



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

June 12, 2013

Eric Lieberman
14549 Archwood Street, Suite 308
Van Nuys, CA 91405

REGARDING: PROJECT NO. R2012-02368-(1); HOUSING PERMIT NO. 201200004; CONDITIONAL USE PERMIT NO. 201200138 ENVIRONMENTAL ASSESSMENT NO. 201200249 4125 & 4131 WHITTIER BLVD, AND 837 BONNIE BEACH PLACE APN NOS. 5239-021-037, 5239-021-038, AND 5239-021-040

The Regional Planning Commission, by its action of June 12, 2013, has **APPROVED** the above-referenced project. Enclosed are the Commission's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or any other interested persons may appeal the Regional Planning Commission's decision. The appeal period for this project will end at 5:00 p.m. on **June 26 2013. Appeals must be delivered in person.**

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

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

For questions or for additional information, please contact Maral Tashjian of the Zoning Permits East Section at (213) 974-6435, or by email at mtashjian@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner


Maria Masis, Supervising Regional Planner
Zoning Permits East Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance
c: Board of Supervisors; DPW (Building and Safety); Zoning Enforcement

MM:MT

CC.060412

**FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
PROJECT NO. R2012-02368-(1)
HOUSING PERMIT NO. 201200004
CONDITIONAL USE PERMIT NO. 201200138
ENVIRONMENTAL ASSESSMENT NO. 201200249**

1. **ENTITLEMENT(S) REQUESTED.** The applicant, East LA Community Corporation, is requesting a Conditional Use Permit (CUP) to authorize a residential use (apartment house) in the C-3 (Unlimited Commercial) Zone pursuant to Section 22.28.210 of the Los Angeles County ("County") Zoning Code ("Zoning Code") and a Discretionary Housing Permit to authorize a density bonus and a reduction in the required number of parking spaces pursuant to Zoning Code Section 22.56.2800.
2. **HEARING DATE.** June 12, 2013
3. **PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION.** A duly noticed public hearing was held on June 12, 2013 before the Regional Planning Commission ("Commission"). Commissioners Valadez, Louie, Helsley, and Modugno were present. Commissioner Pedersen was absent. Commissioner Modugno recused himself from discussing and voting on the item. The applicant's representatives, Eric Lieberman and Ernesto Espinoza, presented testimony in favor of the request and answered questions presented by the Commission. Five members of the public testified in favor of the project. Discussion followed in which the Commission recognized the project's importance in fulfilling the County's need for affordable supportive housing. The Commission also spoke favorably of the project's attractive design and that it would be a beneficial addition to the community. There being no further testimony, the Commission closed the public hearing and approved the project subject to the conditions recommended by staff and agreed to by the applicant's representative.
4. **PROJECT DESCRIPTION.** The proposed project, "Whittier Permanent Supportive Housing," consists of the demolition of an existing 1,950 square foot commercial building and the construction of a three-story, 40-foot high, 30,240 square foot, garden-style apartment building and a subterranean parking garage with 28 parking spaces. The building would contain 15 one-bedroom units and 10 two-bedroom units. One unit would be occupied by an on-site manager, and 24 units would be reserved for very-low-income residents (area median incomes of 50 percent). Amenities of the proposed development include a 3,925 square foot central courtyard, a 1,000 square foot community/recreation room, management office, and laundry room. Main pedestrian access to the building is from Whittier Blvd which leads to a lobby/elevator area, building management offices and community room. The vehicular entrance to the proposed subterranean parking garage is located on Bonnie Beach Place.

The applicant also seeks a discretionary housing permit to authorize (1) a 127% density bonus to increase the number of residential units that would be permitted pursuant to the East Los Angeles Community Plan land use designation, from 11

units to 25 units, (2) a reduction in the number of parking spaces required pursuant to the Zoning Code from 49 spaces to 28 spaces, (3) up to 25% of the 28 spaces to be compact parking spaces, and (4) a waiver of the guest parking requirement.

