Regional Planning Commission
Transmittal Checklist

Project Number: 2016-001235-(1)
Conditional Use Permit No. RPPL2016005207
Housing Permit No. RPPL2017006970
Case(s):
Conditional Use Permit No. RPPL2016005212
Housing Permit No. RPPL2017006968
Planner: Jolee Hui

☑ 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 SUMMARY

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

**PROJECT OVERVIEW**
The proposed Project ("Downey I") is a request to authorize the demolition of existing commercial structures and the construction of a 42-acceptable 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

**L&ND 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:**
jhl@planning.lacounty.gov
PROJECT NUMBER HEARING DATE
2016-001235-(1) 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

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.

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

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 MAX DENSITY/UNITS
42 units 20 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
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CASE PLANNER: PHONE NUMBER: E-MAIL ADDRESS:
Jolee Hui (213) 974 – 6435 jhui@planning.lacounty.gov
PROJECT NUMBER
2016-001235-(1)

HEARING DATE
May 31, 2017

REQUESTED ENTITLEMENTS
Conditional Use Permit No. RPPL2016005212
Housing Permit No. RPPL2017006968

PROJECT SUMMARY

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

MAP/EXHIBIT DATE

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 consists 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.

ACCESS
Downey Road

ASSESSORS PARCEL NUMBER(S)

SITE AREA
1.3 acre (56,243 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
71 units

MAX DENSITY/UNITS
43 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:
  o 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
  o 22.44.118 (East Los Angeles CSD requirements)
  o 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>
</tr>
</thead>
<tbody>
<tr>
<td>Project Site</td>
<td>30,088 SF (0.69 acre)</td>
<td></td>
</tr>
<tr>
<td>Number of stories</td>
<td>3 stories</td>
<td></td>
</tr>
<tr>
<td>Proposed Maximum Height</td>
<td>Up to 44 feet in C-3 Zone Up to 36 feet in R-2 Zone</td>
<td></td>
</tr>
<tr>
<td>Residential Dwelling Units</td>
<td>42 units</td>
<td></td>
</tr>
<tr>
<td>Studio (24)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One-bedroom (13)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Two-bedroom (4)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manager's Unit (1)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community Room</td>
<td>617 SF</td>
<td></td>
</tr>
<tr>
<td>Property/Case Management Offices</td>
<td>602 SF</td>
<td></td>
</tr>
<tr>
<td>Gym</td>
<td>302 SF</td>
<td></td>
</tr>
<tr>
<td>Commercial/Retail Space</td>
<td>1,161 SF</td>
<td></td>
</tr>
<tr>
<td>Vehicle Parking (ground level)</td>
<td>31 stalls</td>
<td></td>
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<tr>
<td>Standard (19)</td>
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<tr>
<td>ADA (2)</td>
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<td>EVCS (1)</td>
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<td>Compact (8)</td>
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<tr>
<td>Loading(1)</td>
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<tr>
<td>Bicycle Parking</td>
<td>32 stalls</td>
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<tr>
<td>Community Patio/Courtyards</td>
<td>5,495 SF</td>
<td></td>
</tr>
<tr>
<td>Landscaping</td>
<td>5,940 SF</td>
<td></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 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 of feet commercial retail space, community room, laundry facilities, gym, offices for property management and case managers, elevators, vehicular and bicycle parking on the ground level (Level 1). The 71 residential units are located on all four 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 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 I 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

CC.021313
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 0.68-acre Downey I property and 43 units for the 1.42-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>
</tr>
</thead>
<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>
</tr>
<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>
</tr>
</tbody>
</table>
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 special 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 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 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></th>
<th>Required Residential Parking per AB 744</th>
<th>Proposed Residential Parking Spaces</th>
<th>Required Commercial Parking</th>
<th>Proposed Commercial Parking</th>
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</thead>
<tbody>
<tr>
<td>Downey I</td>
<td>42x0.5=21 spaces</td>
<td>24 spaces</td>
<td>1,161 SF/250 SF= 5 spaces 319 SF/400 SF = 1 space Total 6 spaces</td>
<td>7 spaces</td>
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<tr>
<td>Downey II</td>
<td>71 units x 0.5= 36 spaces</td>
<td>77 spaces</td>
<td>3208 SF/250 SF= 13 spaces 423 SF/400 SF =1 space Total 14 spaces</td>
<td>15 spaces</td>
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</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></th>
<th>Residential</th>
<th>General Retail</th>
<th>Office</th>
<th>Total</th>
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<tr>
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<td>(8) Proposed</td>
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<td></td>
<td></td>
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<td>(1) Proposed</td>
<td>(24) Proposed</td>
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<table>
<thead>
<tr>
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<th>General Retail</th>
<th>Office</th>
<th>Total Provided</th>
</tr>
</thead>
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<td>(8) Required</td>
<td>(1) Required</td>
<td>(1) Required</td>
<td>(10) Required</td>
</tr>
<tr>
<td>Short-term</td>
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<td>(1) Proposed</td>
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<td>(10) Proposed</td>
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<tr>
<td>Bicycle Spaces</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Long-term</td>
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<td>(1) Required</td>
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<td>(1) Proposed</td>
<td>(1) Proposed</td>
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</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.

