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**MINISTERIAL REVIEW TRANSIT ORIENTED COMMUNITIES CONDITIONAL USE SITE  
PLAN REVIEW AND AFFORDABLE HOUSING AND HIGH ROAD JOBS ACT OF 2022  
PER ASSEMBLY BILL 2011**

February 2, 2024

Owner/Applicant  
5035 Coliseum Property LLC  
131 Charles Street  
New York, NY 10014

Representative  
Lisa Trifiletti  
Trifiletti Consulting Inc.  
1545 Wilshire Boulevard, Suite 700  
Los Angeles, CA 90017

**Case No.** ADM-2023-7217-TOC-CU-  
SPR-PHP-HCA

**CEQA:** N/A

**Location:** 5035 W. Coliseum Street

**Council District:** 10 – Heather Hutt

**Neighborhood Council:** Empowerment Congress  
West Area

**Community Plan Area:** West Adams – Baldwin Hills -  
Leimert

**Land Use Designation:** Community Commercial  
**Zone:** C2-2D-CPIO

**Legal Description:** Tract P M 7159, Block None,  
Lot B

**LETTER OF COMPLIANCE**

Pursuant to California Government Code (Gov.) Section 65912.124(h) and the Los Angeles Municipal Code (LAMC) Section 12.22 A.25, I have reviewed the proposed project and as the designee of the Director of Planning, I hereby:

**Determined**, pursuant to Assembly Bill 2011 (“Ab 2011”), the Affordable Housing and High Road Jobs Act of 2022, the project is a housing development project which satisfies the requirements of Government Code Sections 65912.121, 65912.122, and 65912.123, and is therefore subject to the streamlined, ministerial approval process provided by Government Code Section 65912.124.

**Determined**, pursuant to California Gov. Sections 65912.120 and 65912.101(q)(2), based on the whole of the record, that the Affordable Housing and High Road Jobs Act of 2022 Project is statutorily Exempt from the California Environmental Quality Act (“CEQA”) as a ministerial project;

**Approve the following project consistent with the provisions of the Transit Oriented Communities (TOC) Affordable Housing Incentive Program Tier 3**, to allow a project consisting of 800 dwelling units, reserving 184 units for Low-

Income Household occupancy for a period of 55 years, and 185,153 square feet of ground floor retail with Base Incentives permitted pursuant to LAMC 12.21 A.31, in addition to the following Additional incentives:

### **Additional Incentives**

- a. **Height:** twenty-two (22) additional feet in height, allowing 77-feet in lieu of the maximum 55-feet per the C2-2D-CPIO zone.
- b. **Open Space:** a 25 percent decrease in required open space to allow a minimum requirement of 62,850 square feet of open space in lieu of the 83,800 square feet otherwise required per Los Angeles Municipal Code (LAMC) Section 12.21.G

Pursuant to the Los Angeles Municipal Code (LAMC) Section 12.24 U.14, I have reviewed the proposed project and as the designee of the Director of Planning, I hereby:

**Approve** a Conditional Use for a “Major” Developments Project for a project which includes the construction of, the addition to, or the alteration of, any buildings or structures, which create or add 250,000 square feet or more of warehouse floor area, 250 or more hotel/motel guest rooms, a Home Improvement Store, or 100,000 square feet or more of floor area in other nonresidential or non-warehouse uses in the C2, C4, C5, CM, M1, M2 and M3 Zones

Pursuant to the Los Angeles Municipal Code (LAMC) Section 16.05, I have reviewed the proposed project and as the designee of the Director of Planning, I hereby:

**Approve** a Site Plan Review for a project that creates 50 or more dwelling units to allow 800 dwelling units, including 184 units for Low Income household occupancy for a period of 55 years, and 185,153 square feet of ground floor retail in a C2-2D-CPIO Zone;

## CONDITIONS OF APPROVAL

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit A," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, West/South/Coastal Project Planning Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Los Angeles Municipal Code or the project conditions.
2. **Residential Density.** The project shall be limited to a maximum density of 800 residential dwelling units.
3. **On-Site Restricted Affordable Units.** The project shall provide a minimum of 184 On-Site Restricted Affordable units, consisting of 184 units for Low-Income Households as defined in Section 50106 of the California Health and Safety Code to the satisfaction of the Los Angeles Housing Department (LAHD). In the event the SB 8 Replacement Unit consideration requires additional affordable units or more restrictive affordability levels, the most restrictive requirements shall prevail.
4. **SB 8 Replacement Units.** The project shall be required to comply with the Replacement Unit Determination (RUD) letter, dated May 15, 2023, to the satisfaction of LAHD. The most restrictive affordability levels shall be followed in the covenant. In the event the On-site Restricted Affordable Units condition requires additional affordable units or more restrictive affordability levels, the most restrictive requirements shall prevail.
5. **Changes in Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units or change parking numbers shall be consistent with LAMC Section 12.22-A,31 and comply with the Transit Oriented Communities Affordable Housing Incentive Program Guidelines adopted by the City Planning Commission.
6. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute and record a covenant and agreement running with the land to the satisfaction of the Los Angeles Housing Department (LAHD) to make 184 units for Low-Income Households for rental as determined to be affordable to such households by LAHD for a period of 55 years. In the event, the applicant reduces the proposed density of the project, the number of required set aside affordable units may be adjusted, consistent with LAMC Section 12.22-A,31, to the satisfaction of LAHD. The Applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with the Guidelines for the Affordable Housing Incentive Program adopted by the City Planning Commission and any monitoring requirements established by the LAHD.
7. **Assembly Bill 2011.** The project shall comply with all state requirements of Assembly Bill 2011 (AB 2011) and California Government Code Sections 65400, 65583, 65584, 65585, and 65912. A minimum of 23 percent, that is 184 dwelling units, shall be reserved as affordable units to households making 80 percent of the area median income.
8. **Zoning.** The project shall comply with all other requirements of the C2-1VL-O-CPIO zone.
9. **Residential Automobile Parking.** Based upon the number of dwelling units proposed, a minimum of 400 automobile parking spaces shall be provided for the project. Automobile

parking spaces shall be provided consistent with TOC Guidelines, which allows required not to exceed one half (0.5) space per unit. Pursuant to California Government Code Section 65915(p)(3) and AB 2097, the project is eligible to provide a minimum of zero parking spaces. The project proposes 655 residential parking spaces.

