City Planning Commission

Date: April 23, 2009
Time: After 8:30 AM
Place: Van Nuys City Hall
14410 Sylvan Street
Council Chamber, 2nd Floor
Van Nuys, CA 91401

Public Hearing: March 4, 2009
Expiration Date: May14, 2008

Case No.: CPC-2008-4871-CU-ZV-SPR-SPP
CEQA No.: SCH No. 2008011078
Incidental Cases: Project Permit Compliance
Related Cases: None
Council No.: 13
Plan Area: Northeast Los Angeles
Specific Plan: Mount Washington – Glassell Park
Certified NC: Glassell Park
GPLU: Public Facilities
Zone: PF-1
Applicant: Glassell Park, LP
Representative: Jim Ries, Craig Lawson & Co., LLC

PROJECT LOCATION:
Location: 3000-3006 Verdugo Road; 2241-2255 West Avenue 30

PROPOSED PROJECT:
The removal of a surface parking lot and the construction of one residential structure as part of a joint-use development. The proposed building is for a new 63-foot 6-inch, 50-unit affordable housing development (49 very low and low income units, and one non-restricted manager’s unit) located on the northern 0.7 acre portion of the site. The 62,949 square foot apartment building will consist of four levels of residential units above a podium deck that sits atop two levels of subterranean parking. The residential structure will be co-located with a proposed one-story, 13,322 square foot Early Education Center with approximately 13,125 square feet of outdoor play area to be developed on the southern 0.6 acre portion of the site. The project site totals 59,365 square feet and zoned PF-1. The project will provide a total of 140 parking spaces located within the subterranean parking levels of the Affordable Housing building where 55 spaces would be set aside for the proposed housing development, 65 spaces for faculty and staff of the existing Glassell Park Elementary School, and 20 spaces for the Early Education Center within a separate subterranean level.

REQUEST:
1. Pursuant to Sections 12.24.U.21 and 12.24.F of the Municipal Code, a Conditional Use to permit the construction of a 63-foot 6-inch tall, 50-unit affordable housing project with a front yard of 15 feet, and variable side yards ranging from 5 to 8 feet, in the PF-1 zone as part of a joint use project with the Los Angeles Unified School District;
2. Pursuant to Section 12.27 of the Municipal Code, a Zone Variance to permit a total of 55 parking spaces in lieu of the required 82 parking spaces required for the 50 residential units;
3. Pursuant to Section 16.05 of the Municipal Code, Site Plan Review Findings for a development of 50 dwelling units.
RECOMMENDATION:

1. **Approve a Conditional Use** to permit the construction of a 63-foot 6-inch tall, 50-unit affordable housing project with a front yard of 15 feet, and variable side yards ranging from 5 to 8 feet, in the PF-1 zone as part of a joint use project with the Los Angeles Unified School District.

2. **Approve a Zone Variance** to permit total of 55 parking spaces in lieu of the required 82 parking spaces required for the 50 residential units.

3. **Approve Site Plan Review Findings** for a development of 50 dwelling units.

4. **Certify** that the Environmental Impact Report SCH No. 2008011078 reflects the independent judgment and analysis of the City of Los Angeles and adopt the Findings.

5. **Advise** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the Project and the City may require any necessary fees to cover the cost of such monitoring.

6. **Advise** the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

S. GAIL GOLDBERG, AICP
Director of Planning

Henry Chu, Hearing Officer (213) 473-9919
Jim Tokunaga, Senior City Planner

Attachments
- Project Analysis
- Conditions
- Findings
- Public Hearing and Communications
- Exhibits (incl. Environmental Clearance)

ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the Commission Secretariat, Room 272, City Hall, 200 North Spring Street, Los Angeles, CA 90012 (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the Commissioners the week prior to the Commission’s meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1300.*
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PROJECT ANALYSIS

Project Summary

The project, as referred to in this report, involves the development of a new 50-unit affordable residential development as part of a combined use development. The 50-unit residential structure and courtyard will be developed by Abode Communities on the northern portion of a lot owned by the Los Angeles Unified School District (“LAUSD”), while the remaining southern portion of the site will be developed as an Early Education Center (“EEC”) by the LAUSD as part of a public-private partnership between the LAUSD and Abode Communities.

The 50-unit residential structure will be comprised of two subterranean parking levels and four levels of residences located above. The residential structure will reach a maximum height of 63 feet 6 inches, and will total 62,949 square feet of floor area on a 59,365 square foot site, which includes 7,026 square feet of area required for setbacks, resulting in 52,339 square feet of buildable area. The proposed structure would have a floor area ratio (FAR) of 1.2:1. Combined with the 16,472 square foot EEC, the entire development would have a floor area of 79,421 square feet or an FAR of 1.5:1.

The residential development will set aside 49 units of deed restricted affordable units for low income households with incomes ranging from 30 to 60 percent of the Area Median Income (“AMI”). One unit will be set aside as a manager’s unit and will not be deed restricted as affordable. These units will restricted as affordable units for a period of 55 years. Table 1 provides the distribution of affordability for the project.

<table>
<thead>
<tr>
<th>TABLE 1 INCOME LEVEL OF UNITS</th>
<th>Number of Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>30%</td>
<td>5</td>
</tr>
<tr>
<td>40%</td>
<td>5</td>
</tr>
<tr>
<td>50%</td>
<td>25</td>
</tr>
<tr>
<td>60%</td>
<td>14</td>
</tr>
<tr>
<td>Manager (non-deed restricted)</td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td>50</td>
</tr>
</tbody>
</table>

The bedroom mix will accommodate households of different sizes and consist of 2- and 3-bedroom units. The project will provide a total of 35 two-bedroom units, ranging from 771 to 794 square feet, while a total of 15 three-bedroom units, ranging from 1,029 square feet to 1,097 square feet, will be provided. Table 2 shows the project mix for the 50-unit residential building.

<table>
<thead>
<tr>
<th>TABLE 2 RESIDENTIAL PROJECT MIX</th>
<th>Number of Units</th>
<th>Range (square feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Two-bedroom</td>
<td>35</td>
<td>771 – 794</td>
</tr>
<tr>
<td>Three-bedroom</td>
<td>15</td>
<td>1,029 – 1,097</td>
</tr>
<tr>
<td>Total</td>
<td>50</td>
<td>-</td>
</tr>
</tbody>
</table>

The residential structure will have four levels of residential units above a podium deck that sits atop two levels of subterranean parking. A total of 140 parking spaces will be provided with the subterranean parking levels where 55 spaces would be set aside for the proposed housing development, 65 spaces for faculty and staff of the existing Glassell Park Elementary School, and 20 spaces for the EEC within a separate subterranean level.
Vehicular access to the residential portion of the site will be through two driveways. The northernmost driveway provides ingress and egress to and from Verdugo Road, and is strictly for residents only. The southernmost driveway enters and exists along the Avenue 30 perimeter of the site, and provides vehicular egress and ingress to school parking, including the replaced 59 parking spaces, located on Parking Level P2 beneath the residential building, and P1 beneath the EEC itself. Pedestrian access and main drop-off/pick-up of students for the proposed EEC would be along Carlyle Street. Pedestrian access for the proposed housing development is planned along Verdugo Road.

The podium deck will contain 4,149 square feet of landscaped courtyard and 1,548 square feet for community rooms. Other landscaped recreation amenities include access to approximately 10,748 square feet of common open space element of the LAUSD EEC. This courtyard space will be available to the project and area residents consistent with the Civic Centers Act Program. The project will also provide a 345 square foot terrace Verdugo Road and a 720 square feet provide ate open space at the podium level, of which 400 square feet is permitted under the Specific Plan regulations.

The project will offer its residents several amenities and services. This includes an on-site manager, a dedicated resident services professional on-site manager who will coordinate specific services on-site and provide referral services for all residents. This resident services coordinator will be working with the EEC and the LAUSD to fully utilize all facilities. Typical on-site services will include job skills workshops, parenting classes, computer classes, after school programs, leadership development, English as Second Language (ESL) classes and community safety groups (neighborhood watch). The project will also provide a community room, on-site laundry facilities, and a computer room.

As part of the project, the following entitlements are being requested:

- **A Conditional Use** to permit the construction of a 63-foot 6-inch tall, 50-unit affordable housing project with a front yard of 15 feet, and side yards ranging from 5 to 8 feet, in the PF-1 zone as part of a joint use project with the Los Angeles Unified School District. A residential structure requires a conditional use in the PF zone.

- **A Zone Variance** to permit a total of 55 parking spaces in lieu of the required 82 parking spaces required for the 50 residential units.

- **Site Plan Review Findings** for a development with 50 dwelling units.

Again, the EEC will be co-located with the proposed residential project, but is not part of the project. It will total 16,472 square feet of floor area and include 10,748 square feet of playground area. (See Project Discussion for further discussion.)

**Background**

The project site is located in the Glassell Park community, which is approximately three miles north of Downtown Los Angeles. The subject site is comprised of five lots to form an irregular-shaped site. The site slopes up in excess of 20 feet from Verdugo Road towards the site’s eastern property line near Carlyle Street. The site totals 59,365 square feet and is zoned PF-1 and has a Public Facilities land use designation in the Northeast Los Angeles Community Plan. The site is also located within the Mount Washington – Glassell Park Specific Plan (Ordinance 168,707) and the East Los Angeles State Enterprise Zone (ZI-2129).
According to the Northeast Los Angeles Community Plan, the land use designations for the properties surrounding the project site include residential multi-family, industrial, commercial and public facilities. The site is located just to the east of the convergence of San Fernando Road, Eagle Rock Boulevard and Verdugo Road. Eagle Rock Boulevard and San Fernando Road are designated both as Major Highway Class II, and Verdugo Road is a Collector Street. The project site is located at the northeast corner of Avenue 30 and Carlyle Street, while also fronting Verdugo Road, which is bisected by Avenue 30 towards the northern end of the subject property.