5. **LOCATION.** The project site is located at 4125 Whittier Blvd, 4131 Whittier Blvd, and 837 Bonnie Beach Blvd, in the unincorporated community of East Los Angeles. The project site consists of three parcels, with a combined area of 0.38 acres and approximately 145 feet of street frontage along South Bonnie Beach Place and Whittier Boulevard, which is classified as an Existing Secondary Highway in the Los Angeles County Master Plan of Highways. The APN numbers for the parcels are 5239-021-037, 5239-021-038, and 5239-021-040.

6. **EXISTING ZONING.** The subject property is zoned C-3 (Unlimited Commercial). Surrounding properties are zoned as follows:

North: R-3 (Limited Multiple Residence)
South: C-3, R-3
East: C-3, R-3, O-S (Open Space)
West: C-3, R-3

7. **EXISTING LAND USES.** The subject property is currently developed with an abandoned 1,950 square foot single story commercial building (to be demolished) and vacant land. Surrounding properties are developed as follows:

North: Single- and multi-family residences
South: Retail/Commercial, Bar, Single- and multi-family residences
East: Retail/Commercial, Tire Sales, Marble/Granite Sales (headstones), Cemetery
West: Offices, Retail/Commercial, Restaurant, Car Wash, Marble/Granite Sales (headstones), Hospital (East Los Angeles Doctors Hospital)

8. **PREVIOUS CASES/ZONING HISTORY.**

- Plot Plan No. 34740 to authorize a billboard was approved on March 27, 1986.
- Plot Plan No. 38459 to authorize a billboard was approved on May 11, 1989.
- Plot Plan No. 15845 to authorize a bar was approved on April 10, 1995.
- Plot Plan No. 34740 to authorize a wall sign was approved on February 15, 1995.
- Plot Plan No. 200400429 (R2004-00683) to authorize a new commercial building was denied due to inactivity on September 19, 2006.

9. **GENERAL PLAN / COMMUNITY PLAN CONSISTENCY.** The project site is located within the CC (Community Commercial) land use category of the East Los Angeles Community Plan. This designation is intended for areas with mostly small businesses in centers or along strips oriented to serving the needs of surrounding

neighborhoods. With an approved conditional use permit, the proposed residential use would be consistent with the intended use of the underlying land use category.

Since the CC land use category does not identify a maximum permitted density for residential uses, the maximum permitted density for this project was based on the prevailing residential land use category of the surrounding neighborhood, which is MD (Medium Density Residential, 30 du/ac). Under the MD land use category, the applicant would be permitted up to 11 dwelling units on a 0.38 net acre property. The applicant is requesting a 127 percent density bonus for 14 additional dwelling units for a total of 25 dwelling units (or a residential density of 66 du/ac). The proposed project is designated for very-low-income families earning 50 percent of the area median income ("AMI"). This is 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 discretionary housing permits to grant density bonus of more than 50 percent for affordable housing projects.

Increased density is supported by the General Plan provided that the project meets several criteria as stated in the General Plan. The project meets these additional criteria: the proposed project will not adversely affect the character of the community; the project site is of sufficient size to accommodate the building design; the project will not overburden existing public services; the project will not disrupt or adversely impact local traffic; and the project will be compatible with surrounding uses.

The General Plan encourages the development of well-designed twin homes, townhouses and garden apartments, particularly on bypassed parcels within existing urban communities. "Garden apartments" are generally considered low-rise apartments, which include a substantial amount of open, usually landscaped ground. The proposed project consists of well-designed apartment units surrounding a 3,925 square foot landscaped courtyard (24 percent of the site). The proposed project also includes landscaping along both street façades and along the alley façade.

The General Plan encourages the location of low and moderate income housing within easy commuting range of multipurpose and single purpose centers with high concentrations of employment. The project site is located within commuting distance of regional multipurpose and employment centers, with access via multiple freeways and public transportation routes. The project site is within half a mile driving distance to the Interstate 5 and 710 freeways, and one mile to the State Route 60 freeway. The project site is within close proximity to two bus stops located at the corners of Whittier and Downey one block east of the subject site and at Whittier and Herbert two blocks to the west of the subject site.

