

**ATTACHMENT TO DEPARTMENT OF CITY PLANNING APPLICATION**  
**FOR 1489 W. SUNSET BLVD MIXED-USE PROJECT**

**PROJECT DESCRIPTION**

The 1489 West Sunset Boulevard Project (“**Project**”), located at 1485-1493 and 1501 West Sunset Boulevard, and 1314 North McDuff Street, involves the construction and operation of an urban infill mixed-use development on an approximately 0.95-acre site (“**Project Site**”) in the Echo Park neighborhood of the Silver Lake-Echo Park-Elysian Valley Community Plan Area.

The 41,100-square foot (sf), irregular-shaped Project Site is located at the northwest corner of West Sunset Boulevard and Portia Street and including McDuff Street. The Project Site is comprised of all or portions of 8 lots currently identified as Assessor Parcel Numbers (APNs) 5406-001-053 and 5419-027-007. In the northern portion of the Project Site, an approximate 9,071-sf area is zoned RD2-1VL (Restricted Density Multiple Dwelling, Height District 1VL), and an approximate 1,004-sf area zoned R3-1L (Multiple Dwelling, Height District 1L). In the southern portion of the Project Site, an approximately 31,025-sf area is zoned C2-1VL (Commercial, Height District 1VL) and [Q]C2-1VL (Commercial, Height District 1VL, with Qualified Classification). The Project Site is designated as Low Medium II Residential (corresponding with the RD2-1VL zone), Community Commercial (corresponding with the R3-1L and [Q]C2-1VL zones), and General Commercial (corresponding with the C2-1VL zone) in the Silver Lake-Echo Park-Elysian Valley Community Plan.

The Project Site is currently occupied by a surface parking lot, three single-story commercial buildings (1485, 1487, and 1489 W. Sunset Boulevard) totaling approximately 10,296 sf, and an approximately 5,239 sf, two-story mixed-use building (1501 W. Sunset Boulevard). The existing on-site buildings were constructed between 1922 and 1977 and are all currently vacant. The Project Site includes McDuff Street, a “paper street” that terminates on the Project Site, 165 feet north of Sunset Boulevard. McDuff Street has a 30-foot right of way. An approximately 35-foot slope traversed by the Sunset-McDuff Public Stairway is present in the northern portion of the Project Site, while the southern portion of the Project Site is generally flat.

Land uses adjacent to the Project Site include two, three-story single family residential buildings on the lot to the west of the Sunset-McDuff Public Stairway; one- and two-story commercial buildings west of 1501 W. Sunset Boulevard, fronting W. Sunset Boulevard; multiple one- and two-story single and multi-family residential buildings to the north; a single-story commercial building and Portia Street to the east; and one- to three-story commercial and residential buildings to the south across W. Sunset Boulevard. The single and multi-family residential uses to the north are located at a higher elevation than the Project Site (approximately 30 feet).

The Project Site is located adjacent to a LA County Metropolitan Transportation Authority (Metro) bus stop on Sunset Boulevard at Portia Street for Lines 2 and 4, and within 0.25-mile of the intersection of Metro Line 200 and Metro Rapid Bus Line 704 at Echo Park

Avenue and Sunset Boulevard. Therefore, the Project Site is considered to be located within 0.25-miles of a Major Transit Stop as defined in the *Transit Oriented Communities Affordable Housing Incentive Program Guidelines* (“**TOC Guidelines**”).<sup>1</sup>

The Project will demolish the existing parking lot and the two commercial buildings at 1487 and 1489 W. Sunset, retain the two buildings at 1501 and 1485 W. Sunset Boulevard, and construct a new residential and commercial mixed-use building on the Project Site.

The new mixed-use building will include two subterranean parking levels, one partially below-ground commercial and parking level (“Ground Floor”), and five above-ground residential levels. The proposed building will include 5 stories<sup>2</sup> with a maximum building height of 67 feet. The five residential levels will include 136 residential units comprised of 55 studios, 14 junior one-bedroom units, 35 one-bedroom units, and 32 two-bedroom units. Fifteen of the units will be restricted to affordable units for Extremely Low-Income households. In total, 141 residential units will be provided on the Project Site including the five residential units at 1501 W. Sunset building that are being retained as part of the Project. The ground floor of the proposed building will provide 8,000 sf of restaurant space, 985 sf of outdoor eating areas fronting W. Sunset Boulevard, a 930 sf lobby and mailroom, as well as 2,040 sf of residential amenity space. In total, the Project will construct 179,660 gross square feet (gsf) of new development, 111,770 sf of which will constitute floor area for purposes of calculating floor area ratio (FAR).<sup>3</sup>

The existing buildings at 1501 and 1485 W. Sunset Boulevard, which have a combined floor area of 7,812 sf, will be retained on the Project Site. The building at 1485 W. Sunset Boulevard contains 2,573 sf of floor area that will be used for commercial purposes. The building at 1501 W. Sunset Boulevard, which contains a total of 5,239 sf of floor area, was recently converted to a mixed-use building containing five (5) dwelling units (3,432 sf) and 1,807 sf of ground floor restaurant space. The five (5) dwelling units and the ground floor restaurant space have yet to be occupied. When accounting for the buildings at 1501 and 1485 W. Sunset Boulevard that will remain, the Project will include a total of 119,582 sf of floor area.