Adjacent uses are multiple-family dwellings immediately north of the site on the east side of Verdugo Road in the RD1.5-1 zone, and light industrial buildings to the north on the west side of Verdugo Road in the M1-1 zone. Glassell Park Elementary School is located to the immediate south on the east side of Avenue 30 and on the south side of Carlyle Street in the PF-1 zone. South of the elementary school are properties that include a mix of residential and commercial uses including a supermarket, a half-way house, and multi-family buildings in the RD2-1 and [Q]C2-1VL zones. To the east are multiple-family buildings in the RD2-1 zone. To the west along the west side of Verdugo Road and Avenue 30 are an auto repair shop, a car wash, a light industrial building and multi-family housing on the east side of Eagle Rock Boulevard and Cypress Avenue in the M1-1, [Q]MR1-1VL and RD1.5-1 zones. On the west side of Eagle Rock Boulevard and Cypress Avenue are a mix of commercial uses including restaurants, a donut shop, an art gallery, a storage facility and a church in the MR1-1, M1-1, and RD2-1 zones.

The site is served by several MTA bus lines that run on four separate streets all within two blocks from the site. Immediately adjacent to the project sits the MTA shuttle line 685 that runs along Verdugo Road on weekdays. MTA Rapid Bus Line 794 runs to and from Downtown Los Angeles to the south and to and from Glendale and Burbank to the north along San Fernando Road every 10 minutes during weekday peaks and has a stop near Lincoln/Cypress Station of the Metro Gold Rail Line. Line 794 also has stops in downtown Los Angeles at the Civic Center and Pershing Square stations for the Metro Red, Purple, and Blue Rail lines. MTA Bus Lines 90, 91, 94 also run along San Fernando Road and connect to Downtown Los Angeles. Located one block from the project site, MTA Bus Line 84 runs to and from Downtown Los Angeles along Eagle Rock Boulevard. Line 84 has a stop near the Lincoln/Cypress station of the Gold Rail Line. Division Street, two blocks south of the project site, is served by MTA Bus Line 176 (an east-west route from Glassell Park to El Monte Station).

Verdugo Road is a Collector Street dedicated to a width of 66 feet. Carlyle Street is a Local Street dedicated to a width of 60 feet. Avenue 30 is also a Local Street dedicated to a width of 60 feet.

(See Exhibit E-1 Radius Map).

On-site relevant cases include the following:

Ordinance 165351-SA1798 and SA1800. Effective January 28, 1990, this ordinance amended zones and height districts in Northeast Los Angeles. The subject property consists of two Subareas. Subarea 1798 was rezoned from C2-1 to R3-1. Subarea 1800 was rezoned from R3-1 to RD1.5-1.
Off-site relevant cases include the following:

**CPC-1989-177-Ipro.** On November 18, 1998, the City Council re-enacted the Northeast Los Angeles Community Plan Interim Plan Revision Ordinance. Ordinance 171,801 expired November 21, 1998. The new ordinance is necessary to continue regulations of the issuance of building permits in this area until the Northeast Los Angeles Community Plan revision has been adopted. This refers to Ordinance 172,316, which established interim regulations for issuance of building permits.

**Ordinance No. 172316.** Effective November 27, 1998, this ordinance established interim regulations for the issuance of building and demolition permits for certain residential, commercial and industrial projects, and the interim control ordinance was designed to regulate permits in order to preserve the scale, density, and character of neighborhoods until a revised plan is adopted in the Northeast Los Angeles Community Plan area. Building permits were not to be issued for any multiple-family residential projects in the RD1.5-1 zone or less restrictive zone unless the project conformed to land use regulations established in the Ordinance. The Ordinance did not apply to a building permit for a project located within the Mount Washing/Glassell Park Specific Plan area.

**Ordinance No. 173539-SA3410.** Effective November 15, 2000, this ordinance amended zones and height districts in the Northeast Los Angeles Community Plan Revision. The subject property is combined into one Subarea, unlike Ordinance 165,351. Subarea 3410 was rezoned from R3-1 to PF-1, notwithstanding that the then-existing zoning consisted of R3-1 and RD1.5-1.


**ZI-2129.** The project site is shown as "Eastside State Enterprise Zone" which is also known as the Enterprise Zone/Employment and Economic Incentive Program Area (EZ). EZs are specific geographic areas designated by City Council resolution, and have received approval from the California Department of Commerce under either the Enterprise Zone Act Program or Employment and Economic Incentive Act Program. The Federal, State and City governments provide economic incentives to stimulate local investment and employment through tax and regulation relief and improvement of public services.

**Project Discussion**

The following section is a discussion of some of the relevant issues pertaining to the project. Discussions stem from information obtained from the applicant and from the public hearing held on March 4, 2009.

**Project Objectives.** The proposed project is intended to address the need for an EEC in the Glassell Park area and to respond to a critical need for affordable housing within the Los Angeles region. Implementation of the proposed project is intended to fulfill the following objectives:

- To provide a high quality early education program to maximize school readiness.
- To develop a joint-use EEC and affordable housing project in the Mount Washington-Glassell Park Specific Plan area.
- To minimize the displacement of existing residences when siting new school facilities.
• To maximize the use of District-owned property when siting new school facilities.
• To find suitable sites for joint-use development opportunities.
• To provide affordable housing to low-income households in collaboration with a private non-profit developer.

**Co-Location/Joint Use Site.** The 50-unit residential development would be developed by Abode Communities while the Early Education Center by LAUSD. According to the applicant, the project is the first of its kind to co-locate public resources, schools and housing to create communities of school and families in one area. The subject site is ideal to provide a quality project within a quality community where people could access services. The project would be a model for future opportunities for LAUSD and affordable housing developers for co-location.

The project manager for the LAUSD development stated the main objective of the project was to provide the best education to students and to bring in a partner who could take on the development of housing. Several challenges of bringing a joint use development. Such included working with different agencies such as the Community Redevelopment Agency, the Housing Department, the Department of Building and Safety, the Department of City Planning, etc. Two other Request for Proposals have been issued for projects that will include joint use with LAUSD schools.

**Early Education Center.** The proposed EEC is planned to provide 175 year-round seats for pre-K students, ages 3 to 5. Enrollment for the EEC is based on family size and income, with the lowest income families (adjusted for family size) admitted first. Proposed school hours are from 6:00 AM to 6:00 PM, with staff arriving at 5:30 AM and leaving by 6:30 PM. The students would arrive between 6:00 AM and 8:00 AM and leave between 3:00 PM and 6:00 PM.

When the EEC facilities are not scheduled for school- or District-related events, members of the community may obtain a permit from the District to use of the multi-purpose room and classrooms. Operation of the school facilities for community use may occur outside normal school operating hours, generally between 7:00 PM and 10:00 PM during the weekdays and all day on the weekdays.

**Residents and Students on the Site.** The purpose of the joint public-private partnership is to create communities, school and families in one area. A development agreement between Abode Communities and the LAUSD was created to ensure students would be protected from the development of the project. Discussions have been made with the LAUSD to allow residents to utilize the play area of the EEC during non-school hours. A fence is also provided to separate the residential uses from the EEC. Also, residents will have access to on-site services such as afterschool programs, homework assistance, college prep sessions, and computer literacy for children and adults. A resident services coordinator will be on-site to connect residents to services in community. Residents will also be protected from noise from the EEC because the building orientations are designed to draw noise to the playground. A portion the EEC will block noise from entering into the courtyard to minimize impacts noise impacts from the EEC.

**Site Planning.** At the public hearing, the project architect emphasized the importance of site planning for this project. Since the project proposes an affordable housing project, the applicant wanted to make a deep commitment to green development. Site planning for the project is factored in three main elements: 1) the relationship with the EEC. Since the project’s south-facing courtyard abuts the EEC, there are shared spaces and shared views. This led to placement of open community spaces for the project. 2) The building’s orientation is considered since sustainability is connected to energy performance. Thus, good site planning is important.
The project will face the south and have minimal exposure from the west. This is optimal for performance standards because it will allow for residents to rely less on air conditioning to cook the buildings and reduce energy. 3) Finally, the sloping nature was another factor in site planning. The site has a 26-foot height difference from lowest to highest points of site. The two stories of parking are semi-subterranean at the front of the site, and is deeper subterranean at back of site.

**Height.** LAMC Section 12.21.1-B,2 grants an additional 12 feet to the maximum allowed height within the subject zone. In the PF-1 zone, the maximum height allowed is 45 feet. Since the project is located on a site where the slope is approximately 26 feet, the maximum allowed height is 57 feet. The applicant has requested a maximum height of 63 feet 6 inches for the proposed building. The most recent submitted plans show the proposed building at a maximum height of 60 feet. The structure is set back approximately 21 feet 6 inches from the property line fronting Verdugo Road. Most of the building consists of a flat roof ridge that reaches a height of 58 feet. However, four segments of the top of the parapet portions of the building reach 60 feet.

**Density.** The LAMC requires as of right joint use project to follow the most restrictive adjoining zone to the subject property, which in this case, is the RD2 zone. However, the zoning designation of the largest, common property line with the housing portion of the joint public and private development use project is the RD1.5 zone and there are M1 zoned uses directly across the street. The RD2 zone is adjacent to the east and thus adjoining the common property line for the most part with the proposed EEC. The project will be in proper relation to adjacent uses and the development of the community by developing the number of affordable housing units at the density consistent with the immediately adjacent RD1.5 zone alongside the common property line where the housing is to be located. It should be noted that in 1990, the subject property was rezoned from C2 and R3 to R3 and RD1.5, respectively, while an ordinance adopted in 2000 notes that the subject property was rezoned from R3 to PF. Properties in the C2 zone may be developed into residential units utilizing the lot area requirements of the R4 zone, which permits one dwelling unit per 400 square feet of lot area. As recently as eight years ago, prior to the adoption of a PF zone on the subject property, the site had been zoned R3 and RD1.5, which would permit a density higher than what is sought than the subject project.

