71 units. The affordable units would be restricted to low-income and/or very-low income households and users of the Los Angeles County's health services. Of the 71 units, 12 units will be built-out as “accessible” units with mobility features or auditory and visual communication features.

Similar to Downey I, 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.

Residential parking is located on the ground floor behind a secured gate and underground. Downey II 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 staircase from the ground-level or subterranean residential parking lot.
Amenities
A community room and property and case management offices are located on the ground floor. 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.

EXISTING ZONING

Downey I
The northern portion is zoned R-3 (Limited Density Multiple Residence) and the southern portion of the project site is zoned C-3 (General Commercial). 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

Downey II
The southern portion of the project site is zoned C-3 (General Commercial) and the northern portion is zoned R-3 (Limited Density Multiple Residence). 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

EXISTING LAND USES

Downey I
The project site is currently vacant. The last commercial/industrial tenants closed in 2013 and all associated structures were subsequently removed. The former Superior Marble & Granite operated on the west side of the project site from 1928 to 2013. The business was associated with the manufacturing of grave stones with operations including stone cutting and stone engraving as well as sandblasting. A second former tenant, LeGrand Wilbert Vault, Inc., operated on the east side of the project site from 1942 to 2013. The business last used the property to fabricate concrete vaults for caskets. All facilities associated with LeGrand Wilbert Vault, Inc. was demolished and removed from the project site in November 2015.

Surrounding properties within a 500-foot radius are developed as follows:
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

Downey II

The project site is currently developed with surface parking lot on the south side, and two vacant commercial structures and office building currently occupied by the property owner. Various retail and commercial businesses, including an automotive repair and auto body shop and gas station, operated at the project site from 1928 to 2013.

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

PREVIOUS CASES/ZONING HISTORY

The zoning history of the subject property is as follows:

Downey I

- 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.

There are no previous permit approvals for the former businesses on the Downey II 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 with commercial and industrial use buildings in 1928 with the former dwelling on the west side being removed circa 1960s. All structures were removed from the property in 2015.
Downey II

- Ordinance 1690, adopted on June 24, 1929 by the Board of Supervisors, established the northern portion of the Downey II in the M1 (Factory) Zone and the southern portion in the R4 (Unlimited) Zone.

- Ordinance 880153Z, adopted on September 13, 1988 by the Board of Supervisors, established the northern portion of Downey II in the C-3 Zone and southern portion in the R-3 Zone.

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, and developed with the current abandoned structures in 1928.

ENVIRONMENTAL DETERMINATION

County staff recommends that the two proposed developments are transit priority projects exempt from the California Environmental Quality Act (CEQA) under the Sustainable Communities Project Exemption as the proposed projects meet 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 proposed Downey I and Downey II are declared a Transit Priority Project (TPP) by meeting the following definition:

- The proposed projects are 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.

As detailed below in the General Plan/Community Plan Consistency and Zoning Ordinance discussion, the proposed projects are 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**

Downey I has 1,161 square feet of commercial retail and 35,839 square feet of residential use, which is 97 percent residential. Downey II only has 3,208 square feet of commercial retail space out of the 96,640 square feet of floor area. The remaining area is dedicated residential-related uses. Both Downey I and Downey II have a FAR greater than 1.0.

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

With a requested density bonus, Downey I would have a residential density of 61 dwelling units per acre and Downey II 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 sites are located within the 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 further meets seven land use criteria, eight environmental criteria, and one additional affordable housing or open space criteria. The proposed Downey I and Downey II projects as TPPs meet the following criteria:

**Environmental Criteria, Subdivision (a) of PRC Section 21155.1**

1. The TPP can be adequately served by existing utilities, and the applicant has paid, or has committed to pay, all applicable in-lieu or development fees.

2. The project site does not contain wetlands or riparian areas and does not have significant value as a wildlife habitat. As transit priority project, the proposed project does not harm any species protected by the federal Endangered Species Act of 1973, the Native Plant Protection Act, or the California Endangered Species Act. The proposed projects would not cause the destruction or removal of any species protected by a local ordinance in effect at the time of the application for the project was deemed complete.
3. The project site is not included on any list of facilities and sites compiled pursuant to Section 65962.5 of the Government Code.

4. The project has completed a preliminary endangerment assessment prepared by a registered environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from the any nearby property or activity [Condition of Approval #36].

5. The TPP does not have a significant effect on historical resources pursuant to Section 21084.1.

6. The project is not subject to any of the following:
   a. A wildland fire hazard, as determined by the Department of Forestry and Fire Protection, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of a wildland fire hazard.
   b. An unusually high risk of fire or explosion from materials stored or used on nearby properties.
   c. Risk of a public health exposure at a level that would exceed the standards established by any state or federal agency.
   d. Seismic risk as a result of being within a delineated earthquake fault zone, as determined pursuant to Section 2622, or a seismic hazard zone, as determined pursuant to Section 2696, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of an earthquake fault or seismic hazard zone.
   e. Landslide hazard, flood plain, flood way, or restriction zone, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of a landslide or flood.

7. The project site is not located on developed open space.

8. The buildings in the project are 15 percent more energy efficient than required by Chapter 6 of Title 24 of the California Code of Regulations and the buildings and landscaping are designed to achieve 25 percent less water usage than the average household use in the region.

**Land Use Criteria, Subdivision (b) of PRC Section 21155.1**

1. The site of the transit priority project is not more than eight acres in total area.

2. The TPP does not contain more than 200 residential units.

3. The TPP does not result in any net loss in the number of affordable housing units within the project area.

4. The transit priority project does not include any single level building that exceeds 75,000 square feet.

5. Any applicable mitigation measures or performance standards or criteria set forth in the prior environmental impact reports, and adopted in findings, have been or will be incorporated into the TPP.

6. The TPP is determined not to conflict with nearby operating industrial uses.
7. The TPP is located within one-half mile of a rail transit station or a ferry terminal included in a regional transportation plan or within one-quarter mile of a high quality transit corridor included in a regional transportation plan.

Affordable Housing Option Criteria, Subdivision (c) of PRC Section 21155.1

1. (A) At least 20 percent of the housing will be sold to families of moderate income, or not less than 10 percent of the housing will be rented to families of low income, or not less than 5 percent of the housing is rented to families of very low income. The project is 100 percent affordable housing for low income or very income groups and special needs population with low-income or very-low income.

(B) The project developer provides sufficient legal commitments to the appropriate local agency to ensure the continued availability and use of the housing units for very low, low-, and moderate-income households at monthly housing costs with an affordable housing cost or affordable rent, as defined in Section 50052.5 or 50053 of the Health and Safety Code, respectively, for the period required by the applicable financing. Rental units shall be affordable for at least 55 years. Ownership units shall be subject to resale restrictions or equity sharing requirements for at least 30 years.

Prior to the grant of a certificate of occupancy from Department of Public Works, a covenant or agreement, acceptable to the Community Development Commission of Los Angeles County shall be recorded with the county recorder to ensure continuing availability of housing set-aside units for 55 years [Condition of Approval #19].

2. The transit priority project developer has paid or will pay in-lieu fees pursuant to a local ordinance in an amount sufficient to result in the development of an equivalent number of units that would otherwise be required pursuant to paragraph (1).

The required covenant and agreement will include remedies for violations of the covenant, including, but not limited to monetary penalties [Condition of Approval #19].

Based on the information outlined above and the responses provided in the Sustainable Communities Exemption checklist, staff recommends that the Regional Planning Commission determine that the project is exempt from CEQA.

STAFF EVALUATION

General Plan/Community Plan Consistency

The southern portion of Downey I and the northern portion of Downey II are located within the CC (Community Commercial) land use category of the East Los Angeles Community.
Plan. The northern portion of Downey I and the southern portion of Downey II are located within the MD (Medium Density Residential) 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.

Both Downey I and Downey II apartment buildings are consistent with the land use policies of the East Los Angeles Community Plan and General Plan Housing Element. Small commercial spaces, community room, and office use are proposed on the ground floor of the buildings and on the parcels designated within the CC land use category. Apartment units are proposed on all floors above the ground floor for Downey I and on four floors including the ground floor for Downey II, 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.

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 20 units on the 0.69-acre Downey I property and 43 units for the 1.45-acre Downey II property. The applicant is requesting a 110 percent density bonus for 22 additional units (or residential density of 61 du/ac) for Downey I and a 65 percent density bonus for 28 additional units (or residential density of 49 du/ac) for Downey II. All dwelling units, except for one manager's unit, for the proposed Downey I and Downey II are 100 percent affordable. The units will be restricted to very-low income or low 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.

<table>
<thead>
<tr>
<th>Site</th>
<th>Lot Area</th>
<th>Maximum Permitted Units (30 du/ac)</th>
<th>Additional Units Requested</th>
<th>Percent Density Bonus</th>
<th>Total Units</th>
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<tbody>
<tr>
<td>Downey I</td>
<td>0.68 acre</td>
<td>20 units</td>
<td>22 units</td>
<td>110%</td>
<td>42 units</td>
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<tr>
<td>Downey II</td>
<td>1.42 acre</td>
<td>43 units</td>
<td>28 units</td>
<td>65%</td>
<td>71 units</td>
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The following policies of the East Los Angeles Community Plan are applicable to the proposed Downey I and Downey II projects:

**Physical Environment Goals:**

- To meet housing demand, both present and future, especially for low- and moderate-income families.

- To encourage high standards of development and improve the aesthetic qualities of the community.

**Housing Policies:**

- Encourage the construction of publicly assisted housing for special needs groups such as the handicapped, low and moderate income households, and senior citizens. Developments at lower densities (including single family detached and twin houses) should be encouraged for families while somewhat higher densities including townhouses and apartments should be encouraged to meet the needs of senior citizens. Notification of the surrounding residents and property owners shall be an integral part of the planning process to foster neighborhood review and application.

Downey I and Downey II are infill housing projects to provide a total of 111 new affordable units (minus two units allocated for on-site property managers) for the low-income group, very-low income group, and/or special needs households with incomes below 80 percent AMI. Over 10 percent of the affordable units will be designed to accommodate individuals with needs for auditory/visual features or mobility features.

The two project sites are currently vacant with dilapidated structures and enclosed by chain-link fences. The two proposed mixed use buildings would fill in the spatial void along Whittier Boulevard and Downey Road. The proposed projects would bring raised planters, aluminum glazed window storefronts, landscaping, and neighborhood commercial uses to serve the nearby residents. These features would vastly improve the current vacant state of these corner properties.

The following policies of the General Plan are applicable:

**Housing Element**

- **Housing Element Goal 1A:** Wide range of housing types in sufficient supply to meet the needs of current and future residents, particularly for persons with special needs, including but not limited to low income households, seniors, persons with disabilities, large households, single-parent households, the homeless and at risk of homelessness, and farmworkers.
• Housing Element Policy 1.1: Make available through land use planning and zoning an adequate inventory of vacant and underutilized sites to accommodate the County's Regional Housing Needs Assessment (RHNA) allocation.

• Housing Element Policy 1.3: Coordinate with the private sector in the development of housing for low and moderate income households and those with special needs. Where appropriate, promote such development through incentives.

• Housing Element Policy 2.1: Support the development of housing for low and moderate income households and those with special needs near employment and transit.

• Housing Element Policy 2.2: Encourage mixed-use developments along major commercial and transportation corridors.

• Housing Element, Goal 3. A housing supply that ranges broadly in housing costs to enable all households, regardless of income, to secure adequate housing.

• Housing Element, Policy 4.1: Provide financial assistance and ensure that necessary supportive services are provided to assist low- and moderate-income households and those with special needs to attain and maintain affordable and adequate housing.

• Housing Element Policy 8.1: Support the distribution of affordable housing, shelters, and transitional housing in geographically diverse locations throughout the unincorporated areas, where appropriate support services and facilities are available in close proximity.

As previously mentioned, Downey I and Downey II would provide 100 percent affordable housing that will be restricted to low income or very-low income households, and specials needs groups. The project sites have remained vacant since the last commercial tenants closed in 2013. Development of these underutilized parcels into housing would help meet the County's Regional Housing Needs Assessment allocation. Downey I offers studio units, one-bedroom units, and two-bedroom units. In addition to one-bedroom units and two-bedroom units, Downey II also consists of three-bedroom units to accommodate larger households. The proposed projects would provide amenities such as community room, gym, open courtyards and support services such as the availability of on-site case managers. The ground-floor commercial spaces would add to the existing neighborhood businesses.

Whittier Boulevard is also highly-served by transit and highly-traveled commercial corridor. There are numerous shops and facilities within walking distance of the sites.
including a public library, restaurants, markets, a bakery, a hospital, and florists. Los Angeles Metro buses run regularly on Whittier Boulevard. A bus stop is conveniently located in front of Downey II on the southwest corner of Whittier Boulevard and Downey Road intersection.

**Land Use Element**

- **General Plan, Policy LU 4.3:** Encourage transit-oriented development in urban and suburban areas with the appropriate residential density along transit corridors and within station areas.

- **General Plan, Policy LU 4.4:** Encourage mixed use development along major commercial corridors in urban and suburban areas.