The proposed new mixed-use building will include two levels of subterranean parking and a third, partially subterranean parking level on the ground floor. Parking will be fully

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<sup>1</sup> *Transit Oriented Communities Affordable Housing Incentive Program Guidelines*, Los Angeles Department of City Planning, Revised February 26, 2018. According to the TOC Guidelines, a Major Transit Stop is defined as a rail station or an intersection of two or more bus routes with service intervals of 15 minutes or less during the morning and afternoon commuter peak periods.

<sup>2</sup> The Ground Floor is a “basement” and therefore not a “story” as those terms are defined in LAMC Section 12.03.

<sup>3</sup> In accordance with LAMC Section 12.03, for purposes of calculating floor area ratio (FAR), floor area is defined as “[t]he area in square feet confined within the exterior walls of a building, but not including the area of the following: exterior walls, stairways, shafts, rooms housing building-operating equipment of machinery, parking areas with associated driveways and ramps, space for the landed and storage of helicopters, and basement storage areas.”

enclosed and will provide a total of 116 vehicle parking spaces for off-street parking. Vehicular access to the Project Site will be provided from Sunset Boulevard at McDuff Street, which will be vacated and merged as a private driveway for the Project. The driveway will remain substantially in its current size and location; thus, the driveway will be a total of 30 feet wide with five-foot sidewalks on each side for a total drive aisle width of 10 feet in each direction. In addition, the Project will provide a total of 110 bicycle parking spaces on site, including 13 short-term bicycling parking spaces and 97 long-term bicycle parking spaces. The Sunset-McDuff Public Stairway will be retained.

The Project will include outdoor residential amenity spaces at the podium and fifth floor levels. The 1,510 sf podium-level open space will include a courtyard with landscaping, gathering areas, paseos, and outdoor cooking areas. The open space on the fifth floor will provide additional residential amenity space in the form of an approximately 2,450 sf roof deck with landscaping and outdoor lounge and cooking areas. In addition, approximately 4,750 sf of private open space will be provided in the form of balconies for each of the residential units.

The Project Site includes an existing retaining wall along a portion of the northern property line which has a height of 10 feet at its tallest point. This existing retaining wall is proposed to remain, but may be replaced if necessary. Two additional freestanding retaining walls with a maximum height of 10 feet will be constructed within the northern portion of the Project Site, for a total of three retaining walls.

Construction of the Project is scheduled to begin in 2022 and would occur over a 23-month period, with anticipated completion in 2024. Construction phases will include demolition, site preparation, grading, building construction, and finishing. During the construction period, approximately 474 cubic yards of building demolition material and 30,000 cubic yards of grading and excavation material are anticipated to be exported from the Project Site. The haul route is subject to review and approval by the City Advisory Agency.

## **REQUESTED ACTIONS**

### **1. Site Plan Review**

*Action Requested, Narrative:* Site Plan Review approval for a proposed 5-story mixed-use project with a maximum height of 67 feet containing a total of 136 dwelling units and 8,000 sq. ft. of ground floor restaurant use with a total of 116 vehicular parking spaces on two subterranean levels. Together with the two existing buildings that will remain on the Project Site, the Project will include a combined total of 141 dwelling units and 119,582 sq. ft. of floor area.

*Authorizing Code Section:* LAMC Sec. 16.05.

*Code Section from which relief is requested (if any):* N/A

### **2. Transit-Oriented Communities Program Bonuses/Incentives**

*Action Requested, Narrative:* Approval of bonuses/incentives pursuant to the Transit-Oriented Communities Guidelines for a mixed-use project in Tier 3 containing a total of 141

dwelling units, with 15 units reserved for Extremely-Low Income Households. Requested base incentives include density, FAR, and parking. Requested additional incentives include height, open space, and averaging of FAR, density, and parking over the Project Site.

*Authorizing Code Section:* LAMC Sections 12.22.A.31 and 12.22.A.25(g).

*Code Section from which relief is requested (if any):* N/A

### **3. Preliminary Parcel Map**

*Action Requested, Narrative:* Preliminary Parcel Map to merge and re-subdivide the project site into two parcels, including the merger of a portion of the existing public right-of-way for McDuff Street located within the project site, and Advisory Agency approval of hauling operations necessary to export approximately 30,000 cubic yards of earth material.

*Authorizing Code Section:* LAMC Sec. 17.50.