**Setbacks.** No yard or setback requirements are prescribed by LAMC Section 12.04.09 for projects in the PF zone. However, any join public and private development use in the PF zone is permitted in the most restrictive adjoining zones. The two most restrictive adjoining zones are the RD1.5-1 and RD2-1, with the latter being more restrictive. The yard and setback requirements of the RD2 and RD1.5 zones are similar. These zones require a front yard of 15 feet. The side yard requirement for a building not more than two stories in height is five feet, with one foot added to the side yard width for each additional story above the second story, not to exceed 16 feet in height. There is no yard on the subject site that meets the definition of a rear yard. The Code defines a rear yard as a “yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and the line parallel thereto on the lot.” The narrowest street frontage along Verdugo Road becomes the front yard, with no true rear yard. Without a rear yard, all other yards on the project site identified as side yards. Thus, the project proposes yards consistent with the RD zoning surrounding the site. A front yard of 15 feet is provided along Verdugo Road, while side yard setbacks 8 feet are proposed for each of the remaining yards except for approximately 50 feet of the residential building fronting Avenue 30, which comes within 5 feet of the property line. It should be noted that a ships ladder is required and installed along the northerly side yard setback. This ladder will be 10 inches in depth and will lead a request for a variable northerly side yard setback of 7 feet 2 inches to 8 feet.
Parking. As part of the project request, a zone variance is requested to provide of 55 parking spaces in lieu of the required 82 parking spaces required for the 50 residential units. Recent changes to the affordable housing incentives have eliminated the “by-right” parking reduction historically offered to projects with an affordable housing component. Thus, a variance is requested which would allow the applicant to provide parking at a ratio of one space for each unit. Since the manager’s unit exceeds the Code defined three habitable rooms, the Code requires a minimum two parking spaces. In all, the 49 parking spaces for the affordable units and the two spaces for the manager’s unit would leave a surplus of four parking spaces for residents if the zone variance is granted.

Mount Washington-Glassell Park Specific Plan. The project site is located within the Mount Washington-Glassell Park Specific Plan area. The Specific Plan was adopted by the City in April 1993 to assure that development proceeds in an orderly fashion and is in conformance with the General Plan. The regulations set forth in the Specific Plan are in addition to those set forth in the LAMC. The Specific Plan contains an overlay of more or less restrictive front yards, less restrictive height, more restrictive floor area ratios, and more restrictive landscaping requirements, or other greater restrictions or limitations on single- and multi-family developments than would be required by the provision contained in the LAMC. The applicant will submit a separate application to the Community Planning Bureau for compliance with the Mount Washington-Glassell Park Specific Plan. The project received pre-authorization to file on December 12, 2008.

Cypress Park and Glassell Park Community Design Overlay (CDO) District. The Cypress Park and Glassell Park CDO advocates design guidelines and standards that illuminate certain design issues, and includes properties along the east side of Verdugo Road with the notable exception of the project site. The boundary of the CDP appears to circumvent all of the PF zoned properties. Nevertheless, the CDP established multi-family residential guidelines and standards that illuminate certain areas and their driveway accesses should be kept out of view form the public street, locating parking areas under ground or at the rear of properties. By encroaching within the side yard setback for its subterranean parking, the project is able to disguise parking from the public view. Considering the CDO applies its guidelines to all other properties along the east side of Verdugo Road, with the exception of the PF zoned parcels, it is notable that the project’s compliance with the desire to achieve a less intrusive project on the neighborhood by shielding its parking from public view is proper in relation to the adjacent uses along Verdugo Road and the development of the community. The proposed project located all of its parking underground, meeting the intent of the CDO.

Community Outreach. Community outreach has been a vital component for the project. According to the applicant, several meetings were held with regards to this project. Residents within a 500-foot radius from the project site were notified of public meetings, including those for the environmental impact report. Public meetings were held throughout 2008. In accordance with CEQA requirements, LAUSD provided a 30-day scoping/comment period between January 22, 2008 to February 20, 2008 and requested stakeholders to identify specific topics of environmental concern that should be studied in the Draft EIR. A scoping meeting was held on January 31, 2008 to provide the public with an opportunity to comment on the project and raise any additional concerns or issues that should be addressed in the EIR. A public meeting was also held on June 3, 2008 to present conclusions of the Draft EIR and provide an opportunity for the public to comment on the Draft EIR. A third meeting was held on September 30, 2008. All three community meetings were held at the Glassell Park Elementary School.
Presentations were also made before the Glassell Park Neighborhood Improvement Association. Throughout 2007, several meetings were held with the Council Offices of Eric Garcetti. At the public hearing, the applicant stated the project was presented to the Mayor’s Office, and stated their letter of support would be issued shortly.

Meetings were also held with the Community Redevelopment Agency, even though the project site is not located within a redevelopment area. Project team members consulted the CRA to find ways to make the redevelopment of the site successful. Other meetings include the Los Angeles Housing Department, the Department of City Planning’s Community Planning Bureau, and the Mayor’s Office. A complete list of 11 meetings with the community and with stakeholders is included in the case file folder.

Compatibility. As stated previously, the applicant will submit an application to the Planning Department for compliance with the Mount Washington – Glassell Park Specific Plan to ensure compatibility with development standards of the overlay area. The Community Planning Bureau will process the application request for a Project Permit Compliance, and include findings and conditions of approval to ensure the project will be consistent with the development standards of the Specific Plan. Also, the project proposes RD1.5 development standards to be compatible with surrounding uses. The project will also incorporate mitigation measures to ensure neighboring uses are not significantly impacted by the proposed development.

LEED Certification. While the project is not subject to the Green Building Program, the project has voluntarily offered to make this project a LEED certifiable project. At the public hearing, the applicant stated the project will achieve a minimum LEED Silver Certification. However, the applicant stated the project will strive for LEED Gold Certification. LEED points will be derived from the following: Innovation and Design Process (integrated project planning, quality management for durability, innovative/regional design); Location and Linkages (site selection, preferred locations, and infrastructure); Sustainable Sites (landscaping, surface water management, and non-toxic pest control); Water Efficiency (irrigation system and indoor water use); Energy and Atmosphere (ENERGY STAR home, insulation, air infiltration, windows, duct tightness, space heating and cooling, water heating, lighting, appliances, renewable energy, and refrigerant management); Materials and Resources (material efficient framing, environmentally preferable products, and waste management); Indoor Environmental Quality (combustion venting, outdoor air ventilation, local exhaust, supply air filtering, and garage pollutant protection); and Awareness and Education (education for homeowner and/or tenants). A copy of the submitted LEED worksheet is included in the file folder.

Design. The scale, massing, and location of the proposed residential building will respond to the unique shape of the site and to the predominantly residential context of the properties that adjoin the project sit to the north and east. The project will consist of two levels of underground parking with four residential levels above ground. The project fosters pleasing architectural design elements that are unique to the community, and it will avoid the unattractive blank walls and stucco boxes that are deemed inhospitable to the streetscapes. Additionally, the project’s parking is concealed from street view, thereby avoiding street-front parking. The project also proposes a hospitable streetscape with extensive landscaping fronting on Verdugo Road and in the side yard adjacent to other residential properties.
Walkability. The project seeks to be inviting for its residents, as it will be located within one or two blocks of properties with a mix of predominantly commercial uses, even through parcels are zoned commercial and industrial in the immediate area. These commercial uses include businesses that attract are neighborhood serving, such as restaurants, a donut shop, a super market, video stores, a laundry, dry cleaning, and an art gallery. Along the proximate Eagle Rock Boulevard and San Fernando Road are walkable areas that are highly urbanized and conducive to pedestrian activity. Several mass transit options are available along Eagle Rock Boulevard, San Fernando Road, Verdugo Road, and Division Street.

The building will be oriented along Verdugo Road. Front entrance will be at ground level and located at the west portion of the site, south of the driveway entry into the residential parking near Verdugo Road. The front entrance will be approximately 17 feet six inches from the property line. The building frontage will face both Verdugo Road and Avenue 30 and have two entry points for residents. The main entry point will be at ground level and face Verdugo Road. The second entry point will be through Avenue 30, which will allow residents to stairway up to a raised platform that leads residents into the courtyard.

The building design will include articulation and recessing surface perforations and porticoes to break up long, flat building facades on the subject building. The color and design will include different tones to highlight the building’s massing and articulation.

Parking will be accessed just north of the main pedestrian entrance. Lighting will be directed onto the site to promote safety. No building signage will be proposed.

Landscaping will be located along the perimeters of the site abutting Avenue 30 and Verdugo Road. Two street trees will be provided along Avenue 30, while on the property, plantings and trees will be placed on alongside the building. Trees will also be planted along the north border and east border as shown on the architectural plans labeled Parking Level 1 in the file folder. Meanwhile, two trees will be planted along the south border abutting one of the Early Education Center structures. These trees will serve to delineate the property line and soften the impact of the development. The courtyard will be walkable as four trees as well as plantings will be included to provide a walkable experience.

Conclusion

The applicant will be placing residential units on the same site as a school facility. By co-locating a residential use with an Early Education Center, the applicant will help fulfill the goals of the LAUSD to bring in a quality affordable housing project, that is developed as a joint use project with an EEC in the Mount Washington-Glassell Park Specific Plan area, minimizes the displacement of existing residences when siting new school facilities, brings optimal siting for the proposed uses, and provides affordable housing to low-income households in collaboration with a private non-profit developer.

The project’s location is ideal since the site is located within a neighborhood that has a mix of residential, industrial, commercial, and public facilities uses. The 50-unit affordable housing project will be compatible with the character of the neighborhood with regards to use, height, setbacks, density, and scale. The project will also be subject to the Mount Washington-Glassell Park Specific Plan to ensure compatibility with the surrounding uses. The site is also within two blocks of several public transit lines that enable residents to utilize transit.
The project will improve the existing vacant lot by an infill development that brings in more residential homes with no residential displacement, and a viable use that improves the aesthetics, safety and security of the area. The design will also

The project itself will provide several benefits. The applicant has volunteered the project to be a minimum Silver LEED certifiable project and strive for Gold LEED certification. The project will also provide many benefits to the residents as well as the area. Since the project is co-located with an EEC, the project will be able to offer services and classes including job skills workshops, parenting classes, computer classes, after school programs, leadership development, ESL classes, and community safety groups. Community facilities in the housing development will be accessible to the EEC for use by teachers and staff.