- **General Plan, Goal LU 5:** Vibrant, livable and healthy communities with a mix of land uses, services and amenities.

- **General Plan, Policy LU 5.3:** Support a mix of land uses that promote bicycling and walking, and reduce Vehicle Miles Traveled (VMTs).

- **General Plan, Policy LU 10.4:** Promote environmentally-sensitive and sustainable design. LEED and possibly Energy Star Homes sustainable design elements will reduce the project's environmental impact.

**Mobility Element**

- **General Plan, Policy M 1.1:** Provide for the accommodation of all users, including pedestrians, motorists, bicyclists, equestrians, users of public transit, seniors, children, and persons with disabilities when requiring or planning for new, or retrofitting existing, transportation corridors/networks whenever appropriate and feasible.

- **General Plan, Policy M 5.1:** Facilitate transit-oriented land uses and pedestrian-oriented design, particularly in the first-last mile connections to transit, to encourage transit ridership.

Downey I and Downey II are two infill sites that replace 11 under-utilized parcels with much-needed housing along Whittier Boulevard, which is a major transportation and commercial corridor in the East Los Angeles community. The project sites are located within commuting distance of regional employment centers due to their proximity to multiple freeways and public transportation routes. The project sites are within a quarter mile of the Interstate 5, a half mile of the Interstate 710, and a three-quarters mile of State Route 60. There are two bus stops within a short walking distance of Downey I and Downey II. The two bus stops are serviced by the following bus lines:
• LA Metro 18 runs east-west spanning west to Wilshire Center to east to Montebello via Downtown Los Angeles, Boyle Heights and East Los Angeles.

• LA Metro Rapid 720 runs east-west spanning west to Santa Monica and east to Commerce via Westwood, Beverly Hills, Koreatown, Downtown Los Angeles and East Los Angeles.

• Los Department of Transportation Community DASH Boyle Heights runs northwest-southeast spanning northwest to LAC+USC Medical Center and southeast to East Los Angeles.

• County of Los Angeles Transit Services El Sol Shuttle Service runs from Union Pacific to Salazar Park.

A LA Metro 18 bus stop is located immediately in front of Downey II. The second bus stop is located two blocks west of the Downey I and Downey II on Herbert Avenue and Whittier Boulevard. This bus stop is utilized by the LA Metro 720 Rapid Line and LADOT Community DASH Boyle Heights line. Both bus stops serve the community within a 15-minute interval service time, making transit convenient. Although the two LA Metro Rail Gold line stations, Indiana Station and Maravilla Station, are located over one mile away from the project sites, they are accessible by LA Metro or DASH buses. Thus, the project sites are identified as being the ideal location for new development that combines housing and services near high-quality transit.

Furthermore, Downey I and Downey II will strive for Gold certification under Leadership in Energy and Environmental Design and incorporate environmental sensitive designs. Some potential design features may include but not limited to the following reduction in overall irrigation water demand by at least 20 percent, drought-tolerant landscaping, low-flow fixtures, use of Energy-Star labeled appliances, installation of bike racks and electric-vehicle charging stations to encourage alternative fuel and alternative mode of transportation. Whittier Boulevard and Downey Road are also identified in the County’s 2012 Bicycle Master Plan for a proposed a Class III Bike Path.

Zoning Ordinance and Development Standards Compliance

Permitted Uses

As previously noted, the project sites are split between two zones, C-3 Zone and R-3 Zone. The southern portion of the proposed Downey I’s mixed-use building and the northern portion of the proposed Downey II’s mixed-use building would be located in the C-3 Zone. The northern portion of the proposed Downey I and the southern portion of the proposed Downey II would be located in the R-3 Zone.

Apartment houses in the R-3 Zone are permitted by right but are permitted by CUP in the C-3 Zone. Thus, the proposed multi-family residential units and the associated residential amenities located in the C-3 Zone require a CUP. Furthermore, mixed-use developments and commercial retail use are not permitted in the R-3 Zone. For this reason, all ground-
floor commercial retail spaces are proposed entirely within the C-3 Zone of the project sites. Although the R-3 Zone does not allow commercial retail use, the proposed commercial parking spaces within the R-3 Zone is permitted by Director's review per Section 22.20.280. Parking lots as a transitional use is permitted in the R-3 Zone if it meets the following criteria set by Section 22.20.090 of the County Code:

- The area used for parking adjoins a qualifying commercial zone (i.e., C-3 Zone).
- The parking is limited to an area within 100 feet from the boundary of the qualifying commercial zone.
- The area developed with parking has direct vehicular access to an improved public street (i.e., Downey Road).
- The lot or parcel of land developed with parking including access has a side lot line adjoining, or separated only by an alley, for a distance of not less than 50 feet, from property in the qualifying commercial zone.
- The side lot line of the lot or parcel of land developed with parking does not exceed the length of the lot line common to said commercial zone.
- Parking is limited to motor vehicle parking lots exclusively and excludes vehicles over two tons rated capacity.

Administrative Housing Permit Incentives
Downey I and Downey II are qualified affordable housing projects with 100 percent affordable housing set-asides for very low and low 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:

1. **Density Bonus Exceeding 50 Percent (Off-Menu Incentive)**
   The applicant requests an additional 22 affordable units or 110 percent density bonus for Downey I. The permitted units would increase from 20 to 42 affordable housing units for the low or very-low income households and special needs groups.

   The applicant also requests an additional 28 affordable units or 65 percent density bonus for Downey II. The permitted units would increase from 43 units to 71 affordable housing units for the low or very-low income households and special needs groups.

2. **Increased Height (Off-Menu Incentives)**
   The East Los Angeles CSD requires a building or structure not to exceed 40 feet, except for devices or apparatus essential to industrial processes or communications related to public health and safety may be permitted up to 50 feet in height. The R-3 Zone has a maximum permitted height of 35 feet. To modify this height limit for Downey I, the applicant requests a height increase from 40 feet to 44 feet above grade in the C-3 Zone. The height of the Downey I structure in the
R-3 Zone generally does not exceed 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.

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 80 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.

3. Compact Parking (Off-Menu Incentive)
   The applicant requests that eight compact parking spaces (26%) out of 31 total spaces be allowed for Downey I and 16 compact spaces (or 17%) out of 92 spaces be allowed for Downey II 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 applicable parking requirements and include additional accessible parking spaces and clean air vehicle spaces.

Yards/Setbacks
The C-3 Zone does not have any required yard setbacks. Only the R-3 Zone portions of the project sites are subject to the setback requirements. The front yards of both Downey I and Downey II are located in the C-3 Zone; thus, no front yard 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 the Downey I project site located in the R-3 Zone, the setbacks are provided as follow: 20 feet for west side yard, 15 feet for east side yard, and 20 feet for rear yard. For the portions of the Downey II 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.

Lot Coverage/Landscaping
The CC land use category has a maximum 90 percent lot coverage limit. The C-3 Zone further requires that buildings can only occupy 90 percent 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 for Downey I is calculated at 66 percent and the proposed project provides 5,940 square feet of landscaping or nearly 20 percent of landscaping. For Downey II, the building footprint would be 73 percent of the project site. Landscaping is 13,500 square feet or 21 percent on the ground level and an additional 4,250 square feet of landscaping is provided on the upper floors. The provided landscaping for both project sites exceeds this requirement.

Pursuant to the East Los Angeles CSD landscaping requirements for C-3 Zone, 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), Downey I will plant a minimum of six trees and Downey II will plant a minimum of 14 trees to meet the requirement of three trees for every 10,000 square feet of developed area.

Vehicle Parking
Pursuant to Assembly Bill (AB) 744, which was approved by the Governor on October 9, 2015, certain qualified projects within half mile of a major transit stop that provide 100 percent affordable rental housing at low income and very low income households can provide parking at a ratio of 0.5 parking space per unit. This 0.5 parking ratio is inclusive of accessible and guest parking.

With two readily accessible bus stops serviced by multiple bus lines, Downey I and Downey II are considered qualified projects within one-half mile of a major transit stop. Under AB 744, Downey I is required to provide 21 residential parking spaces and Downey II is required to provide 36 residential parking spaces.

Retail and office commercial parking is calculated based on floor space of the building. Pursuant to County Code Section 22.52.1100, one parking space per 250 square feet of retail floor space is required. General office use requires one space per 400 square feet of the floor area. The proposed community room and property management office are captured by the residential parking calculation because they would be restricted to on-site staff or residents. As shown in the table below, both Downey I and Downey II meet the commercial and residential parking requirements.
<table>
<thead>
<tr>
<th>Required Residential Parking per AB 744</th>
<th>Proposed Residential Parking Spaces</th>
<th>Required Commercial Parking</th>
<th>Proposed Commercial Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Downey I 42x0.5=21 spaces</td>
<td>24 spaces</td>
<td>1,161 SF/250 SF=6 spaces</td>
<td>7 spaces</td>
</tr>
<tr>
<td></td>
<td></td>
<td>319 SF/400 SF = 1 space</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Total 6 spaces</td>
<td></td>
</tr>
<tr>
<td>Downey II 71 units x 0.5= 36 spaces</td>
<td>77 spaces</td>
<td>3208 SF/250 SF=13 spaces</td>
<td>15 spaces</td>
</tr>
<tr>
<td></td>
<td></td>
<td>423 SF/400 SF =1 space</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Total 14 spaces</td>
<td></td>
</tr>
</tbody>
</table>

Loading space is not required for the non-residential use at Downey I and Downey II because the gross floor area for the non-residential use is less than 5,000 square feet per Section 22.52.1084.

**Bicycle Parking**

Pursuant to County Code Section 22.52.1225, multi-family residential projects are required to provide one short-term bicycle space for each 10 dwelling units, and one long-term bicycle parking space for each two dwelling units. General retail use requires one short-term bicycle space per 5,000 square feet and one long-term bicycle space per 12,000 square feet. Office use requires one short-term bicycle space per 20,000 square feet and one long-term bicycle space per 10,000 square feet.

As shown in the table below, the two proposed projects meet the bicycle parking requirements.

<table>
<thead>
<tr>
<th>Downey I</th>
<th>Residential</th>
<th>General Retail</th>
<th>Office</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Short-term Bicycle Spaces</td>
<td>(5) Required (6) Proposed</td>
<td>(1) Required (1) Proposed</td>
<td>(1) Required (1) Proposed</td>
<td>(7) Required (8) Proposed</td>
</tr>
<tr>
<td>Long-term Bicycle Spaces</td>
<td>(21) Required (22) Proposed</td>
<td>(1) Required (1) Proposed</td>
<td>(1) Required (1) Proposed</td>
<td>(23) Required (24) Proposed</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Downey II</th>
<th>Residential</th>
<th>General Retail</th>
<th>Office</th>
<th>Total Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Short-term Bicycle Spaces</td>
<td>(8) Required (8) Proposed</td>
<td>(1) Required (1) Proposed</td>
<td>(1) Required (1) Proposed</td>
<td>(10) Required (10) Proposed</td>
</tr>
<tr>
<td>Long-term Bicycle Spaces</td>
<td>(36) Required (39) Proposed</td>
<td>(1) Required (1) Proposed</td>
<td>(1) Required (1) Proposed</td>
<td>(38) Required (41) Proposed</td>
</tr>
</tbody>
</table>

**East Los Angeles CSD**

In addition to the applicable development standards discussed above, the portion of the buildings in the C-3 Zone are subject to the following development standards in the East Los Angeles Community Standard District (CSD):
• **Building Frontage.** The ground floor of Downey I and Downey II on Whittier Boulevard are 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. Downey I and Downey II have 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 on both project sites are devoted to the entrances, shop windows, or other displays.

• **Main Building Entrance.** The main building entrances are 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. Both Downey I and Downey II’s main entrances are located at the center of the façade and open directly into the building’s lobby. The main entrance to Downey II is further accented by an open area and other architectural elements such as changes in the vertical plane and the roofline. The retail commercial space at Downey I is located at a corner with a prominent entrance marked by a change in building surface material above the entrance.

• **Facade Height Articulation Requirement.** Downey I and Downey II are a multi-story buildings that are required to have a distinctive building base, building middle, and building top. At the base of the Downey I and Downey II buildings on Whittier Boulevard and Downey Road, a durable material such as concrete, masonry, natural stone, faux stone, or other durable materials would be used to clad the walls facing publically accessible areas from ground level to a minimum height of three feet. For Downey I, board formed concrete planters up to three feet from the bottom band of the building. For Downey II, board formed concrete planters and precast low wall panel would clad the base of the building. The ground floors 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 of Downey I is prominently defined by the parapet walls. Downey II 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 wall surfaces for Downey I structure 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. Downey II purposes wall surface materials such as metal siding, cement plaster, fiber cement slats and fiber cement lap siding. These wall surface materials would be generally painted to add contrasting trim colors. The sides of the Downey I and Downey II buildings are also given the similar level of trim and finish compatible with the front façade. Small areas with blank walls are only limited on the internal-block, side-property wall.

- **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 buildings of Downey I and Downey II. 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 of Downey I are screened by a wall and with landscaping. The service entrance to the electrical and mechanical equipment is via the primary access on Downey Road for both sites.