*Code Section from which relief is requested (if any):* N/A

### **4. Determination Permitting Three 10-Foot-High Retaining Walls**

*Action Requested, Narrative:* Zoning Administrator Determination permitting three 10-foot-high retaining walls in required rear and side yards in a hillside area, in lieu of the maximum height of 6 feet for such walls and maximum count of two 10-foot high vertical walls.

*Authorizing Code Section:* LAMC Sec. 12.24.X.26.

*Code Section from which relief is requested (if any):* 12.21.C.8 and 12.22.C.20(f).

## **SITE PLAN REVIEW FINDINGS**

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

The proposed Project will provide much-needed housing accessible to transportation options within a node of residential and commercial activity. The Project contributes to the stated Goals, Objectives and Policies of the Framework as follows:

- Creates a supply of housing accessible to persons having variable income levels.
- Provides sufficient rental housing to meet the needs and demands of the population.
- Creates housing opportunities for all persons without discrimination.

- Locates new multi-family development in proximity to transportation corridors and high activity areas acting as a buffer between said transit corridors and commercial development and existing lower density residential development.

By providing multifamily residential units, some of which are set aside for Extremely Low-Income households, implementation of the proposed Project will maximize the opportunity for individual choices for all economic, age, ethnic segments of the Silver Lake – Echo Park – Elysian Valley Community Plan Area. The proposed Project also includes a ground floor commercial use and is located in a Transit Priority Area in proximity to goods, services and facilities. The Project is within the area and on the primary street (Sunset Blvd.) designated as a “Mixed Use Boulevard” within the Plan. The proposed Project therefore conforms to the purposes, objectives and policies of the Silver Lake – Echo Park – Elysian Valley Community Plan Area as follows:

- Provides a safe, secure and high-quality residential environment for all economic, age and ethnic segments of the Silver Lake – Echo Park – Elysian Valley Community Plan Area. Goal 1
- Achieves and maintains a housing supply sufficient to meet the diverse economic and socioeconomic needs of current and projected populations to the year 2010. Objective 1-1
- Reduces automobile trips in residential areas by locating new housing in areas offering proximity to goods, services and facilities. Objective 1-2
- Promotes and ensures the provision of adequate housing for all persons including special needs populations, regardless of income, age or ethnic background. Objective 1-4
- Promotes mixed-use housing projects in pedestrian oriented areas and designated Mixed Use Boulevards, Neighborhood Districts and Community Centers to increase supply and maintain affordability. Policy 1-4.2

The proposed Project also conforms to the stated objective of the Housing Element as an Element of the General Plan as follows:

- Produces an adequate supply of rental and ownership housing in order to meet current and project needs. Objective 1.1
- Promotes sustainable neighborhoods that have mixed-income housing, jobs, amenities, services, and transit. Objective 2.2
- Promotes fair housing and accessibility among residents, community stakeholders and those involved in the production, preservation and operation of housing. Objective 2.4

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

The scale of the buildings included in the Project conforms to the development standards of the underlying zone (with the incentives authorized under the Transit Oriented Communities Affordable Housing Incentive Guidelines). Parking, loading areas, lighting, landscaping, trash collection, and other improvements, as designed and/or proposed, will avoid or minimize any impacts on surrounding properties. Notably, the neighboring residential properties located on Laveta Terrace are located at a higher elevation, roughly 30 feet, from the Project's frontage on Sunset Boulevard. Therefore, the Project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements that are or will be compatible with existing and future development on adjacent properties and neighboring properties.

The proposed building facades along Sunset Boulevard, as shown in the plans, are articulated using a range of architectural elements including texture, materials and colors. The building designs are further articulated with windows on the ground floor and balconies above the ground floor. Street trees along the front of the proposed building provide additional interest along the streetscape. The proposed layout and design features will ensure that the proposed project will be functional, aesthetically pleasing, and compatible with neighboring properties.

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

The Project will comply with applicable LAMC Open Space requirements, including that common open space areas shall incorporate recreational amenities. The Project will include outdoor residential amenity spaces at the podium and fifth floor levels. The 1,150 square foot podium-level open space will include a courtyard with landscaping, gathering areas, paseos, and outdoor cooking areas. The open space on the fifth floor will provide additional residential amenity space in the form of an approximately 2,450 sf roof deck with landscaping and outdoor lounge and cooking areas. In addition, approximately 4,750 sf of private open space will be provided in the form of balconies for each of the residential units. Therefore, the Project will provide recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.

## **TRANSIT-ORIENTED COMMUNITIES INCENTIVE PROGRAM FINDINGS**

### **1. Density Bonus/Affordable Housing Incentives Program Determination**

The Project is located within 0.25-miles of a Major Transit Stop as defined in the TOC Guidelines. Due to the Project's location and proximity to transit options, the Project qualifies for Tier 3 (High) TOC Affordable Housing incentives. Under the TOC Guidelines, the Project qualifies for three base incentives related to density, FAR, and parking, as well as three

additional incentives related to height, open space requirements, and averaging, discussed in more detail below.

