

Solaris Apartments

An Affordable Housing Development for Extremely Low Income
and special needs occupants pursuant to LAMC Section 12.22A31,
LAMC Section 12.12.2 and LAMC Section 12.14

Transit Oriented Communities

Tier 4

Base and Additional Incentives:

Yards per RAS3

Transitional Height

Open Space

Applicant

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Representative

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DIR 2019-4049

LAND USE ENTITLEMENT REQUEST

For the construction of a 43-unit 100% affordable special needs housing within a 5-story residential with grade level parking garage providing 8 parking spaces, in a 56,240 square foot building 52'-3 1/2" in height. This project utilizes Transit Oriented Community Guidelines per LAMC Sec. 12.22 A.31 base and Tier-4 additional incentives: 1) Transitional Height per TOC Guidelines; 2) Yard reductions per RAS3; 3) Open Space Reduction: 25% reduction to allow 3,550 SF in lieu of 4,725 SF.

- Pursuant to LAMC Section 12.22.A.31. **Transit Oriented Communities Affordable Housing Incentives Program**
 - **TIER 4 - < ~1,220.52 feet from the intersection of Rapid Line 710, and Rapid Line 728.**
 - **Base Incentives**
 - **80% Residential Density Increase**
 - Lot Area = 15,545.3 sq. ft.
 - Base Density = $15,545.3 / 400 = 39$ (38.78 Rounded up)
 - $39 \text{ units} \times 1.80 = 71$ (70.2 Rounded up)
 - 11% Extremely Low Income set aside = 5 units ($43 \times 0.11 = 4.73$)
 - **Tier 4 Floor Area Ratio 4.25:1 in Commercial Zone**
 - FAR per LAMC = 1.5:1
 $13,675 \text{ (buildable area)} \times 1.5 = 20,512.5 \text{ sq ft.}$
 - Allowable FAR per TOC = 4.25:1
 $13,675 \text{ (buildable area)} \times 4.25 = 58,118.75 \text{ sq ft.}$
 - Proposed FAR = 4.11:1
 $13,675 \text{ (buildable area)} \times 4.11 = 56,240 \text{ sq ft}$
 - **Tier 4 Parking – No Residential parking requirements for 100% Affordable Housing**
 - $43 \text{ units} \times 0 = 0$ parking spaces required
 - Total Residential Parking required = 0 required
 - Total Residential Parking Provided = 8 parking spaces

Bicycle Parking per residential parking per LAMC 12.21 A.16(a)(l)(i) and LAMC 12.21 A.16(a)(3)

Required:

- Long-Term Stalls Required = 37
- Short-Term Stalls Required = 5

- Total Bicycle Parking Stalls Required = 42

Provided:

- Long-Term Stalls Provided = 37
- Short-Term Stalls Provided = 5
- Total Bicycle Parking Stalls Provided = 42
- **Additional Incentives**
 - **Yard reductions per RAS3** – Commercial Zone – May utilize any/all RAS3 Zone Yard requirements
 - CR Zone:
Front Yard = 5 feet
Side Yard = 5 feet
 - C2 Zone:
Side Yard = 5 feet
 - **Transitional Height per TOC Guidelines**
 - **Open Space Reduction: 25% reduction to allow 3,550 SF in lieu of 4,725 SF.**

**LAMC Section 12.22A31,
LAMC Section 12.12.2 and LAMC Section 12.14**

LEGAL DESCRIPTION

Assessor Parcel No. 6020-009-031 & 6020-009-032

REFERENCED SECTIONS OF THE LOS ANGELES MUNICIPAL CODE

Section 12.12.2	"CR" Limited Commercial Zone
Section 12.14	"C2" Commercial Zone
Section 12.22.A.31	Transit Oriented Communities

PROJECT DESCRIPTION AND BACKGROUND

The subject site is located within the Wilshire Community Plan Area. The site is comprised of 15,545.3 square feet, with 101.335 feet of frontage on Crenshaw Street.

Being within the Wilshire Community Plan, the site has a land use designation of General Commercial with an existing zone of C2, CR-1-O and R1-1-O.

The site is comprised of two lots and currently developed with one commercial parking lot. A thorough review was conducted on of SurveyLA and Historic PlacesLA, and verification was obtained that these properties are not considered to have any historic relevance and are not designated cultural monuments.