- **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 sites are corner lots, 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 for Downey I and only along the south property line for Downey II. 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.

Neighborhood Impact/Land Use Compatibility

The two proposed developments, a 71-unit apartment complex and a 42-unit apartment complex, exceeds the maximum residential density permitted by the Medium Density Residential land use category by 65 percent and 110 percent, respectively. The adopted General Plan Housing Element, as well as the policies of the General Plan and East Los Angeles Community Plan, strongly support higher density infill development near transit and the creation of critical affordable housing units for low income, very-low income, and special needs populations. The affordability element of the proposed developments will play a major role in contributing to the general welfare of the community. For the past several years the demand for low cost housing has exceeded the limited supply leading to long waiting periods. The development of Downey I and Downey II providing a total of 111 affordable units will help to meet the high demand for low cost housing and therefore have a positive impact on the surrounding community.

The proposed projects are also 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 sites for multi-family apartment uses is in conformity with the established land use pattern of the immediate area. The construction, operation, and maintenance of Downey I and Downey II 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.

The project sites are also in close proximity to highways and high-frequency bus transit stops. Two LA Metro buses, El Sol Shuttle and a LADOT DASH bus run regularly on Whittier Boulevard and two bus stops are conveniently located in the immediately vicinity. The proposed projects will be adequately served by existing utility and street infrastructure and meets applicable zoning requirements. Many neighborhood commercial shops, mini-markets, public facilities, medical offices, and hospital are within walking distance of the sites. Furthermore, a Traffic Impact Study concluded that 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 current Downey I site is vacant that leaves a physical void along a busy commercial corridor. Similarly, the current Downey II site is developed with vacant commercial buildings and abandoned surface parking leaving a blighted appearance. The two proposed developments would not only bring much needed affordable housing, but add visual interest to the street frontages with the new buildings, raised planters and window-gazed store fronts. All building wall surfaces are well articulated with windows, architectural features and variations in color. The new commercial spaces are intended to be neighborhood serving businesses and are strategically placed on the building corners with direct access from the sidewalk and good commercial frontage exposure. These proposed additions would vastly improve the existing streetscape.

To minimize the two proposed developments' height impact on the adjacent residences, both Downey I and Downey II buildings are setback a minimum of 20 feet from these residences. Although the proposed maximum building heights of 57 feet and 44 feet are taller than the surrounding properties, the presence of the project sites 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 Downey I building structure does not exceed the permitted maximum height of 35 feet in the R-3 Zone. Except for the staircase towers that extend up to 57 feet in the R-3 Zone, most of the Downey II building structure that faces the one-story residences on the south side does not exceed 44 feet above grade. Furthermore, the staircase tower is located approximately 80 feet away from the nearest residential structure. The area is also undergoing a transition to a denser developed neighborhood.

Development of two under-utilized sites to provide much-needed affordable housing within close proximity to the neighborhood commercial services and as well as immediate access to transit will contribute positively to the welfare of the community. The additional housing and neighborhood commercial uses may also contribute to the economic stimulation of the immediate vicinity. Due to the factors mentioned above, the proposed use and design of the Downey I and Downey II would be compatible with the surrounding area.

**Burden of Proof**

The applicant is required to substantiate all facts identified by Section 22.56.040 of the County Code. The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

**COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS**

The two projects were sent out for review to County Department Public Works, Public Health, and Fire Department Health Hazardous Material Division and Fire Prevention Division. The applicant must comply with all County Department requirements.
Department of Public Works, Land Division Development Division in a letter dated May 17, 2017, cleared the projects 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.

Fire Department, Health Hazardous Material Division, in a letter dated [PENDING], cleared the projects for public hearing with conditions requiring remediation for elevated concentrations of arsenic on shallow soils and a soil management plan.

Fire Department Fire Prevention Division, in a letter dated April 13, 2017, cleared the projects 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.

Department of Public Health, Environmental Health Division, in a letter dated February 6, 2017, cleared the projects 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.

Community Development Commission (CDC) in a letter dated May 17, 2017, verified that the real estate development forma for the projects justified the requested incentives are required to provide for the affordable housing costs or rents.

LEGAL NOTIFICATION AND PUBLIC OUTREACH
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.

PUBLIC COMMENTS
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.

The applicant, META Housing, has indicated that they had conducted four community outreach meetings with the assistance of East Los Angeles Community Corporation and the Supervisor's office. The most recent meeting was held on May 16, 2017 and approximately 125 community members attended the meeting. Some members expressed concerns such as parking but a majority of the attendees expressed support for the projects.

FEES/DEPOSITS
If approved, fees identified in the attached project conditions will apply unless modified by the Regional Planning Commission.
STAFF RECOMMENDATION
The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends that the Regional Planning Commission APPROVE Project No. 2016-001235-(1), Conditional Use Permit No. RPPL2016005207 and Housing Permit No. RPPL2017006970, Conditional Use Permit No. RPPL2016005212 and Housing Permit No. RPPL2017006968, subject to the attached draft findings and conditions.

SUGGESTED APPROVAL MOTION:

I MOVE THAT THE REGIONAL PLANNING COMMISSION CLOSE THE PUBLIC HEARING AND FIND THAT THE PROJECT IS EXEMPT FROM CEQA PURSUANT TO CEQA STATUTE AND GUIDELINES AND CALIFORNIA PUBLIC RESOURCES CODE SECTION 21155.1

I MOVE THAT THE REGIONAL PLANNING COMMISSION APPROVE CONDITIONAL USE PERMIT NO. RPPL2016005207 AND HOUSING PERMIT NO. RPPL2017006970 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

I MOVE THAT THE REGIONAL PLANNING COMMISSION APPROVE CONDITIONAL PERMIT NO. RPPL2016005212 AND HOUSING PERMIT NO. RPPL2017006968 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS

Prepared by Jolee P. Hui, Regional Planning Assistant II, Zoning Permits East Section
Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits East Section

Attachments:
Draft Findings
Draft Conditions of Approval
Applicant’s Burden of Proof statement
Correspondences
Sustainable Communities Exemption Checklist
Site Photographs
Site Plan

MM: JPH
5/18/2017
DRAFT FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
PROJECT NO. 2016-001235-(1)
CONDITIONAL USE PERMIT NO. RPPL2016005207
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 in shape with generally level topography and is currently vacant 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. All structures were removed from the property in 2015 and Project is currently vacant.

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 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 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 [PENDING], 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 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 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 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. [RESERVED FOR HEARING PROCEEDINGS]

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 manger’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 are required to provide for affordable housing costs or affordable housing rents, as determined in the real estate development pro forma prepared by the applicant and approved 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 sued 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.

- **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 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 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. 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, 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 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 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.

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:

Concurring:

Dissenting:

Abstaining:

Absent:

MM: JPH
05/17/2017

c: Each Commissioner, Zoning Enforcement, Building and Safety
DRAFT FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
PROJECT NO. 2016-001235-(1)
CONDITIONAL USE PERMIT NO. RPPL2016005212
HOUSING PERMIT NO. RPPL2017006968

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 vacant commercial buildings and abandoned 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 abandoned 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 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 18, 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. [RESERVED FOR HEARING PROCEEDINGS]

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 80 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 required to provide for affordable housing costs or affordable housing rents, as determined in the real estate development pro forma prepared by the applicant and 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-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 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.

- **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 rooftop 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 rooftop is rooftop 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 80 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 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:

Concurring:

Dissenting:

Abstaining:

Absent:

MM: JPH
05/14/2017

c: Each Commissioner, Zoning Enforcement, Building and Safety
DRAFT 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 located at the northwest corner of the Whittier Boulevard and Downey Road intersection in the C-3 (General Commercial) 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[recordation], 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 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 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 verifying income eligibility, monitor leasing of affordable housing set-aside units to qualified occupants, conducting periodic site inspections and administering 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 1 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.

DOWNNEY 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 plus two spaces dedicated to the unrestricted property manager's 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. In order 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. 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.

34. 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.

35. 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.

36. The permittee shall comply with all conditions set forth in the County Fire Department Health Hazardous Materials Division letter dated May [PENDING], 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 __, 2017 [PENDING]
DRAFT 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 southwest 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[recordation], 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. A 55-year affordability covenant and agreement for the entire development commencing from the granting of a certificate of occupancy by DPW for the qualified project for affordable housing use with supportive services which covenant shall be acceptable to Community Development Commission of the County of Los Angeles (CDC), and recorded with the County Recorder prior to the issuance of a certificate of occupancy for the qualified project by DPW. The covenant and agreement shall designate the qualified project 100% affordable 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 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 verifying income eligibility, monitor leasing of affordable housing set-aside units to qualified occupants, conducting periodic site inspections and administering 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 1 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 plus two spaces dedicated to the unrestricted property manager’s 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 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. In order 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 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. 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, [PENDING], 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 __, 2017 [PENDING]
A. That the requested use at the location will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area.

The immediate surrounding area is comprised of properties developed with a mixture of multi-family and commercial uses. The proposed development is consistent with these existing uses and continues the land use pattern in a logical and compatible manner. The proposed project provides for appropriate light and air circulation, safe and well designed means of ingress and egress, ample on-site parking and conforms to the development standards of the East Los Angeles Community Standards District.

The affordability element of this proposed development plays a major role in contributing to the general welfare of the community. For the past several years the demand for low cost housing has exceeded the limited supply leading to long waiting periods. For instance, according to the Los Angeles County Housing Element Progress Report, in the period from January 1, 2014 to December 31, 2014 there were only 1,068 units produced in the Very Low Income category and 1,460 produced in the Low Income category leaving 39,677 still needed according to the most recent Regional Housing Needs Assessment.

The proposed 42 unit development will help contribute to the demand for low cost housing and therefore have a positive impact on the surrounding community. Of the 42 units, 41 are set aside for qualified affordable residents with 50 percent of Area Median Income intended for the Very-Low Income category. This level of affordability will positively affect the general welfare of the community by accommodating, for example, a family of four with an income of $41,400 (Department of Regional Planning Affordable Housing Program Income Limits). There is one non-restricted manager’s unit provided for compliance with funding institution requirements in order to accommodate the income level of a qualified manager.

The County of Los Angeles General Plan Housing Element reviews housing needs through analysis of socio-economic data, studying the existing housing stock and anticipating projected demand. Currently a shortfall exists. One goal of the Housing Element states the following need; “A wide range of housing types in sufficient quantity to meet the needs of current and future residents, particularly persons and households with special needs, including but not limited to lower-income households, seniors citizens and the
homeless." The proposed 42-unit affordable housing development will support the goals of the Housing Element to provide for additional low-income households. According to the Regional Housing Needs Assessment the 2006 to 2008 period required 52,607 affordable units; 4,569 were built leaving the need well short of being met. The proposed 42 unit development will be a positive contribution to meeting the region's housing needs.

2. Be detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or

The subject site is currently an under-utilized piece of land that brings no value to the community in its current state. The 0.69 acre property accommodates the proposed density and parking easily while allowing the building design to conform to height, setback and open space regulations of the Community Standards District. The proposed development of multi-family apartments for qualified affordable families will serve to improve the appearance and function of the property thereby helping to enhance property values in the nearby community. Improvement of the property as proposed is a positive contribution to an area of the County in need of revitalization. Development of the existing unsightly parcel with multi-family residences and a neighborhood serving commercial use as proposed will serve to enhance the appearance of the Whittier Blvd corridor and bring value back to the community.

The physical location of the proposed multi-family affordable apartment is proper in relation to the surrounding uses and appropriately located with respect to street access. The southern boundary of the property fronts along Whittier Blvd, a four-lane highway providing access across the community in an east-west direction. In addition, the property has 200 feet of frontage along Downey Road along the easterly property line and 150 feet of frontage along Whittier Blvd. Development of the site as proposed will eliminate a current vacant site with little utility value and in its place provide the surrounding neighborhood with new low cost housing.

3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The introduction of newly constructed affordable housing for community stakeholders will serve the general welfare of the community by providing much needed low cost housing to qualified affordable families. The location proposed for this development is appropriate with regard to neighborhood compatibility. The site is located within the Whittier Blvd commercial corridor and surrounded by a mixture of multi-family and commercially zoned property. The proposed development is well organized with appropriate vehicular access. The lot area is large enough to accommodate the density and is compatible in height and setbacks with adjacent properties. Therefore it is
reasonable to conclude that the project at this location will not constitute a menace to the public health and safety or general welfare.

B. That 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.

The subject site is a 0.69 acre flat un-utilized infill parcel of land located on the northwest corner of Whittier Blvd and Downey Road. The 30,088 square foot property comfortably accommodates the proposed 42 unit affordable family apartments and 1,300 square feet of commercial, maintaining compliance with requirements for setbacks, building height, walls fences, open spaces, etc. The proposed mixed use multi-family development will be well integrated with surrounding uses by maintaining similar density ratios, on-site parking and desirable architectural features. The property has two street frontages, 200 feet along Downey Road and 150 feet along Whittier Blvd. The Downey Road frontage will serve as the main vehicular entrance to the development keeping the ingress and egress from Whittier Blvd. The 200 foot street frontage along Downey Road provides adequate opportunity to locate the vehicular entrance to the development with a safe distance from the intersection. This leaves ample distance for vehicles to turn on to Downer road from Whittier Blvd before turning into the development.