### Three (3) Requested Base Incentives

**Increase in Base Density:** The RD2 zone has a base density of 1 dwelling unit (du) per every 2,000 sf of floor area, the R3 zone has a base density of 1 du per every 800 sf of floor area, and the C2 zone has a base density of 1 du per every 400 sf of floor area. Under these designations, this would allow up to 4.54 du on the RD2-1VL zoned portion of the Project Site, 1.26 dwelling units on the R3-1L zoned portion, and up to 77.56 du on the C2-1VL/ [Q]C2-1VL portion, for a total base density of 84 du. However, with Tier 3 TOC incentives, the Project's base density would be permitted to increase up to 70 percent under the R3 and C2 zoning designations, and up to 40 percent under the RD2 zoning designation. Therefore, with the additional increase in base density in accordance with the *TOC Guidelines* Section VI.1.a (Increase in Number of Dwelling Units), a maximum of 141 du are allowed on the Project site. Under the Project, 136 net new du would be constructed, and the existing 5 units at 1501 W. Sunset would remain, for a total of 141 dwelling units on site

**Increase in (Floor Area Ratio) FAR:** The zoning designations of RD2-1VL and R3-1L allow for a maximum FAR of 3:1, and the designation C2-1VL and [Q]C2-1VL allows for a maximum FAR of 1.5:1. The RD2-1VL portion of the Project Site is approximately 9,071 sf, which allows for a base FAR of 18,528 sf. The R3-1L portion of the Project Site is approximately 1,004 sf, which allows for a base FAR of 1,581 sf. The C2-1VL and [Q]C2-1VL portion of the Project site is approximately 31,025 sf, which allows for a base FAR of 46,538 sf. With the Tier 3 designation under the *TOC Guidelines* (Section VI.1.b [FAR]), the Project is permitted to increase the maximum FAR to 3.75:1 in the C2-1VL/ [Q]C2-1VL zones of the Project Site, a 45 percent increase in FAR in the RD2-1VL zones (which equates to a FAR of 4.35:1), as well as a 50 percent increase in FAR in the R3-1L zones of the Project Site (which equates to a FAR of 4.5:1). This would allow for a total of approximately 116,344 sf to be constructed in the C2-1VL/ [Q]C2-1VL areas of the Project Site, 26,866 sf in the RD2-1VL areas, and 2,372 sf in the R3-1L area of the Project site, for a total of 145,582 sf of development on the Project site. Approximately 111,770 sf of development would occur under the Project. Therefore, the Project's FAR and amount of total development would be consistent with that allowed under Tier 3 designation of the *TOC Guidelines*.

**Reduction in Required Parking:** The Proposed Project qualifies for a parking requirement reduction for the residential portion of the Project to a maximum of 0.5 spaces per du in accordance with *TOC Guidelines* Section VI.2.a., as well as a 30 percent reduction in the commercial parking requirement for the commercial portion of the Proposed Project. Based on the 136 net new du proposed as part of the Project, the residential portion would require 69 spaces, and the approximately 8,000 sf of proposed commercial uses would be required to provide parking at a ratio of 1 space per 200 sf per LAMC Section 12.21.A.4, which after a 30 percent reduction amounts to 28 parking spaces. The Project's proposed 116 parking spaces would adhere to the Tier 3 designation requirements under the *TOC Guidelines* for on-site parking supply.

### Three (3) Requested Additional Incentives

**Increase in Building Height.** The Project's zoning designations of RD2-1VL, C2-1VL, [Q]C2-1VL, and R3-1L allow a maximum allowable height of 45 feet and three stories. The building constructed under the Project would be 67 feet, which exceeds the maximum allowable height under these zoning designations by 22 feet. However, with the Project Site's Tier 3 designation, two additional stories and up to 22 feet of additional height, are permitted to be developed above the existing limits of three stories and 45 feet. Therefore, the 5-story, 67-foot-high building proposed under the Project would be allowed to be developed consistent with TOC Guidelines Section VII.1.g (Height).

**Decrease in Open-Space:** Based on the number and type of units that would be constructed under the Project, the Project would be required to provide approximately 14,900 sf of open space in accordance with the LAMC. However, *TOC Guidelines* Section VII.1.b (Open Space) allows for Tier 3 projects to have a 25 percent reduction in required open space. Therefore, the Project would be required to provide at least 11,175 sf of open space. The Proposed Project would provide approximately 11,430 sf of open space, and therefore would be consistent with the Tier 3 designation under the *TOC Guidelines*.

**Averaging of Floor Area Ratio, Density, Parking and Open Space.** The Project, which will be developed on a site consisting of two contiguous parcels within multiple zoning classifications, meets the requirements to average the floor area, density, open space and parking over the Project Site.

## **2. The record does not contain substantial evidence that would allow the Director to disapprove the requested incentives**

Pursuant to LAMC 12.22.A.25(g)(2), the Director shall approve a Density Bonus and requested Incentive(s) unless the Director finds that:

- (a) The incentives do not result in identifiable and actual cost reductions to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for the affordable units.
- (b) The Incentive will have a Specific Adverse Impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the Specific Adverse Impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.