Both the applicant and the LAUSD have successfully conducted outreach to different agencies and departments, the community and neighborhood organizations. Meetings were also held with the Community Redevelopment Agency, even though the project site is not located within a redevelopment area. Project team members consulted the CRA to find ways to make the redevelopment of the site successful. Other meetings include the Los Angeles Housing Department, the Department of City Planning’s Community Planning Bureau, and the Mayor’s Office. Presentations were also made before the Glassell Park Neighborhood Improvement Association. Throughout 2007, several meetings were held with the Council Offices of Eric Garcetti. At the public hearing, the applicant stated the project was presented to the Mayor’s Office, and stated their letter of support would be issued shortly. Neighbors within a 500-foot radius were also notified of meetings pertaining to the project. Comments were carefully considered in developing this project.

The project also meets the objectives of the Glassell Park Community Plan, and will be required to comply with the Mount Washington-Glassell Park Specific Plan. Findings will be required to be in conformance with the Specific Plan.

Based on the information submitted, the public hearing, and the proposed project’s compliance with the Northeast Los Angeles Community Plan Department of City Planning is recommending that the City Planning Commission approve the requested entitlements.
CONDITIONS OF APPROVAL

A. Entitlement Conditions

1. **Use.** The project as approved is for a 62,949 square foot residential building with a maximum height of 63 feet 6 inches in the PF-1 zone. A maximum density of 50 residential dwelling units is permitted. However, of the total, 49 units shall be set aside for low and very low income households of not more than 60 percent of area median income, and one unit shall be set aside as a non-restricted manager’s unit.

2. **Site Plan.** Prior to the issuance of any building permits for the subject Project, detailed development site and elevation plans including complete landscape and irrigation plans by a licensed landscape architect or architect, shall be submitted for review and approval by the Department of City Planning for verification of compliance with the imposed conditions. The plans shall be in substantial conformance with the site plans labeled as “Exhibit A” stamped and dated April 10, 2009, or as modified by the City Planning Commission attached to the subject case file. Minor deviations may be allowed in order to comply with provision of the LAMC, the subject conditions, and the intent of the subject permit authorization.

3. **Floor Area Ratio.** The maximum floor area permitted is 3:1 based on the project plans labeled “Exhibit E-1” stamp-dated April 10, 2009.

4. **Setbacks.** The project shall provide a minimum front yard setback of 15 feet, and variable side yard setbacks of 5 feet to 8 feet as shown on the project plans labeled “Exhibit E-1” Stamp-dated April 10, 2009.

5. **Parking.** A total of 55 parking spaces shall be provided for the 50 residential units. Prior to the issuance of a building permit, the Applicant shall submit a parking plan for the residential component of the project identifying the location and distribution of the parking spaces.

6. **Affordable Housing.** Prior to the issuance of a building permit, the applicant shall submit evidence to the Planning Department that a funding agreement for the affordable housing requirement to provide a 49 units set aside for low and very low income households of not more than 60 percent of area median income and one non-restricted manager’s unit has been entered into with the appropriate state or federal entity/source and approved by the City Council. Such evidence shall be included in the subject case file.

B. Environmental Impact Report Mitigation Measures

7. **Air Quality.**

   a. If the electrical connections are available, petroleum powered construction equipment shall utilize electricity from power poles rather than temporary diesel power generators and/or gasoline power generators.

   b. On-site mobile equipment shall be powered by alternative fuel sources (for example, methanol, natural gas, propane or butane), as feasible.

   c. All construction equipment shall be properly tuned and maintained in accordance with manufacturer’s specifications.
d. Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment shall be turned off when not in use for more than 30 minutes. Diesel-fueled commercial motor vehicles with gross vehicular weight ratings of greater than 10,000 pounds shall be turned off when not in use for more than five minutes.

e. Construction traffic shall be routed to travel major roadways and avoid residential areas and schools.

8. Cultural Resources.

a. If historical or unique archaeological resources are discovered during construction activities, the contractor shall halt construction activities in the immediate area and notify the LAUSD. LAUSD shall retain a Qualified Archeologist to make an immediate evaluation of significance and appropriate treatment of the resource. To complete this assessment, the Qualified Archeologist shall be afforded the necessary time to recover, analyze, and curate the find. The Qualified Archeologist shall recommend the extent of archeological monitoring necessary to ensure the protection of any other resources that may be in the area. Construction activities may continue on other parts of the building site while evaluation and treatment of historical or unique archaeological resources takes place.


a. The affordable housing developer shall apply for all variances, CUPs or other entitlements, as needed, from the City to conform to the City’s land use plan, policy and zoning regulations, including but not limited to those regulations governing density, open space, setback, yards, height and parking.

10. Noise

a. LAUSD or Glassell Park, LLC shall require its construction contractor to comply with Los Angeles Municipal Code Section 112.05 such that construction activities shall be performed in accordance with LAUSD’s and applicable City of Los Angeles’ noise standards. Noise Ordinance Section 41.40 of the Los Angeles Municipal Code restricts construction noise to between the hours of 7:00 AM and 9:00 PM, Monday through Friday (8:00 AM to 6:00 PM on Saturday and national holidays). No construction is allowed on Sundays. No noise-intensive construction or repair work shall be performed between the hours of 9:00 PM and 7:00 AM on any weekday, or before 8:00 AM or after 6:00 PM on any Saturday, or at any time on Sundays or federal holidays.

b. LAUSD shall require its construction contractor to equip all stationary and mobile construction equipment with properly operating and maintained muffling devices.

c. LAUSD shall require its construction contractor to provide advance notification to adjacent property owners and post notices adjacent to the Proposed Project site with regard to the schedule of construction activities.

d. LAUSD shall require its construction contractor to require stationary construction equipment and vehicle staging areas be placed such that noise is directed away from sensitive receptors.
e. Prior to and during construction of the proposed project, the LAUSD construction contractor shall notify the existing Glassell Park Elementary School administration when high noise producing activities are anticipated to occur and shall consult with the administration regarding the construction schedule and procedures.

f. LAUSD’s construction contractor shall implement the use of sound blankets along the northern, northeastern, and southeastern portion of the Proposed Project’s property lines located between the Proposed Project site and adjacent residential properties and Glassell Park Elementary School. The sound blankets shall be placed such that the line-of-site between construction activity and Glassell Park Elementary School is blocked.


a. A minimum of four months prior to opening of the early education center, the LAUSD Office of Environmental Health and Safety (OEHS) shall contact the City of Los Angeles Department of Transportation (DOT) to coordinate the installation of signs to create passenger loading zones. The signs for the passenger loading zones would state, “Passenger Loading Only 6:30 – 9:00 A.M. and 4:30 – 6:00 P.M., and 2-Hour Parking 7:00 A.M. to 1:30 P.M.,” or “15-Minute Parking 7:00 A.M. to 6:00 P.M. School Days,” or provide other notice as deemed appropriate by the LAUSD. The precise locations and lengths of the restricted on-street parking zones would be determined jointly by the LAUSD and LADOT.

b. Six months prior to the opening of the school, the LAUSD OEHS shall contact LADOT’s Citywide Traffic Control Program Section for preparation of a “Pedestrian Routes to School” plan for the safe arrival and departure of students in accordance with the “School Area Pedestrian Safety Manual.” The plan shall include a “Pedestrian Routes to School” map for distribution to all school attendees. Parents and students shall be notified to use the existing traffic safeguards.

c. A minimum of four months prior to opening the early education center, LAUSD OEHS shall contact the LADOT to coordinate the installation of appropriate traffic controls, school warning and speed limit signs, school crosswalks, and pavement markings.

d. After occupancy of the school, the LAUSD OEHS shall request that LADOT conduct a study for the assignment of crossing guards at designated intersections, as needed to enhance pedestrian safety. If a crossing guard is warranted (as determined by the study), the LAUSD shall coordinate with LADOT to provide crossing guards when necessary.

D. Other

12. Noise (Residential). All exterior windows shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Class of 50 or greater as defined in UBC No. 35-1, 1979 edition or any amendment thereto. As an alternative, the developer may retain an acoustical engineer to submit sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.

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13. **Air Pollution (Stationary).** The applicant shall install an air filtration system capable of removing 99.97% of all airborne contaminants at 0.3 microns in order to reduce the diminished air quality effects on occupants of the project.

14. **Dust Walls.** Temporary dust walls (e.g., Visqueen plastic screening or other suitable product) not less than 8 feet in height shall be installed and maintained along the property line between the site and adjoining residential lots as necessary to preclude dust dispersion from the project site to adjacent homes.

15. **Graffiti Removal.** The subject property shall be maintained clean and free of debris and rubbish and to promptly remove any graffiti from the walls, pursuant to Municipal Code Sections 91.8101-F, 91.8904-1 and 91.1707-E. Exterior walls of visible structures other than glass may be covered with clinging vines, screened by vegetation capable of covering or screening entire walls up to heights of at least 9-feet.

16. **Maintenance.** The subject property including associated parking facilities, sidewalks, courtyard areas, and landscaped planters adjacent to the exterior walls along the property lines shall be maintained in an attractive condition and shall be kept free of trash and debris. Trash receptacles shall be located throughout the site.

17. **Aesthetics.** The structure, or portions thereof shall be maintained in a safe and sanitary condition and good repair and free of graffiti, trash, overgrown vegetation, or similar material, pursuant to Municipal Code Section 91.8104. All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the decision maker.

18. **Construction Parking.** Off-street parking shall be provided for all construction-related employees generated by the proposed project. No employees or subcontractors shall be allowed to park on the surrounding streets for the duration of all construction activities. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any residential street in the immediate area. All construction vehicles shall be stored on-site unless returned to the base of operations.