10. **ZONING ORDINANCE AND DEVELOPMENT STANDARDS COMPLIANCE.** The project is conformance with the development standards for projects within the C-3 Zone and the East Los Angeles Community Standards District (CSD).

Parking regulations for apartment houses are described in Section 22.52.1180 of the County Code. A 25-unit apartment complex would normally require 1.5 covered parking spaces for each one-bedroom unit, and 1.5 covered parking spaces plus one-half uncovered parking space for each unit with two or more bedrooms. In addition, in apartment houses with more than 10 units, guest parking would be required at a rate of one parking space for every four dwelling units. Parking spaces are required to be standard size, unless compact spaces are permitted with a parking permit.

Per these requirements, the proposed project would normally require a total of 38 covered parking spaces and 11 uncovered parking spaces for a total of 49 parking spaces. The applicant is providing 28 parking spaces, 21 spaces (or 43 percent) less than what is normally required.

As part of the discretionary housing permit, the applicant is requesting an "On-Menu" Incentive to apply reduced parking requirements to the project, pursuant to Section 22.52.1840. With the reduced parking rate, the project would only require 25 parking spaces.

The applicant is also requesting two "Off-Menu" Incentives pursuant to Section 22.52.1840.C to (1) waive the guest parking requirement and (2) to allow 7 compact parking spaces, or 25 percent of the total 28 parking provided be compact spaces.

The applicant has provided documentation to support the request for reduced parking. A list of similar affordable housing developments operated by the applicant demonstrates that developments providing a similar ratio of parking, roughly one parking space per unit, or less, operate with a parking usage of 85% or less. Regardless of providing less than required parking, the parking provided at the reduced ratio has proven sufficient at these existing sites.

11. **NEIGHBORHOOD IMPACT/LAND USE COMPATIBILITY.** The construction, operation, and maintenance of the apartment complex is unlikely to affect the health, comfort, or welfare of surrounding residents, be materially detrimental to the use, enjoyment, or value of surrounding properties, and would not constitute a hazard to public health or safety

The proposed project would provide much needed low-income housing, particularly for a special needs population of single parents and foster children emerging from foster care programs. Residents of the facility would have access to recreational amenities, and an on-site manager would be available day and night to address

tenant concerns. The applicant has provided a sample of tenant/house rules that are implemented at similar properties under their management. These rules are enforced to prevent nuisances such as noise or other problematic conduct at the expense of other tenants and the surrounding neighbors. This example of proactive property management ensures that the operation of the apartment building will not adversely impact the surrounding neighborhood.

The facility would also be of a quality design that will enhance the aesthetics of the neighborhood. The applicant has also agreed to clad the bottom three feet of all faces of the building fronting public areas in durable stonework, either real or imitation, in order to prevent damage or deterioration to exposed stucco from tenant activities. A condition of approval would require removal of graffiti within 24 hours of occurrence. In addition, project landscaping is strategically placed along the building façades to reduce the surface area exposed to graffiti.

The proposed facility has also been reviewed and cleared by County Fire, Public Health, Parks and Recreation, and Public Works, which state that the site's existing infrastructure and public safety response resources are adequate to absorb the density proposed for the project site, provided that certain conditions are met.

The applicant is requesting an "On-Menu" Incentive for a reduction in parking by providing 28 covered parking spaces. This is less than the 49 parking spaces which would normally be required. However, the project is located on Whittier Boulevard, which contains several major bus routes of frequencies less than 15 minutes during peak hours. The proposed project consists of 25 dwelling units, and the applicant proposes to provide one parking space per unit, along with three additional parking spaces.

The applicant states that the requested parking incentive is necessary to keep the housing set-aside affordable. Without the reduced parking, the applicant would need an additional level of subterranean parking. A second level of subterranean parking would render the project financially infeasible. The applicant currently manages eight other affordable, multiple family housing complexes in the East Los Angeles and Boyle Heights areas that serve similar populations and provide parking in similar ratios. They state that, based on past experience, it is likely that the amount of parking proposed for the project, although less than normal requirements, will exceed the demand at this site. Thus, parking conditions at sites currently managed by the applicant support their claim that the amount of parking proposed is sufficient for the site.