10. **Non-Residential Parking.** For the 185,153 square feet of commercial, the project shall provide a minimum of 741 automobile parking spaces, at a ratio of one space for every 250 square feet of commercial square footage, as required by LAMC 12.21.A.4. The project proposes 850 non-residential parking spaces.
11. **Parking Per AB 2097.** The project shall be permitted to provide a minimum of zero parking space pursuant to AB 2097. The proposed project provides 1,515 parking spaces.
12. **Floor Area Ratio (FAR).** The project shall be limited a maximum FAR of 3.30:1 for a maximum floor area of 712,875 square feet, including a minimum of 185,153 square feet of commercial area.
13. **Bicycle Parking.** Bicycle parking shall be provided consistent with LAMC 12.21 A.16.
14. **Height (Incentive).** The project shall be limited to a maximum 77 feet in height as measured from grade to the highest point of the roof parapet, as shown in Exhibit "A".
15. **Open Space (Incentive).** The project shall provide a minimum of 62,850 square feet of open space in lieu of the 83,800 square feet otherwise required. The applicant is proposing 70,624 square feet of open space per Exhibit A sheet G1.0, open space table.
16. **Landscaping.** The landscape plan shall indicate landscape points for the project equivalent to **10% more than otherwise required** by LAMC 12.40 and Landscape Ordinance Guidelines "O". All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning.
17. **Community Plan Implementation Overlay.** Prior to the issuance of a building permit, the applicant shall demonstrate compliance with the West Adams - Baldwin Hills - Leimert Community Plan Implementation Overlay ("CPIO") pursuant to Ordinance No. 189,927.
18. **AB 2011 Labor Standards.** In accordance with AB 2011 of 2022, the applicants shall comply with the apprenticeship and healthcare provisions of Gov. Section 65912.131. Monthly reports must also be sent to the state Labor Commission and the City Planning Department at [Planning.AB2011LaborCompliance@lacity.org](mailto:Planning.AB2011LaborCompliance@lacity.org).

### **Administrative Conditions**

19. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building & Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building & Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building & Safety shall be stamped by Department of

City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.

20. **Notations on Plans.** Plans submitted to the Department of Building & Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
21. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
22. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
23. **Department of Building & Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building & Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building & Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
24. **Enforcement.** Compliance with and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
25. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out, in whole or in part, of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve

the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the applicant otherwise created by this condition.

## PROJECT BACKGROUND

The project site consists of one rectangular lot with approximately 426 feet of street frontage along the north side of Coliseum Street, with a depth of approximately 518 feet. The project site has an approximate lot size of 215,984 square feet. The project site is located within the West Adams - Baldwin Hills - Leimert Community Plan, is zoned C2-2D-CPIO, and is designated for Community Commercial land uses. The site is located within the boundaries of Parcel Group D of the La Brea/ Farmdale TOD Subarea of the West Adams - Baldwin Hills - Leimert Community Plan Implementation Overlay (CPIO).

The project site is located in the West Adams - Baldwin Hills - Leimert Community Plan, and is designated for Community Commercial land uses, with corresponding zones of CR, C1.5, C2, C4, R3, R4, RAS3 and RAS4. The site is zoned C2-2D-CPIO and is consistent with the land use designation. The site is located within a Transit Priority Area. The CPIO contains additional regulations for ground floor and building height, density, floor area, building disposition, building design, and parking.

The subject property was utilized for commercial office space from 1988 up until recently, when the previous tenant's lease expired in July 2023. The proposed project is the construction, use and maintenance of a 6-story, mixed-use building with 800 dwelling units, including a market-rate manager's unit, 184 units restricted to Low Income Households, and 185,153 square feet of ground floor retail. The building will have a maximum of 77 feet in height as measured from grade to the top of the parapet, and 712,875 square feet of floor area with a floor area ratio (FAR) of 3.30:1. The unit mix will be comprised of 285 studio units, 363 one-bedroom units, and 152 two-bedroom units. The project will provide 655 residential parking spaces, 860 commercial parking spaces, 295 long-term bicycle parking stalls, and 52 short-term bicycle parking stalls. The project will provide a total of 70,624 square feet of open space.

The property adjacent to the north is zoned C2-2D-CPIO, and is improved with commercial uses and a surface parking lot. Properties adjacent to the east are zoned R3-1 and improved with two-story multi-family units within a gated community. Properties south of the subject site across Coliseum Street are zoned R3-1XL and are improved with multi-family residential buildings two-stories in height. The properties adjacent to the west are zoned C2-2D-CPIO and are developed with an gas station and commercial structures.

Coliseum Street, abutting the property to the south, is a designated a Modified Collector Street, with a designated right-of-way width of 84 feet and is improved with a curb, gutter, and sidewalk.

Stevely Avenue, to the east side, is designated by the Mobility Plan 2035 as a Local Standard Street with a right of way width of 60 feet with curb, gutters and sidewalks.