The properties to the north and south are commercial Office buildings. To the east across Crenshaw are zoned C2-1VL and developed with commercial uses. The properties to the west are zoned R1-1-O-HPOZ and developed with single family dwellings. Oxford Square Historic Preservation Overlay Zone (HOPZ) jigs round the subject site.

The properties adjacent to the rear of the subject site are designated as Altered-Contributing Feature and Non-Contributing Feature. Contributing Altered structures are structures that date from the period of significance, built in the same time period as contributing structures that have retained their historic character in spite of subsequent alterations or additions and are deemed reversible. Non-Contributing Feature were constructed outside the Period of Significance they are not from the historic period of development and therefore do not contribute to the historic nature of the HPOZ. The proposed project will not impact the HPOZ.

The project site is located approximately 1,220.52 feet from the intersection of Rapid Line 710, and Rapid Line 728.

The Applicant is proposing to build a new 43-unit 100% affordable special needs housing within a 5-story residential with grade providing 8 parking spaces, in a 56,240 square foot building, 52'-3 1/2" in height. This project utilizes Transit Oriented Community Guidelines per LAMC Sec. 12.22 A.31 base and Tier-4 additional incentives: 1) Transitional Height per TOC Guidelines; 2) Yard reductions per RAS3; 3) Open Space Reduction: 25% reduction to allow 3,550 SF in lieu of 4,725 SF

In order to develop the property, as proposed, it is necessary to allow certain technical deviations from the strict application of the code. Therefore the applicant has requested three incentives:

Relative Objectives of the Wilshire Community Plan

The proposed Housing Project conforms with the purposes, objectives and policies of said plan as follows:

A SAFE, SECURE, AND HIGH QUALITY RESIDENTIAL ENVIRONMENT

FOR ALL ECONOMIC, AGE, AND ETHNIC SEGMENTS OF THE
COMMUNITY.

Enhancing the positive characteristics of residential neighborhoods while providing a variety of housing opportunities.

Improving the function, design and economic vitality of commercial areas.

Preserving and enhancing the positive characteristics of existing uses which provide the foundation for community identity, such as scale, height, bulk, setbacks and appearance.

Maximizing development opportunities around existing and future transit systems while minimizing adverse impacts..

Preserving and strengthening commercial developments to provide a diverse job-producing economic base.

Improving the quality of the built environment through design guidelines, streetscape improvements, and other physical improvements which enhance the appearance of the community.

Implementation of the proposed housing development will contribute for the provision of the housing required to satisfy the varying needs and desires of all persons who choose to reside in the South Los Angeles community, maximizing the opportunity for individual choices.

Objectives of the Housing Plan as an Element of the General Plan

The proposed housing development, as previously described, conforms with the stated objectives of the Housing Plan as an Element of the General Plan as follows:

- Objective #1 - To provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area to the year 2010.
- Objective #2 - To locate new housing in a manner which reduces vehicular trips and makes it accessible to services and facilities.
- Objective # 3 - To preserve and enhance the varied and distinct residential character and integrity of existing single- and multi-family neighborhoods.

- Objective # 4 - To preserve and enhance neighborhoods with a distinctive and significant historical character.
- Objective # 5 - To promote and ensure the provision of adequate housing for all persons regardless of income, age, or ethnic background.
- Objective # 6 - To limit the intensity and density of development according to the underlying geology and capacity of the infrastructure.

Goals, Objectives and Policies of the Citywide General Plan Framework

The proposed Housing Development as previously described contributes to the stated Goals, Objectives and Policies of the Citywide General Plan 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.

Transit Oriented Communities - Incentives

The subject property has a lot area of 15,545.3 square feet. For residential density calculation purposes the C2 Zone allows 400 square feet of land for each dwelling unit. The residential density allowed by the referenced zoning on the property is established by dividing the total land area by 400, which allows a base density of 35 units (34.18 Rounded Up).

Pursuant to Measure JJJ and the Transit Oriented Communities Guidelines facilitated by LAMC Section 12.22.A.31, the Applicant is entitled to a 80% increase in density for being located in a Tier 4 area and is required to set aside at least 11% of the total density for Extremely Low Income residents.