In Chapter 2, entitled "Programs and Resources," the Housing Element notes that commercial sites offer the best potential for residential development. It maintains that the "majority of future residential development is expected to occur along commercial corridors and around transit centers under the County's Mixed Use

Ordinance and Transit Oriented Districts Ordinance. Vacant and underutilized commercial sites can potentially accommodate approximately 14,000 units in the unincorporated areas." The project site is exactly the type of commercial site that the Housing Element describes. Therefore, the facility will not be materially detrimental to the use, enjoyment or valuation of property of other persons in the vicinity of the site

The "Programs and Resources" chapter of the Housing Element notes that "State law mandates that local jurisdictions provide sufficient land to accommodate a variety of housing opportunities for all economic segments of the community." Further, the State law requires local jurisdictions to provide a share of the region's projected housing needs - the Regional Housing Needs Assessment (RHNA) allocation - for each designated planning period. The County of Los Angeles has been allocated an RHNA of 57,176 units, of which 23,498 units (approximately 41 percent) are designated for extremely-low-income, very-low-income, and low-income households. Approval of the discretionary housing permit to allow the proposed density of the residential use in the commercial zone will help the County to meet its mandate to provide housing units for low income residents.

The applicant requests a residential density of 66 du/ac for 25 affordable dwelling units to enable the development to reach an economy of scale that balances the public funding and subsidies available to the development with the projected construction costs, as well as the development's rental income with the projected annual operating expenses. The applicant requests approval of a discretionary housing permit to increase the residential density via the Density Bonus incentive. The requested incentive contributes to maintaining the affordability of the proposed project.

Development of the property as proposed will contribute positively to the general welfare of the community by providing affordable housing within close proximity to shopping and services as well as immediate access to mass-transit. The site is currently in a state of blight and is grossly under-utilized. The proposed project will contribute to economic stimulation of the immediate community.

Due to the factors mentioned above, the proposed use would be compatible with the surrounding area.

12. COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS.

Fire Department

The Los Angeles County Fire Department was consulted regarding the project. The department's Land Development Division issued a letter on June 6, 2013, clearing the project for a public hearing subject to conditions regarding minimum fire flow, installation of a sprinkler system throughout the building, compliance with access requirements, requiring the applicant to designate the alley as a fire lane, and installation of two (2) public fire hydrants, one on Whittier Boulevard and one

on Bonnie Beach Place. These have been incorporated as draft conditions of approval.

Department of Public Works

The Los Angeles County Department of Public Works issued a letter dated June 11, 2013 clearing the project for public hearing subject to conditions regarding road improvements, street lighting, grading, and sewer connections.

Department of Public Health

The Environmental Health Division of the Department of Public Health issued a letter on December 10, 2012 and March 15, 2013 clearing the project for public hearing. It stated that the project would not create any impacts that were environmentally significant and cleared the project for a public hearing subject to conditions regarding potable water and sewer requirements, and general Public Health requirements regarding development of condominiums.

Department of Parks and Recreation

The Department of Parks and Recreation issued a letter clearing the project for public hearing on March 25, 2013. It stated that the department did not anticipate any adverse impacts of the project on nearby public parks.

13. **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 and property posting.
14. **PUBLIC COMMENTS.** No comments were received.

ENVIRONMENTAL DETERMINATION

15. The Initial Study concluded that there is no evidence that the project may have a significant impact on the environment.

Therefore, the Commission finds that a Negative Declaration is the appropriate environmental documentation under the California Environmental Quality Act (CEQA) and the County environmental guidelines.

16. **TERM LIMIT.** No limit is being placed on the term of the grant.
17. **RECORD OF PROCEEDINGS.** The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning 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, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

WITH RESPECT TO THE CONDITIONAL USE PERMIT:

- A. That the proposed use will be consistent with the adopted general plan for the area; and
- B. That the requested use at the location proposed 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; and
- C. 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, of as is otherwise required in order to integrate said use with the uses in the surrounding area; and
- D. That 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.