La Brea Avenue, to the west, is a designated Modified Avenue I, with a Modified Right-of-Way width of 100 feet and is improved with a curb, gutter, and sidewalk.

Obama Boulevard, to the north, is a designated Modified Avenue I, with a Modified Right-of-Way width of 100 feet and is improved with a curb, gutter, and sidewalk.

## TRANSIT ORIENTED COMMUNITIES AFFORDABLE HOUSING INCENTIVE PROGRAM BACKGROUND

The project qualifies for the Transit Oriented Communities (“TOC”) Affordable Housing Incentive Program, which allows a variety of incentives for increased density, height, and floor area, among others, for Eligible Housing Projects. Measure JJJ was adopted by the Los Angeles City Council and established the TOC Affordable Housing Incentive Program. The measure required that the Department adopt a set of TOC Guidelines, which establish incentives for residential or mixed use projects located within ½ mile of a major transit stop, as defined under existing State law.

The TOC Guidelines, adopted September 22, 2017 and amended on February 26, 2018, establish a tier-based system with varying development bonuses and incentives based on a project’s distance from different types of transit. The largest bonuses are reserved for those areas in the closest proximity to significant rail stops or the intersection of major bus rapid transit lines. Required affordability levels are increased incrementally in each higher tier. The incentives provided in the TOC Guidelines describe the range of bonuses from particular zoning standards that applicants may select.

The subject site is located less than one-half mile from a major transit stop at the intersection of La Brea Avenue and Exposition Boulevard with the Metro E-Line Light Rail Expo & La Brea Station; Metro bus lines 105 and 212; and is eligible as a Tier 3 development in the Transit Oriented Communities Affordable Housing Incentive Program Guidelines, as indicated on the TOC Referral Form dated August 4, 2023.

Tier 3 Base Incentives require On-Site Restricted Affordable Units at the rate of 10% for Extremely Low Income, 14% for Very Low Income, or 23% for Lower Income, of the total number of units. Three Additional Incentives may be granted for projects that include at least 11% of the base units for Extremely Low Income Households. The applicant is proposing 184 Low Income units or 23%, consistent with the Base Incentive requirements, and which make the project eligible for one Additional Incentive.

The project is eligible for the following Tier 3 Base Incentives, which are granted by-right for eligible TOC projects:

- a. **Density.** Increase the maximum allowable number of dwelling units permitted by up to 70 percent.

The C2-2D-CPIO Zone allows for a maximum residential density of one dwelling unit per 400 square feet of lot area. The subject lot totals 215,985 square feet, for a maximum base density of 540 units. The Los Angeles Municipal Code allows 539 units by-right, however, the TOC Guidelines round base density up to the next whole number. TOC incentives for an eligible development in a Tier 3 area allow for up to a 70 percent increase in density. The maximum allowed density for the subject site under the Tier 3 Density Incentive would be 918 units. The project is proposing 800 units.

- b. **Floor Area Ratio.** Percentage increase of up to 45 percent.

In the C2-2D-CPIO Zone, the Los Angeles Municipal Code provides for a maximum FAR of 3:1 for projects that provide at least 80 percent of their required parking below grade on site, or off-site within the TOD and no more than 750 feet from the subject site. Los Angeles Municipal Code Section 12.03 states, “Buildable Area” is, “all that portion of a



lot located within the proper zone for the proposed main building, excluding those portions of the lot which must be reserved for yard spaces, building line setback space, or which may only be used for accessory buildings or uses.” The buildable area for the subject site is 215,985 square feet for a by-right floor area of 647,955 square feet. The Tier 3 FAR Incentive for a project within a Specific Plan or Overlay that regulates FAR allows for a maximum FAR percentage increase up to 45% for a maximum allowable floor area of 939,534 square feet, or a 4.35:1 FAR. The project is proposed with a maximum floor area of 712,875 square feet, or a 3.30:1 FAR.

- c. **Residential Parking.** Parking for all residential units in TOC Eligible Housing Development for a Tier 3 project shall be 0.5 spaces per dwelling unit. For 800 units, the project is required to provide a minimum of 400 residential parking spaces. The project is proposed with 655 residential parking spaces.

Pursuant to the TOC Guidelines, the project is eligible for, and has been granted two Tier 3 *Additional Incentives* to construct the proposed project:

- a. **Height Incentives.** A 22-foot increase in the building height, allowing a maximum 77 feet in lieu of the 55 feet otherwise allowed by the C2-2D-CPIO Zone. The project proposes a maximum height of 77-feet.
- b. **Open Space.** A 25% reduction in the required open space to allow a minimum of 62,850 square feet of open space in lieu of the otherwise required 83,800 square feet. The project is proposed with 70,624 square feet of open space.

The table below provides a summary of the relevant and underlying LAMC provisions for the subject property and requested TOC Base and Additional Incentives:

**Incentives:**

Incentives	Otherwise Allowed/Required	TOC Guidelines	Proposed
<b>Base</b>			
Density	540 units	918 units	800 units
FAR	3.0	4.35	3.30
Parking Spaces	1,874	1,141; 0 per AB 2097	1,515
<b>Additional</b>			
Height	55-feet	77-feet	77-feet
Open Space	83,800 sf	62,850 sf	70,624 sf

**HOUSING REPLACEMENT (SB 8 DETERMINATION)**

On October 9, 2019, the Governor signed into law the Housing Crisis Act of 2019 (SB 330). SB 330 creates new state laws regarding the production, preservation, and planning for housing, and establishes a statewide housing emergency until January 1, 2025. This was subsequently amended by SB 8 on September 16, 2021. During the duration of the statewide housing emergency, SB 330, among other things, creates new housing replacement requirements for Housing Development Projects by prohibiting the approval of any proposed housing development project on a site that will require the demolition of existing residential dwelling units or occupied or vacant “Protected Units” unless the proposed housing development project replaces those units. The Los Angeles Housing Department (LAHD) has determined that since

at least March 2018, the property has been used for commercial purposes. The replacement provisions of SB 8 do not apply to commercial properties. Further, this development does not require the demolition of any prohibited types of housing, therefore, no SB 8 replacement affordable units are required.