19. **Construction Traffic.** Prior to the start of construction, a construction work site traffic control plan shall be submitted to the Department of Transportation for review and approval. The plan shall show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties, if applicable.

20. **Truck Traffic Restricted Hours.** Truck traffic directed to the project site for the purpose of delivering materials or construction-machinery shall be limited to the hours beginning at 9:00 AM and ending at 4:00 PM, Monday through Friday. No truck deliveries shall occur outside of that time period. No truck queuing related to such deliveries to the project site shall occur on any local or collector street within the project vicinity outside of that time period.

21. **Posting of Construction Activities.** The adjacent residents shall be given regular notification of major construction activities and their duration. A visible and readable sign (at a distance of 50 feet) shall be posted on the construction site identifying a telephone number for inquiring about the construction process and to register complaints.
E. **Administrative Conditions**

22. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.

23. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions may vary.

24. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement shall be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.

25. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.

26. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.

27. **Building Plans.** Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.

28. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director of Planning, pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if in the decision makers opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

29. **Mitigation Monitoring.** The applicant shall identify mitigation monitors who shall provide periodic status reports on the implementation of the Environmental Conditions specified herein, as to area of responsibility, and phase of intervention (pre-construction, construction, post-construction/maintenance) to ensure continued implementation of the Environmental Conditions.

30. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
FINDINGS

1. **Conditional Use Permit Findings (Residential Use in the PF Zone).** Pursuant to LAMC Section 12.24-U.21, a conditional use permit is necessary for a 50-unit residential project in the PF zone. The project is within a C4 zone and is located directly adjacent to an R zoned parcel. A conditional use permit requires the following findings from the Zoning Administrator, pursuant to LAMC Section 12.24-E:

   a. *Why does applicant believe the location of the project will be desirable to the public convenience and welfare.*

      The project will be an infill development that will co-locate a residential use with a school. The residential use will bring a viable residential use to the area to improve security, neighborhood perception, and upkeep of the area. The site is also desirable because several bus lines are located within two blocks of the site. This will enable residents to take advantage of public transit to help reduce vehicle dependency, traffic congestion, and air pollution. The site will co-locate both a residential development and an Early Education Center. The fact that the site itself will include an Early Education Center as well as being near the Glassell Park Elementary School, allows the project to serve the immediate neighborhood and even the local community of services and classes within the site. Most importantly, the project will bring affordable housing to the area as well as the region. A total of 50 residential units are proposed where 49 units would be set aside for low and very low income households. One remaining unit will be set aside as a non-restricted manager’s unit. These units will provide the area with a bedroom mix of two and three bedroom units. This will accommodate households of different sizes and meet the housing needs of the immediate area. As such, the project location will be desirable for public convenience and welfare.

   b. *Describe how the proposed project will be proper in relation to adjacent uses of the development of the community.*

      The location of the proposed project is proper in relation to the adjacent uses and the development of the community because the project site is a residential neighborhood characterized by multi-family dwellings, light industrial uses, and a school near the site. The project will provide a residential project that will be co-located with an Early Education Center. The project will blend with the existing surrounding uses and the Conditional Use to allow a residential project in the PF zone will allow for a development that is consistent with the surrounding zone by developing the site with RD1.5 density, setbacks, and other regulations.

      In the PF-1 zone, the maximum height allowed is 45 feet. Since the project is located on a site where the slope is approximately 26 feet, the maximum allowed height is 57 feet. The proposed residential structure is set back approximately 21 feet 6 inches from the property line fronting Verdugo Road, and achieves its maximum height at a depth of approximately 33 feet 6 inches, or at a distance of approximately 55 feet from the property line. The remaining portions of the building would be within the permitted 57 foot height limit.
The LAMC requires as of right joint use project to follow the most restrictive adjoining zone to the subject property, which in this case, is the RD2 zone. However, the zoning designation of the largest, common property line with the housing portion of the joint public and private development use project is the RD1.5 zone and there are M1 zoned uses directly across the street. The RD2 zone is adjacent to the east and thus adjoining the common property line for the most part with the proposed EEC. The project will be in proper relation to adjacent uses and the development of the community by developing the number of affordable housing units at the density consistent with the immediately adjacent RD1.5 zone alongside the common property line where the housing is to be located. It should be noted that in 1990, the subject property was rezoned from C2 and R3 to R3 and RD1.5, respectively, while an ordinance adopted in 2000 notes that the subject property was rezoned from R3 to PF. Properties in the C2 zone may be developed into residential units utilizing the lot area requirements of the R4 zone, which permits one dwelling unit per 400 square feet of lot area. As recently as eight years ago, prior to the adoption of a PF zone on the subject property, the site had been zoned R3 and RD1.5, which would permit a density higher than what is sought than the subject project.

No yard or setback requirements are prescribed by LAMC Section 12.04.09 for projects in the PF zone. However, any joint public and private development use in the PF zone is permitted in the most restrictive adjoining zones. The two most restrictive adjoining zones are the RD1.5-1 and RD2-1, with the latter being more restrictive. The yard and setback requirements of the RD2 and RD1.5 zones are similar. These zones require a front yard of 15 feet. The side yard requirement for a building not more than two stories in height is five feet, with one foot added to the side yard width for each additional story above the second story, not to exceed 16 feet in height. There is no yard on the subject site that meets the definition of a rear yard. The Code defines a rear yard as a “yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and the line parallel thereto on the lot.” The narrowest street frontage along Verdugo Road becomes the front yard, with no true rear yard. Without a rear yard, all other yards on the project site identified as side yards. Thus, the project proposes yards consistent with the RD zoning surrounding the site. A front yard of 15 feet is provided along Verdugo Road, while side yard setbacks 8 feet are proposed for each of the remaining yards except for approximately 50 feet of the residential building fronting Avenue 30, which comes within 5 feet of the property line.

The project will also be subject to the Mount Washington- Glassell Park Specific Plan. The Specific Plan contains an overlay of more or less restrictive front yards, less restrictive height, more restrictive floor area ratios, and more restrictive landscaping requirements, or other greater restrictions or limitations on single- and multi-family developments than would be required by the provision contained in the LAMC. The project will be required to receive a Project Permit Compliance to show conformance with the Specific Plan. Should the project require deviations from the plan, findings will be required to grant either a Specific Exception of necessary adjustments.

c. Describe how the proposed project will not be detrimental to the character of development in the immediate neighborhood and will be in harmony with the various elements and objectives of the General Plan.
The project will not be detrimental to the character of the development in the immediate neighborhood. The neighborhood is characterized as a mix of multi-family dwellings, light industrial uses, and a school near the site. The 50-unit residential project will be consistent with the development in the immediate area, and provide additional benefits to the surrounding area. For example, residents will have access to on-site services such as after school programs, homework assistance, college prep sessions, and computer literacy for children and adults. The site is underutilized, and in need of a bringing in a development that will meet the needs of the neighborhood while being consistent with its character.

The project will also be in harmony with various elements and objectives of the General Plan. Objectives and policies of the Northeast Los Angeles Community Plan include the following:

“Objective 1-2 To allocate land for new housing to accommodate a growth of population that is consistent with and promotes the health, safety, welfare, convenience, and pleasant environment of those who live and work in the community based on adequate infrastructure and government services, especially schools.”

“Policy 1-2.1 Designate specific areas to provide for adequate residential development to accommodate anticipated increases in population while maintaining a balance between single-family and multiple family uses.”

“Policy 1-2.1 Locate higher residential densities near commercial and institutional centers, light rail transit stations, and major bus routes to encourage pedestrian activity and uses of public transportation, providing that infrastructure, public service facilities, utilities, and topography will fully accommodate this development.”

The project will provide affordable units to low and middle income households of different household sizes. The project will also address expected growth for the area as well as the region. Furthermore, the project’s location enables residents to take advantage of local transit opportunities that exist within two blocks of the project site. This will allow the residence to utilize viable transportation options. Furthermore, the project will replace a vacant lot used as surface parking with a viable use that will improve the aesthetics of the neighborhood, bring eyes to the street and improve the area by bringing in a sense of security, and services will be provided to residents. Such include job skills workshops, parenting classes, computer classes, after school programs, leadership development, ESL classes, and community safety groups. Community facilities in the housing development will be accessible to the EEC for use by teachers and staff. Thus, the project will bring many services and benefits to the community.

“Objective 1-3” To preserve and enhance the residential character and scale of existing single- and multi-family neighborhoods.”

“Policy 1-3.1 Protect the quality and scale of the residential environment through attention to the appearance of new construction including site planning and compatible building design.”
“Policy 1-3.2 Consider factors, such as neighborhood character and aesthetics, identity; compatibility of land uses; impacts on livability, services, public facilities, and traffic levels, when changes in residential densities are proposed.”

The project will achieve the residential character and scale of the neighborhood by developing to a density consistent and compatible with surrounding properties. The neighborhood character and aesthetics are enhanced by the design of the project, which factors in the Cypress Park and Glassell Park Community Design Overlay District. The project will include articulation and recessing surface perforations and porticoes to break up long, flat building facades on the subject building. The project will also be subject to the Mount Washington-Glassell Park Specific Plan to ensure the project will be compatible with the neighborhood.

**Transportation Element.** The Transportation Element sets forth goals, objectives and policies to establish a citywide strategy to achieve long-term mobility and accessibility within the City of Los Angeles. Goals of the Transportation Element include the following:

- **Goal A:** Adequate accessibility to work opportunities and essential services, and acceptable levels of mobility for all those who live, work, travel, or move goods in Los Angeles.

- **Objective 1:** Expand neighborhood transportation services and programs to enhance neighborhood accessibility.

- **Objective 2:** Mitigate the impacts of traffic growth, reduce congestion, and improve air quality by implementing a comprehensive program of multimodal strategies that encompass physical and operational improvements as well as demand management.

- **Policy 2.16** Promote the expansion of express and local bus service in priority corridors not served by the funded rail system, so as to reduce congestion along congested corridors.