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a Conditional Use Permit as set forth in Section 22.56.090 of the Los Angeles County Code (Zoning Ordinance).

WITH RESPECT TO THE HOUSING PERMIT:

- A. That the requested use at the location proposed will not:
 - 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area; or
 - 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
 - 3. Jeopardize, endanger or otherwise constitute a menace to the public health, 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.
- C. That the proposed site is adequately served:

1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
 2. By other public or private service facilities as are required.
- 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.
- E. That the proposed project will assist in satisfying housing needs, and is viable in terms of continuing availability to meet such housing needs.
- F. That the requests for waivers or modifications to development standards are necessary to make the housing units economically feasible.

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a Housing Permit as set forth in Section 22.56.2850 of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

1. The Regional Planning Commission, having considered the Negative Declaration together with any comments received during the public review process, finds on the basis of the whole record before the Regional Planning Commission that there is no substantial evidence that the project will have a significant effect on the environment, finds that the Negative Declaration reflects the independent judgment and analysis of the Regional Planning Commission, and adopts the Negative Declaration.
2. In view of the findings of fact and conclusions presented above, Housing Permit No. 201200004 and Conditional Use Permit No. 201200138 are **APPROVED** subject to the attached conditions.

MM:MT
5/28/2013

c: Each Commissioner, Zoning Enforcement, Building and Safety

**CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2012-02368-(1)
HOUSING PERMIT NO. 201200004
CONDITIONAL USE PERMIT NO. 201200138
ENVIRONMENTAL ASSESSMENT NO. 201200249**

PROJECT DESCRIPTION

This grant authorizes the construction, operation, and maintenance of a 25-unit, 100-percent affordable apartment complex in the C-3 (Unlimited Commercial) Zone. This grant also authorizes a discretionary housing permit to allow for a density bonus and a reduction in the required number of parking spaces. This increases the number of residential units that would be allowed pursuant to the Countywide General Plan ("General Plan") land use designation from 11 units to 25 units and reduces the number of required parking spaces from 49 spaces to 28 spaces. The project is approved as depicted on the approved Exhibit "A", subject to all of 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, and until all required monies have been paid pursuant to Condition Nos. 9 and 11. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, 8, and 11 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 fully 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 fully 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 two (2) 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 **\$400.00**. 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 two (2) inspections following this grant—one after three years and a second after five years. 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 \$200.00 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. Within three (3) days of the date of final approval of this grant, the permittee shall remit processing fees payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination (NOD) for this project and its entitlements in compliance with Section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Game pursuant to Section 711.4 of the California Fish and Game Code, the permittee shall pay the fees in effect at the time of the filing of the NOD, as provided for in Section 711.4 of the Fish and Game Code, currently \$2,231.25 (\$2,156.25 for a Negative Declaration plus \$75.00 processing fee). No land use project subject to this requirement is final, vested or operative until the fee is paid.
12. 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.
13. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
14. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
15. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") 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").

16. 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.
17. 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 notification 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.

18. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan 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 within sixty (60) days of the date of final approval.
19. 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 be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PROJECT SITE SPECIFIC CONDITIONS

20. A maximum of 25 dwelling units shall be maintained on the project site. Of these, the permittee shall maintain a maximum of 15 one-bedroom units, and a maximum of 10 two-bedroom units. All dwelling units, with the exception of the manager's unit, shall be deed restricted as affordable for low-income and very-low-income residents, as defined annually by the Department of Regional Planning in consultation with the County Community Development Commission ("CDC") and the California Department of Housing and Community Development.
21. The permittee shall maintain no less than 28 parking spaces on the project site, developed to the specifications of Section 22.52.1060 of the Los Angeles County Code. Such spaces shall be continually available for automobile parking.