## **TRANSIT ORIENTED COMMUNITIES AFFORDABLE HOUSING INCENTIVE PROGRAM ELIGIBILITY REQUIREMENTS**

To be an eligible TOC Housing Development, a project must meet the Eligibility criteria set forth in Section IV of the TOC Guidelines. A Housing Development located within a TOC Affordable Housing Incentive Area is determined to be eligible for TOC Incentives if it meets all of the following requirements, which it does:

1. ***On-Site Restricted Affordable Units.*** *In each Tier, a Housing Development shall provide On-Site Restricted Affordable Units at a rate of at least the minimum percentages described below. The minimum number of On-Site Restricted Affordable Units shall be calculated based upon the total number of units in the final project.*
  1. *Tier 1 - 8% of the total number of dwelling units shall be affordable to Extremely Low Income (ELI) Households, 11% of the total number of dwelling units shall be affordable to Very Low (VL) Income Households, or 20% of the total number of dwelling units shall be affordable to Lower Income Households.*
  2. *Tier 2 - 9% ELI, 12% VL or 21% Lower.*
  3. *Tier 3 - 10% ELI, 14% VL or 23% Lower.*
  4. *Tier 4 - 11% ELI, 15% VL or 25% Lower.*

The project site is located within Tier 3. Tier 3 requires at least 23 percent of the 800 total units, or 184 units, to be set aside for Lower Income Households. The project reserves 184 units for Lower Income Households, as such, the project meets the eligibility requirement for On-Site Restricted Affordable Units.

2. ***Major Transit Stop.*** *A Housing Development shall be located on a lot, any portion of which must be located within 2,640 feet of a Major Transit Stop, as defined in Section II and according to the procedures in Section III.2 of the TOC Guideline*

A Major Transit Stop is a location containing a rail station or the intersection of two or more bus routes with a service interval of 15 minutes or less during the morning and afternoon peak commute periods. The subject site is located within 2,640 feet of a major transit stop at the intersection of La Brea Avenue and Exposition Boulevard with the Metro E-Line Light Rail Expo & La Brea Station; Metro bus lines 105 and 212; and is eligible as a Tier 3 development in the Transit Oriented Communities Affordable Housing Incentive Program Guidelines, as indicated on the TOC Referral Form dated August 4, 2023. Therefore, the project meets the eligibility requirement for proximity to a Major Transit Stop.

3. ***Housing Replacement.*** *A Housing Development must meet any applicable housing replacement requirements of California Government Code Section 65915(c)(3), as verified by the Department of Housing and Community Investment (HCIDLA) prior to the issuance of any building permit. Replacement housing units required per this*

*Government Code section may also count towards other On-Site Restricted Affordable Units requirements.*

The Los Angeles Housing Department (LAHD) has determined, per the Housing Crisis Act of 2019 (SB 8) Replacement Unit Determination, dated May 15, 2023, that the property is and continues to be a commercial use, and that the proposed housing development does not require the demolition of any prohibited types of housing; further, the provisions of SB 8 do not apply to commercially zoned properties, therefore no SB 8 replacement affordable units are required.

4. ***Other Density or Development Bonus Provisions.*** *An eligible TOC Housing Development shall not seek and receive a density or development bonus under the provisions of California Government Code Section 65915 (State Density Bonus law) or any other State or local program that provides development bonuses. This includes any development bonus or other incentive granting additional residential units or floor area provided through a General Plan Amendment, Zone Change, Height District Change, or any affordable housing development bonus in a Transit Neighborhood Plan, Community Plan Implementation Overlay (CPIO), Specific Plan, or overlay district.*

The proposed project does not seek any additional density or development bonuses under the provisions of the State Density Bonus Law or any other State or local program that provides development bonuses, including, but not limited to a General Plan Amendment, Zone Change, Height District Change, or any affordable housing development bonus in a Transit Neighborhood Plan, Community Implementation Overlay (CPIO), Specific Plan, or overlay district. As such, the project meets this eligibility requirement.

5. ***Base Incentives and Additional Incentives.*** *All Eligible Housing Developments are eligible to receive the Base Incentives listed in Section VI of the TOC Guidelines. Up to three Additional Incentives listed in Section VII of the TOC Guidelines may be granted based upon the affordability requirements described below. For the purposes of this section below, "base units" refers to the maximum allowable density allowed by the zoning prior to any density increase provided through these Guidelines. The affordable housing units required per this section may also count towards the On-Site Restricted Affordable Units requirement in the Eligibility Requirement No. 1 above (except Moderate Income units).*

- a. *One Additional Incentive may be granted for projects that include at least 4% of the base units for Extremely Low Income Households, at least 5% of the base units for Very Low Income Households, at least 10% of the base units for Lower Income Households, or at least 10% of the base units for persons and families of Moderate Income in a common interest development.*
- b. *Two Additional Incentives may be granted for projects that include at least 7% of the base units for Extremely Low Income Households, at least 10% of the base units for Very Low Income Households, at least 20% of the base units for Lower Income Households, or at least 20% of the base units for persons and families of Moderate Income in a common interest development.*
- c. *Three Additional Incentives may be granted for projects that include at least 11% of the base units for Extremely Low Income Households, at least 15% of the base units for Very Low Income Households, at least 30% of the base units for Lower Income*

*Households, or at least 30% of the base units for persons and families of Moderate Income in a common interest development.*

The project is eligible for two (2) Additional Incentives and is utilizing the increased height, and reduced open space incentives which require at least 20 percent, or 108 units, of the 540 base units, to be set aside for Low Income Households. The project proposes to set aside 184 dwelling units for Low Income Households, which is 34 percent of the 540 base units. As such, the project meets the eligibility requirement for two Additional Incentives.