The proposed project is consistent with the Transportation Element since it locates new density near several bus lines that provide easy access to jobs in Downtown Los Angeles and regional transit connections that extends throughout the region. This will help promote the use of transit, which will help reduce congestion, poor air quality, long commute times, and daily use of the automobile.

**Housing Element.** The 2006-2014 Housing Element proposes goals that foster the development of new residential housing. Goal 1 of the Housing Element states the following:

“A City where housing production and preservation result in an adequate supply of ownership and rental housing that is safe, healthy, sanitary and affordable to people of all income levels, races, ages, and suitable for their needs.”
Various policies in support of Goal 1 seek to promote affordable rental housing for all income groups that need assistance. As the City desires to preserve and upgrade its existing housing stock, the Housing Element proposes in Policy 1,2.2 to:

“Encourage and incentivize the preservation of affordable housing to ensure that demolitions and conversions do not result in net loss of the City’s stock of decent, safe, health, sanitary or affordable housing. Encourage but not require one-for-one replacement of demolished affordable units except as mandated by law or ordinance.”

The proposed project does not demolish existing housing but proposes 50 new affordable housing units that address the housing shortage stated in the 2006-2014 Housing Element. This is accomplished by locating density near transit which offers easy access to a multitude of jobs and regional transit connections in Downtown Los Angeles. The proposed project delivers the type of housing encouraged by the Housing Element.

2. Zone Variance Findings.

a. The strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.

Strict application of the provisions of the zoning ordinance would result in practical difficulties and unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations. The general purpose of parking requirements is to ensure that projects provide sufficient on-site parking for the anticipated demand of land uses, and to prevent adverse impacts to surrounding properties from parking demand overflow.

Recent amendments to LAMC Section 12.22-A,25 have caused the project to request a zone variance from the parking requirements, which creates a practical difficulty since the site is near several public transit lines. The applicant has had to reconfigure the residential parking at the project site to address the City’s request for the project to provide public parking and a link to the Gold Line Station. Since residents of the project are anticipated to utilize public transportation as a mode to get around, a request for a variance from Code-required parking is warranted as the development will be able to provide a sufficient amount of parking for residents. Unlike other development projects in the City, convinement mass transit is at the center of the project’s design. The proposed project will not be dependent for parking spaces, which justifies the request for a parking variance. This approach also implements the goals of the MTA for developments linked to major public transportation infrastructure.

b. There are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.

The site is unique in size and shape, and its topography creates unique conditions not typical of other property in the same vicinity. In addition, the nature of the joint public and private use requires the PF zoned project to utilize the adjacent RD zoned properties, which are typically much smaller in size. Two immediately adjacent RD zoned properties are approximately 6,500 square feet
and 10,750 square feet in size and are currently developed with multi-family housing.

The slope, configuration and use of the project site are distinguished from the proximate PF zoned property, which is located across Carlyle Street and is developed with the Glassell Park Elementary School. This adjacent PF zoned property is a much deeper lot that has only an 8-foot slope. The site has a slope difference of about 26 feet. Also, the irregular shaped project site creates challenges in designing and configuring a development that also provides the total number of required parking spaces for both the affordable housing development and the EEC. The site has a jagged and angled perimeter that front on three streets and abuts both the RD1.5 and RD2 zones.

The project site is also near several bus lines that also create a unique circumstance. The site is served by several MTA bus lines that run on four separate streets all within two blocks from the site. Immediately adjacent to the project sits the MTA shuttle line 685 that runs along Verdugo Road on weekdays. MTA Rapid Bus Line 794 runs to and from Downtown Los Angeles to the south and to and from Glendale and Burbank to the north along San Fernando Road every 10 minutes during weekday peaks and has a stop near Lincoln/Cypress Station of the Metro Gold Rail Line. Line 794 also has stops in downtown Los Angeles at the Civic Center and Pershing Square stations for the Metro Red, Purple, and Blue Rail lines. MTA Bus Lines 90, 91, 94 also run along San Fernando Road and connect to Downtown Los Angeles. Located one block from the project site, MTA Bus Line 84 runs to and from Downtown Los Angeles along Eagle Rock Boulevard. Line 84 has a stop near the Lincoln/Cypress station of the Gold Rail Line. Division Street, two blocks south of the project site, is served by MTA Bus Line 176 (an east-west route from Glassell Park to El Monte Station).

The project has the opportunity to reduce overall parking demand created by the project. This is possible because residents are likely to utilize public transit if accessible. Therefore, the site’s special circumstances lead to justifying the applicant’s request for a parking variance.

c. The variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied the property in question.

As mentioned above, the project site has special characteristics that create hardships and unique circumstances not applicable to other properties in the same zone. Many of the surrounding properties to the north and east of the site are zoned residential and are developed with multi-family housing. The project site has the unique zoning designation of PF, which is a public facilities site and owned by the LAUSD. As a public agency, the school district has the ability to enter into a joint public and private development in order to create the affordable housing development. The joint public and private development creates a special circumstance that leads to a variance request for parking. The project parking ratio would not require a variance if the project the project were subject to density bonus provisions of the Code.
Other properties could be developed with affordable housing utilizing the density bonus provisions of the Code in order to achieve a 1:1 parking ratio. Denying the request for reduced parking would deny this property a right possessed by others in this vicinity. Additionally, similar affordable housing development in other areas of Los Angeles have also developed and used property with less parking than required by the strict application of the Citywide regulations. Also, since bus lines are located within two blocks of the project, residents of the project will likely utilize public transportation opportunities.

d. **The granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located.**

Granting the variance for parking will not be materially detrimental to the public welfare, or injurious to the property or improvements since the proposed number of spaces is more than adequate to accommodate the anticipated parking demand. The amount of spaces proposed will not lead to spillover parking since the project provides a parking ratio of one space for each unit. This is commensurate with the parking ratio that otherwise would be provided by the density bonus incentives for affordable housing projects.

The proposed development is located in proximity to jobs and transit. One of the primary advantages to locating affordable housing in areas near public transit is to reduce reliance on cars, thereby, reducing traffic congestion and the need for parking spaces.

A parking demand analysis was conducted for the housing component based on Institute of Transportation Engineer’s (ITE) Parking Generation, 3rd Edition for low/mid-rise apartments located within an urban setting. The ITE parking demand rate was determined to be one parking space per dwelling unit. Thus, the 55 parking spaces for the 50 residential units would accommodate the proposed housing development.

e. **The granting of the variance will not adversely affect any element of the General Plan.**

Granting the variance will not adversely affect any element of the General Plan. The amount of spaces proposed will not lead to spillover parking since the project provides a parking ratio of 1 space for each unit. This is commensurate with the parking ratio that otherwise would be provided by the density bonus incentives for affordable housing projects.

The 2006-2014 Housing Element notes in Chapter 2 that one of the challenges to building affordable housing is the existence of regulations that pose constraints to the production of housing. The Housing Element recognizes that “providing parking represents a significant cost to developers, which affects affordable housing production.” The Housing Element notes that the cost of a parking space increases significantly if parking has to be provided below grade.
3. **Site Plan Review Findings.** Pursuant to Section 16.05-F of the Municipal Code:

a. *That the project complies with all applicable provisions of this Code and any applicable specific plan.*

The project, as proposed, requires a conditional use to permit the construction of a 63-foot 6-inch tall, 50-unit affordable housing project with a front yard of 15 feet, and variable side yards ranging from 5 to 8 feet, in the PF-1 zone as part of a joint use project with the Los Angeles Unified School District, and a zone variance to permit a total of 55 parking spaces in lieu of the required 82 parking spaces required for the 50 residential units. With the granting of the requested entitlements, the project, as conditioned, will comply with the applicable regulations, standards, and provisions of the Municipal Code.

The project site is located within the Mount Washington-Glassell Park Specific Plan. A separate application will be submitted by the applicant for a Project Permit Compliance with this Specific Plan. Should the project receive a Project Permit Compliance and all applicable findings are made for the subject conditional use, zone variance, and site plan review findings request, the project will comply with all applicable provisions of the Code.

b. *That the project is consistent with the General Plan.*

“**Goal 1**  A safe, secure, and attractive residential environment for all economic, age, and ethnic segments of the community.”

“**Objective 1-2** To allocate land for new housing to accommodate a growth of population that is consistent with and promotes the health, safety, welfare, convenience, and pleasant environment of those who live and work in the community based on adequate infrastructure and government services, especially schools.”

“**Policy 1-2.1** Designate specific areas to provide for adequate residential development to accommodate anticipated increases in population while maintaining a balance between single-family and multiple-family uses.”

The project will provide affordable units to low and middle income households of different household sizes. The project will also address expected growth for the area as well as the region. Furthermore, the project’s location enables residents to take advantage of local transit opportunities that exist within two blocks of the project site. This will allow the residence to utilize viable transportation options. Furthermore, the project will replace a vacant lot used as surface parking with a viable use that will improve the aesthetics of the neighborhood, bring eyes to the street and improve the area by bringing in a sense of security, and services will be provided to residents. Such include job skills workshops, parenting classes, computer classes, after school programs, leadership development, ESL classes, and community safety groups. Community facilities in the housing development will be accessible to the EEC for use by teachers and staff. Thus, the project will bring many services and benefits to the community.

“**Objective 1-3** To preserve and enhance the residential character and scale of existing single- and multi-family neighborhoods.”
“Policy 1-3.1 Protect the quality and scale of the residential environment through attention to the appearance of new construction including site planning and compatible building design.”

“Policy 1-3.2 Consider factors, such as neighborhood character and aesthetics, identity; compatibility of land uses; impacts of livability, services, public facilities, and traffic levels, when changes in residential densities are proposed.”

The project will achieve the residential character and scale of the neighborhood by developing to a density consistent and compatible with surrounding properties. The neighborhood character and aesthetics are enhanced by the design of the project, which factors in the Cypress Park and Glassell Park Community Design Overlay District. The project will include articulation and recessing surface perforations and porticoes to break up long, flat building facades on the subject building. The project will also be subject to the Mount Washington-Glassell Park Specific Plan to ensure the project will be compatible with the neighborhood.