22. 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.
23. The property and its landscaping shall be neatly maintained and free of debris, overgrown weeds, junk, and garbage. A minimum of ten percent of the net project area shall be maintained as landscaping. Prior to final approval of this permit, the permittee shall submit a landscaping plan that demonstrates compliance with the Los Angeles County Drought Tolerant Landscaping requirements (Title 22, Part 21 of the County Code), as determined by the Director of the Department of Regional Planning in consultation with the staff biologist of said department.
24. All proposed outdoor lighting and glare shall be deflected, shaded and focused away from all adjoining properties.
25. The permittee shall install and maintain secured entry to the facility, for both automobiles and pedestrians, in the form of limited access gates. Such gates shall be accessible via keycard (or similar device), remote control, numeric code, or interior buzzer. All gates shall conform to County Fire Department emergency access requirements.
26. All on-site amenities, including, but not limited to, the community room, laundry room, and exercise and play equipment, and all on-site services, including, but not limited to, counseling, tutoring, and health care, shall be restricted to the exclusive use of the manager and tenants and shall not be operated between the hours of 10:00 PM and 6:00 AM.
27. In order to ensure ongoing good maintenance and aesthetics of the facility, stonework, either real or imitation, or a similar durable material, as approved by the Director of the Department of Regional Planning, shall clad all walls facing publically accessible areas from ground level to a minimum height of three feet.
28. The permittee shall comply with all conditions set forth in the attached County Public Works Department letter dated June 11, 2013.
29. The permittee shall comply with all conditions set forth in the attached County Fire Department letter dated June 6, 2013.
30. The permittee shall comply with all conditions set forth in the attached County Department of Public Health letter dated March 15, 2013.
31. Prior to the issuance of a certificate of occupancy by the Department of Public Works, the permittee shall record a covenant and agreement with the County Recorder, as described in Section 22.56.2630 of the Zoning Code, guaranteeing that the relevant affordability criteria will be observed for at least 30 years from the

PROJECT NO. R2012-02368-(1)
HOUSING PERMIT NO. 201200004
CONDITIONAL USE PERMIT NO. 201200138
ENVIRONMENTAL ASSESSMENT NO. 201200249

CONDITIONS OF APPROVAL
PAGE 6 OF 6

issuance of the certificate of occupancy, and shall be subject to the monitoring procedures, as described in Section 22.56.2640 of the Zoning Code. The permittee shall submit this document for review and approval by the County CDC within ninety (90) days of the date of final approval of this grant.

Attachments:

Public Works Department Letter dated June 11, 2013
Fire Department Letter dated May June 6, 2013
Public Health Letter dated March 15, 2013



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

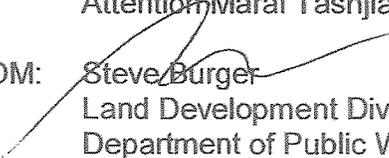
ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

June 11, 2013

IN REPLY PLEASE
REFER TO FILE: LD-2

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

Attention: Maral Tashjian

FROM:  Steve Burger
Land Development Division
Department of Public Works

CONDITIONAL USE PERMIT (CUP) NO. 201200138
PROJECT NO. R2012-02368
4125 AND 4131 WHITTIER BOULEVARD AND 837 BONNIE BEACH PLACE
ASSESSOR'S MAP BOOK NO. 5239, PAGE NO. 21, PARCEL NOS. 37, 38, AND 40
UNINCORPORATED COUNTY AREA OF EAST LOS ANGELES

We reviewed the site plan for the proposed project located at 4125 and 4131 Whittier Boulevard and 837 Bonnie Beach Place in the unincorporated County area of East Los Angeles. The proposed project is for the construction of a 30,240-square-foot, three-story apartment building, with subterranean parking; demolition of a one-story, 1,950-square-foot building; and grading of 5,535 cubic yards of export in a commercial zone. The proposed three-story, apartment building consists of 25 total units (15 one-bedroom and 9 two-bedroom, affordable, units and 1 manager unit) with 28 underground parking spaces (seven compact spaces).

Public Works recommends approval of the CUP with the following conditions.