6. ***Projects Adhering to Labor Standards.*** *Projects that adhere to the labor standards required in LAMC 11.5.11 may be granted two Additional Incentives from the menu in Section VII of these Guidelines (for a total of up to five Additional Incentives).*

The project is only requesting two Additional Incentive and not five Additional Incentives. Therefore, the project is not required to adhere to the labor standards required in LAMC 11.5.11.

7. ***Multiple Lots.*** *A building that crosses one or more lots may request the TOC Incentives that correspond to the lot with the highest Tier permitted by Section III of the TOC Guidelines.*

The project site at 5035 West Coliseum Street consists of one lot in a Tier 3 area. The proposed project is comprised of one building on the one lot, and utilizes the TOC incentives of said lot.

8. ***Request for a Lower Tier.*** *Even though an applicant may be eligible for a certain Tier, they may choose to select a Lower Tier by providing the percentage of On-Site Restricted Affordable Housing units required for any lower Tier and be limited to the Incentives available for the lower Tier.*

The applicant has not elected to utilize a Lower Tier. As such, this eligibility requirement does not apply.

9. ***100 Percent Affordable Housing Projects.*** *Buildings that are Eligible Housing Developments that consist of 100% On-Site Restricted Affordable units, exclusive of a building manager's unit or units shall, for purposes of these Guidelines, be eligible for one increase in Tier than otherwise would be provided.*

The project is not a 100% Affordable Housing Project. As such, this eligibility requirement does not apply.

## FINDINGS

### ASSEMBLY BILL 2011 PROJECT FINDINGS

In accordance with Assembly Bill 2011 ("Ab 2011"), the Affordable Housing and High Road Jobs Act of 2022, a housing development project which satisfies the requirements of Government Code Sections 65912.121, 65912.122, and 65912.123, is allowed to be streamlined through the ministerial approval process provided by Government Code Section 65912.124:

- 1. The parcel is located in zones where office, retail, or parking are principally permitted.**

The site is zoned C2 (Commercial) and is located in the West Adams-Baldwin Hills-Leimert Community Plan Implementation Overlay District ("CPIO"), in Parcel Group D (Community Commercial) of the La Brea/Farmdale - Expo Line TOD Subarea. Office and retail are principally permitted uses in the C2 Zone and CPIO.

- 2. The site is a legal parcel or parcels located in a city if, and only if, the city boundaries include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel or parcels wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.**

Los Angeles is included in the United States Census Bureau's List of 2020 Census Urban Areas.

- 3. At least two-thirds of the square footage of the development is designated for residential use.**

The proposed project is the construction, use and maintenance of a 6-story, mixed-use building with 800 dwelling units, including a market-rate manager's unit, 184 units restricted to Lower Income Households, and 185,153 square feet of ground floor retail. The building will have a maximum of 77 feet in height as measured from grade to the top of the parapet, and 712,875 square feet of floor area. As such, more than two-thirds of the project's square footage will be devoted to residential use.

- 4. No more than one-third of the square footage of the site or any adjoining sites are dedicated to industrial use.**

The subject property and the property adjacent to the north are zoned C2-2D-CPIO, and are improved with commercial uses and a surface parking lot. Properties adjacent to the east are zoned R3-1 and improved with two-story multi-family units within a gated community. Properties south of the subject site across Coliseum Street are zoned R3-1XL and are improved with multi-family residential buildings two-stories in height. The properties adjacent to the west are zoned C2-2D-CPIO and are developed with an gas station and commercial structures. Therefore, there are no industrial uses on or adjacent to the property.

- 5. The development is not on an existing parcel of land or site that is governed under the Mobile home Residency Law (Chapter 2.5 (commencing with Section 798) of Title 2 of Part 2 of Division 2 of the Civil Code), the Recreational Vehicle Park Occupancy Law (Chapter 2.6 (commencing with Section 799.20) of Title 2 of Part 2 of Division 2 of the Civil Code), the Mobile home Parks Act (Part 2.1 (commencing with Section**

**18200) of Division 13 of the Health and Safety Code), or the Special Occupancy Parks Act (Part 2.3 (commencing with Section 18860) of Division 13 of the Health and Safety Code).**

The Mobile home Residency Law and related regulations are not applicable to the site.

- 6. The housing on site is located more than 50 feet from a freeway, as defined in Section 332 of the Vehicle Code.**

The nearest freeway is approximately 1 mile away (I-10 Freeway).

- 7. The housing on site is located more than 3,200 feet from a facility that actively extracts or refines oil or natural gas.**

The nearest facility that actively extracts or refines oil or natural gas is over 6,000 feet away (Inglewood Oil field).

- 8. The project site abuts a commercial corridor defined as a local road with a right-of-way of 70 to 150 feet, and has a frontage along the commercial corridor of a minimum of 50 feet.**

The site abuts a commercial corridor, Coliseum Street, and has a frontage of approximately 426 feet along Coliseum Street. Coliseum Street is a highway as defined in Section 360 of the Vehicle Code that is not a freeway as defined in Section 332 of the Vehicle Code and has a right-of-way of approximately 84 feet.

- 9. The site is not greater than 20 acres.**

The site is approximately 4.96 acres per ZIMAS.