The main pedestrian entrance is located on Whittier Blvd and provides a clear distinction for pedestrians. The commercial space is strategically placed on the corner of the building with direct access from the sidewalk.

The proposed development is a three-story garden style design with approximately 37,000 square feet of floor area. Amenities of the proposed development include a landscaped common courtyards and decks, community room, Gym, and bike storage.

The main property frontage has good southerly exposure and all elevations are well articulated with architectural features and variations in color to accentuate the visual experience. The proposed site location accommodates the development design with appropriate elements that integrate with the surrounding community.

C. That the proposed site is adequately served:

1. By highways or streets of sufficient width, and improvement necessary to carry the kind and quantity of traffic such use would generate.

The property is located on the northwest corner of Whittier Blvd, a fully improved secondary highway serving east west traffic and Downey Road, a
collector street dedicated to a width of 60 feet. There is on-street parking available on Whittier Blvd except for during peak periods. Downey Road has a dedicated width of 60 feet and improved with sidewalk, curb, gutter and drive lanes on the east and west sides. Both Downey Road and Whittier Blvd appear to be fully improved to Public Works Street Standards.

The intersection of Downey Road and Whittier Blvd is a signalized controlled intersection allowing safe vehicular circulation within the community. The proposed 42 unit apartment complex is well under the traffic generation threshold. Therefore the development is expected to have minimal traffic impact and will not contribute significantly to the capacity of the street circulation system. The adjacent streets are fully improved and designed to meet the traffic demand of the land uses anticipated for build out within the General Plan Transportation Element.

2. By other public or private service facilities as are required.

The subject property is served by Los Angeles County facilities such as sewer and drainage systems. The systems in and around the property are in and functioning with capacity to serve the site. Electricity and natural gas infrastructure are in and currently serve the community of the subject property with adequate capacity to serve the additional demand of the proposed project. The proposed location is served by the Los Angeles Unified School District with sufficient capacity to serve the proposed development. The subject site is located near two metro bus stops, one is at the intersection of Whittier and Downey and the other is two blocks to the east. Both serve the community with 15 minute interval service times making access to mass transit convenient.

D. 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 design.

The surrounding area is largely developed with commercial and multi-family uses. The northeast corner is use as the Calvary Cemetery which was established in 1896. The cemetery is owned by the Roman Catholic Archdiocese of Los Angeles. The north and south side of Whittier Blvd is developed with a mixture of commercial uses, apartments and duplexes. Properties north of the subject site are developed with a mixture of multi-family uses and single family uses. Development of the subject site for multi-family apartment uses is in conformity with the established land use pattern of the immediate area. The improvement of the subject site will compliment the surrounding area by establishing new apartment housing and thereby stimulating the economic viability of the area.
The subject property has two street frontages that provides potential for higher visibility and a great potential to add a valuable visual impact to the streetscape. The proposed development is a three-story garden style design with 42 residential apartments for low income families and 1,300 square feet of neighborhood serving commercial. The allowable building height per the Community Standards District and the C-3 zone is 40 feet.

The proposed building has 150 feet of street frontage on Whittier Blvd with southerly exposure providing adequate light and air circulation. The Downey Road building frontage provides a secondary street frontage with the main vehicular access away from the main boulevard. All elevations are well articulated with architectural features and variations in color to accentuate the visual experience. The street frontages along Downey Road and Whittier Blvd. will provide upgraded features to an existing streetscape in need of improvements. With the design elements proposed the development design is complimentary to the surrounding area in terms of land use patterns and design.

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

According to the Affordable Housing Statistics from Habitat for Humanity, "more than 13 million households pay more than 50 percent of their income for housing" in the United States. And over 6 million people live in overcrowded conditions meaning there are more people in the house than there are rooms. They also state that one out of seven poor families live in severely physical inadequate housing.

The table below indicates regional housing needs as determined from the RHNA in LA County from the 2009/2010 needs assessment progress report\(^1\). Of the 57,168 housing units needed to meet demand only 5,411 were produced between the years 2006 and 2010.

Of the 23,344 housing units needed in the Extremely Low/Very Low income categories only 99 housing units were produced between 2006 and 2010 and only 52 units in the Lower Income category.

\(^1\) Los Angeles County Housing Element Progress Report April 12, 2011
### Table B
Regional Housing Needs Allocation Progress

<table>
<thead>
<tr>
<th>Income Level</th>
<th>RHNA Allocation by Income Level</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>Total Remaining by Income Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extremly Low</td>
<td></td>
<td>14,423</td>
<td>0</td>
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<td>Very Low</td>
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<td>9,672</td>
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<td>0</td>
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<tr>
<td>Moderate</td>
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<td>1,299</td>
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<td>310</td>
<td>532</td>
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<tr>
<td>Above Moderate</td>
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<td>512</td>
<td>5,611</td>
<td>51,757</td>
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</tbody>
</table>

**Note:** The RHNA for the Fourth Revision of the Housing Element in the SCAG region used January 1, 2006 as the baseline for projecting housing needs. Housing units that have been constructed, issued building permits, or approved since January 1, 2006 have been credited toward the RHNA for the 2006-2014 planning period.

*RHNA allocations reflect adjustments made per a RHNA transfer to the City of Diamond Bar, effective October 27, 2010.

Sources: SCAG, Regional Housing Needs Assessment, 2017; Los Angeles County Department of Public Works, Building & Safety Division for the number of dwelling units proposed to be constructed during the period January 1, 2008-December 31, 2013. Los Angeles County Community Development Commission considers housing development completions, January 1, 2016-December 31, 2016. Income categories based on a household of four members and the area median income, which is annually revised according to the U.S. Dept. of Housing and Urban Development and HUD.

According to the State Department of Housing and Community Development in it’s needs assessment determination for the period January 2014 to October 2021, anticipated household growth for Los Angeles County in that period is expected to be 200,572. Fifteen percent (27,469) of those households are expected to be within the Low Income category and 25 percent (45,672) in the Very Low Income category.\(^2\)

Overall, the regional projected housing need, according to the 5th cycle of the RHNA Allocation Plan adopted on October 4th 2012, is 412,137 units.

The proposed affordable housing project will deliver 41 units to Very Low Income qualified families. One unit is reserved as a non-restricted manager’s unit. Pursuant to the state affordable housing requirements all of the affordable units will be maintained as restricted units for a minimum of 55 years.

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\(^2\) Department of Housing and Community Development – Regional Housing Needs Assessment Determination – Letter dated August 17, 2011

P:\\Permit2016\2016-001235App\RPPL 2016005207 SiteAVApp\Downey I - Burden of Proof CUP Discretionary Housing Permit - 11 17 2015.doc
A. That the requested use at the location will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area.

The immediate surrounding area is comprised of properties developed with a mixture of multi-family and commercial uses. The proposed development is consistent with these existing uses and continues the land use pattern in a logical and compatible manner. The proposed project provides for appropriate light and air circulation, safe and well designed means of ingress and egress, ample on-site parking and conforms to the development standards of the East Los Angeles Community Standards District.

The affordability element of this proposed development plays a major role in contributing to the general welfare of the community. For the past several years the demand for low cost housing has exceeded the limited supply leading to long waiting periods. For instance, according to the Los Angeles County Housing Element Progress Report, in the period from January 1, 2014 to December 31, 2014 there were only 1,068 units produced in the Very Low Income category and 1,460 produced in the Low Income category leaving 39,677 still needed according to the most recent Regional Housing Needs Assessment.

The proposed 71 unit development will help contribute to the demand for low cost housing and therefore have a positive impact on the surrounding community. Of the 71 units, 70 are set aside for qualified affordable residents with 50 percent of Area Median Income intended for the Very-Low Income category. This level of affordability will positively affect the general welfare of the community by accommodating, for example, a family of four with an income of $41,400 (Department of Regional Planning Affordable Housing Program Income Limits). There is one non-restricted manager's unit provided for compliance with funding institution requirements in order to accommodate the income level of a qualified manager.

The County of Los Angeles General Plan Housing Element reviews housing needs through analysis of socio-economic data, studying the existing housing stock and anticipating projected demand. Currently a shortfall exists. One goal of the Housing Element states the following need; "A wide range of housing types in sufficient quantity to meet the needs of current and future residents, particularly persons and households with special needs, including but not limited to lower-income households, seniors citizens and the
homeless." The proposed 71-unit affordable housing development will support the goals of the Housing Element to provide for additional low-income households. According to the Regional Housing Needs Assessment the 2006 to 2008 period required 52,607 affordable units; 4,569 were built leaving the need well short of being met. The proposed 71 unit development will be a positive contribution to meeting the region's housing needs.

2. **Be detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or**

The subject site is currently an under-utilized piece of land that brings no value to the community in its current state. The 1.34 acre property accommodates the proposed density and parking easily while allowing the building design to conform to height, setback and open space regulations of the Community Standards District. The proposed development of multi-family apartments for qualified affordable families will serve to improve the appearance and function of the property thereby helping to enhance property values in the nearby community. Improvement of the property as proposed is a positive contribution to an area of the County in need of revitalization. Development of the existing unsightly property with multi-family residences and a neighborhood serving commercial use as proposed will serve to enhance the appearance of the Whittier Blvd corridor and bring value back to the community.

The physical location of the proposed multi-family affordable apartment is proper in relation to the surrounding uses and appropriately located with respect to street access. The northerly boundary of the property fronts along Whittier Blvd, a four-lane highway providing access across the community in an east-west direction. In addition, the property has 244 feet of frontage along Downey Road along the westerly property line and 244 feet of frontage along Sinol Drive. The subject site is currently developed with vacant commercial buildings and abandoned surface parking leaving a blighted appearance to the neighborhood. The subject site in its current condition provides very little utility value. The proposed multi-family project with ground floor retail will contribute to the economic revitalization of the neighborhood and provide the surrounding neighborhood with new low cost housing.

3. **Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.**

The introduction of newly constructed affordable housing for community stakeholders will serve the general welfare of the community by providing much needed low cost housing to qualified affordable families. The location proposed for this development is appropriate with regard to neighborhood compatibility. The site is located within the Whittier Blvd commercial corridor.
and surrounded by a mixture of multi-family and commercially zoned property. The proposed development is well organized with appropriate vehicular access. The lot area is large enough to accommodate the density and is compatible in height and setbacks with adjacent properties. Therefore it is reasonable to conclude that the project at this location will not constitute a menace to the public health and safety or general welfare.

B. That 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.

The subject site is a 1.34 acre flat un-utilized infill parcel of land located on the southeast corner of Whittier Blvd and Downey Road. The 58,243 square foot property comfortably accommodates the proposed 71 unit affordable family apartments and 3,500 square feet of commercial, maintaining compliance with requirements for setbacks, building height, walls fences, open spaces, etc. The proposed mixed use multi-family development will be well integrated with surrounding uses by maintaining similar density ratios, on-site parking and desirable architectural features. The Downey Road frontage will serve as the main vehicular entrance to the development keeping the ingress and egress from Whittier Blvd. The 244 foot street frontage along Downey Road provides adequate opportunity to locate the vehicular entrance to the development with a safe distance from the intersection. This leaves ample distance for vehicles to turn on to Downer road from Whittier Blvd before turning into the development.

The main pedestrian entrance is located on Whittier Blvd and provides a clear distinction for pedestrians. The commercial space is strategically placed on the building corners with direct access from the sidewalk and good commercial frontage exposure. The commercial uses are intended to be neighborhood serving businesses.

The proposed development is a 4-story garden style design with approximately 58,243 square feet of floor area. Amenities of the proposed development include a landscaped common courtyards and decks, community room, Gym, and bike storage.

The property has good southerly exposure and all elevations are well articulated with architectural features and variations in color to accentuate the visual experience. The proposed site location accommodates the development design with appropriate elements that integrate with the surrounding community.
C. *That the proposed site is adequately served:*

1. *By highways or streets of sufficient width, and improvement necessary to carry the kind and quantity of traffic such use would generate.*

   The property is located on the southeast corner of Whittier Blvd, a fully improved secondary highway serving east west traffic and Downey Road, a collector street dedicated to a width of 70 feet. There is on-street parking available on Whittier Blvd except for during peak periods. Downey Road has a dedicated width of 70 feet and improved with sidewalk, curb, gutter and drive lanes on the east and west sides. Both Downey Road and Whittier Blvd appear to be fully improved to Public Works Street Standards.

   The intersection of Downey Road and Whittier Blvd is a signalized controlled intersection allowing safe vehicular circulation within the community. The proposed 71 unit apartment complex is well under the traffic generation threshold. Therefore the development is expected to have minimal traffic impact and will not contribute significantly to the capacity of the street circulation system. The adjacent streets are fully improved and designed to meet the traffic demand of the land uses anticipated for build out within the General Plan Transportation Element.

2. *By other public or private service facilities as are required.*

   The subject property is served by Los Angeles County facilities such as sewer and drainage systems. The systems in and around the property are in and functioning with capacity to serve the site. Electricity and natural gas infrastructure are in and currently serve the community of the subject property with adequate capacity to serve the additional demand of the proposed project. The proposed location is served by the Los Angeles Unified School District with sufficient capacity to serve the proposed development.