The record does not contain substantial evidence that would allow the Director to make either of these findings, as set forth below.



**(a) The incentives WILL result in identifiable and actual cost reductions to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for the affordable units.**

Under the TOC Guidelines, the proposed Project qualifies for three base incentives related to density, FAR , and parking, as well as three additional incentives related to height, open space requirements, and averaging, discussed in Finding 1 above.

The record does not contain substantial evidence that would allow the Director to make a finding that the requested incentives are not necessary to provide for affordable housing costs per State Law. The California Health and Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs for very low, low, and moderate income households. Section 50052.5 addresses owner-occupied housing and Section 50053 addresses rental households. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed 25 percent gross income based on area median income thresholds dependent on affordability levels.

The requested incentives allows for an additional 78,935 square feet of floor area and an additional two (2) stories and twenty-two (22) feet in height, without which the Project would not be physically feasible. The requested incentives allow the developer to expand the building envelope so that additional units can be built and the space dedicated to residential uses is increase. The requested incentives will also allow for reduced parking and open space, which will result in identifiable and actual cost reductions that make it economically feasible to reserve fifteen (15) units of housing for Extremely Low-Income households.

**(b) The Incentive WILL NOT have a Specific Adverse Impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the Specific Adverse Impact without rendering the development unaffordable to Very Low, Low and Moderate Income households.**

A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22.A.25(b)). As required by Section 12.22 A.25(e)(2), the Project meets the eligibility criterion that is required for density bonus projects. The Project will comply with all applicable requirements of the LAMC relative to health and safety, and studies submitted with the application demonstrate that the Project will not have a significant impact on the physical environment. The Project does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. The Sunset-McDuff Stairway, which was identified in SurveyLA as potentially eligible for local listing or designation as a historic resource, will be retained on the Project site. Therefore, there is no substantial evidence that the proposed incentives will have a specific adverse impact on public health and safety, the physical environment, or any historic resource.

## **PRELIMINARY PARCEL MAP FINDINGS**

### **1. The proposed map is consistent with applicable general and specific plans.**

The Project involves the construction and operation of an urban infill mixed-use development on an approximately 0.95-acre site in the Echo Park neighborhood of the Silver Lake-Echo Park-Elysian Valley Community Plan Area.

The Project Site is a 41,100-square foot (sf), irregular-shaped site located at the northwest corner of West Sunset Boulevard and Portia Street and including McDuff Street. The Project Site is comprised of all or portions of 8 lots currently identified as APNs 5406-001-053 and 5419-027-007. The Project proposes to merge and re-subdivide the Project Site into two parcels. The Project also proposed the merger of an approximately 0.12-acre portion of the McDuff Street public right-of-way.

The subdivision of land is regulated pursuant to Article 7 of the Los Angeles Municipal Code (LAMC). Pursuant to LAMC 17.50, parcel maps are to be designed in conformance with the parcel map regulations to ensure compliance with the various elements of the General Plan, including the Zoning Code. Additionally, the maps must conform with the Street Standards established pursuant to LAMC Section 17.05B.

The General Plan designation in the Silver Lake-Echo Park-Elysian Valley Community Plan for the Project Site is Low Medium II Residential, Community Commercial, and General Commercial, which is consistent with the Project Site's RD2-1VL, R3-1L, C2-1VL, and [Q]C2-1VL zoning and promotes multi-family residential uses and commercial uses such as the Project at densities and scales consistent with the Project. The Silver Lake-Echo Park-Elysian Valley Community Plan identified goals, objectives, policies, and programs to guide development in the community plan area, including residential, commercial, and mixed-use projects. The Project satisfies the applicable goals, objectives, and policies of the Silver Lake-Echo Park- Elysian Valley Community Plan including maintaining an adequate supply and distribution of multiple family, low income and special needs housing opportunities (Policy 1-1.1), encouraging new infill residential development that complements existing development and architectural style (Policy 1-1.4), and locating higher residential densities near commercial centers and major bus routes where public service facilities, utilities, and topography will accommodate this development (Policy 1-2.1). As proposed with the Tier 3 designation under the Transit Oriented Communities Incentive Program (TOC Guidelines), the Project's building footprints and envelopes are consistent with the applicable requirements of the underlying zoning and Community Plan.

The parcel map was prepared by CCE Design & Associates, Inc. Pursuant to LAMC Section 17.51 A, a preliminary parcel map is required to contain information regarding the boundaries of the project site, as well as the abutting public rights-of-way, hillside contours for hillside properties, location of existing buildings, existing and proposed dedication, and improvements of the parcel map. The parcel map indicates the parcel map number, notes, legal description, contact information for the owner, applicant, and engineer, as well as other pertinent information as required by LAMC Section 17.51 A.

