

# Regional Planning Commission Transmittal Checklist

Hearing Date  
06/01/2016  
Agenda Item No.  
7

**Project Number:** R2015-02845-(2)  
**Case(s):** Conditional Use Permit Case No. 201500116  
Housing Permit No. 201500005  
Environmental Assessment Case No. 201500005  
**Planner:** Shaun Temple

- 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

Reviewed By: 



Department of Regional Planning  
 320 West Temple Street  
 Los Angeles, California 90012

**PROJECT NUMBER**

R2015-02845-(2)

**HEARING DATE**

June 1, 2016

**REQUESTED ENTITLEMENTS**

Conditional Use Permit No. 201500116  
 Housing Permit No. 201500005  
 Environmental Assessment No. 201500206

**PROJECT SUMMARY**

**OWNER / APPLICANT**

LA County Housing Development Corporation

**MAP/EXHIBIT DATE**

October 21, 2015

**PROJECT OVERVIEW**

The applicant is requesting a conditional use permit for the construction and use of an apartment building in the R-2 (Two-Family Residence) Zone and a Housing Permit to authorize a 336 percent increase in density allowed from 22 units to 74 units and to reduce the front yard setback requirement from 20 feet to 15 feet. The apartment building will be 100 percent affordable dedicated to very low income seniors, with one unit set aside for the property manager.

**LOCATION**

1248 W 105<sup>th</sup> Street

**ACCESS**

105<sup>th</sup> Street

**ASSESSORS PARCEL NUMBER(S)**

6060-011-904, 6060-011-907, 6060-011-905,  
 6060-012-901, 6060-012-900

**SITE AREA**

1.27 Acres

**GENERAL PLAN / LOCAL PLAN**

West Athens-Westmont Community Plan

**ZONED DISTRICT**

West Athens-Westmont

**LAND USE DESIGNATION**

RD 3.1 – Two Family Residence (8 to 17 du/ac)

**ZONE**

R-2 (Two Family Residence)

**PROPOSED UNITS**

74

**MAX DENSITY/UNITS**

17 dwelling units/acre

**COMMUNITY STANDARDS DISTRICT**

West Athens-Westmont

**ENVIRONMENTAL DETERMINATION (CEQA)**

Exemption for affordable low-income housing

**KEY ISSUES**

- Consistency with the West Athens-Westmont Community Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
  - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
  - 22.44.120 (West Athens-Westmont CSD requirements)
  - 22.20.210, et seq. (R-2 Zone Development Standards)
  - 22.56.2820 (Housing Permit Burden of Proof Requirements)

**CASE PLANNER:**

Shaun Temple

**PHONE NUMBER:**

(213) 974 - 6462

**E-MAIL ADDRESS:**

stemple@planning.lacounty.gov



**ENTITLEMENTS REQUESTED**

- Conditional Use Permit (CUP) for the construction and use of an apartment house in the R-2 (Two-Family Residence) Zone pursuant to County Code Section 22.20.200.
- Housing Permit for the authorization of a density bonus and the modification of the front yard setback development standard for a senior affordable housing development in the R-2 (Two-Family Residence) Zone pursuant to County Code Section 22.56.2610.

**PROJECT DESCRIPTION**

The applicant, The Los Angeles County Housing Development Corporation, requests the construction and use of a three story, 35-foot tall, 72,922-square-foot, 74-unit apartment house of which 100-percent of the units will be dedicated for use as affordable housing for seniors. Of the total units, 37 will be reserved for homeless units with incomes at 30-percent of the area median income (AMI), 36 will be reserved for households at 50-percent, and one unit will be reserved as a manager's unit. The project is located at 1248 W. 105<sup>th</sup> Street within the West Athens-Westmont Community Standards District in the R-2 Zone. An apartment house is allowed in the R-2 Zone through a conditional use permit. The underlying land use category per the West Athens-Westmont Community Plan is RD 3.1 (Two Family Residence - 8 to 17 dwelling units per acre). The subject property is 1.27 acres, which would allow for a density of 22 units. The applicant is requesting an increase in units allowed from 22 to 74 (a density increase of 336-percent) in order to make this affordable housing project financially feasible. Under the density bonus and affordable housing incentives provisions of Part 17 of Chapter 22.52, the proposed development is eligible for three incentives. The applicant is requesting two incentives, those being a density bonus of 336-percent and a yard setback modification to reduce the front yard setback from 20-feet to 15-feet.

**EXISTING ZONING**

The subject property is zoned R-2 (Two-Family Residence).

Surrounding properties are zoned as follows:

North: R-2

South: R-2

East: R-2

West: R-2 and C-2 (Neighborhood Business Zone)

**EXISTING LAND USES**

The subject property is undeveloped.

Surrounding properties are developed as follows:

North: Single-family and multi-family residential

South: Single-family and multi-family residential

East: Single-family and multi-family residential

West: Single-family and multi-family residential, community garden, church, salon

### **PREVIOUS CASES/ZONING HISTORY**

The subject property is made up of five parcels that were originally developed with single family homes constructed in the 1920s. Two were demolished in 1967 and three were demolished in 2003. The property is currently undeveloped.

