



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

July 25, 2017

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

Dear Supervisors:

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

SUBJECT

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

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

proposed commercial component of the project, which is allowed by right in the C-3 Zone, is located entirely in the C-3 Zone.

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

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

IT IS RECOMMENDED THAT THE BOARD AFTER THE PUBLIC HEARING,

1. Indicate its intent to declare the proposed project to be a Transit-Priority Project eligible for a Sustainable Communities Project Exemption under the California Environmental Quality Act (CEQA) Statute & Guidelines and California Public Resources Code (PRC) §21155.1.
2. Indicate its intent to deny the appeal and instruct County Counsel to prepare the necessary findings to affirm the Commission's approval of CUP No. RPPL2016005207 in conjunction with Administrative Housing Permit No. RPPL2017006970 and CUP No. RPPL2016005212 in conjunction with Administrative Housing Permit No. RPPL2017006968.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

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

Implementation of Strategic Plan Goals

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

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

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

FISCAL IMPACT/FINANCING

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

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

During the public hearing held by the Commission, nine speakers testified in opposition and expressed concerns related to traffic, parking, construction noise, lack of affordable units for the moderate-income group, and lack of community benefits such a housing project would bring to the local residents. Many speakers spoke of a desire to have community-oriented services or businesses be developed on the project sites, and oppose the housing development that will generate additional traffic on already congested local streets. The appellant, Ms. Karina Rincon, submitted a letter with over 100 resident signatures in opposition to the project and urged the Commission to not

grant the CEQA exemption. She stated that the Downey I and II sites contain hazardous contaminants such as arsenic. The community is already dealing with the Exide lead contamination. The community's health and safety are at stake and the applicant has not indicated how they will address the environmental issues or remove the hazardous substances/materials such as arsenic found on both sites.

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

ENVIRONMENTAL DOCUMENTATION

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

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

IMPACT ON CURRENT SERVICES (OR PROJECTS)

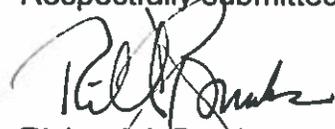
Action on the proposed project is not anticipated to have a significant impact on current services because the applicant will be responsible for the associated infrastructure

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

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

Respectfully submitted,



Richard J. Bruckner
Director

RJB:SA:JPH:lm

Attachments: Findings and Conditions
Commission Staff Reports and Correspondence

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

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