- 10. The site does not contain between one to four dwelling units.**

The subject property is zoned C2-2D-CPIO, and is improved with a commercial use and a surface parking lot proposed to be demolished as a part of the project. There are no existing dwelling units on site.

- 11. The site does not contain any units subject to the Rent Stabilization Ordinance (RSO).**

The subject property is zoned C2-2D-CPIO, and is improved with a commercial use and a surface parking lot proposed to be demolished as a part of the project. There are no existing dwelling units on site.

- 12. The site has not contained any dwelling units within the prior ten (10) years.**

In its letter dated May 15, 2023, the Los Angeles Housing Department (LAHD) determined that since at least March 2018, the property has been used for commercial purposes. Prior building records indicate the subject site has been used for commercial or institutional purposes since at least 1988.

- 13. The property, if vacant and zoned for housing, is zoned for multifamily housing use.**

The subject property is zoned C2-2D-CPIO which allows multi-family housing use at a base R3 density.

- 14. The site does not include a historic structure that was placed on a national, state, or local historic register. The project would not be permitted if it would require the demolition of such a structure.**

The subject site does not contain a structure listed on any national, state, or local historic register.

- 15. The site is neither prime farmland nor farmland of statewide importance, as defined pursuant to the United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the voters of that jurisdiction.**

The subject property is zoned C2-2D-CPIO, and is improved with a commercial use and a surface parking lot proposed to be demolished as a part of the project. The subject site is not farmland.

- 16. The site is not Wetlands, as defined in the United States Fish and Wildlife and Wildlife Service Manual, Part 660 FW2 (June 21, 1993).**

The subject site is not a Wetlands.

- 17. The site is not a hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.**

The subject site is not a hazardous waste site.

- 18. Within a regulatory floodway as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, a local government shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site.**

The site is not located within a special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood).

- 19. Lands identifies for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C.**

**Sec. 1531 et seq.), or other adopted natural resource protection plan. Natural Community Conservation Planning Act.**

The subject site does not include land identified for conservation pursuant to the Natural Community Conservation Planning Act.

**20. Habitat Conservation Plan.**

The subject site is not located within any Habitat Conservation Plan.

**21. Other Adopted Natural Resource Protection Plan (LA County Significant Ecological Areas).**

The subject site does not include land identified for conservation.

**22. Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).**

The subject site does not include habitat for any protected species.

**23. Lands under a conservation easement.**

The Subject site is not under a conservation easement.

**24. Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code. This subparagraph does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.**

The subject site is not located within any designated high or very high fire hazard severity zone.

**25. Within a special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, a local government shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site. A development may be located on a site described in this subparagraph if either of the following are met: (i) The site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local jurisdiction. (ii) The site meets Federal**



**Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program pursuant to Part 59 (commencing with Section 59.1) and Part60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.**

The site is not located within a special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood).

- 26. Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.**

The subject site is not located within a delineated earthquake fault zone.

**TRANSIT ORIENTED COMMUNITIES AFFORDABLE HOUSING INCENTIVE PROGRAM / AFFORDABLE HOUSING INCENTIVES COMPLIANCE FINDINGS**

Pursuant to LAMC Section 12.22 A.31(e) of the LAMC, the Director shall review a Transit Oriented Communities (TOC) Affordable Housing Incentive Program project application in accordance with the procedures outlined in LAMC Section 12.22 A.25(g).

- 27. Pursuant to section 12.22 A.25(g) of the LAMC, the Director shall approve a density bonus and requested incentives unless the Director finds that:**
- a. The incentives are not required to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for the affordable units.**

The record does not contain substantial evidence that would allow the Director to make a finding that the requested incentives are not necessary to provide for affordable housing costs per State Law. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed a predetermined percentage of income based on area median income thresholds dependent on affordability levels.

The list of on-menu incentives in the TOC Guidelines were pre-evaluated at the time the Transit Oriented Communities Affordable Housing Incentive Program Ordinance was adopted to include types of relief that minimize restrictions on the size of the project. As such, the Director will always arrive at the conclusion that the on-menu incentives are required to provide for affordable housing costs because the incentives by their nature increase the scale of the project. Therefore, the site and project qualify for the TOC Affordable Housing Incentive Program as an Eligible Housing Development, and is eligible for the incentives granted therein.

***Increased Height:***

A restriction on height could limit the ability to construct the additional residential dwelling units, and specifically the Restricted Affordable Units. The project is financially

feasible because of the increased flexibility the incentives allow the applicant in the building envelope.

Base Height + Incentive:

The applicant has requested a Tier 3 Height Incentive, which allows for 22 additional feet. Height District 2 of the C2-2D-CPIO Zone allows for a maximum height of 55 feet. Therefore, the Tier 3 Height Incentive would allow a maximum height of 77 feet. The project is within the height envelope of 77 feet and is consistent with the TOC guidelines.

Decreased Open Space:

Strict application of the Open Space requirements could limit the ability to construct the additional Restricted Affordable Units. As previously stated, the project is financially feasible because of the increased flexibility the incentives allow the applicant in the building envelope.

The applicant has requested a 25% reduction in the required open space to allow a minimum of 62,850 square feet of open space in lieu of the otherwise required 83,800 square feet. The project is proposed with 70,624 square feet of open space.

- c. **The Incentive will have specific adverse impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.**

There is no evidence in the record that the proposed incentives will have a specific adverse impact. A “specific adverse impact” is defined as, “a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete” (LAMC Section 12.22.A.25(b)). The project does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. The project is not located on a substandard street in a Hillside area or a Very High Fire Hazard Severity Zone. There is no evidence in the record which identifies a written objective health and safety standard that has been exceeded or violated. Based on the above, there is no basis to deny the requested incentives. Therefore, there is no substantial evidence that the project’s proposed incentives will have a specific adverse impact on public health and safety or on property listed in the California Register of Historic Resources.