Public Works does NOT recommend approval of the CUP.

1. Road

- 1.1 Dedicate a property line corner cut-off based on a five-foot property line radius at the southwest corner of the alley and Bonnie Beach Place to the satisfaction of Public Works. A processing fee will be required for the dedication.

- 1.2 Permission is granted to waive the five feet of additional alley dedication and alley improvements since the existing developing pattern and building constructed to the rear of the property would prevent any future widening to the alley.
- 1.3 Reconstruct the alley intersection at Bonnie Beach Place to the satisfaction of Public Works and to meet current Americans with Disabilities Act (ADA) guidelines. Relocate any affected utilities.
- 1.4 Construct driveway approaches to the site to comply with current ADA guidelines and to the satisfaction of Public Works. Relocate any affected utilities.
- 1.5 Close any unused driveways with standard curb, gutter, and sidewalk along the property frontage on Whittier Boulevard and Bonnie Beach Place to the satisfaction of Public Works.
- 1.6 Replace any displaced/broken sidewalk along the property frontage on Whittier Boulevard and Bonnie Beach Place to the satisfaction of Public Works.
- 1.7 Plant street trees on Whittier Boulevard along property frontage. Existing trees in the right of way shall be removed and replaced if not acceptable as street trees.
- 1.8 Construct drainage devices (parkway drains/curb drains) at the site and execute a drainage covenant for the maintenance of said devices to the satisfaction of Public Works.
- 1.9 Repair any improvements damaged during construction to the satisfaction of Public Works.
- 1.10 Submit street improvement plans and acquire street plan approval or direct check status before obtaining a grading/drainage permit within Public Works' right of way.
- 1.11 Execute an Agreement to Improve for the street improvements prior to issuance of a building permit.

2. Grading

- 2.1 Submit a grading/drainage plan, as appropriate, for approval to the satisfaction of Public Works. The grading plans must show and call out the construction of at least all drainage devices and details, paved driveways, and elevation and drainage of all pads, if applicable. The applicant is required to show and call out all existing easements on the grading plan and obtain the easement holder approvals.
- 2.2 Provide a maintenance agreement/covenant for privately maintained drainage devices.
- 2.3 Provide soil/geology approval of the grading plan from Public Works' Geotechnical and Materials Engineering Division, as applicable.
- 2.4 Provide regulatory agency approvals/permit/letters of nonjurisdiction is required prior to grading plan approval.

For questions regarding road and grading conditions, please contact Ruben Cruz, rcruz@dpw.lacounty.gov, or Teni Mardirosian tmardirosian@dpw.lacounty.gov, of Land Development Division at (626) 458-4910.

3. Sewer

- 3.1 Secure a sewer lateral connection permit and pay all applicable fees to the satisfaction of the County of Los Angeles Sanitation Districts. Should the applicant request to connect to County of Los Angeles Department of Public Works' Sewer Maintenance District Sanitary Sewer, the applicant will be required to submit a sewer area study to determine if capacity is available in the sewerage system servicing this project prior to submitting plans for the extension of the sewer line.

For questions regarding sewer conditions, please contact Jae Kim of Land Development Division at (626) 458-4910 or jakim@dpw.lacounty.gov.

4. Street Lighting

- 4.1 Provide Street lights on concrete poles with underground wiring along the property frontage on Bonnie Beach Place to the satisfaction of Public Works. Submit street lighting plans showing all existing lights along with existing and/or proposed underground utilities plans as soon as possible to Public Works' Traffic and Lighting Division, Street Lighting Section, to allow the maximum time for processing and approval.

The applicant shall comply with conditions of acceptance listed below in order for the Lighting District to pay for the future operation and maintenance of the street lights. All street lights shall be installed per approved plans. It shall be the sole responsibility of the owner 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 of the project and the installation must be accepted by the Lighting Districts per approved plans prior to issuance of a Certificate of Occupancy.

4.2 The following are conditions of acceptance for street light transfer of billing:

4.2.1 All street lights in the project, or current project phase, must be constructed according to Public Works-approved plans.