Therefore, the proposed map demonstrates compliance with LAMC Sections 17.05 C, and 17.51 A, and is consistent with the applicable General Plan.

**2. The design and improvement of the proposed subdivision are consistent with applicable general and specific plans.**

Section 66418 of the Subdivision Map Act defines the term “design” as follows: “Design” means: (1) street alignments, grades and widths; (2) drainage and sanitary facilities and utilities, including alignments and grades thereof; (3) location and size of all required easements and rights-of-way; (4) fire roads and firebreaks; (5) lot size and configuration; (6) traffic access; (7) grading; (8) land to be dedicated for park or recreational purposes; and (9) such other specific physical requirements in the plan and configuration of the entire subdivision as may be necessary to ensure consistency with, or implementation of, the general plan or any applicable specific plan. In addition, Section 66427 of the Subdivision Map Act expressly states that the “Design and location of buildings are not part of the map review process for condominium, community apartment or stock cooperative projects.”

Section 17.51 of the Los Angeles Municipal Code enumerates design standards for Subdivisions and requires that each subdivision map be designed in conformance with the Street Design Standards and in conformance to the General Plan. In compliance with such standards, the submitted preliminary parcel map contains the following information: 1) dimensions and record boundaries of the total parcel together with a legal description of the total parcel attached to the map; 2) dimensions and boundaries of each proposed parcel; 3) the names, addresses and telephone number of the property owners, the person filing the map, and the registered civil engineer or licensed land surveyor, if any, who prepared the map; 4) the abutting streets and alleys and existing surface improvements and proposed dedications and improvements; 5) the location of other existing public easements and/or private street easements; and 6) the accurate location of any structures on the property.

The design and layout of the parcel map is consistent with the design standards established by the Subdivision Map Act and Division of Land Regulations of the Los Angeles Municipal Code. Sewers are available and adequate in accommodating the Project’s sewage needs. The subdivision will comply with all regulations pertaining to grading, building permits, and street improvement permit requirements.

The Project Site is located within the Silver Lake-Echo Park-Elysian Valley Community Plan. The General Plan designation in the Silver Lake-Echo Park-Elysian Valley Community Plan for the Project Site is Low Medium II Residential, Community Commercial, and General Commercial, which is consistent with the Project Site’s RD2-1VL, R3-1L, C2-1VL, and [Q]C2-1VL zoning and promotes multi-family residential uses and commercial uses such as the Project at densities and scales consistent with the Project.

**3. The site is physically suitable for the proposed type of development.**

The Project Site occupies approximately 0.95-acre in an urbanized area within the Silver Lake-Echo Park-Elysian Valley Community Plan area and is currently developed with a two-

story mixed-use building, three, single-story commercial buildings, surface parking lot, and associated landscaping. The Project Site is served by all required utilities and public services.

The Project will demolish the existing parking lot and the two commercial buildings at 1487 and 1489 W. Sunset, retain the two buildings at 1501 and 1485 W. Sunset Boulevard (which have a combined floor area of 7,812 sf), and construct a residential and commercial mixed-use building with two subterranean parking levels, one partially below-ground commercial and parking level (Ground Floor), and five above-ground residential levels. The proposed mixed-use building will include 5 stories with a maximum building height of 67 feet. The five residential levels will include 136 residential units comprised of 55 studios, 14 junior one-bedroom units, 35 one-bedroom units, and 32 two-bedroom units. Fifteen of the units will be restricted to affordable units for Extremely Low-Income households. In total, 141 residential units will be provided on the Project Site including the additional five residential units at 1501 W. Sunset building that will be retained as part of the Project. The ground floor of the new mixed-use building will provide 8,000 sf of restaurant space, 985 sf of outdoor eating areas fronting W. Sunset Boulevard, a 930 sf lobby and mailroom, as well as 2,040 sf of residential amenity space. In total, the Project will construct 179,660 gross square feet (gsf) of new development, 111,770 sf of which will constitute floor area for purposes of calculating floor area ratio (FAR). The Project will include two levels of subterranean parking and a third, partially subterranean parking level on the ground floor.

There is one existing tree within the right-of-way adjacent to the Project Site, and no existing trees on the Project Site. The Project Site does not include any water courses, wetlands, or other environmental resource that may be subject to regulation by the California Fish & Wildlife Department or other public agency.

The Project Site is in a developed and urbanized residential neighborhood. The surrounding land uses include two, three-story single family residential buildings on the lot to the west of the Sunset-McDuff Public Stairway; one- and two-story commercial buildings west of 1501 W. Sunset Boulevard, fronting W. Sunset Boulevard; multiple one- and two-story single family and multi-family residential buildings to the north; a single-story commercial building to the east; and one- to three-story commercial and residential buildings to the south across W. Sunset Boulevard. The single family and multi-family residential uses to the north are at the top of the previously described slope, and as such are located at a higher elevation than the Project Site (approximately 30 feet). The Project Site is located adjacent to a LA County Metropolitan Transportation Authority (Metro) bus stop on Sunset Boulevard at Portia Street for Lines 2 and 4, and within 0.25-mile of the intersection of Metro Line 200 and Metro Rapid Bus Line 704 at Echo Park Avenue and Sunset Boulevard.