### **ENVIRONMENTAL DETERMINATION**

Los Angeles County ("County") Staff recommends that this project is exempt from CEQA under the Affordable Housing Exemption as the project is a 100-percent affordable housing project that meets all the requirements of CEQA Guidelines section 15194. The project met the exemption as follows:

- The project is 1.27 acres, which is below 5 acre maximum.
- Per the 2010 Census, the census-defined place of Westmont had a density of 17,239 persons per square mile, which meets the requirement of having a population density of at least 5,000 persons per square mile.
- The project site was previously developed for qualified urban uses, those being residential homes.
- At 74-units the project meets the requirement for the construction of residential housing consisting of 100 or fewer units that are affordable to low-income households.
- The project will include a 55-year covenant to hold the units as affordable meeting the requirement for the developer of the project to provide sufficient legal commitment to ensure the continued availability and use of the housing units for lower income households.
- A Phase I Environmental Site Assessment was conducted for the project and concluded the following:
  - The project site does not contain wetlands, does not have value as an ecological community, does not harm species protected by the Endangered Species Act or by the Native Plant Protection Act, and does not cause destruction or removal of any species protected by local ordinance.
  - The project site is not included on any list of facilities and sites compiled pursuant to Section 659625 of the Government Code.
  - The project site does not have a significant effect on historical resources.
  - The project site is not subject to wildland fire hazard or unusually high risk of fire or explosion.
  - The project site does not present a risk of a public health exposure at a level that would exceed the standards established by any state or federal agency.
- Research on GIS-NET3 hazard layers for the County concluded the following:
  - The project site is not within a delineated earthquake fault zone.
  - The project site does not present a landslide hazard and is not in a flood plain, flood way, or restriction zone.
- The project site is not located on developed open space or within the boundaries of state conservancy.
- The project has not been divided into smaller projects to meet this exemption.

## **STAFF EVALUATION**

### General Plan/Community Plan Consistency

The project site is located within the RD 3.1 (Two Family Residence – 8 to 17 dwelling units per acre) land use category of the West Athens-Westmont Plan. This designation is intended for single-family and multi-family residences. The proposed 74-unit apartment house with 100-percent of its units dedicated as affordable housing for seniors is consistent with the land use designation as a multi-family residential use, but is not consistent with the designated density. However, it is consistent with the affordable housing policies of the Housing Element of the General Plan and Part 17 of Chapter 22.52 of the Zoning Code, which allows for a density bonus as an incentive for the construction and use of affordable housing. Therefore, the project is consistent with the General Plan.

The following policies of the General Plan are applicable to the proposed project:

- *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 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.*

The proposed project will be a 100-percent affordable housing development for seniors. Of the 74 units proposed, 37 will be reserved for homeless units with incomes at 30-percent AMI, 36 will be reserved for households at 50-percent AMI, and one unit will be reserved for a managers unit. There are numerous commercial shopping areas within walking distance of the site. There are various markets in the surrounding local area including those along Normandie Avenue. There is also a local library a block away on the south west side of the project along Normandie Avenue. Metro buses run regularly on Normandie Avenue. The bus stop is a quarter mile from the project site. The Los Angeles County Dial-A-Ride provides service to the Athens area with specific services for seniors. The bus line and the shuttle service provide connections to the Metro Green Line.

The following policies of the West Athens-Westmont Community Plan are applicable to the proposed project:

- *Housing Goal 5: To encourage infill and help improve the community form and appearance.*
- *Housing Goal 6: To provide convenient and accessible housing for handicapped and elderly individuals.*

The proposed apartment housing is an infill project. Vacant properties will be developed with affordable housing for seniors in a residential neighborhood with a mix of single and multi-family units in the center of West Athens-Westmont. One hundred percent of the units will be dedicated as affordable housing for seniors.

Zoning Ordinance and Development Standards Compliance

The project is located within the West Athens-Westmont CSD and requires compliance with the R-2 Zone development standards in additions to CSD requirements.

Pursuant to Section 22.20.210, et seq. of the County Code, establishments in the R-2 Zone are subject to the following development standards:

- Height – The proposed building is 35-feet tall, which meets the 35-foot height limit.
- Yard requirements – Front yards are required to be not less than 20-feet in depth. As an affordable housing incentive pursuant to section 22.52.1840, the applicant is requesting a modification to reduce the front yard setback to 15-feet. The applicant was required by the Department of Public Works to dedicate 9-feet at the rear of the property as part of an alley dedication and needs the reduction to compensate for the loss. The interior side yards meet the setback requirement of five feet and the rear yard meets to the setback requirement of 15-feet.
- Parking – The project is a 100-percent affordable housing development for seniors. Pursuant to parking requirements of section 22.52.1210, multi-family housing development that is restricted to senior citizens shall provide one half parking spaces for each dwelling unit. Guest parking shall be provided at the ratio of one parking space for each eight units. The project has 74 units and provides 38 resident parking spaces and 10 guest parking spaces when 37 resident spaces and 9 guest spaces are required and therefore meets the parking requirement development standard.

Pursuant to Section 22.44.120 of the County Code, establishments in the West Athens-Westmont Community Standards District (CSD) are subject to the following development standards:

- Landscaping – The front yard setback is required to be fifty percent landscaped. The entire front yard setback is landscaped except for the driveway leading to the parking area and the pedestrian walkways leading to building entrances. Therefore, the project meets the minimum landscaping requirement.

Site Visit

A site visit was conducted on February 24, 2016. The property was vacant with a chain link fence around it and minor litter on the property.

Burden of Proof

The applicant is required to substantiate all facts identified by Section(s) 22.56.040 for the CUP and 22.56.2820 for the housing permit 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.

Neighborhood Impact/Land Use Compatibility

The proposed 74-unit multi-family apartment building will be located in a neighborhood developed with a mixture of multi-family homes of various sizes including a 41-unit residential complex directly across the street, a 42-unit residential complex adjacent to the east, and a 62-residential unit senior housing complex on the same block to the west. The project site is adequately served by existing utility and street infrastructure and meets current zoning requirements. There are numerous commercial shopping areas within walking distance of the site. There are various markets in the surrounding local area including those along Normandie Avenue. There is also a local library a block away on the south west side of the project along Normandie Avenue. Metro buses run regularly on Normandie Avenue. The bus stop is a quarter mile from the project site. The Los Angeles County Dial-A-Ride provides service to the Athens area with specific services for seniors. The bus line and the shuttle service provide connections to the Metro Green Line. Therefore, the project fits in with the surrounding character of the neighborhood and would not have any impacts on land use compatibility.

**COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS**

**Department of Public Works, Land Development Division** – In a letter dated May 3, 2016, the project was cleared for public hearing with conditions for road improvements, grading and drainage review requirements, water purveyor compliance, and submit building plans to Building and Safety.

**Fire Department** - In a letter dated December 16, 2015, the project was cleared for public hearing with conditions requiring fire access maintenance, proof of fire flow for hydrants, and installation of a sprinkler system.

**Department of Public Health, Environmental Health Division** – in a letter dated March 9, 2016, the project was cleared for public hearing with conditions that require the project to be connected to public water and public sewer.

**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, property posting, library posting and DRP website posting.

**PUBLIC COMMENTS**

Staff has not received comments from the public at this time.

**FEES/DEPOSITS**

If approved, fees identified in the attached project conditions will apply unless modified by the Regional Planning Commission.

**PROJECT NO. R2015-02845-(2)  
CONDITIONAL USE PERMIT NO. 201500116  
HOUSING PERMIT NO. 201500005**

**STAFF ANALYSIS  
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**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 **APPROVAL** of Project Number R2015-02845-(2), Conditional Use Permit Number 201500116 and Housing Permit Number 201500005, subject to the attached conditions.

**SUGGESTED APPROVAL MOTION:**

**I MOVE THAT THE REGIONAL PLANNING COMMISSION CLOSE THE PUBLIC HEARING AND FIND THAT THE PROJECT IS EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES AND APPROVE CONDITIONAL USE PERMIT NUMBER 201500116 AND HOUSING PERMIT NUMBER 201500005 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.**

Prepared by Shaun Temple, Senior Regional Planning Assistant, Zoning Permits West Section

Reviewed by Mi Kim, Supervising Regional Planner, Zoning Permits West Section

**Attachments:**

Draft Findings

Draft Conditions of Approval

Applicant's Burden of Proof statement

Site Photographs

Site Plan

MKK:sct

May 19, 2016

**DRAFT FINDINGS OF THE REGIONAL PLANNING COMMISSION  
AND ORDER  
COUNTY OF LOS ANGELES  
PROJECT NO. R2015-02845-(2)  
CONDITIONAL USE PERMIT NO. 201500116  
HOUSING PERMIT NO. 201500005**

1. The Los Angeles County ("County") Regional Planning Commission ("Commission") conducted a duly-noticed public hearing on June 1, 2016, in the matter of Project No. R2015-02845-(2), consisting of Conditional Use Permit No. 201500116 ("CUP") and Housing Permit No. 201500005 ("Housing Permit"). (The conditional use permit and housing permit are referred to collectively as the "Project Permits.")
2. The permittee, The Los Angeles County Housing Development Corporation ("permittee"), requests the Project Permits to authorize the construction and use of an apartment house with 100-percent of its units dedicated to affordable senior housing ("Project") on a property located at 1248 W. 105<sup>th</sup> Street in the unincorporated community of West Athens-Westmont ("Project Site").
3. The CUP is a request to build an apartment house in the R-2 zone pursuant to Los Angeles County Code ("County Code") section 22.20.200.
4. The housing permit is a request for the authorization of a density bonus and affordable housing incentives to increase density from 17 dwelling units per acre to 58 dwelling units per acre and to modify the front yard setback from 20-feet to 15-feet for a senior affordable housing development
5. The Project Site is 1.27 acres in size and consists of five parcels. The Project Site is rectangular in shape with flat topography and is undeveloped.
6. The Project Site is located in the West Athens-Westmont Zoned District and is currently zoned R-2.
7. The Project Site is located within the RD 3.1 (Two Family Residence – 8 to 17 dwelling units per acre) land use category of the West Athens-Westmont Land Use Policy Map.
8. Surrounding Zoning within a 500-foot radius includes:  
  
North: R-2  
South: R-2  
East: R-2  
West: R-2 and C-2

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

North: Single-family and multi-family residential  
South: Single-family and multi-family residential  
East: Single-family and multi-family residential  
West: Single-family and multi-family residential, community garden, church, salon

10. The subject property is made up by five parcels that were originally developed with single family homes constructed in the 1920s, two were demolished in 1967 and three were demolished in 2003. The property is currently undeveloped.

11. The project is a 100-percent affordable housing development for seniors. Of the 74-units proposed, 37 will be reserved for homeless units at 30-percent of the area median income (AMI), 36 will be reserved for households at 50-percent AMI, and one unit will be reserved for a managers unit.

12. The Project Site is accessible via 105<sup>th</sup> Street.

13. The project will provide 38 resident parking spaces and 10 guest parking spaces. The parking will be uncovered and the resident parking will be located behind a security gate.

14. The Department of Public Works, in a letter dated May 3, 2016, cleared the project for public hearing with conditions imposed for road improvements, grading and drainage review requirements, water purveyor compliance, and submittal of building plans to Building & Safety. The Fire Department, in a letter dated December 16, 2015, cleared the project for public hearing with conditions requiring fire access maintenance, proof of fire flow for hydrants, and installation of a sprinkler system. The Department of Public Health, in a letter dated March 9, 2016, cleared the project for public hearing with conditions requiring connected to public water and public sewer.

