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.
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:

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@acdc.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 1960, 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 barbecue 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 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 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.
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 22.52.900 and Section 22.52.1082 generally allow up to 40 percent of the required parking spaces to be compact parking in apartment houses 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 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 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 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 differ 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 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. RPPL2017006988.

ACTION DATE: May 31, 2017

VOTE:

Concurring:

Dissenting:

Abstaining:

Absent:

MM: JPH
05/31/2017

c: Each Commissioner, Zoning Enforcement, Building and Safety