**CONDITIONAL USE FINDINGS**

- 28. That the project provides for an arrangement of uses, buildings, structures, open spaces and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood;**

The Applicant is proposing a mixed-income housing development consisting of a mixed-use, six-story building with approximately 712,875 square feet of floor area that includes ground-floor commercial uses and multi-family units with residential and community amenities and associated parking on the Project Site. The Project's emphasis on adding community-serving commercial uses, amenities, and mixed-income residential units close to multiple major transit connections will enhance the existing community environment and is consistent with state legislation that incentivizes development to go beyond local regulation. These types of development projects in conformance with state and local laws will lead to more developments of this project type.

**29. That the project complies with the height and area regulations of the zone in which it is located.**

The Project's location, size, height, operations, and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood or the public health, welfare, and safety. Both the commercial and residential uses are designed to enhance the existing local context. The street face of the Project on Coliseum Street features large windows and will be planted with Kangaroo vines to cover the project frontage. The façade is articulated with recessed entrances to make the building appropriately scaled for the neighborhood. The commercial street façade will have 50 percent clear and non-reflective storefront glazing.

The Project's height and density facilitate a transition in use intensity between the existing residential style of the neighborhood along Coliseum Street to the east of the Project and the commercial centers located along La Brea Avenue to the west of the Project. Vertical and horizontal articulation is provided to create visual breaks while adding aesthetic interest to the building façade.

All vehicular parking would be located in five levels of underground parking, which collectively would provide approximately 1,515 vehicular parking spaces. Of these spaces, approximately 860 spaces would be for commercial uses. Approximately 655 parking spaces will be provided for residential uses.

In addition, a volumetric modular construction methodology will be used for the construction of the residential units. When compared with traditional construction methods, the duration of modular construction activities is reduced by approximately 50 percent and on-site construction materials are reduced by approximately 60-80 percent which collectively offer significant benefits to the surrounding community and environment compared to a conventionally constructed project through reduced construction traffic, noise, dust, debris, and waste.

**30. That the project is consistent with the City Planning Commission's design guidelines for Major Development Projects, if any.**

The City Planning Commission has not adopted design guidelines for Major Development Projects; however, the Project is consistent with the intent of the Citywide Design Guidelines adopted by the City Planning Commission on October 24, 2019. The Guidelines apply to all new development seeking a discretionary action and are therefore not applicable to the Project due to its eligibility for streamlined, ministerial

review pursuant to AB 2011. The Project has been designed to promote a safe, comfortable and accessible pedestrian experience. The Project design avoids pedestrian and vehicular conflicts by clearly separating the commercial and residential uses and providing for recreational uses within the residential structure and open-air courtyards. The design utilizes vertical and horizontal articulation is provided to create visual breaks while adding aesthetic interest to the building façade.

## **SITE PLAN REVIEW FINDINGS**

### **32. The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan.**

There are eleven elements of the General Plan, and each of these elements establishes goals, objectives and policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of Code requirements of the Los Angeles Municipal Code. Aside from the entitlement described herein, the project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code that are directly tied to any of the elements of the General Plan.

The West Adams - Baldwin Hills - Leimert Community Plan designates the property as Community Commercial with corresponding zones CR, C1.5, C2, C4, R3, R4, RAS3 and RAS4. The project is consistent with the following Community Plan goals and policies.

LU14-2 Active First Floor Frontages. Encourage the first floor street frontage of buildings, including parking structures, to incorporate commercial or other active public uses.

Goal LU15: A community that prioritizes mixed-use projects within community commercial nodes, centers and transit-oriented development areas.

LU16-2 Protect Commercial Land. Protect commercially planned and zoned land from excessive encroachment by low intensity residential only development.

LU17-2 Transition Height to Residential. Seek to mitigate the potential negative impact of the height of new commercial development located directly adjacent to residential properties by tailoring transitional height standards to the unique constraints of commercial parcel depth along the corridor.

The project is designed with varied materials including black fiber cement board, decorative metal awnings, dark aluminum storefront glazing, planter walls, glass and painted stucco. The proposed mixed use project is a use that is compatible with the commercial use of the surrounding area, has been conditioned to preserve the commercial character of the neighborhood, and is found to not have an adverse impact on adjacent properties. Inasmuch, the proposed requests are consistent with the purpose, intent, and provisions of the West Adams - Baldwin Hills - Leimert Community Plan.

33. **The project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements, that is or will be compatible with existing and future development on adjacent properties and neighboring properties.**

As shown in Exhibit A and described below, the proposed project will be compatible with existing and future development on the neighboring properties. The Project's emphasis on adding community-serving commercial uses, amenities, and mixed-income residential units close to multiple major transit connections will enhance the existing community environment and is consistent with state legislation that incentivizes development to go beyond local regulation. These types of development projects in conformance with state and local laws will lead to more developments of this project type.

#### Height

The C2-2D-CPIO Zone allows for a maximum height of 55 feet. The proposed project consists of one 6-story, 77-foot tall building as measured to the top of the roof access stair.