- **Façade 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-glazed 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
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 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 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 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 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 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 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 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 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. 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 affidavits 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.

**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 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 built 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 meter 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 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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<th>Income Level</th>
<th>RHNA Allocation by Income Level</th>
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<td>4,918</td>
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<tr>
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<td></td>
<td>57,166*</td>
<td>2,012</td>
<td>1,801</td>
<td>958</td>
<td>210</td>
<td>512</td>
<td></td>
<td></td>
<td>5,611</td>
<td>51,757</td>
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</table>

Remaining Need for RHNA Period

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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 5\(^{th}\) cycle of the RHNA Allocation Plan adopted on October 4\(^{th}\) 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
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 Sinal 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 Road 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 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

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<tr>
<th>Income Level</th>
<th>2008</th>
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<th>2011</th>
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<th>2014</th>
<th>Total Units to Date</th>
<th>Total Remaining RHNA by Income Level</th>
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</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 were adjusted each year 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 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 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.

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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 Tseblos, REHS, MPA, DPA M.T
Environmental Health Division
Department of Public Health

SUBJECT: CUP Consultation
PROJECT NO. 2016-001235/ RPPL.2016005207
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 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. 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.ii

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.


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.
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.

Reviewed by: Wally Collins  
Date: April 13, 2017
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.
PROJECT: 2016-001235
RPPL2016005207
RPPL2016005212

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.
May 17, 2017

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

Attention Jolee Hui

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2. Drainage/Grading

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

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

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

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

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

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

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

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

3. Water

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

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

Ms. Clare M. Look-Jaeger
Linscott, 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  
P:\pub\STUDIES\11-0001 - Whittier Blvd Mixed Use Project\docx
To: Matthew Dubiel  
Project Entitlement & CEQA  
Land Development Division  
Attention Ed Gerlits

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 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 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  
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@dow.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.
For questions regarding the drainage/grading conditions, please contact Vulong 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 Khalkahi of Public Works’ Land Development Division at (626) 458-4921 or tkhalkh@dpw.lacounty.gov.

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

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

Dear Ms. Look-Jaeger:

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

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

Project’s Transportation Impact

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

Site Access Requirements

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

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

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

Very truly yours,

MARK PESTRELLA
Director of Public Works

DEAN R. LEHMAN
Assistant Deputy Director
Traffic and Lighting Division

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

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

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

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

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

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

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

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

☒ 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.
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:

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 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,
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. 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>Project Title:</th>
<th>DOWNEY I and DOWNEY II</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lead Agency Name and Address:</td>
<td>County of Los Angeles Department of Regional Planning 320 W. Temple Street, Los Angeles, CA 90012</td>
</tr>
<tr>
<td>Contact Person and Phone Number:</td>
<td>Jolee Hui <a href="mailto:jhui@planning.lacounty.gov">jhui@planning.lacounty.gov</a> (213)974-6435</td>
</tr>
<tr>
<td>Project Location:</td>
<td>4161 and 4166, 4200 to 4224 Whittier Boulevard in the unincorporated community of East Los Angeles</td>
</tr>
<tr>
<td>Project sponsor's name:</td>
<td>META Housing Corporation</td>
</tr>
<tr>
<td>General Plan Designation:</td>
<td>East Los Angeles Community Plan, CC- Community Commercial and MD-Medium Density Residential</td>
</tr>
<tr>
<td>Zoning:</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 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 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 ¼ mile from the stop or corridor. ☒ Yes ☐ No

The proposed projects are compact developments that have all units within ¼ 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 (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
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 (bgs) 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 bgs at

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.

— 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 II 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 intervals 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.