   The subject site is served by metro bus stops located directly in front of the site on Whittier Blvd, a Metro Rapid to the west at Herbert Ave and another at the intersection of Whittier and Brannick Ave two blocks to the east. These metro bus lines serve the community with 15 minute interval service times making access to mass transit convenient.

D. *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 design.*

   The surrounding area is largely developed with commercial and multi-family uses. The northeast corner of Downey Raod and Whittier Blvd is used as the
Calvary Cemetery which was established in 1896. The cemetery is owned by the Roman Catholic Archdiocese of Los Angeles. The north and south side of Whittier Blvd is developed with a mixture of commercial uses, apartments and duplexes. Properties south of the subject site are developed with a mixture of multi-family uses and single family uses. Development of the subject site for multi-family apartment uses is in conformity with the established land use pattern of the immediate area. The improvement of the subject site will compliment the surrounding area by establishing new apartment housing and thereby stimulating the economic viability of the area.

The subject property location on the corner of Whittier Blvd and Downey Road that provides great potential to add a valuable visual impact to the streetscape. The proposed development is a 4-story garden style design with 71 residential apartments for low income families and 3,500 square feet of neighborhood serving commercial. The allowable building height per the Community Standards District and the C-3 zone is 40 feet. The proposed project requests a height incentive to allow a building height of 53 feet.

All elevations are well articulated with architectural features and variations in color to accentuate the visual experience. Building elevations on all street frontages will provide upgraded features to an existing streetscape in need of improvements. With the design elements proposed the development is complimentary to the surrounding area in terms and will provide a much needed boost to the economic state of the community.

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

According to the Affordable Housing Statistics from Habitat for Humanity, "more than 13 million households pay more than 50 percent of their income for housing" in the United States. And over 6 million people live in overcrowded conditions meaning there are more people in the house than there are rooms. They also state that one out of seven poor families live in severely physical inadequate housing.

The table below indicates regional housing needs as determined from the RHNA in LA County from the 2009/2010 needs assessment progress report1. Of the 57,168 housing units needed to meet demand only 5,411 were produced between the years 2006 and 2010.

Of the 23,344 housing units needed in the Extremely Low/Very Low income categories only 99 housing units were produced between 2006 and 2010 and only 52 units in the Lower Income category.

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1 Los Angeles County Housing Element Progress Report April 12, 2011
### Table B
Regional Housing Needs Allocation Progress

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<thead>
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Note: The RHNA for the Fourth Revision of the Housing Element in the SCAG region used January 1, 2006 as the baseline for projecting housing needs. Housing units that have been constructed, issued building permits, or approved since January 1, 2006 have been credited toward the RHNA for the 2006-2014 planning period.

*RHNA allocations reflect adjustments made per a RHNA transfer to the City of Diamond Bar, effective October 27, 2010.

Sources: SCAG, Regional Housing Needs Assessment, 2007; Los Angeles County Department of Public Works, Building & Safety Division for the number of dwelling units assumed to be constructed during the period January 1, 2006-December 31, 2010; Los Angeles County Community Development Commission affordable housing development completions, January 1, 2006-December 31, 2010. Income categories based on a households of four members and the area median income, which is annually revised according to the U.S. Dept. of Housing and Urban Development and HCD.

According to the State Department of Housing and Community Development in its needs assessment determination for the period January 2014 to October 2021, anticipated household growth for Los Angeles County in that period is expected to be 200,572. Fifteen percent (27,469) of those households are expected to be within the Low income category and 25 percent (45,672) in the Very Low Income category.²

Overall, the regional projected housing need, according to the 5th cycle of the RHNA Allocation Plan adopted on October 4th, 2012, is 412,137 units.

The proposed affordable housing project will deliver 41 units to Very Low Income qualified families. One unit is reserved as a non-restricted manager’s unit. Pursuant to the state affordable housing requirements all of the affordable units will be maintained as restricted units for a minimum of 55 years.

² Department of Housing and Community Development – Regional Housing Needs Assessment Determination – Letter dated August 17, 2011
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 Sunday 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 1dn) 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 emasis@ph.lacounty.gov and rvasquez@ph.lacounty.gov.

For any other questions regarding this report, please contact me at (626) 430-5380 or at misiebos@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.\(^1\) 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.\(^6\) 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.\(^6,\)\(^7\)

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.\(^8\)\(^9\)\(^10\)\(^11\) 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.\(^11\)\(^12\)\(^13\)\(^14\) However, there are also substantial health benefits associated with exercise.\(^5\) 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.


\footnote{California Environmental Protection Agency. California Air Resources Board. Air Quality and Land Use Handbook: A Community Health Perspective. April 2005.}


\footnote{L. Frank et al. 2005. Linking Objectively Measured Physical Activity with Objectively Measured Urban Form: Findings From SMARTRAQ. American Journal of Preventive Medicine, at 117-1255.}


\footnote{Sharman JE, Cockcroft JR, and JS Coombes. Cardiovascular implications of exposure to traffic air pollution during exercise. Q J Med 2004; 97:637–643.}

\footnote{Russell KW, Caviston R, Hollenbach AM, and K Murphy. Vehicular Air Pollution, Playgrounds, and Youth Athletic Fields. 2006, Vol. 18, No. 8 , Pages 541-547.}

\footnote{de Hartog JJ, Boogaard H, Nijland H, and G Hoek. Do the Health Benefits of Cycling Outweigh the Risks? Environmental Health Perspectives. 2010; 118(8): 1109-1116.}
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: DRAFT

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.

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. 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.

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.

Reviewed by: Richard Clark

Page 1 of 1
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

Reviewed by: Wally Collins  
Date: April 13, 2017
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.

Reviewed by: Wally Collins

Date: April 13, 2017
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.

Reviewed by: Wally Collins

Date: April 13, 2017
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 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 jpletty@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.

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, Lew & 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.
Ms. Clare M. Look-Jaeger  
May 15, 2017  
Page 2

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

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COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
TRAFFIC AND LIGHTING DIVISION
SUBDIVISION, CONDITIONAL USE PERMIT (CUP) & R3 REVIEW
STREET LIGHTING REQUIREMENTS

Date: 02/16/2017

TO: Matthew Dubiel
Project Entitlement & CEQA
Land Development Division
Attention Ed Gerilts

FROM: Inez Yeung
Street Lighting Section
Traffic and Lighting Division
Prepared by M. Daniel Zahid

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 BALLOTTING 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.

- 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 Plourde
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,

[Signature]

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  
DOWNNEY 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 jplety@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](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 Khalkahl 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.

ECG:ib
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

[Signature]

DEAN R. LEHMAN
Assistant Deputy Director
Traffic and Lighting Division

GS:ma
P:\ipub\STUDIES\BR 17-0001 - Whittier Blvd Mixed Used Project\locx
COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
TRAFFIC AND LIGHTING DIVISION
SUBDIVISION, CONDITIONAL USE PERMIT (CUP) & R3 REVIEW
STREET LIGHTING REQUIREMENTS

Date: 02/16/2017

TO: Matthew Dubiel
Project Entitlement & CEQA
Land Development Division

Attention Ed Gerlis

FROM: Inez Yeung
Street Lighting Section
Traffic and Lighting Division

Prepared by M. Daniel Zahid

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.

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☐ New streetlights are not required.
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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.
May 17, 2017

Jolee Hui,
Regional Planning Assistant II
Los Angeles County Department of Regional Planning
320 W. Temple Street, Room 1346
Los Angeles, CA 90012

Dear Ms. Hui:

DOWNEY I AND II – DENSITY BONUS FINANCIAL FEASIBILITY REVIEW

The following provides a summary of the Downey I and II projects (collectively, the “Project”) and the oversight and approval obligations of the Community Development Commission (“CDC”) related to the housing permit/density bonus commitments.

As the CDC understands the application, Meta Housing Corporation (“Applicant”) is requesting three incentives for the Project, including density bonus, increased height, and compact parking. These incentives will yield an additional 50 affordable units, allocated as follows: 22 affordable units, or 110 percent density bonus for Downey I, and 28 affordable units, or 65 percent density bonus for Downey II. As a result, the Applicant will be required to set-aside 10 of the units as very low-income, defined by the State of California Department of Housing and Community Development’s income and rent limits.

If approved, an Affordable Housing Covenant and Agreement (“Covenant) related to the density bonus units shall be required by the CDC and recorded prior to issuance of Certificate of Occupancy. The Covenant will have a priority lien position on title and shall restrict 10 units as very low-income for a period of 55 years. A long-term monitoring fee of $68,750 will be collected for these 10 units to ensure compliance over the 55-year term. The total monitoring fee, payable to the CDC prior to issuance of Certificate of Occupancy, is calculated based $125 per restricted unit for a term of 55 years.

The CDC has reviewed the development and operating budgets, unit mix and rents, and the 15-year cash flows, among other Project particulars. Of the 77 units in the Project, 75 units will be reserved for low-income households at rents between 30% and 50% of the Area Median Income for the Los Angeles-Long Beach Metropolitan Statistical Area,

We Build Better Lives
Better Neighborhoods
adjusted for family size, as established by the U.S. Department of Housing and Urban Development. The remaining two units will be reserved for onsite managers.

Because of the deep affordability included in the Project, the CDC has determined that approving the additional affordable units will allow the Project to be financially feasible and serve the intended low-income populations.

If you need more information or have any questions, please contact me by phone at (626) 586-1809, or by email at Matt.Lust@iacdc.org.

Sincerely,

MATT LUST, Sr. Project Manager
Economic and Housing Development Division
1. On Whittier - facing North

2. On Downey - North most property line

3. On Whittier - West most property line

4. On Whittier - East most property line

5. On Downey facing West
1. On Whittier facing Southeast.

2. On Whittier facing Southwest.

3. On Downey - South most property line.

4. On Sunol - South most property line.

5. On Whittier - East most property line.

6. On Whittier - West most property line.
7. On Sunol facing alley Northwest.

8. On Downey facing Alley looking East.

9. On Sunol facing South.

10. On Downey facing East.
# DRAFT SUSTAINABLE COMMUNITIES EXEMPTION CHECKLIST

<table>
<thead>
<tr>
<th><strong>Project Title:</strong></th>
<th>DOWNEY I and DOWNEY II</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Lead Agency Name and Address:</strong></td>
<td>County of Los Angeles Department of Regional Planning 320 W. Temple Street, Los Angeles, CA 90012</td>
</tr>
<tr>
<td><strong>Contact Person and Phone Number:</strong></td>
<td>Jolee Hui <a href="mailto:jhui@planning.lacounty.gov">jhui@planning.lacounty.gov</a> (213)974-6435</td>
</tr>
<tr>
<td><strong>Project Location:</strong></td>
<td>4161 and 4166, 4200 to 4224 Whittier Boulevard in the unincorporated community of East Los Angeles</td>
</tr>
<tr>
<td><strong>Project sponsor’s name:</strong></td>
<td>META Housing Corporation</td>
</tr>
<tr>
<td><strong>General Plan Designation:</strong></td>
<td>East Los Angeles Community Plan, CC- Community Commercial and MD-Medium Density Residential</td>
</tr>
<tr>
<td><strong>Zoning:</strong></td>
<td>R-3 (Limited Density Multiple Residence) Zone and C-3 Zone (General Commercial)</td>
</tr>
</tbody>
</table>

**Description of project:**
The applicant, META Housing Corporation, is requesting the following entitlements to authorize the construction, operation, and maintenance of two 100-percent affordable apartment complexes with ground-floor commercial retail use: a 42-unit apartment building ("Downey I") and a 71-unit apartment building ("Downey II").

**Surrounding land uses and setting:**
Surrounding properties within a 500-foot radius of Downey I are developed as follows:

- **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

Surrounding properties within a 500-foot radius of Downey II are developed as follows:

- **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.

**Background:**
In 2008, the California Legislature and Governor Schwarzenegger enacted Senate Bill (SB) 375. This landmark bill coordinates land use and transportation planning to reduce greenhouse gas emissions from cars and light trucks. Senate Bill 375 amends CEQA to add Chapter 4.2 Implementation of the Sustainable Communities Strategy, which allows for CEQA exemption for certain projects, as well as reduced CEQA analysis. A full CEQA exemption is provide for a special class of Transit Priority Project (TPP) determined to be a Sustainable Communities Project (SCP) (California Resources Code Section 21155.1(a)).
As defined by PRC Section 21155(a) and (b), a project must meet the following requirements to qualify as a Transit Priority Project:

1. The project is consistent with the land use designation, density, zoning, building intensity, and applicable policies in an approved sustainable community strategies (SCS) or alternative planning strategy (APS). ☑ Yes ☐ No

**Consistency with SCS or APS:**
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.

**Consistency with land use designations and density:**
The proposed projects are 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. The southern portion of Downey I and the northern portion of Downey II are located within the CC (Community Commercial) land use category of the East Los Angeles Community Plan. The northern portion of Downey I and the southern portion of Downey II are located within the MD (Medium Density Residential) 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.