Transportation Element. The Transportation Element sets forth goals, objectives and policies to establish a citywide strategy to achieve long-term mobility and accessibility within the City of Los Angeles. Goals of the Transportation Element include the following:

“Goal A: Adequate accessibility to work opportunities and essential services, and acceptable levels of mobility for all those who live, work, travel, or move goods in Los Angeles.”

“Objective 1: Expand neighborhood transportation services and programs to enhance neighborhood accessibility.”

“Objective 2: Mitigate the impacts of traffic growth, reduce congestion, and improve air quality by implementing a comprehensive program of multimodal strategies that encompass physical and operational improvements as well as demand management.”

“Policy 2.16 Promote the expansion of express and local bus service in priority corridors not served by the funded rail system, so as to reduce congestion along congested corridors.”

The proposed project is consistent with the Transportation Element since it locates new density near several bus lines that provide easy access to jobs in Downtown Los Angeles and regional transit connections that extends throughout the region. This will help promote the use of transit, which will help reduce congestion, poor air quality, long commute times, and daily use of the automobile.

Housing Element. The 2006-2014 Housing Element proposes goals that foster the development of new residential housing. Goal 1 of the Housing Element states the following:

“A City where housing production and preservation result in an adequate supply of ownership and rental housing that is safe, healthy, sanitary and affordable to people of all income levels, races, ages, and suitable for their needs.”
Various policies in support of Goal 1 seek to promote affordable rental housing for all income groups that need assistance. As the City desires to preserve and upgrade its existing housing stock, the Housing Element proposes in Policy 1-2.2 to:

“Encourage and incentivize the preservation of affordable housing to ensure that demolitions and conversions do not result in net loss of the City’s stock of decent, safe, health, sanitary or affordable housing. Encourage but not require one-for-one replacement of demolished affordable units except as mandated by law or ordinance.”

The proposed project does not demolish existing housing but proposes 50 new affordable housing units that address the housing shortage stated in the 2006-2014 Housing Element. This is accomplished by locating density near transit which offers easy access to a multitude of jobs and regional transit connections in Downtown Los Angeles. The proposed project delivers the type of housing encouraged by the Housing Element.

c. *That the project is consistent with any applicable adopted redevelopment plan.*

The project site is not within an adopted redevelopment plan area.

d. *That the project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collections, and other such pertinent improvements, which is not or will not be compatible with existing and future development on neighboring properties.*

The project will consist of an arrangement of buildings and other pertinent improvements that would be compatible with existing and future development on neighboring properties.

1. **Building Design.** The applicant has requested a building height of 63 feet 6 inches. The most recently submitted plans show the proposed building reaching a maximum height of 60 feet. The structure is set back approximately 21 feet 6 inches from the property line fronting Verdugo Road. Most of the building consists of a flat roof ridge that reaches a height of 58 feet. However, four segments of the top of the parapet portions of the building reach 60 feet. The building design will include articulation and recessing surface perforations and porticoes to break up long, flat building facades on the subject building. The proposed residential building will total 62,949 square feet of floor area on a 59,365 square foot site, which includes 7,026 square feet of area required for setbacks, resulting in 52,339 square feet of buildable area. The proposed structure would have a floor area ratio (FAR) of 1.2:1. Combined with the EEC, the entire development would have a floor area of 79,421 square feet or an FAR of 1.5:1. A front yard of 15 feet is provided along Verdugo Road, while side yard setbacks 8 feet are proposed for each of the remaining yards except for approximately 50 feet of the residential building fronting Avenue 30, which comes within 5 feet of the property line. Also, a ships ladder located within the northerly side yard setback will lead to the project providing a variable setback of 7 feet 2 inches to 8 feet.
(2) Parking Facilities. The residential structure will have four levels of residential units above a podium deck that sits atop two levels of subterranean parking. A total of 140 parking spaces will be provided with the subterranean parking levels where 55 spaces would be set aside for the proposed housing development, 65 spaces for faculty and staff of the existing Glassell Park Elementary School, and 20 spaces for the Early Education Center within a separate subterranean level.

(3) Loading Areas. There are no commercial uses within the residential building. No loading areas are proposed for the residential project.

(4) Lighting. Lighting for the proposed building will be shielded onto the subject site to avoid spillover lighting onto neighboring residences.

(5) Landscaping. The project will provide 20,449 square feet of open space. Landscaping will be provided along the perimeter of the site as well as the proposed courtyard located at the center of the site.

(6) Trash Collection Service. The trash room will be located on the western portion of the building. More specifically, it will be found on Level 1 and immediately adjacent to the Driveway entry into residential parking. This will allow quick access into the trash rooms to collect trash.

e. That the project incorporates feasible mitigation measures, monitoring measures when necessary or alternatives identified in the environmental review which would substantially lessen the significant environment effects of the project, and/or additional findings as may be required by CEQA.

The project will address all mitigation measures set forth in the Central Region Glassell Park Early Education Center and Affordable Housing Final Environmental Impact Report (SCH No. 2008011078), as necessary to assure compliance with the environmental review and to minimize the effect of air quality, cultural resources, land use and planning, noise, and pedestrian safety.

f. That any project containing residential uses provides its residents with appropriate type and placement of recreational facilities and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties where appropriate.

The project includes recreational facilities and amenities for the residents to enjoy. Located at the center of the property will be 4,149 square feet of landscaped courtyard area. In addition to an on-site property manager, the project will have a dedicated resident services professional on-site who will coordinate specific services on-site and provide referral services for all residents. This coordinator will work with the EEC and the school district to fully utilize all facilities. Typical on-site services will include job skills workshops, parenting classes, computer classes, after school programs, leadership development, ESL classes and community safety groups such as a neighborhood watch. The community features of the housing development will be accessible to the EEC for use by teachers and staff. The project will provide a community room and computer room. Additionally, residents of the project will have access to the open space areas of the EEC. Private open space will also be provided with balconies.
4. The approval of the requested Conditional Use and zone variance has been made contingent upon compliance with the conditions of approval imposed herein. Such limitations are necessary to protect the best interests of and to assure a development more compatible with surrounding properties, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

5. FINDINGS OF FACT (CEQA)

On September 2, 2008, the Los Angeles Unified School District Board of Education (Board) certified and approved the Final Environmental Impact Report for the Central Region Glassell Park Early Education Center and Affordable Housing Final Environmental Impact Report dated August 2008 (SCH No. 2008011078) (the “FEIR”). The Board also approved Findings, a Statement of Overriding Considerations, and a Mitigation Monitoring Program for the FEIR. The Central Region Glassell Park Early Education Center and Affordable Housing Final Environmental Impact Report is a project EIR pursuant to Public Resources Code Section 21090(a), for which the applicable statute of limitations period under Public Resources Code Section 21167 has expired.

CEQA requires that an Environmental Impact Report's analysis of alternatives include and analysis of whether the particular alternative can feasibly achieve most of the project's objectives. The project's objectives consist of the following:

1. To provide a high quality early education program to maximize school readiness.
2. To develop a joint-use EEC and affordable housing project in the Mount Washington-Glassell Park Specific Plan area.
3. To minimize the displacement of existing residences when siting new school facilities.
4. To maximize the use of District-owned property when siting new school facilities.
5. To find suitable sites for joint-use development opportunities.
6. To provide affordable housing to low-income households in collaboration with a private non-profit developer.

The FEIR included four development scenarios, each of which expressly considered potential development of the project site form the same uses by at a slightly lesser intensity than the proposed project.

The four alternatives to the project include the following:

Alternative 1: No Project/No Build Alternative
Alternative 2: Reasonable Foreseeable Development
Alternative 3: Reduced Project Alternative – EEC Only
Alternative 4: Alternate Site Configuration

The No Project/No Build Alternative was identified as environmentally superior to the proposed project, resulting in fewer environmental impacts that the proposed project; however would not meet the objectives of the project.

Compared to the Proposed Project, the Reasonable Foreseeable Development Alternative is environmentally superior in the areas of aesthetics, air quality, noise, and traffic and is neither environmentally superior nor inferior in the areas of cultural resources, geology and soils, hazards and hazardous materials, land use and planning and pedestrian safety. In addition, the new 175 EEC seats associated with the Proposed Project would not be provided and this alternative would not achieve Objectives 1, 2, and 4.
Compared to the Proposed Project, the Reduced Project Alternative is environmentally superior in the areas of aesthetics, air quality, noise, pedestrian safety, and traffic and is neither environmentally superior nor inferior in the areas of cultural resources, geology and soils, hazards and hazardous materials, land use and planning. In addition, the affordable housing associated with the Proposed Project would not be provided and this alternative would not achieve Objectives 2, 5, and 6.

The Alternate Site Configuration Alternative would meet all of the project objectives because the alternative is only reconfiguring the layout of buildings on the Proposed Project site. Compared to the Proposed Project, the Alternate Site Configuration Alternative is environmentally superior in the areas of aesthetics and is neither environmentally superior nor inferior in the areas of air quality, cultural resources, geology and soils, hazards and hazardous materials, land use and planning, noise pedestrian safety, and traffic.

The FEIR for the proposed project concluded that certain significant effects may occur as a result of the proposed project, or may occur on a cumulative basis in conjunction with the development of the project and other past, present, or reasonably foreseeable future projects. In addition to reviewing the project’s potential environmental impacts for the five development parcels, these Findings also provide the Board’s analysis and conclusions regarding the applicability of possible alternatives and mitigation measures to reduce any significant environmental effects.

These Findings address the potentially significant environmental effects examined in the FEIR for the combined use development. The FEIR analyzed the environmental impacts at a project-specific level and on a “cumulative” impact basis. A cumulative impact is defined by CEQA Guidelines 15130 and 15355 as an impact which is created as a result of the combination of impacts of the project evaluated in the EIR and closely related past, present and reasonable foreseeable probable future projects (commonly known as “related projects”). The FEIR identified seven related projects in the relevant geographic area. The inclusion of those seven related projects in the cumulative impact analysis resulted in a conservative analysis since it is not likely that all of those projects will be developed.