15. Prior to the Commission's public hearing on the project, Regional Planning staff determined that the project qualified for an Affordable Housing Exemption pursuant to section 15194 of the State CEQA Guidelines. The project met the exemption as follows:

- The project is 1.27 acres, which is below 5 acre maximum.
- Per the 2010 Census, the census-defined place of Westmont had a density of 17,239 persons per square mile, which meets the requirement of having a population density of at least 5,000 persons per square mile.
- The project site was previously developed for qualified urban uses, those being residential homes.
- At 74-units the project meets the requirement for the construction of residential housing consisting of 100 or fewer units that are affordable to low-income households.

- The project will include a 55-year covenant to hold the units as affordable meeting the requirement for the developer of the project to provide sufficient legal commitment to ensure the continued availability and use of the housing units for lower income households.
- A Phase I Environmental Site Assessment was conducted for the project and concluded the following:
  - The project site does not contain wetlands, does not have value as an ecological community, does not harm species protected by the Endangered Species Act or by the Native Plant Protection Act, and does not cause destruction or removal of any species protected by local ordinance.
  - The project site is not included on any list of facilities and sites compiled pursuant to Section 659625 of the Government Code.
  - The project site does not have a significant effect on historical resources.
  - The project site is not subject to wildland fire hazard or unusually high risk of fire or explosion.
  - The project site does not present a risk of a public health exposure at a level that would exceed the standards established by any state or federal agency.
- Research on GIS-NET3 hazard layers for the County concluded the following:
  - The project site is not within a delineated earthquake fault zone.
  - The project site does not present a landslide hazard and is not in a flood plain, flood way, or restriction zone.
  - The project site is not located on developed open space or within the boundaries of state conservancy.
  - The project has not been divided into smaller projects to meet this exemption.

16. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.

17. Staff has not received any comments from the public.

18. [Reserved for Hearing Proceedings]

19. The Commission finds that the project qualifies for a density bonus pursuant to Section 22.52.1830 of the County Code as it is a 100-percent affordable housing project and because the permittee will be required to record a 55-year covenant to maintain relevant affordability criteria for lower income housing. Therefore, the project is consistent as a multi-family residential structure in the RD 3.1 land use category at a greater density than is normally allowed and the project is consistent with the General Plan and the West Athens-Westmont Community Plan.

20. The Commission finds that the project qualifies for affordable housing incentives and approves a modification to the front yard setback requirement from 20-feet to 15-feet as an incentive to an affordable housing project pursuant to section 22.52.1840 as it is a 100-percent affordable housing project. The project meets all other required development standards with a rear yard setback of 15-feet, side yard setbacks of at

least 5-feet, a height of 35-feet, more than 50-percent of the front yard being landscaped, and by providing 38 resident parking spaces and 10 guest spaces per the parking standards for housing restricted to senior citizens. Therefore the project is consistent with the Zoning Code.

21. The Commission finds that the project is a 74-unit multi-family home located in a neighborhood with a mixture of multi-family homes of various sizes, including a 41-unit residential complex directly across the street, a 42-unit residential complex adjacent to the east, and a 62-residential unit senior housing complex on the same block to the west. The project site is adequately served by existing utility and street infrastructure and meets current zoning requirements. Therefore, 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.
22. The Commission finds that other than the affordable housing incentive to modify the front yard setback from 20-feet to 15-feet, the project meets all other development standards for the R-2 Zone and the West Athens-Westmont CSD. Therefore, 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.
23. The Commission finds that the project fronts West 105<sup>th</sup> Street and that the project is not expected to produce a significant amount of traffic. Senior residents do not utilize automobiles as frequently as others. The site is within walking distance of public transportation, shopping areas, a community garden, and a library. Therefore, the site is adequately served by highways or streets of sufficient width and by other public or private service facilities as are required.
24. The Commission finds that the project is a 74-unit multi-family home located in a neighborhood with a mixture of multi-family homes of various sizes, including a 41-unit residential complex directly across the street, a 42-unit residential complex adjacent to the east, and a 62-residential unit senior housing complex on the same block to the west. As such it fits in with the surrounding character of the area. Therefore, 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.
25. The Commission finds that the Los Angeles County Housing Element promotes the development of affordable housing through density bonuses and other incentives designed to stimulate production of affordable housing. The project's 74-units of affordable senior housing 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.

26. 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, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of West Athens-Westmont community. On April 27, 2016, a total of 124 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 6 notices to those on the courtesy mailing list for the West Athens-Westmont Zoned District and to any additional interested parties.
27. 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 THE CONDITIONAL USE PERMIT:**

- A. That the proposed use will be consistent with the adopted general plan for the area.
- 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.
- 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, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. That the 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.

**WITH RESPECT TO HOUSING PERMIT:**

- 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 design.

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

**THEREFORE, THE REGIONAL PLANNING COMMISSION:**

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15194 of the State CEQA Guidelines (Affordable Housing Exemption);
2. Approves Conditional Use Permit 201500116 and Housing Permit 201500005, subject to the attached conditions.

**ACTION DATE: June 1, 2016**

**VOTE:**

MKK:sct  
May 19, 2016

- c: Each Commissioner, Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL  
COUNTY OF LOS ANGELES  
PROJECT NO. R2015-02845-(2)  
CONDITIONAL USE PERMIT NO. 201500116  
HOUSING PERMIT NO. 201500005**

**PROJECT DESCRIPTION**

The project authorizes a conditional use permit for the construction and use of an apartment house in the R-2 Zone and a housing permit for a senior affordable housing development with a density bonus and an affordable housing incentive to modify the front yard setback requirements, 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, and until all required monies have been paid pursuant to Condition No. 9. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 8 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 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 **\$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 \$200.00 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 to the satisfaction of the County Librarian. 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 **August 1, 2016**.
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 low income housing shall be recorded with the County Recorder. The covenant and agreement shall include a description of the total number of units, a description of the household income groups to be accommodated by the qualified project, a description of remedies, including monetary penalties, for breach of the agreement, the rules and procedures for qualifying tenants, filling vacancies, and 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 permittee shall register their affordable housing units with the CDC prior to the granting of a certificate of occupancy by DPW and the permittee shall register each affordable unit and certify annually with the CDC thereafter, on or before January 1 of each year, that affordable 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.