Both Downey I and Downey II apartment buildings are consistent with the land use policies of the East Los Angeles Community Plan and General Plan Housing Element. Small commercial spaces, community room, and office use are proposed on the ground floor of the buildings and on the parcels designated within the CC land use category. Apartment units are proposed on the upper two floors above the ground floor for Downey I and on four floors including the ground floor for Downey II, 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

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 20 units on the 0.69-acre Downey I property and 43 units for 1.45-acre Downey II property. The applicant is requesting a 110 percent density bonus for 22 additional units (or residential density of 61 du/ac) for Downey I and a 65 percent density bonus for 28 additional units (or residential density of 49 du/ac) for Downey II. All dwelling units, except for one manager’s unit, for the proposed Downey I and Downey II 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.

The following policies of the East Los Angeles Community Plan are applicable to the proposed Downey I and Downey II projects:

Physical Environment Goals:
- To meet housing demand, both present and future, especially for low- and moderate-income families.
- To encourage high standards of development and improve the aesthetic qualities of the community.

Housing Policies:
- Encourage the construction of publicly assisted housing for special needs groups such as the handicapped, low and moderate income households, and senior citizens. Developments at lower densities (including single family detached and twin houses) should be encouraged for families while somewhat higher densities including townhouses and apartments should be encouraged to meet the needs of senior citizens. Notification of the surrounding residents and property owners shall be an integral part of the planning process to foster neighborhood review and application.

Downey I and Downey II are infill housing projects to provide a total of 111 new affordable units (minus two units allocated for on-site property managers) for the lower income group, very-low income group, and/or special needs households with incomes below 80 percent AMI. Over 10 percent of the affordable units will be designed to accommodate individuals with needs for auditory/visual features or mobility features.

The two project sites are currently vacant with dilapidated structures and enclosed by chain-link fences. The two proposed mixed use buildings would fill in the spatial void along Whittier Boulevard and Downey Road. The proposed projects would bring raised planters, aluminum glazed window storefronts, landscaping, and neighborhood commercial uses to serve the nearby residents. These features would vastly improve the current vacant state of these corner properties.

The following policies of the General Plan are applicable:

Housing Element

- **Housing Element Goal 1A:** Wide range of housing types in sufficient supply to meet the needs of current and future residents, particularly for persons with special needs, including but not limited to low income households, seniors, persons with disabilities, large households, single-parent households, the homeless and at risk of homelessness, and farmworkers.
- **Housing Element Policy 1.1:** Make available through land use planning and zoning an adequate inventory of vacant and underutilized sites to accommodate the County's Regional Housing Needs Assessment (RHNA) allocation.
- **Housing Element Policy 1.3:** Coordinate with the private sector in the development of housing for low and moderate income households and those with special needs. Where appropriate, promote such development through incentives.
- **Housing Element Policy 2.1:** Support the development of housing for low and moderate income households and those with special needs near employment and transit.
- **Housing Element Policy 2.2:** Encourage mixed-use developments along major commercial and transportation corridors.
• **Housing Element, Goal 3.** A housing supply that ranges broadly in housing costs to enable all households, regardless of income, to secure adequate housing.

• **Housing Element, Policy 4.1:** Provide financial assistance and ensure that necessary supportive services are provided to assist low- and moderate-income households and those with special needs to attain and maintain affordable and adequate housing.

• **Housing Element Policy 8.1:** Support the distribution of affordable housing, shelters, and transitional housing in geographically diverse locations throughout the unincorporated areas, where appropriate support services and facilities are available in close proximity.

As previously mentioned, Downey I and Downey II would provide 100 percent affordable housing that will be restricted to lower income, very-low income, or individuals with special needs from the County’s health services. The project sites have remained vacant since the last commercial tenants closed in 2013. Development of these underutilized parcels into housing would help meet the County’s Regional Housing Needs Assessment allocation. Downey I offers studio units, one-bedroom units, and two-bedroom units. In addition to one-bedroom units and two-bedroom units, Downey II also consists of three-bedroom units to accommodate larger households. The proposed projects would provide amenities such as community room, gym, open courtyards and support services such as the availability of on-site case managers. The ground-floor commercial spaces would add to the existing neighborhood businesses.

Whittier Boulevard is also highly-served by transit and highly-traveled commercial corridor. There are numerous shops and facilities within walking distance of the sites including a public library, restaurants, markets, a bakery, a hospital, and florists. Los Angeles Metro buses run regularly on Whittier Boulevard. A bus stop is conveniently located in front of Downey II on the southwest corner of Whittier Boulevard and Downey Road intersection.

**Land Use Element**

• **General Plan, Policy LU 4.3:** Encourage transit-oriented development in urban and suburban areas with the appropriate residential density along transit corridors and within station areas.

• **General Plan, Policy LU 4.4:** Encourage mixed use development along major commercial corridors in urban and suburban areas.

• **General Plan, Goal LU 5:** Vibrant, livable and healthy communities with a mix of land uses, services and amenities.

• **General Plan, Policy LU 5.3:** Support a mix of land uses that promote bicycling and walking, and reduce Vehicle Miles Traveled (VMTs).

• **General Plan, Policy LU 10.4:** Promote environmentally-sensitive and sustainable design. LEED and possibly Energy Star Homes sustainable design elements will reduce the project’s environmental impact.

**Mobility Element**

• **General Plan, Policy M 1.1:** Provide for the accommodation of all users, including pedestrians, motorists, bicyclists, equestrians, users of public transit, seniors, children, and persons with disabilities when requiring or planning for new, or retrofitting existing, transportation corridors/networks whenever appropriate and feasible.

• **General Plan, Policy M 5.1:** Facilitate transit-oriented land uses and pedestrian-oriented design, particularly in the first-last mile connections to transit, to encourage transit ridership.

Downey I and Downey II are two infill sites that replace 11 under-utilized parcels with much-needed housing along Whittier Boulevard, which is a major transportation and commercial corridor in the East Los Angeles community. The project sites are located within commuting distance of regional employment centers due to their proximity to multiple freeways and public transportation routes. The project sites are within a quarter mile of the Interstate 5, a half mile of the Interstate 710, and a three-quarters mile of State Route 60. There are two bus stops within a short walking distance of Downey I and Downey II. The two bus stops are serviced by the following bus lines:
• LA Metro 18 runs east-west spanning west to Wilshire Center to east to Montebello via Downtown Los Angeles, Boyle Heights and East Los Angeles.
• LA Metro Rapid 720 runs east-west spanning west to Santa Monica and east to Commerce via Westwood, Beverly Hills, Koreatown, Downtown Los Angeles and East Los Angeles.
• Los Department of Transportation Community DASH Boyle Heights runs northwest-southeast spanning northwest to LAC+USC Medical Center and southeast to East Los Angeles.
• County of Los Angeles Transit Services El Sol Shuttle Service runs from Union Pacific to Salazar Park.

A LA Metro 18 bus stop is located immediately in front of Downey II. The second bus stop is located two blocks west of the Downey I and Downey II on Herbert Avenue and Whittier Boulevard. This bus stop is utilized by the LA Metro 720 Rapid Line and LADOT Community DASH Boyle Heights line. Both bus stops serve the community within a 15-minute interval service time, making transit convenient. Although the two LA Metro Rail Gold line stations, Indiana Station and Maravilla Station, are located over one mile away from the project sites, they are accessible by LA Metro or DASH buses. Thus, the project sites are identified as being the ideal location for new development that combines housing and services near high-quality transit.

Furthermore, Downey I and Downey II will strive for Gold certification under Leadership in Energy and Environmental Design and incorporate environmental sensitive designs. Some potential design features may include but not limited to the following reduction overall irrigation water demand by at least 20 percent, drought-tolerant landscaping, low-flow fixtures, use of Energy-Star labeled appliances, installation of bike racks and electric-vehicle charging stations to encourage alternative fuel and alternative mode of transportation. Whittier Boulevard and Downey Road are also identified in the County's 2012 Bicycle Master Plan for a proposed Class III Bike Path.

Consistency with zoning and building intensity:
As previously noted, the project sites are split between two zones, C-3 Zone and R-3 Zone. The southern portion of the proposed Downey I’s mixed-use building and the northern portion of the proposed Downey II’s mixed-use building would be located in the C-3 Zone. The northern portion of the proposed Downey I and the southern portion of the proposed Downey II would be located in the R-3 Zone.

Apartment houses in the R-3 Zone are permitted by right but are permitted by CUP in the C-3 Zone. Thus, the proposed multi-family residential units and the associated residential amenities located in the C-3 Zone require a CUP. Furthermore, mixed-use developments and commercial retail use are not permitted in the R-3 Zone. For this reason, all ground-floor commercial retail spaces are proposed entirely within the C-3 Zone of the project sites. Although the R-3 Zone does not allow commercial retail use, the proposed commercial parking spaces within the R-3 Zone is permitted by Director’s review per Section 22.20.280.

Downey I and Downey II are qualified affordable housing projects with 100 percent affordable housing set-asides for very low and 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 Percent (Off-Menu Incentive)
The applicant requests an additional 22 affordable units or 110 percent density bonus for Downey I. The permitted units would increase from 20 to 42 affordable housing units for the lower or very-low income households and special needs groups.
The applicant also requests an additional 28 affordable units or 65 percent density bonus for Downey II. The permitted units would increase from 43 units to 71 affordable housing units for the lower or very-low income households and special needs groups.

• Increased Height (Off-Menu Incentives)
The East Los Angeles CSD requires a building or structure not to exceed 40 feet, except for devices or apparatus essential to industrial processes or communications related to public health and safety may be permitted up to 50 feet in height. The R-3 Zone has a maximum permitted height of 35 feet. To modify this height limit for Downey I, the applicant requests a height increase from 40 feet to 44 feet above grade in the C-3 Zone. The height of the Downey I structure in the R-3 Zone generally does not exceed 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.

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 80 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 eight compact parking spaces (26%) out of 31 total spaces be allowed for Downey I and 16 compact spaces (or 17%) out of 92 spaces be allowed for Downey II 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 applicable parking requirements and include additional accessible parking spaces and clean air vehicle spaces.

Yards/Setbacks
The C-3 Zone does not have any required yard setbacks. Only the R-3 Zone portions of the project sites are subject to the setback requirements. The front yards of both Downey I and Downey II are located in the C-3 Zone; thus, no front yard 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 the Downey I 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. For the portions of the Downey II 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.
Lot Coverage/Landscaping

The CC land use category has a maximum 90 percent lot coverage requirement. The C-3 Zone further requires that buildings can only occupy 90 percent 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 for Downey I is calculated at 66 percent and the proposed project provides 5,940 square feet of landscaping or nearly 20 percent of landscaping. For Downey II, the building footprint would be 73 percent of the project site. Landscaping is 13,500 square feet or 21 percent on the ground level and an additional 4,250 square feet of landscaping is provided on the upper floors. The provided landscaping for both project sites exceeds this requirement.

Other development standards

In addition to the applicable development standards discussed above, the portion of the buildings in the C-3 Zone meet the development standards in the East Los Angeles Community Standard District (CSD) related building frontage, wall openings/windows, main building entrance requirements, façade height articulation requirements, roof requirements, wall surface requirements, service area and mechanical requirement requirements, and walls/fences.

2. The project contains at least 50% residential use, based on total building square footage and, if the project contains between 26 – 50% nonresidential uses, a floor area ratio of not less than 0.75. ☒ Yes ☐ No

Downey I has 1,161 square feet of commercial retail and 35,839 square feet of residential use, which is 97 percent residential. Downey II only has 3,208 square feet of commercial retail space out of the 96,640 square feet of floor area. The remaining area is dedicated residential-related uses. Both Downey I and Downey I have a FAR greater than 1.0.

3. The project provides a minimum net density of at least 20 dwelling units per acre. ☒ Yes ☐ No

With a requested density bonus, Downey I would have a residential density of 61 dwelling units per acre and Downey II would have a residential density of 49 dwelling units per acre.

4. The project is located within ¼ mile of a major transit stop (e.g. rail station, ferry terminal served by either a bus or rail transit service, or intersection of two or more major bus routes with service intervals of 15 minutes or less during peak commute hours) or a high-quality transit corridor (i.e. a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours). ☒ Yes ☐ No

The project sites are located within the High-Quality Transit Area (HQTA) and High-Quality Transit Corridor (HQTC) in the SCAG's RTP 2012-2035. Two Los Angeles Metro bus lines, Metro Rapid Line 720 and Metro Line 18, services the project site with greater frequencies than 15-minute service interval during peak hours. During peak hours, Metro Rapid Line 720 has service intervals of 7 to 10 minutes.

5. All parcels within the project have no more than 25% of their area farther than ¼ mile from the stop or corridor. ☒ Yes ☐ No

All parcels for the proposed projects are within ¼ mile of a major transit stop or HQTC.
6. No more than 10% of the residential units or 100 units, whichever is less, in the project are farther than ½ mile from the stop or corridor. ☒ Yes ☐ No

The proposed projects are compact developments that have all units within ½ mile of the major transit stop and HQTC.