Unavoidable Significant Environmental Impacts. Based on the analyses contained in the EIR, the proposed project would create net unmitigated significant impacts (i.e., significant and unavoidable impacts) in the areas of: Aesthetics (visual quality or character); Air Quality (construction and operation); and Noise (construction and traffic noise).

Impacts found to be Less than Significant with Mitigation. The following environmental impacts or issue areas were determined to have less than significant impacts after mitigation in the areas of: Cultural Resources; Land Use and Planning; and Pedestrian Safety.

Impacts found not to be Significant. The following environmental impacts or issue areas were determined to have less than significant impacts and would not require mitigation in the areas of: Agricultural Resources; Biological Resources; Geology and Soils; Hazards and Hazardous Materials; Hydrology and Water Quality; Mineral Resources; Population and Housing; Public Services; Recreation and Parks; Traffic; and Utilities and Service Systems.

Statement of Overriding Considerations. The FEIR identified unavoidable significant impacts which will result from implementation of the proposed project. Section 15093(b) of the CEQA Guidelines provides that when the decision of the public agency allows the occurrence of significant impacts which are identified in the EIR but not avoided or at least substantially mitigated, the agency must state in writing the specific reasons to support its actions based on the complete EIR and/or other information on record.
Accordingly, the LAUSD Board adopted the Statement of Overriding Considerations. The Board recognizes that significant and unavoidable impacts will result from the implementation of the project. Having (i) adopted all feasible mitigation measures, (ii) rejected alternatives to the project discussed in the EIR, (iii) recognized all significant, unavoidable impacts, and (iv) balanced the benefit of the project against the project's significant and unavoidable impacts, the Board found the benefits outweigh and override the significant unavoidable impacts.

Pursuant to Education Code §17213.1(a) and Public Resources Code §21151.8(a), the District consulted with appropriate agencies and determined that: (A) the property in question is not the site of a current or former hazardous waste disposal site or solid waste disposal site; (B) the property is not a hazardous substance release site identified in a list of sites for which removal or remediation action is planned, compiled by the California Environmental Protection Agency, pursuant to Health and Safety Code §25356; and (C) the property is not a site which contains one or more pipelines, situated underground or above ground, which carries hazardous substances, acutely hazardous materials, or hazardous wastes, unless the pipeline is a natural gas line which is used only to supply natural gas to that school or neighborhood; and (D) the property is not within 500 feet of a freeway.

Pursuant to Education Code §17213(b) and Public Resources Code §21151.8(b), the LAUSD (A) consulted with administering agencies with jurisdiction over the proposed project for the purpose of investigating the potential for permitted and non-permitted hazardous or acutely hazardous air emissions within one-quarter mile of the project site; (B) performed a risk assessment in compliance with State and federal guidelines; and (C) determined the facilities located within one-quarter mile of the proposed school site do not present a potential endangerment to the health of persons who will occupy the proposed school. The OEHS evaluated the proposed site pursuant to the California Education Code and requirements of the Department of Toxic Substances Control (DTSC), and a “no further action” determination was received from the DTSC on January 14, 2008.

The District Board of Education, as the “Lead Agency” as defined in CEQA Guidelines, Title 14 of the California Code of Regulations §§15050-15053, and the Board reviewed and considered the Final EIR, its supporting documents, and comments received by affected governmental agencies and other interested persons, and made the following findings:

1) The LAUSD complied with Education Code §17213.1(a) and Public Resources Code §21151.8 with respect to the proposed school site.

2) The project will not pose a significant health risk to students or staff due to potential risks such as air toxics or other chemical exposures or railroad easements.

3) The project will not pose a significant health risk to students or staff due to potential risks such as proximity to pipelines or to overhead or underground powerlines.

4) The project will not have an adverse effect on fish and wildlife, as referenced in Section 711.2 of the Fish and Game Code.

5) The presumption of adverse effect set forth in 14 California Code or Regulations §753.5(d) does not apply.

Also, the Board made the following findings:

1) The Final EIR was completed in compliance with CEQA and State CEQA Guidelines, as amended.
2) The Final EIR reflects the District’s independent judgment and analysis.

3) There are no feasible mitigation measures to reduce the shade and shadow impacts on the adjacent residential land use and thus this impact is significant and unavoidable.

4) Mitigation measures identified in the Final EIR for cumulative air quality impacts during construction and construction noise impacts would not reduce impacts to levels below significance and thus impacts would remain significant and unavoidable.

5) Mitigation measures identified in the Final EIR would avoid or substantially lessen all other environmental effects to levels below significance.

6) The Board reviewed and considered the information in the Final EIR before making a decision to approve the project.

7) Certified the Final EIR.

8) Adopts the Findings of Fact.

9) Adopts the Mitigation Monitoring and Reporting Plan for mitigation measures identified in the Final EIR.

10) Adopts the Statement of Overriding Considerations, indicating that the benefits of the proposed project outweigh the environmental effects.

**Mitigation Monitoring.** A Mitigation Monitoring and Reporting Program (MMRP) has been prepared in accordance with Section 21081.6 of the Public Resources Code and Section 15097 of the CEQA Guidelines, which require adoption of a Mitigation Monitoring and Reporting Program for all project for which an Environmental Impact Report or Mitigated Negative Declaration has been prepared. Specifically, Section 21081.6 of the Public Resources Code states: “the [lead] agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment...[and that program]...shall be designed to ensure compliance during project implementation.” The LAUSD Board is the Lead Agency of the proposed project.
PUBLIC HEARING AND COMMUNICATIONS

Summary of Public Hearing Testimony and Communications Received

The public hearing was held on March 3, 2009 in Downtown Los Angeles at City Hall, Room 1050.

1. Present: Approximately ten people attended: The applicant and team members, a representative from the LAUSD, and a neighbor spoke at the hearing.

2. Public Speakers: 2 in support; 0 in opposition.

3. The applicant’s team made the following statements:
   a) The public-private partnership between Abode Communities and the LAUSD include a development agreement and a ground lease for 60 years for the land to be utilized for the project.
   b) Financing for the project of $2.6 million has been secured from a state-funded grant program.
   c) The project would be a model for future opportunities for the LAUSD partnering with affordable housing developers to co-locate housing and schools. Two RFPs have already been issued for potential sites.
   d) Keeping in line with economies of scale, the team members who worked on the Early Education Center would also be hired to work on the residential development. This includes the architect, the constructor, etc.
   e) The design of the project emphasizes views and open space. The project also includes an orientation that will help with energy efficiency and direct noise towards the courtyard to minimize impacts to the residents of the proposed building as well as neighbors.
   f) Had the project utilized the state density bonus law, the project would have been locked into state financing requirements. The LAHD would impose state income levels, which created hardships on some of the applicant’s other projects. As a result, the applicant chose not to utilize the state density bonus laws, and chose to go a different route to allow different income levels.
   g) The project has received pre-authorization to file for a Specific Plan Project Permit Compliance with the Mount Washington-Glassell Park Specific Plan. A copy of the authorization letter is included in the file folder.
   h) The affordable component will be restricted for a period of 55 years.

During public hearing portion, two people spoke with regards to the project.

4. The first speaker, a resident of Glassell Park and an elected Board member for the Glassell Park Neighborhood Council, stated she was only representing her own views, and proceeded to express support for the project. She, however, identified concerns which include the following:
a) Environmental concerns. Since the project site is near the Los Angeles River, the project site may be subject to flooding. This may cause difficulties with evacuating from subterranean parking levels.

b) Density. The area lacks one-bedroom units. The speaker would like to see housing for teachers and include one-bedroom units in the unit mix. By doing so, the project could help reduce the density.

c) Height of the building. The speaker explained how she had helped work on the Community Design Overlay (CDO) along with the Council Office and the Department of City Planning. She stated this CDO was groundbreaking because it addressed the conflicts that arise between commercial and residential developments. She explained how the neighborhood was developed with smaller homes including bungalows for railroad workers at the turn of the 20th Century and how for-profit slum buildings began to form in the 1970’s, including the building adjacent to the subject site. As a result, several smaller homes and bungalows were built. In the 1970’s, for-profit slum buildings were developed in the area, including the property adjacent to the subject site, and did not take into account surrounding uses. She further read the Guidelines from the CDO, which related to height and massing, and stated the concerns for the project relating to adjacent uses, and that the project was not what was expected or hoped for in the CDO.

She stated the community had raised concerns of parking during times when parents would pick up their children from school. She stated it did not concern her at all, and that the area did not have any problems with parking. She mentioned that homes did have green views looking towards the project site. She requested the project be sensitive to the surrounding neighborhood.

The second speaker, the project manager for the Early Education Center, and contractor for the LAUSD construction, spoke of the challenges of bringing a joint use development. Such included working with different agencies such as the CRA, Housing Department, the Department of Building and Safety, Department of City Planning, etc. She also explained the efforts made in community outreach, which included design charrettes, and evaluating and incorporating comments made by the public.

The speaker stated the primary objective of the project was to provide the best education to students and bring in a partner who could take on the development of housing. The development agreement between Abode and the LAUSD would ensure students would be protected from the development of this project. This project would be the first of its kind and that there are two other Request for Proposals for projects that will include a joint use with LAUSD schools.

She stated the project has received support from the Eagle Rock, Cypress Park, Glassell Park, neighborhoods excited about project and concept of project.

4. Organizations testifying in SUPPORT:

Organizations testifying in OPPOSITION: None

5. Communications Received

a. Petitions – Support: None.
   Petitions – Opposition: None.
   Letters – Opposition: 0.

Letters of support
- Laura I. Guitierrez
- Office of the Mayor Antonio Villaraigosa

Letters of opposition: none

Description of Exhibits

Exhibit E-1  Maps
Exhibit E-2  Plans
Exhibit E-3  Environmental Clearance
Exhibit E-4  Reports Received
Exhibit E-5  Communication to City Planning Commission