#### Bulk/Massing

The front building façade is articulated with contrasting colors and materials with vertical and horizontal elements. All facades have a least two different materials that include: fiber cement board, decorative metal awnings, dark aluminum storefront glazing, planter walls, glass and painted stucco. The edifice is articulated with horizontal breaks, and glazed windows with recessed frames, contrasting and complementary colors, building plane variations, and overhangs above the ground floor. Therefore the project's bulk and massing will be compatible with existing and future development

#### Landscaping

The project is designed to protect 5 existing trees and add 2 new trees along Coliseum Street and remove one existing tree along Obama Boulevard, replacing it with 2 new trees. The proposal includes the addition of 237 new trees throughout the courtyards, an excess of 35 to the required 202 trees. The project proposes 70,624 square feet of landscaping throughout the building's paseo, 4 courtyards, and decks for use by future residents.

#### Building Materials

The project is designed with varied materials including fiber cement board, decorative metal awnings, dark aluminum storefront glazing, planter walls, glass and painted stucco, keeping in character with the surrounding area's commercial character.

#### Entrances

The proposed project provides a prominent pedestrian oriented ground floor though the inclusion of entry points off Coliseum Street, a new retail space, a nearly 23-foot floor to ceiling height, and a façade clad with windows to enliven the streetscape and provide a more visibly active environment.

#### Setbacks

The project has a 0-foot setback along Coliseum Street creating an inviting pedestrian frontage in conformance with the West Adams CPIO, and as recommended in the

Citywide Design Guidelines.

#### Parking

Parking will be provided on 5 subterranean parking levels with 1,515 automobile parking spaces provided. In addition, 348 bicycle parking spaces will be provided on-site (296 long term and 52 short-term).

#### Open Space

The project is designed with 70,624 square feet of open space, which is in excess of the 62,850 square feet required by the TOC Tier 3 incentive.

#### Lighting

Ancillary lighting is provided along pedestrian and vehicular access ways to enhance pedestrian safety and visibility.

#### Loading

Loading will be located at the rear of the Project Site and partially on the property to the north, on which the Project would have vehicular and loading access, and would not be visible from the Project street frontage on Coliseum Street.

#### Trash Collection

Trash Collection occurs from within the parking garage of the subject property and is not visible from the street.

**34. The residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.**

The project is to allow the construction, use and maintenance of a 6-story, mixed-use building with 800 dwelling units, including a market-rate manager's unit, 184 units restricted to Lower Income Households, and 185,153 square feet of ground floor retail. The building will have a maximum of 77 feet in height as measured from grade to the top of the parapet, and 712,875 square feet of floor area. The retail space is accessible to residents and the public. Additionally, there are four large garden style courtyards, a paseo and decks for residents with seating, outdoor cooking and dining space, and play areas. Therefore, the project has sufficient recreational and service amenities for residents with minimum impact on neighboring properties.

### **ENVIRONMENTAL FINDINGS**

Pursuant to California Government Code Sections 65912.120 and 65912.101(q)(2), based on the whole of the record, the Affordable Housing and High Road Jobs Act of 2022 Project is statutorily Exempt from the California Environmental Quality Act ("CEQA") as a ministerial project.

### **TIME LIMIT – OBSERVANCE OF CONDITIONS**

If the project includes public investment in housing affordability, beyond tax credits, where 50 percent of the units are affordable to households making at or below 80 percent of the AMI, then that approval shall not expire.

All terms and conditions of the Director's Determination shall be fulfilled before the use may be

established. Pursuant to LAMC Section 12.25 A.2, the instant authorization is further conditional upon the privileges being utilized within **three years** after the effective date of this determination and, if such privileges are not utilized, building permits are not issued, or substantial physical construction work is not begun within said time and carried on diligently so that building permits do not lapse, the authorization shall terminate and become void.

## **TRANSFERABILITY**

This determination runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions of this grant. If any portion of this approval is utilized, then all other conditions and requirements set forth herein become immediately operative and must be strictly observed.

## **VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR**

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated or not complied with, then the applicant or his successor in interest may be prosecuted for violating these conditions the same as for any violation of the requirements contained in the Municipal Code, or the approval may be revoked.

Section 11.00 of the LAMC states in part (m): "It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code shall be guilty of a misdemeanor unless that violation or failure is declared in that section to be an infraction. An infraction shall be tried and be punishable as provided in Section 19.6 of the Penal Code and the provisions of this section. Any violation of this Code that is designated as a misdemeanor may be charged by the City Attorney as either a misdemeanor or an infraction.

Every violation of this determination is punishable as a misdemeanor unless provision is otherwise made, and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment."

## **APPEAL PERIOD - EFFECTIVE DATE**

The decision of this Letter of Compliance is final and effective upon the mailing of this letter and not appealable.

Planning Department public offices are located at:

Figueroa Plaza  
201 North Figueroa Street  
4th Floor  
Los Angeles, CA 90012  
(213) 482-7077

Marvin Braude San Fernando  
Valley Constituent Service Center  
6262 Van Nuys Boulevard, Room 251  
Van Nuys, CA 91401  
(818) 374-5050

West Los Angeles  
1828 Sawtelle Boulevard  
2nd Floor  
Los Angeles, CA 90025  
(310) 231-2901

Verification of condition compliance with building plans and/or building permit applications are done at the Development Services Center of the Department of City Planning at Figueroa Plaza in Downtown Los Angeles, Marvin Braude Constituent Service Center in the Valley, or in West

Los Angeles. In order to assure that you receive service with a minimum amount of waiting, applicants are encouraged to schedule an appointment with the Development Services Center either through the Department of City Planning website at <http://planning.lacity.org> or by calling (213) 482-7077, (818) 374-5050, or (310) 231-2901. The applicant is further advised to notify any consultant representing you of this requirement as well.

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedures Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

VINCENT P. BERTONI, AICP  
Director of Planning

Approved by:



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Theodore L. Irving, AICP, Principal City  
Planner

Prepared by:



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Kyle Winston, City Planner