Therefore, the site is physically suitable for the proposed type of development.

#### **4. The site is physically suitable for the proposed density of development.**

The General Plan identifies (through its Community and Specific Plans) geographic locations where planned and anticipated densities are permitted. Zoning applying to subject sites throughout the City are allocated based on the type of land use, physical suitability, and population growth that is expected to occur.

The Project Site is located within the Silver Lake - Echo Park - Elysian Valley Community Plan with a land use designation of Low Medium II Residential, Community Commercial, and General Commercial, which is consistent with the Project Site's RD2-1VL, R3-1L, C2-1VL, and [Q]C2-1VL zoning and promotes multi-family residential uses and commercial uses such as the Project at densities and scales consistent with the Project and further explained in Finding No. 2 above.

There are no known physical impediments or hazards that would 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. Therefore, the Project Site is physically suitable for the proposed density of development.

**5. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.**

Both the Project Site and the surrounding area are urbanized, have been developed and improved with structures for many decades, and do not provide a natural habitat for either fish or wildlife. Additionally, the project was identified as being Categorical Exempt from further CEQA review pursuant to Class 32 for infill development, and that it would not result in significant impacts relating to biological resources. As such, the Project will not cause substantial environmental damage or injury to wildlife or their habitat.

**6. The design of the subdivision and the proposed improvements are not likely to cause serious public health problems.**

The proposed subdivision, and subsequent improvements, are subject to the provisions of the Los Angeles Municipal Code (e.g., the Fire Code, Planning and Zoning Code, Health and Safety Code) and the Building Code. Other health and safety related requirements, as mandated by law, would apply where applicable to ensure the public health and welfare (e.g., asbestos abatement, seismic safety, flood hazard management).

The Project Site is within a hillside and special BOE grading area. It is not within a flood, landslide, liquefaction, methane or alquist-priolo fault zone. The Project does not place any occupants or residents near a hazardous materials site or involve the use or transport of hazardous materials or substances. Additionally, the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system. Therefore, no adverse impacts to the public health or safety would occur as a result of the design and improvement of the site, and the design of the subdivision and the proposed improvements are not likely to cause serious public health problems. In addition, the project is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15332, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies. Therefore, the design of the subdivision and the proposed improvements will not cause serious public health problems.

**7. The design of the subdivision and the proposed improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.**

The Project Site contains the Sunset-McDuff Public Stairway in the norther portion of the Project Site, which will remain. Necessary public access for roads and utilities will be acquired by the City prior to recordation of the proposed map. Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

**ZONING ADMINISTRATOR'S DETERMINATION FINDINGS**

**1. The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.**

The Project consists of an urban infill mixed-use development. The applicant is requesting a Zoning Administrator's Determination (ZAD) as permitted by LAMC Section 12.24.X.26 to allow three retaining walls, each with a height of 10 feet, in lieu of the maximum height of 6 feet for such walls and maximum count of two 10-foot high vertical walls in required rear and side yards in a hillside area.

The Project is in scale with the development of the surrounding properties. The Project will provide much-needed housing accessible to transportation options within a node of residential and commercial activity. As proposed with the Tier 3 designation under the Transit Oriented Communities Incentive Program (TOC Guidelines), the Project conforms to the zoning code with respect to the compatibility of use, provision of on-site parking, bulk and height.

Without the allowance of the requested 10-foot-high retaining walls within the rear and side yard areas, the Project could not be feasibly constructed due to the steep slope within the northwest portion of the Project Site. The Project will enhance the built environment in the surrounding neighborhood and perform a function and service essential to the community by providing much-needed affordable and market-rate housing and additional neighborhood-serving commercial uses.

**2. The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.**

The scale of the buildings included in the Project conforms to the development standards of the underlying zone (with the incentives authorized under the Transit Oriented Communities Affordable Housing Incentive Guidelines). Parking, loading areas, lighting, landscaping, trash collection, and other improvements, as designed and/or proposed, will avoid or minimize any impacts on surrounding properties. The single family and multi-family residential uses to the north are at the top of the slope, and as such are located at a higher elevation than the Project Site (approximately 30 feet.). The face of the proposed retaining walls will not be visible from these residential uses and will be largely hidden from public view behind the proposed mixed-use

building on the Project Site. Therefore, the Project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements that are or will be compatible with existing and future development on adjacent properties and neighboring properties.

The proposed building facades along Sunset Boulevard, as shown in the plans, are articulated using a range of architectural elements including texture, materials and colors. The building designs are further articulated with windows on the ground floor and balconies above the ground floor. Street trees along the front of the proposed building provide additional interest along the streetscape. The proposed layout and design features will ensure that the Project will be functional, aesthetically pleasing, and compatible with neighboring properties.