#### **PROJECT SITE SPECIFIC CONDITIONS**

21. This grant shall authorize the construction and use of a 74-unit apartment house for affordable senior housing.
22. Structures on the property shall be well maintained. Fences and walls shall be kept in good repair. Structures shall be repainted as necessary to replace faded or peeling paint. The driveway and parking lot shall remain free of cracks.
23. All open areas and yards on the subject property must be continually well-maintained and free of all litter and debris.

24. No banners or other advertisements shall be displayed on the property.
25. Waste and recycling receptacles shall not block vehicular access to and from the project site.
26. The permittee shall comply with all conditions set forth in the attached County Public Works Department letter dated May 3, 2016 to the satisfaction of said department.
27. The permittee shall comply with all conditions set forth in the attached County Fire Department letter dated December 16, 2015 to the satisfaction of said department.
28. The permittee shall comply with all conditions set forth in the attached County Public Health Department letter dated March 9, 2016 to the satisfaction of said department.

**Attachments:**

Public Works Department letter dated May 3, 2016.

Fire Department letter dated December 16, 2015.

Public Health Department letter dated March 9, 2016.



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

May 3, 2016

IN REPLY PLEASE  
REFER TO FILE: LD-2

TO: Mi Kim  
Zoning Permits West Section  
Department of Regional Planning

Attention Shaun Temple

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

**CUP 201500116-1248 WEST 105TH STREET  
ASSESSOR'S MAP BOOK NO. 6060, PAGE 11, PARCEL NO. 904, 905, AND 907  
ASSESSOR'S MAP BOOK NO. 6060, PAGE 12, PARCEL NO. 900 AND 901  
UNINCORPORATED COUNTY COMMUNITY OF WEST ATHENS-WESTMONT**

Thank you for the opportunity to review the site plan and zoning permit application for the project located at 1248 west 105th Street in the unincorporated County community of West Athens-Westmont. The proposed project includes the development of a senior, affordable, housing project consisting of a three-story apartment building containing 74 units with adjacent surface parking.

- 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 following comments have been address.

### Road

1. Dedicate 9 feet of additional right of way on the alley, along the property frontage, to achieve an ultimate right of way of 15 feet from centerline. A fee will be required for the review of the dedication documents.
2. Construct base and pavement within the alley, along the property frontage, to achieve an ultimate alley width of 15 feet from the centerline. Relocation of utilities may be required to accommodate the widening of the alley.

3. Close all unused driveways with standard curb, gutter, and sidewalk along the property frontage on 105th Street to the satisfaction of Public Works.
4. Reconstruct the shared driveway on 105th Street at the northwest corner of the property to meet current Americans with Disabilities Act (ADA) guidelines. The driveway currently serves both 1320 W 105th Street and 1248 W 105th Street. The reconstructed driveway shall only serve the existing residence at 1320 W 105th Street since access to the new development will not be from this driveway.
5. Obtain a permission letter, subject to review and approval by Public Works, from the owner of Assessor Parcel Book No. 6060, page 11, Parcel 17 (1320 W 105th Street), to reconstruct the driveway at this location. It shall be the sole responsibility of the applicant to obtain all necessary permissions from off-site owners.
6. Construct the proposed driveway on 105th Street to meet current ADA guidelines. Relocate any affected utilities or street trees.
7. Provide and continuously maintain adequate sight distance (10 feet minimum) from the proposed driveway to the back of the sidewalk to the satisfaction of Public Works. This means there cannot be any obstructions such as landscaping above 3.5 feet in height within the 10-foot sight triangle.
8. Plant street trees along the property frontage on 105th Street to the satisfaction of Public Works. Please contact Public Works' Road Maintenance Division, Maintenance District 3 office, at (310) 348-6448 to obtain information regarding the desirable tree species to be planted along the property frontage. Any existing trees in the right of way shall be removed and replaced if not acceptable as street trees.
9. Remove the existing chainlink fence located along the property frontage within the public right of way of 105th street.
10. Submit street improvement plans and acquire street plan approval for the required road improvements listed above before obtaining a drainage or grading permit. Be advised that we currently have no known County construction projects within the limits of the project. Should a County project be scheduled and constructed ahead of the applicant's development, a pavement moratorium may be imposed that would prohibit any pavement work for 2 years after any pavement resurfacing or reconstruction project. The applicant is encouraged to contact this office periodically to determine scheduling of any future County project.

11. Execute an Agreement to improve for the street improvements prior to issuance of a building permit.

For questions regarding the road conditions, please contact Ed Gerlits of Public Works' Land Development Division at (626) 458-4953 or [egerlits@dpw.lacounty.gov](mailto:egerlits@dpw.lacounty.gov)

### **Grading/Drainage**

1. Submit a drainage and grading plan for review and approval to provide for the proper distribution of drainage including contributory drainage from adjoining properties.
2. Comply with National Pollutant Discharge Elimination System, Storm Water Management Plan, and water quality requirements.
3. Comply with the Low-Impact Development (LID) per County Code 12.84.460. The LID Standards can be found at <http://dpw.lacounty.gov/idd/web/>.
4. Obtain soil/geology approval of the grading plan by Public Works' Geotechnical and Materials Engineering Division.
5. Provide a Covenant, Condition, and Restriction (CC&R) or a maintenance agreement for any privately maintained drainage devices.