- **Tier 4 – 80% Residential Density Increase**
 - Base Density = $15,545.3 \text{ sq. ft.} / 400 = 35 \text{ units}$
 - $35 \text{ units} \times 1.80 = 63 \text{ units}$
 - 11% Extremely Low Income set aside = 5 units ($35 \times 0.11 = 4.73 \text{ rounded up}$)

The Applicant is proposing to set aside 5 units as Restricted Affordable in accordance with the TOC regulation of LAMC Section 12.22.A.31. As required in Tier 4 the project will set aside 11 percent of the total units of the project for Extremely low income households. In exchange for setting aside 11 percent of the total units the project is entitled to the Base Incentives including density, floor area ratio and parking.

The project also qualifies for up to two Additional Incentives for setting aside at least 12 percent of the base density for Extremely Low Income households.

- $35 \text{ units} \times 0.11 = 5 \text{ units (4.73 Round Up)}$

Since the project sets aside 5 units for Extremely Low Income (11 percent of total units) the qualifying threshold is met and the project is entitled to two Additional Incentives. The qualifying threshold for the additional incentives is 11 percent of the base density ($35 \text{ units} \times 0.11 = 4 \text{ unit}$) for Extremely Low Income. Since the project is setting aside 6-unit for Extremely Low Income it qualifies for Two Additional Incentives.

In this case the applicant has elected to request the following additional incentives:

- **Additional Incentives**
 - Transitional Height per TOC Guidelines
 - Yard reduction per RAS3
 - Open Space Reduction: 25% reduction to allow 3,550 SF in lieu of 4,725 SF

Height Increase

The Tier-4 Transitional Height Incentive to allow within the first 25 feet of the property line abutting a RW1 or more restrictive zone (R1 Zone) the building height limit shall be stepped-back at a 45 degree angle as measured from a horizontal plane originating 25 feet above grade at the property line of the adjoining lot in the more restricted zone.

The requested transitional height incentive results in a building envelope necessary to accommodate the proposed density, including the affordable set aside units.

Yard Reduction

In any Commercial zone, Eligible Housing Developments may utilize any or all of the yard requirements for the RAS3 zone per LAMC 12.10.5. In order to accommodate the permitted floor area of the base incentives and create a reasonable building envelope for the size, configuration and mix of dwelling unit types the building footprint is expanded. Therefore, the reduced yards are

necessary to accommodate the expanded footprint. The yard reduction requested provides the flexibility necessary for the intended building envelope.

Open Space Reduction

Tier 4 projects are allowed up to a reduction of 25 percent in the required open space. As with reduced side yards the reduction in open space contributes to the accommodation of extra dwelling units and expanded floor area ratios. In this case the project is 100% affordable, providing 42 extremely low income units and 1 market rate managers unit are configured in a reasonably laid out building envelope. The LAMC required open space is 4,725 square feet. With the 25% reduction the required open space is 3,543.75 square feet. The proposed open space is 3,550 SF.

1. Pursuant to Section 12.22 A.31 of the LAMC and the procedure set forth in LAMC section 12.22 A 25(g), the Director shall approve a density bonus and requested incentive(s) unless the director finds that:

- *The incentives are not required to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for the affordable units.*

The record does not contain substantial evidence that would allow the Director to make a finding that the requested incentives are not necessary to provide for affordable housing costs per State Law. The California Health & Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs. 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 Additional Incentives referenced in LAMC Section 12.22 A.31 was pre-evaluated at the time the TOC Guidelines were adopted to include types of relief that minimize restrictions on the size of the project. As such, it is reasonable to arrive at the conclusion that the Additional Incentives are required to provide for affordable housing costs because the incentives by their nature increase the scale of the project.

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

specific, adverse impact upon the public health or safety.

The proposed incentives will not have a specific adverse impact. A "specific adverse impact" is defined as "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22.A.25(b)). The proposed Project and potential impacts were analyzed in accordance with the California Environmental Quality Act (CEQA) Guidelines and the City's L.A. CEQA Thresholds Guide. These two documents establish guidelines and thresholds of significant impact, and provide the data for determining whether or not the impacts of a proposed project reach or exceed those thresholds. Analysis of the proposed Project determined that it is Categorically Exempt from environmental review pursuant to Article III, Section I, and Class 32 of the CEQA Guidelines. The Class 32 Exemption is intended to promote infill development within urbanized areas.

Density Bonus Findings

1. The project substantially compiles with the following criteria required by Section 12.22.A.25(e)(2) of the LAMC for Housing Development Projects requesting on-menu incentives:

a. The facade of any portion of a building that abuts a street shall be articulated with a change of material or a break in plane, so that the facade is not a flat surface.