Pursuant to California Public Resources Code (PRC) §21155.1, a transit priority project that meets the following criteria is declared to be a sustainable communities project that is exempt from CEQA:

ENVIRONMENTAL CRITERIA

1. The project and other approved projects not yet built can be adequately served by existing utilities, and the applicant has paid, or has committed to pay, all applicable in-lieu or development fees. ☒ Yes ☐ No

The applicant has received Will-Serve letters from the California Water Company – East Los Angeles District for both Downey I and Downey II.

2. The project site does not contain wetlands or riparian areas and does not have significant value as a wildlife habitat. ☒ Yes ☐ No

The project sites is located in an urbanized area defined by CEQA and was developed for urban uses prior to 1928. The surrounding area is also highly developed with commercial and residential uses. Review of the National Wetland Inventory provided by the U.S. Fish and Wildlife Service (USFWS) also identified no wetlands or riparian areas within the project sites.

The project does not harm any species protected by the federal Endangered Species Act, the Native Plant Protection Act, or the California Endangered Species Act. ☒ Yes ☐ No

Relevant literature, maps, databases, agency websites and aerial imagery were obtained from public domain sources to assess the occurrence potential of the protected species. These sources include: California Natural Diversity Database (CNDDB) provided by the California Department of Fish and Wildlife, USFWS Critical Habitat data,

The project sites are identified as an urban area under CEQA and are currently vacant paved lots. Abandoned structures exist on the Downey II site but Downey I is an empty lot with vegetation such as weeds. They do not contain any suitable habitat for protected species and East Los Angeles is not an area known for high-occurrences of the protected animal and plant species.

The project does not cause the destruction or removal of any species protected by a local ordinance in effect at the time the application for the project was deemed complete. ☒ Yes ☐ No

The project sites are not identified within a conceptually mapped Significant Ecological Area, Environmentally Sensitive Habitat Area and Coastal Resources Areas, or any other areas
containing biological values designated by Coastal Development Plan, the Community Plan or General Plan by the County. No ordinance-sized oak trees are found within the project sites.

3. The project site is not included on any list of facilities and sites compiled pursuant to Section 65962.5 of the Government Code.  ☑ Yes ☐ No

Government Code section 65962.5 requires the California Environmental Protection Agency to develop at least annually an updated Cortese List. The Hazardous Waste and Substances Sites (Cortese) List is a planning document used by the State, local agencies and developers to comply with the California Environmental Quality Act requirements in providing information about the location of hazardous materials release sites. A review of the Hazardous Waste and Substances Site List – Site Cleanup database1 showed no records on the project sites.

4. The project site is subject to a preliminary endangerment assessment prepared by a registered environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity.  ☑ Yes ☐ No

A Preliminary Endangerment Assessment (PEA) was prepared by Partner Engineering and Science, Inc, dated May 10, 2017.

(a) If a release of a hazardous substance is found to exist on the site, the release shall be removed, or any significant effects of the release shall be mitigated to a level of insignificance in compliance with state and federal requirements.  ☑ Yes ☐ No ☐ Not Applicable

According to the PEA, the observed drums and buried metal debris throughout the northern portions of the Downey I site may contain suspect asbestos-containing materials (ACMs) and lead-based paints (LBPs). Removal or demolition of existing structures likewise could potentially result in the release hazardous building materials (e.g., asbestos, lead paint, etc.) into the environment if standard protocols are not followed. The proposed projects will be required to comply with the applicable regulations from state-level agencies such as DTSC, in conjunction with the OSHA and USEPA, on the removal, abatement, and transport procedures for ACMs and LBPs. Release of asbestos from demolition or construction activities are prohibited by state and local regulations. Demolition activities are permitted by the Department of Public Works Building and Safety Division and other regulatory agencies including the South Coast Air Quality Management District. Medical evaluation and monitoring is required for employees performing activities that could expose them to asbestos. Additionally, the regulations include warnings that must be heeded and practices that must be followed to reduce the risk for asbestos emissions and exposure. Finally, federal, state, and local agencies must be notified prior to the onset of demolition or construction activities with the potential to release asbestos. Standard protocols would be adopted to minimize the risk associated with the hazardous materials and wastes. Hazardous wastes may be properly disposed at licensed facilities, or recycled to minimize wastes requiring disposal.

Based on the findings of the subsurface investigation performed on the project sites, the only chemical of concern identified as a potential risk to on-site workers is arsenic, which was detected in two locations at depths of 1 foot below ground surface (bg) at concentrations of 226 micrograms per kilogram (mg/kg) at Downey I site and 93.4 mg/kg at Downey II site, and cadmium was detected at a single location at Downey I site at depth of six feet bg at

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concentration of 6.4 mg/kg exceeding residential regional screening level (RSL) and below the commercial/industrial screening level. The background concentration of arsenic for southern California is 12 mg/kg, which was established by a report entitled Determination for a Southern California Regional Background Arsenic Concentration in Soil and published by DTSC which used data from 19 school sites distributed throughout Los Angeles Unified School District.

The presence of arsenic detected in the two soil borings appear to be isolated pockets in the area with dimensions approximately 20 feet by 20 feet with a depth of no more than 3 feet bgs. Evacuation and off-site removal of soils from these two areas shall be performance in accordance with a Soil Management Plan approved by the County Fire Department Health Hazardous Material Division prior to grading and developments at the two sites [See Condition of Approval #37]

Volatile organic compounds (VOCs) and tetrachloroethylene (PCE) were detected in low concentrations in the soil vapor samples collected at Downey I and II, but they do not pose significant health risk or hazards for the future residents.

Although several compounds were detected in soil and soil gas samples at the projects sites throughout the course of the subsurface investigation, concentrations were below the recommended screening levels indicating the risks to both the future residents at both sites and construction workers are acceptable. Arsenic is the sole exception that could potentially be considered a health risk because concentrations were detected at two locations above Southern California background concentration. Due to this potential health risk, the areas with elevated concentrations of arsenic will be delineated, and the removal of these soils will be performed in accordance with the SMP prior to the initiation of site grading and development. Arsenic remediation and the requirement of the SMP are memorialized in the conditions of approval in the conditional use permits.

(b) If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, the effects of the potential exposure shall be mitigated to a level of insignificance in compliance with state and federal requirements.

☐ Yes  ☒ No  ☐ Not Applicable

There are no land uses from the surrounding properties that may pose potential and significant hazards. The project site is surrounded by predominately small retail businesses and residences, and a cemetery.

5. The project does not have a significant effect on historical resources pursuant to Section 21084.1.  ☒ Yes  ☐ No

The project sites are unoccupied lots formerly used by grave stone and concrete vault businesses. All former structures on the Downey I site has been demolished and removed. The remaining commercial structures associated with the former grave stone manufacturing business on Downey II site are dilapidated and abandoned and the former operations do not have historical significance.

The sites do not contain any historical resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources or included in a local register of historical resources. According to the County's Historic Resources Sites Policy Map², there is no historic or cultural resource site within the vicinity of the project sites. The County of Los Angeles also does not consider the project sites to be a discretionary historical resource per Section 21084.1. Therefore, no significant effect on historical resources would result.

² PlaceWorks, 2014. Los Angeles County General Plan Programmatic EIR, FIGURE 5.5-1
6. A) The project is not subject to a wildland fire hazard, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of a wildland fire hazard.  
- Yes  [ ] No

The project sites are not located in a Very High Fire Hazard Severity Zone mapped by the CALFIRE. The East Los Angeles is developed urban area not surrounded by wildland.

B) The project site is not subject to an unusually high risk of fire or explosion from materials stored or used on nearby properties.  [ ] Yes  [ ] No

There are no land uses from the surrounding properties that may pose unusually high risk or explosion from materials stored or used. The project site is surrounded by predominately small retail businesses and residences, and a cemetery.

C) The project site is not subject to the risk of a public health exposure at a level that would exceed the standards established by any state or federal agency.  [ ] Yes  [ ] No

The projects would be subject to applicable federal, state, and local programs, regulations, laws, standards, and policies including, but not limited to, the following: Resource Conservation and Recovery Act (RCRA); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); California Hazardous Waste Control Law; Occupational Safety and Health Administration (OSHA); South Coast Air Quality Management District; California Department of Forestry and Fire Protection (CAL-FIRE); Los Angeles County Fire Department Health Hazardous Material Division and the County of Los Angeles Department of Public Health.

D) The project site is not within a delineated earthquake fault zone or a seismic hazard zone, unless the general plan or zoning ordinance contains provisions to mitigate the risk of an earthquake fault or seismic hazard zone.  [ ] Yes  [ ] No

According to the California Geological Survey (CGS) Seismic Hazard Zone Maps, the project sites are not located in a seismic hazard zone or earthquake fault zone.

E) The project site is not subject to landslide hazard, flood plain, flood way, or restriction zone, unless the general plan or zoning ordinance contains provisions to mitigate the risk of a landslide or flood.  [ ] Yes  [ ] No

According to the California Geological Survey Alquist-Priolo maps, the project sites are not located within a landslide hazard zone. The project sites are also not delineated in a flood plain by Federal Emergency Management Agency Flood Insurance Rate Map (FIRM) or in a floodway or restricted in the zone for landslide or flood.

7. The project site is not located on developed open space.  [ ] Yes  [ ] No

The project sites are not developed open space and are not publicly owned, or financed in whole or in part by public funds. They are private properties not available for public use and lacks the structures generally associated with open spaces.

8. Project buildings are 15% more energy efficient than required by Title 24 (California Building Standards Code) and the buildings and landscaping are designed to achieve 25% less water usage than the average household use in the region.  [ ] Yes  [ ] No
The applicant is committed to make the project buildings 15% more energy efficient than required by Title 24 and the buildings and landscaping are designed to achieve 25% less water usage than the average household in the area. Downey I and Downey II will strive for Gold certification under Leadership in Energy and Environmental Design and incorporate environmental sensitive designs. Some potential design features may include but not limited to the following reduction in overall irrigation water demand by at least 20 percent, drought-tolerant landscaping, low-flow fixtures, use of Energy-Star labeled appliances, installation of bike racks and electric-vehicle charging stations to encourage alternative fuel and alternative mode of transportation.

**LAND USE CRITERIA**

1. The project site is not more than eight acres in total area.  ☑ Yes ☐ No

   Downey I site is 0.69 acre and Downey II site is 1.49 acre.

2. The project does not contain more than 200 residential units.  ☑ Yes ☐ No

   Downey I consists of 42 units and Downey II consists of 71 units, totaling 113 units.

3. The project does not result in any net loss in the number of affordable housing units within the project area.  ☑ Yes ☐ No

   The Downey I and Downey I sites have been developed for commercial/industrial businesses since 1928. The last business ceased operation in 2013.

4. The project does not include any single level building that exceeds 75,000 square feet.  ☑ Yes ☐ No

   The Downey I's building footprint is 19,995 square feet and Downey II's building footprint is 46,000 square feet.

5. Any applicable mitigation measures or performance standards or criteria set forth in the prior environmental impact reports have been or will be incorporated into the project.  ☑ Yes ☐ No ☐ None

   Over 6,000 cubic yards of grading is proposed for Downey II due to the subterranean parking. According to the General Plan 2035 Environmental Impact Report, CULT-5 mitigation measure will be incorporated in to the project as condition of approval to address potential cultural resources or archaeological resources encountered during grading activities.

6. The project is determined not to conflict with nearby operating industrial uses.  ☑ Yes ☐ No

   The project sites are immediately surrounded by either residential uses or commercial uses. There are no operating industrial uses within the vicinity of the project sites.

7. The project is located within ½ mile of a rail transit station or a ferry terminal or within ¼ mile of a high-quality transit corridor included in a regional transportation plan.  ☑ Yes ☐ No
The project sites fronts a high-quality transit corridor. As previously mentioned, the project site is located within a High-Quality Transit Corridor (HQTC) in the SCAG’s RTP 2012-2035. Two Los Angeles Metro bus lines, Metro Rapid Line 720 and Metro Line 18, services the project site with greater frequencies than 15-minute service interval during peak hours. During peak hours, Metro Rapid Line 720 has service internals of 7 to 10 minutes.

8. The project meets at least one of the following three criteria:
   (a) The project meets both of the following:
      i) At least 20% of the housing will be sold to families of moderate income, or not less than 10% of the housing will be rented to families of low income, or not less than 5% of the housing is rented to families of very low income.
         ☒ Yes ☐ No

      Downey I and Downey II are 100 percent affordable housing restricted to low-income or very low-income households.

      ii) The project developer provides sufficient legal commitments to the appropriate local agency to ensure the continued availability and use of the housing units for very low, low- and moderate-income households at monthly housing costs with an affordable housing cost or affordable rent, as defined in Section 50052.5 or 50053 of the Health and Safety Code, respectively, for the period required by the applicable financing. Rental units shall be affordable for at least 55 years. Ownership units shall be subject to resale restrictions or equity sharing requirements for at least 30 years.
         ☐ Yes ☐ No

   A covenant or agreement, acceptable to the County Community Development Commission, shall be recorded with the county recorder to ensure continuing availability of housing set-aside units for 55 years [Condition of Approval #19].