For questions regarding grading/drainage conditions Nos. 1-3, please contact Toan Duong of Public Works' Land Development Division at (626) 458-4921 or [tduong@dpw.lacounty.gov](mailto:tduong@dpw.lacounty.gov).

For questions regarding grading/drainage conditions Nos. 4 and 5, please contact Mr. Gerlits of Public Works' Land Development Division at (626) 458-4953 or [egerlits@dpw.lacounty.gov](mailto:egerlits@dpw.lacounty.gov).

### **Water Supply**

1. Comply with all requirements stipulated by the local water purveyor. The attached Will Serve letter issued by Golden State Water Company dated September 2, 2015, will expire on September 2, 2016. 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 supply condition, please contact Tony Khalkhali of Public Works' Land Development Division at (626) 458-4921 or [tkhalkhal@dpw.lacounty.gov](mailto:tkhalkhal@dpw.lacounty.gov).

Mi Kim  
May 3, 2016  
Page 4

**Building and Safety**

1. Submit building plans to Public Works' Building and Safety Division, Southwest District office, for review and permit issuance.

For questions regarding the Building and Safety condition, please contact Roy Itani of Building and Safety Division at (323) 820-6500 or [ritani@dpw.lacounty.gov](mailto:ritani@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](mailto:egerlits@dpw.lacounty.gov).

ECG:tb

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**CYNTHIA A. HARDING, M.P.H.**  
Interim Director

**JEFFREY D. GUNZENHAUSER, M.D., M.P.H.**  
Interim Health Officer

**ANGELO J. BELLOMO, REHS, QEP**  
Deputy Director for Health Protection

**TERRI S. WILLIAMS, REHS**  
Acting Director of Environmental Health

5050 Commerce Drive  
Baldwin Park, California 91706  
TEL (626) 430-5100 - FAX (626) 813-3000

[www.publichealth.lacounty.gov](http://www.publichealth.lacounty.gov)

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March 9, 2016

**TO:** Shaun Temple  
Senior Regional Planning Assistant  
Department of Regional Planning

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

M.T.

**SUBJECT: CUP Consultation  
PROJECT NO. R2015-02845/ CUP 201500116  
Senior Affordable Housing  
1248 W. 105<sup>th</sup> Street, West Athens-Westmont**

- 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 construction of an affordable senior housing apartment center. The project will include 74 one-bedroom units, in a three-story structure, 35' tall structure.

The Department recommends approval of the CUP.

**Potable Water Supply**

The proposed housing apartment complex is in the jurisdiction of a municipal water company (Southern California Water Company). The project shall remain connected to public water for its source of potable water. A current will serve letter has been submitted to this Department ensuring water service.

**Wastewater Disposal**

The proposed project shall be connected to the public sewer.

**Noise**

Staff from Toxics Epidemiology Program (TEP) reviewed the noise contour map showing the 65 dBA contour line and the requested certified listing of the noise mitigation design features.

We feel that The BIRBAGROUP Architects noise mitigation and air quality plans will significantly minimize the noise and air quality issues as presented. Additionally, the design and specific building envelopes will comply with the strict LEED Gold Certification for building envelope and interior noise proofing.

Regarding the air quality comment on the initial comments review letter dated November 17, 2015, the inclusion of the LEED design application to the ventilation system will help to minimize the infiltration of particle matter from vehicular sources into the living spaces.

For questions regarding the above section, please contact Robert Vasquez or Evenor Masis at (213) 738-3220 or at [rvasquez@ph.lacounty.gov](mailto:rvasquez@ph.lacounty.gov) and [emasis@ph.lacounty.gov](mailto:emasis@ph.lacounty.gov).

For any other questions regarding this report, please feel free to contact me at (626) 430-5380 or [mlsiebos@ph.lacounty.gov](mailto:mlsiebos@ph.lacounty.gov).



September 2, 2015

Ms. Jacqueline Reyes  
Birbagroup Architects  
2350 Hyperion Avenue  
Los Angeles, California 90027

Re: **Will Serve Letter**  
**1248 W. 105<sup>th</sup> Street**  
**Los Angeles, California**

Dear Ms. Reyes:

This letter is to inform you that water service is available to the above referenced address from Golden State Water Company's (GSWC) Southwest District water system located in Los Angeles. Service to the address can be provided from our existing water facilities within 105<sup>th</sup> Street.

Upon completion and execution of an agreement between Golden State Water Company (GSWC), and that contains satisfactory financial arrangements and other provisions governing the extension of water service under the Water Service Agreement, GSWC will begin providing water service for the referenced address once all owner obligations have been satisfied. Analysis of more detailed development plans may require the owner to participate in the construction of special facilities prior to the Company providing water service.

GSWC is committed to providing water service to all customers within its service area, consistent with the company's obligations under rules, statutes and regulations of both the California Department of Public Health and the California Public Utilities Commission.

Unless modified or extended by GSWC, this Will Serve Letter shall terminate and be of no further force and effect one year from the date indicated above.

If you have any questions concerning the issues addressed in this letter, please let us know.

Sincerely,

Melynda Holm  
Operations Engineering Technician  
Central/Southwest District

## CONDITIONAL USE PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

***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, 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.***

The proposed project will redevelop a vacant lot in the West Athens – Westmont Community with 74 units of new attractive affordable senior housing. The site is a well suited location for the proposed development. It is located on a street where neighboring properties have been developed with two and three story multi-family buildings.