4.2.2 The contractor shall submit one complete set of As-built plans.

Provided the above conditions are met, the Lighting District can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year, provided all street lights in the project, or approved project phase, have been energized and the developer has requested a transfer of billing at least by January 1 of the previous year. The transfer of billing could be delayed one or more years if the above conditions are not met.

For questions regarding the street lighting conditions, please contact Jeff Chow of Traffic and Lighting Division at (626) 300-4753 or jchow@dpw.lacounty.gov.

For questions regarding the conditions or if you require additional information, please contact Ruben Cruz, rcruz@dpw.lacounty.gov, or Teni Mardirosian, tmardirosian@dpw.lacounty.gov, of Land Development Division at (626) 458-4910.

RC:tb



COUNTY OF LOS ANGELES FIRE DEPARTMENT
Fire Prevention Division – Land Development Unit
5823 Rickenbacker Road
Commerce, California 90040-3027
Office (323) 890-4243 Fax (323) 890-9783

DATE: June 6, 2013

SITE PLAN DATE: 04/08/13

TO: Department of Regional Planning
Zoning Permits - Maral Tashjian

PROJECT #: R2012-02368

LOCATION: 4125 Whittier Bd., 4131 Whittier Bd. & 837 Bonnie Beach Bd.

- The Fire Department Land Development Unit has no additional requirements for this permit.
- The required fire flow for this development is 2000 gallons per minute for 2 hours. The water mains in the street fronting this property must be capable of delivering this flow at 20 psi residual pressure. 2 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.
- All fire hydrants shall be 6" X 4" X 2 1/2" and conform to AWWA C503-75 or approved equal standard. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.
- Install 2 public fire hydrant(s).
Install _____ private on-site fire hydrant(s).
Provide Fire Flow Test for _____ existing public fire hydrant(s).
- Water:** The project requires the installation of two (2) public fire hydrants, with one public fire hydrant to be installed on Whittier Bd. and one public fire hydrant to be installed Bonnie Beach Bd. The public fire hydrants noted on the site plan (Sheets C1.02, A1.01).
- The fire flow is based on: 44,816 square footage of the building; Type VA Construction and the full installation of a NFPA approved fire sprinkler system. Any changes to this information may require an increase in the fire flow during the building plan check process.
- Access:** The proposed project is required to comply with all access requirements set forth by the Land Development Unit and the Building Plan Check Unit.
- As noted on Sheet A1.01, provide a minimum roadway width of 26, clear-to-sky, to be posted "No Parking-Fire Lane" for the alley.
- Conditions for Approval:** Submit a minimum of three (3) copies of the water plan indicating the location of the two (2) public fire hydrants. The water plan is not required to be submitted prior to public hearing.
- Comments:** The proposed project is "cleared" to proceed to public hearing.

All fire protection facilities; including access & water must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office at (323) 890-4243.

Inspector: *Wally Collins*



JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

CYNTHIA A. HARDING, M.P.H.
Acting Chief Deputy Director

ANGELO J. BELLOMO, REHS
Director of Environmental Health

JACQUELINE TAYLOR, MPA, REHS
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March 15, 2013

TO: Maral Tashjian
Zoning Permits East Section
Department of Regional Planning

FROM: Thao Komura, REHS 
Division of Environmental Health
Department of Public Health

**SUBJECT: CEQA-PERMIT CONSULTATION
PROJECT NO. R2012-02368
4125 WHITTIER BLVD., 4131 WHITTIER BLVD., AND
837 BONNIE BEACH BLVD., LOS ANGELES**

The Department of Public Health (DPH) has reviewed the Initial Study for the above-referenced project. The project is proposing the development of a 25 unit apartment complex of which 24 units are restricted affordable for very low income residents and one non-restricted manager's unit with 27 parking spaces.

After reviewing the sections of the Initial Study pertaining to noise, water supply, and sewage disposal, the Department has determined that the project could not have a significant impact on the environment. Therefore, the Department has no objection to the preparation of a Negative Declaration for this project.