   (b) The project developer has paid or will pay in-lieu fees pursuant to a local ordinance in an amount sufficient to result in the development of an equivalent number of units that would otherwise be required pursuant to paragraph (a).
      ☒ Yes ☐ No ☐ Not Applicable

   The required covenant and agreement will include remedies for violations of the covenant, including, but not limited to monetary penalties [Condition of Approval #19].

   (c) The project provides public open space equal to or greater than five acres per 1,000 residents of the project.
      ☐ Yes ☐ No ☒ Not Applicable

1 "Developed open space" means land that is 1) publicly owned, or financed in whole or in part by public funds, 2) generally open to, and available for use by, the public, and 3) predominantly lacking in structural development other than structures associated with open spaces, including playgrounds, swimming pools, ballfields, enclosed child play areas, and picnic facilities. It includes land that has been designated for acquisition by a public agency for developed open space, but does not include lands acquired with public funds dedicated to the acquisition of land for housing purposes.
Note - Room Names

Refer to Units A3.01 & A3.02 typical unit plans for unit room names.
NOTE - ROOM NAMES

REFER TO LST & A4.02-TYPICAL UNIT PLANS FOR

UNIT ROOM NAMES
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SUN SHADOW ANALYSIS SUMMARY

THE SUN SHADOW ANALYSIS INDICATES DAYLIGHT CONDITIONS DURING THE FOUR SEASONS IN THIS URBAN ENVIRONMENT WITHIN A TYPICAL THREE INTERVAL DAILY TIME PERIOD. SEASONAL DAYLIGHT IS MAXIMUM DURING THE SUMMER SOLSTICE AND MINIMUM DURING THE WINTER SOLSTICE WHILE FALL AND WINTER EQUINOXES RECEIVED SIMILAR AVERAGE DAYLIGHT.

DAILY MAXIMUM SUNLIGHT EXPOSURE OCCURS DURING 12 NOON WITH ADEQUATE EXPOSURE AT 9:00AM AND MINIMUM EXPOSURE DURING 6:00PM SUNSET PERIOD.

WITH MAJORITY YEAR ROUND SUFICIENT DAYLIGHTS, CUSTOMERS FROM THIS PROJECT ARE GRANTED A CUSTOMIZED CONTENTMENT WITHIN THE SPACE AND ENJOYING SUFICIENT SUNLIGHT DURING THE MAJORITY OF THE YEAR ROUND.

WHITTIER DOWNEY

NORTHWEST
SILVER COLOR CORRUGATED METAL PANEL - TYP.

MATERIAL BOARD

SANTA BABARA FINISH INTEGRAL COLOR PLASTER - TYP.

SMOOTH FINISH CEMENT FIBERBOARD VERTICAL PANEL

LOW E GLAZING IN BLUE GREEN TINTED - TYP.

PVDF PAINTED GALVANIZED METAL FASCIA - TYP.

BOARD FORMED CONCRETE PLANTER & 3 FT. HIGH TYP. WALL BASE

SANTA BABARA FINISH INTEGRAL COLOR PLASTER - TYP.

SMOOTH FINISH CEMENT FIBERBOARD VERTICAL PANEL

SMOOTH FINISH CEMENT FIBERBOARD VERTICAL PANEL
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FIRST FLOOR PLAN

A3.01

A3.02

A3.1

A4.01

A4.04

NOTE:
FOR SPECIFIC ROOM/DOOR LABELS
WITHIN THE RESIDENTIAL UNITS,
PLEASE SEE UNIT PLANS SHEET A4.01-
A4.04

ACCESSIBLE PATH
OF TRAVEL

---

Legend:

A3.02

A3.01

A3.1

A4.01

A4.04

NOTE:
FOR SPECIFIC ROOM/DOOR LABELS
WITHIN THE RESIDENTIAL UNITS,
PLEASE SEE UNIT PLANS SHEET A4.01-
A4.04

ACCESSIBLE PATH
OF TRAVEL

---

Legend:

A3.02

A3.01

A3.1

A4.01

A4.04

NOTE:
FOR SPECIFIC ROOM/DOOR LABELS
WITHIN THE RESIDENTIAL UNITS,
PLEASE SEE UNIT PLANS SHEET A4.01-
A4.04

ACCESSIBLE PATH
OF TRAVEL

---

Legend:

A3.02

A3.01

A3.1

A4.01

A4.04

NOTE:
FOR SPECIFIC ROOM/DOOR LABELS
WITHIN THE RESIDENTIAL UNITS,
PLEASE SEE UNIT PLANS SHEET A4.01-
A4.04

ACCESSIBLE PATH
OF TRAVEL

---

Legend:

A3.02

A3.01

A3.1

A4.01

A4.04

NOTE:
FOR SPECIFIC ROOM/DOOR LABELS
WITHIN THE RESIDENTIAL UNITS,
PLEASE SEE UNIT PLANS SHEET A4.01-
A4.04

ACCESSIBLE PATH
OF TRAVEL

---

Legend:

A3.02

A3.01

A3.1

A4.01

A4.04

NOTE:
FOR SPECIFIC ROOM/DOOR LABELS
WITHIN THE RESIDENTIAL UNITS,
PLEASE SEE UNIT PLANS SHEET A4.01-
A4.04

ACCESSIBLE PATH
OF TRAVEL

---

Legend:

A3.02

A3.01

A3.1

A4.01

A4.04

NOTE:
FOR SPECIFIC ROOM/DOOR LABELS
WITHIN THE RESIDENTIAL UNITS,
PLEASE SEE UNIT PLANS SHEET A4.01-
A4.04

ACCESSIBLE PATH
OF TRAVEL

---

Legend:

A3.02

A3.01

A3.1

A4.01

A4.04

NOTE:
FOR SPECIFIC ROOM/DOOR LABELS
WITHIN THE RESIDENTIAL UNITS,
PLEASE SEE UNIT PLANS SHEET A4.01-
A4.04

ACCESSIBLE PATH
OF TRAVEL

---

Legend:

A3.02

A3.01

A3.1

A4.01

A4.04

NOTE:
FOR SPECIFIC ROOM/DOOR LABELS
WITHIN THE RESIDENTIAL UNITS,
PLEASE SEE UNIT PLANS SHEET A4.01-
A4.04

ACCESSIBLE PATH
OF TRAVEL

---

Legend:
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Total Proposed Units: 71 Units

Dwelling Units:
- One bedroom/one bath = 34 units
- Two bedroom/one bath = 19 units (including 1 manager’s unit)
- Three bedroom/two baths = 18 units

UNIT 201
2-BEDROOM
TYPE 1A

UNIT 202
3-BEDROOM
TYPE 1A

UNIT 203
2-BEDROOM
TYPE 1A

UNIT 204
3-BEDROOM
TYPE 1A

UNIT 205
MOBILITY ACCESSABLE
2-BEDROOM
TYPE 1A

UNIT 206
AUDITORY ACCESSABLE
1-BEDROOM
TYPE 2

UNIT 207
MOBILITY ACCESSABLE
3-BEDROOM
TYPE 1A

UNIT 208
3-BEDROOM
TYPE 1A

UNIT 209
MOBILITY ACCESSABLE
1-BEDROOM
TYPE 1D

UNIT 210
1-BEDROOM
TYPE 1D

UNIT 211
3-BEDROOM
TYPE 1A

UNIT 212
3-BEDROOM
TYPE 1A

UNIT 213
1-BEDROOM
TYPE 2

UNIT 214
1-BEDROOM
TYPE 1A

UNIT 215
3-BEDROOM
TYPE 1A

UNIT 216
1-BEDROOM
TYPE 1A

UNIT 217
3-BEDROOM
TYPE 1A

UNIT 218
1-BEDROOM
TYPE 1A

UNIT 219
1-BEDROOM
TYPE 1A

UNIT 220
2-BEDROOM
TYPE 1A

UNIT 221
2-BEDROOM
TYPE 1A

UNIT 222
1-BEDROOM
TYPE 3

UNIT 223
1-BEDROOM
TYPE 3

UNIT 224
1-BEDROOM
TYPE 3

UNIT 225
2-BEDROOM
TYPE 2

UNIT 226
1-BEDROOM
TYPE 1A

UNIT 227
2-BEDROOM
TYPE 1A

UNIT 228
1-BEDROOM
TYPE 1A

UNIT 229
2-BEDROOM
TYPE 2

UNIT 230
1-BEDROOM
TYPE 4

UNIT 231
1-BEDROOM
TYPE 3

UNIT 232
1-BEDROOM
TYPE 3

UNIT 233
1-BEDROOM
TYPE 3

UNIT 234
1-BEDROOM
TYPE 3

PUBLIC COURTYARD
OPEN SPACE

NOTE:
FOR SPECIFIC ROOM/DOOR LABELS 
WITHIN THE RESIDENTIAL UNITS, 
PLEASE SEE UNIT PLANS SHEET A4.01- 
A4.04

STOR. STOR.
PLAY STRUCTURE
W/ RUBBER MAT
SHADE STRUCTURE /
SEATING AREA
EDIBLE CONTAINER GARDEN
PUBLIC COURTYARD
OPEN SPACE

5'-10'
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EXTERIOR ELEVATIONS

1/8" = 1'-0"
The Sun Shadow analysis indicates daylight conditions during the Spring Equinox and Summer Solstice in this urban environment within a typical three-level interior. Daily solar exposure varies during the equinoxes and solstices, with maximum exposure during the Summer Solstice. The analysis shows that shadows from this project will minimally cast onto neighboring residences, except for normal Winter Solstice with low sun angle during 9:00 AM and 6:00 PM sunset periods. With sufficient daylight during year-round, shadows from this project will minimally cast onto neighboring residences during the Spring Equinox and Summer Solstice. The site analysis suggests that this project will maintain sufficient daylight during year-round.
THE SUN SHADOW ANALYSIS INDICATES DAYLIGHT CONDITIONS DURING THE FALL AND WINTER EQUINOXS, FALL AND WINTER SOLSTICES. THE SUNSHADOW ANALYSIS DURING FALL AND WINTER SOLSTICES INDICATES SUNSHADOWS AT 9:00AM, 12:00PM, AND 3:00PM. DURING THE SUMMER SOLSTICE AND WINTER EQUINOXES THE SUNSHADOWS AT 9:00AM, 12:00PM, AND 3:00PM ARE LARGELY SHADES FROM THE SUN.

DAILY MAXIMUM SUN LIGHT EXPOSURE OCCURS AT 12 NOON WITH ADEQUATE EXPOSURE AT 9:00AM AND MINIMUM EXPOSURE DURING 6:00PM SUNSET PERIOD.

WITH MAJORITY YEAR ROUND SUFFICIENT DAYLIGHTS, SHADOWS FROM THIS PROJECT ARE MINIMAL AT CATHEDRAL HEIGHTS, EXCEPT FOR NORMAL WINTER SOLSTICE WITH LOW SUN ANGLE DURING 9:00AM AND 6:00PM SUNSET. FOR ADEQUATE DAYLIGHTS AND SUNSHADOWS, THIS PROJECT RECEIVES SUFFICIENT DAYLIGHT DURING YEAR ROUND.
STANDING SEAM METAL ROOF
WOOD TRELLIS SYSTEM
METAL EXTERIOR PANEL SYSTEM
FULL HEIGHT METAL BALCONY RAILING
EXTERIOR FINISH PLASTER COLOR 1
FIBER CEMENT LAP SIDING
LOW WALL METAL BALCONY RAILING
EXTERIOR FINISH PLASTER COLOR 2
BOARD FORMED CONCRETE PLANTERS

A5.11 MATERIAL BOARD
4-25-2017
RECESS OR PROJECTION OF FACADE IS MEASURED FROM THESE WALLS
RECESS OR PROJECTION OF FACADE IS MEASURED FROM THESE WALLS.

16' - 4" Horizontal Facade Recess
4' - 0" Horizontal Projection From Face
3' - 6" Horizontal Projection From Face
17' - 7" Horizontal Facade Recess
11' - 3" Horizontal Facade Projection
1' - 4" Horizontal Facade Recess

Parapet Height
(±) 52' - 0"

16' - 4"
22' - 2"
5' - 6" Horizontal Facade Recess
4' - 0" Horizontal Projection From Face
3' - 6" Horizontal Projection From Face
2' - 0" Horizontal Canopy Projection From Face
7' - 7" Horizontal Facade Recess
19' - 3"
1' - 4" Horizontal Facade Recess

Stair Shaft Parapet Height
(±) 55' - 0"

1' - 0" Horizontal Projection From Face
3' - 0" Horizontal Facade Recess
EAST FACADE FLOOR PROFILES WITH PROJECTIONS

1ST FLOOR

2ND FLOOR

3RD FLOOR

4TH FLOOR

16' - 4"

17' - 7"

13' - 1"

1' - 4"

1' - 4"

1' - 4"

16' - 4"

16' - 4"

11' - 3"

22' - 2"

22' - 2"

-5' - 9"

13' - 1"

9' - 7"

-11' - 3"

16' - 4"

16' - 4"

-5' - 9"

1' - 4"

13' - 1"

16' - 4"

16' - 4"

1' - 4"

1' - 4"