The subject property is in an R-2 zone. The allowed density for the project under the R-2 zoning is 22 apartment units. It is not financially feasible to develop a 100% senior affordable housing project with the allowed density. Therefore, Applicant is requesting a Conditional Use Permit and a Discretionary Housing Permit to develop an affordable multi-family senior housing development featuring 74 dwelling units in the R-2 Zone.

The project will not adversely impact the general health, safety, welfare, or property value of existing land uses or persons residing or working in the area but will enhance these by reducing homelessness through the affordability and social program features of the project. The senior housing will be constructed in accordance with County standards for health and safety. The project is attractively designed with significant landscaping and open areas that will enhance the neighborhood.

Affordable senior housing is a critically needed public resource that is generally considered to be a benefit to the local community not a detriment. It is in the interest of public health, safety and general welfare to provide affordable safe and suitable housing for our elderly residents. Public policy favors the development of affordable senior housing due to the substantial unmet need in the State and the County of Los Angeles.

***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 project site is 55,200 square feet in size which is more than adequate to accommodate the proposed 74 unit senior housing development. The project's design is compliant with the Zoning Code provisions of the underlying R-2 zone

for building orientation, massing, parking and other required improvements. The project also is compliant with the West Athens – Westmont Community Standards District requirements (CSD). To meet the CSD requirements set forth at section 22.44.120 (D)(2)(a) and (b), the project has been designed with a 35 foot maximum height and a landscape plan which provides for more than 50% of the front yard to be landscaped and maintained with drought tolerant grasses, shrubs and/or trees.

The potential impacts of this higher-density development in an R-2 zone are mitigated by a thoughtful design that integrates massing, material variation and color applications into a handsome architectural expression. There will be significant open space surrounding the building. Parking, trash, and utilities will be screened by the building and roof top equipment will be set back from the parapets to remove it from the sight of neighboring properties. Drought tolerant landscaping will be provided in the front, side and rear yards, as well as in the private courtyard.

***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.***

The proposed Project is served by streets of sufficient width to accommodate the needs of the development. A dedication of nine feet along the alley will be provided to comply with Public Works standards.

The front of the site borders West 105<sup>th</sup> Street. The project is not expected to produce a significant amount of traffic. Senior residents do not utilize automobiles as frequently as younger residents and often no longer drive. The site is with-in walking distance of public transportation.

There are numerous commercial shopping areas within walking distance of the site. There are various markets in the surrounding local area including those along Normandie Avenue. There is a community garden on the corner on West 105<sup>th</sup> Street and Normandie Avenue. There is also a local library a block away on the South West side of the project along Normandie Avenue. The Los Angeles County Fire Department Station #14 (with paramedics) is four blocks away on the corner of Normandie Avenue and West 108<sup>th</sup> street.

Metro buses run regularly on Normandie Avenue. The bus stop on Normandie Avenue is within walking distance to the project. The Metro bus line 206 runs every 10 minutes, Monday thru Friday and has weekend service that runs every 20 minutes approximately. Dial-A-Ride service and the Athens Shuttle is also available. The Angeles County Dial-A-Ride provides service to the Athens area with specific services for seniors. They have service Monday thru Friday from 7:00 a.m. to 5:30 p.m. and Saturday service from 9:00 a.m. to 1:00 p.m. and the fare is \$0.50 cents per each one-way trip. The bus line and the dash/shuttle service provide connections to the green metro line.

## DISCRETIONARY HOUSING PERMIT BURDEN OF PROOF

The applicant is proposing to utilize LACC Section 22.52.1800 which permits a density bonus and additional incentives. Per LACC Section 22.52.1860, the Applicant is applying for off-menu incentives/requests that will provide for the development of the property as 74 affordable senior apartments.

### Actions Requested:

- I. Density Bonus in the R-2 Zone of 336% per LACC Section 22.52.1840 to permit a density increase from the permitted 22 units (17 DU/AC) to 74 units (58 DU/AC). The density bonus is required to make the project financially feasible and to maximize the use of the site as affordable senior housing.

**A greater density bonus per Los Angeles County Code Section 22.52.1840 Maximum Units Permitted (pre-density bonus): 22 units  
Density Bonus: 336% X 22 maximum units permitted (pre-density bonus) = 74 units (round fractional units up to the next whole number) Total (maximum permitted units + density bonus units): 74 units**

- II. Allow a reduced front yard setback along 105th West Street from the required 20 feet per LACC 22.20.220 to 15 feet to provide an alley dedication required by Los Angeles County Public Works.

Pursuant to Zoning Code Section 22.56.2820, the applicant shall substantiate the following:

#### ***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, 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.***

The proposed project will redevelop a vacant lot in the West Athens – Westmont Community with 74 units of new attractive affordable senior housing. The site is a well suited location for the proposed development. It is located on a street where neighboring properties have been developed with two and three story multi-family buildings.

The subject property is in an R-2 zone. The allowed density for the project under the R-2 zoning is 22 apartment units. It is not financially feasible to develop a 100% senior affordable housing project with the allowed density. A density bonus is required. Additionally, a modification of development standards is needed to provide the senior apartments which would be lost as result of an alley

dedication required by Public Works. Therefore, the Applicant is requesting a Conditional Use Permit and a Discretionary Housing Permit to develop an affordable multi-family senior housing project featuring 74 senior apartment units.

The project will not adversely impact the general health, safety, welfare, or property value of existing land uses or persons residing or working in the area but will enhance these by reducing homelessness through the affordability and social program features of the project. The senior housing will be constructed in accordance with County standards for health and safety. The project is attractively designed with significant landscaping and open areas that will enhance the neighborhood.