**3. The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.**

The Project will provide much-needed housing accessible to transportation options within a node of residential and commercial activity. The Project contributes to the stated Goals, Objectives and Policies of the Framework as follows:

- Creates a supply of housing accessible to persons having variable income levels.
- Provides sufficient rental housing to meet the needs and demands of the population.
- Creates housing opportunities for all persons without discrimination.
- Locates new multi-family development in proximity to transportation corridors and high activity areas acting as a buffer between said transit corridors and commercial development and existing lower density residential development.

By providing multifamily residential units, some of which are set aside for Extremely Low-Income households, implementation of the Project will maximize the opportunity for individual choices for all economic, age, ethnic segments of the Silver Lake – Echo Park – Elysian Valley Community Plan Area. The Project also includes a ground floor commercial use and is located in a Transit Priority Area in proximity to goods, services and facilities. The Project is within the area and on the primary street (Sunset Blvd.) designated as a “Mixed Use Boulevard” within the Plan. The Project, therefore, conforms to the purposes, objectives, and policies of the Silver Lake – Echo Park – Elysian Valley Community Plan Area as follows:

- Provides a safe, secure and high-quality residential environment for all economic, age and ethnic segments of the Silver Lake – Echo Park – Elysian Valley Community Plan Area. Goal 1
- Achieves and maintains a housing supply sufficient to meet the diverse economic and socioeconomic needs of current and projected populations to the year 2010. Objective 1-1

- Reduces automobile trips in residential areas by locating new housing in areas offering proximity to goods, services and facilities. Objective 1-2
- Promotes and ensures the provision of adequate housing for all persons including special needs populations, regardless of income, age or ethnic background. Objective 1-4
- Promotes mixed-use housing projects in pedestrian oriented areas and designated Mixed Use Boulevards, Neighborhood Districts and Community Centers to increase supply and maintain affordability. Policy 1-4.2

The Project also conforms to the stated objective of the Housing Element as an Element of the General Plan as follows:

- Produces an adequate supply of rental and ownership housing in order to meet current and project needs. Objective 1.1
- Promotes sustainable neighborhoods that have mixed-income housing, jobs, amenities, services, and transit. Objective 2.2
- Promotes fair housing and accessibility among residents, community stakeholders and those involved in the production, preservation and operation of housing. Objective 2.4

**4. While site characteristics or existing improvements make strict adherence to the zoning regulations impractical or infeasible, the project nonetheless conforms with the intent of those regulations.**

The pre-development topographical configuration of the Project Site makes strict adherence to the zoning regulations limiting the height and number of retaining walls in required side and rear yards in hillside areas to six (6) feet and two (2) total impractical and infeasible. Building Code regulations governing fill slopes limit slopes to a maximum 2:1 (horizontal:vertical) gradient. Limiting the height of the two permitted retaining walls to 6 feet would extend the slope deeper into the buildable portion of the Project Site, rendering the Project infeasible.

The Project's proposed 10-foot-high retaining walls are allowed in hillside areas except within side and rear yards and other open space areas. The apparent purpose of this limitation is to avoid the appearance of monolithic walls within areas that may have visibility from other residential uses in the surround area. In this case, the top of the proposed retaining walls would be at a lower elevation – and would face away from – the residential uses to the north and west of the Project Site. Moreover, the proposed retaining walls would be largely hidden from public view behind the proposed mixed-use building on the Project Site. The requested Zoning Administrator's Determination is therefore in conformance with the spirit and intent of the Planning and Zoning Code.



**5. In light of the project as a whole, including any mitigation measures imposed, the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.**

The Project consists of an arrangement of buildings and structures (including height, bulk, and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements that are or will be compatible with existing and future development on adjacent properties and neighboring properties. The proposed building and uses conform to the underlying zone's development standards (with the incentives authorized under the Transit Oriented Communities Affordable Housing Incentive Guidelines), and the parking, loading areas, lighting, landscaping, trash collection, and other improvements, as designed and/or proposed, will avoid or minimize any impacts on surrounding properties.

The proposed 10-foot-high retaining walls will not adversely affect the single-family and multi-family residential uses to the north and west of the Project Site. The proposed walls will not be visible from the residential uses, which are located at a higher elevation than the Project Site (approximately 30 feet). The proposed layout and design features, including landscaping, will ensure that the Project will be functional, aesthetically pleasing, and compatible with neighboring properties. The resulting retaining wall configuration facilitates thoughtful residential property design while respecting the surrounding natural terrain as much as possible. The retaining walls allow for a finished slope that will maintain topographic conditions as consistent with the natural conditions as possible.

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

The Project will provide much-needed housing accessible to transportation options within a node of residential and commercial activity. As further discussed in Finding No. 3 above, the Project substantially conforms with the purpose, intent, and provisions of the General Plan and the applicable community plan.