Affordable senior housing is a critically needed public resource that is generally considered to be a benefit to the local community not a detriment. It is in the interest of public health, safety and general welfare to provide affordable safe and suitable housing for our elderly residents. Public policy favors the development of affordable senior housing due to the substantial unmet need in the State and the County of Los Angeles.

***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 project site is 55,200 square feet in size which is more than adequate to accommodate the proposed 74 unit senior housing development. The project's design is compliant with the Zoning Code provisions of the underlying R-2 zone for building orientation, massing, parking and other required improvements. The project also is compliant with the West Athens – Westmont Community Standards District requirements (CSD). To meet the CSD requirements set forth at section 22.44.120 (D)(2)(a) and (b), the project has been designed with a 35 foot maximum height and a landscape plan which provides for more than 50% of the front yard to be landscaped and maintained with drought tolerant grasses, shrubs and/or trees.

The potential impacts of this higher-density development in an R-2 zone are mitigated by a thoughtful design that integrates massing, material variation and color applications into a handsome architectural expression. There will be significant open space surrounding the building. Parking, trash, and utilities will be screened by the building and roof top equipment will be set back from the parapets to remove it from the sight of neighboring properties. Drought tolerant landscaping will be provided in the front, side and rear yards, as well as in the private courtyard.

***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.***

The proposed Project is served by streets of sufficient width to accommodate the needs of the development. A dedication of nine feet along the alley will be provided to comply with Public Works standards.

The front of the site borders West 105<sup>th</sup> Street. The project is not expected to produce a significant amount of traffic. Senior residents do not utilize automobiles as frequently as younger residents and often no longer drive. The site is with-in walking distance of public transportation.

There are numerous commercial shopping areas within walking distance of the site. There are various markets in the surrounding local area including those along Normandie Avenue. There is a community garden on the corner on West 105<sup>th</sup> Street and Normandie Avenue. There is also a local library a block away on the South West side of the project along Normandie Avenue. The Los Angeles County Fire Department Station #14 (with paramedics) is four blocks away on the corner of Normandie Avenue and West 108<sup>th</sup> street.

Metro buses run regularly on Normandie Avenue. The bus stop on Normandie Avenue is within walking distance to the project. The Metro bus line 206 runs every 10 minutes, Monday thru Friday and has weekend service that runs every 20 minutes approximately. Dial-A-Ride service and the Athens Shuttle is also available. The Angeles County Dial-A-Ride provides service to the Athens area with specific services for seniors. They have service Monday thru Friday from 7:00 a.m. to 5:30 p.m. and Saturday service from 9:00 a.m. to 1:00 p.m. and the fare is \$0.50 cents per each one-way trip. The bus line and the dash/shuttle service provide connections to the green metro line.

***D. That the proposed project at the location proposed has been designed to be complementary to the surrounding area in terms of land use patterns and design.***

The Applicant has taken great care to design a project that incorporates elements that will harmonize with the local community. The project scale is compatible with that of other multi-family apartments that exist in the near vicinity and the exterior design of articulated wall planes emphasized by material and color changes create a striking composition that compliments and elevates the quality of the building's surroundings.

The architectural design features include clean lines, refined materials, with alternating distinctive architectural treatments. The articulation includes recessed balconies with canopies and prairie style inspired balcony railing. The street level has been carefully designed to be attractive and pedestrian friendly. The street level façade features a two story prairie style entry with stone surround and two story high windows. Windows, window treatments and landscaping have been carefully selected to be complementary to the local community while adding a new element to enhance the overall environment.

The building design carefully considers the needs of all future residents with its programming, amenities and units. The two indoor community rooms, computer room and an exercise room will provide activities for the seniors such as physical fitness, crafts, board games and learning facilities. The courtyard has open space with ample drought tolerant landscaping, tables, chairs, benches and umbrellas for outdoor activities and events.

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

Los Angeles County has the largest shortfall of affordable housing in California. Many residents are living in garages, over-crowded apartments or cars. Many others are homeless. They live in unsafe and unhealthy environments. According to a 2014 study by the California Housing Partnership Corporation, there is a shortfall of 490,340 homes that are affordable and available to the County's very low and extremely low income households. More than 50% percent of the extremely low income households are elderly and/or disabled. Clearly, there is a housing crisis which is disproportionately impacting seniors, the disabled, and other extremely low income County residents.

In recognition of this crisis, the Los Angeles County Housing Element promotes the development and application of density bonuses and other programs designed to stimulate production of affordable housing in areas of need by both public and private sectors. The project's 74 units of affordable senior housing will contribute to meeting the goals of the County's General Plan, and the Regional Housing Needs Assessment (RHNA).

The proposed project will be 100% senior housing and 100% affordable housing. The Applicant is applying to the Los Angeles Community Development Commission for HOME Funds. In addition, the Project will benefit from Low Income Housing Tax Credits provided by the State. These subsidies support the affordable rents and provide long term (55 year covenant) affordability.

**Athens Vistas  
Los Angeles, CA**

**Subject Site: Westerly portion – 1248 W. 105<sup>th</sup> St.**



**Subject Site: Easterly portion – 1248 W. 105<sup>th</sup> St.**



Street Scene – Looking West on 105<sup>th</sup> St.:



Street Scene – Looking East on 105<sup>th</sup> St.:



Street Scene – Looking North across 105<sup>th</sup> St.:



Adjacent Property – West on 105<sup>th</sup> St.:



Adjacent Property – East on 105<sup>th</sup> St.:





# 1248 W 105th Street Zoning & Land Use Map

Printed: May 18, 2016

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