The subject site is located on S Crenshaw Avenue, North of Pico Blvd in the community of Wilshire. The building elevations are developed in accordance with the Citywide Residential Design Guidelines. The building facade facing the street is not a flat surface, but rather an articulated façade with variations in plane. The façade is varied using a range of architectural elements including, texture, materials and color. The building design is further articulated with a system of balconies, guard panels and windows.

b. All buildings must be oriented to the street by providing entrances, windows, architectural features and/or balconies on the front and along any street facing elevation.

The building fronts S Crenshaw Ave, with a street designation – Avenue II. Therefore, the main pedestrian entrance is located on S Crenshaw Ave. It will be identified with architecturally prominent doors that are recessed for shelter and protection. A series of balconies and windows engage the street on all floors.

- c. The Housing Development Project shall not involve a contributing structure in a designated Historic Preservation Overlay Zone (HPOZ) and shall not be in the City of Los Angeles list of designated Historic Cultural Monuments.***

The subject site is not located in an HPOZ area. The site is currently a grade level parking lot. There are no known designated historic resources or cultural monuments on the subject site.

- d. The Housing Development Project shall not be located on a substandard street in a Hillside Area or in a Extremely High Fire Hazard Severity Zone as established in Section 57.25.01 of this Code.***

The proposed project is not located on a substandard street in a Hillside Area or in a Extremely High Fire Hazard Severity Zone.

- e. The incentives are necessary to provide for affordable housing costs as defined in the California Health and Safety Code Section 500051/5 or Section 50053 for rents for the affordable units.***

The incentives are necessary to build a reasonable and well design residential development to provide for livable dwelling units. The incentives requested allow the flexibility in FAR and height necessary to accommodate the proposed units of the development. It is not the intent of the incentive to increase unit rental values but to allow the project to be configured in such a manner that makes it functionally feasible.

Class 32 Exemption CEQA Findings

The project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 21084 of the California Public Resources Code, and Article 19, Section 15332 (Class 32) of the CEQA Guidelines.

The project qualifies for a Categorical Exemption because it conforms to the definition of "in-fill Projects" as Follows:

- ***The project and successive projects of the same type in the same place will result in cumulative impacts.***

The categorical exemption may not be used when the cumulative impact of successive projects of the same type in the same place may be significant. The proposed TOC project is comprised of lots FR40 and 72 in the N.C. Kelley's Montview Tract in the City of Los Angeles and considered an urban infill development compliant with the designated land use plan and zoning. There is no evidence to conclude that the project will result in cumulative impacts as a result of similar projects in the same place. Given that the proposed project is in

compliance with the General Plan planned build out of the area and there are no significant development projects nearby, cumulative impacts do not exist.

- ***There are unusual circumstances creating the reasonable possibility of significant effects.***

The proposed TOC project falls within an urban infill planned development that contributes to the increase in much needed housing stock in the City of Los Angeles. The infill nature of the property bordered by Crenshaw Blvd. on the west, is a normal and typical circumstance for the development of an underutilized General Commercial zoned property. There are no unusual circumstances indicating any potential possibility of significant effects. And adverse impact is defined as "...a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards and policies.

The proposed residential density falls well below the thresholds that would trigger a traffic analysis, noise study or air quality report.

The typical circumstances of this development make it easy to conclude there are no possibilities of significant effects.

The project would be consistent with air quality polices set forth by the City of Los Angeles, the South Coast Air Quality Management District (SCAQMD), and the Southern California Association of Governments (SCAG)

- ***The project may result in damage to scenic resources, including, but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within an officially designated scenic highway.***

The subject site is not located within an officially designated scenic highway and provides no effect on scenic resources.

- ***The project is located on a site that the Department of Toxic Substances Control and the Secretary of the Environmental Protection have identified, pursuant to Government Code Section 65962.5, as being affected by hazardous wastes or clean-up problems.***

There is no evidence of past uses that may have contributed to toxic exposure. The property is not a DTSC monitored site. The site has been occupied by vacant lot and food stand.

- ***The project may cause a substantial adverse change in the significance of an historic resource.***

The subject site is not located in an HPOZ area, the existing structures are not designated City of Los Angeles Cultural Monuments nor is the project site listed on SurveyLA.

The project site consists of two lots totaling 15,545.3 square feet with 101.335 feet of frontage on Crenshaw Street. The site is currently a grade level parking lot. There are no known designated historic resources or cultural monuments on the subject site.

The project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 21084 of the California Public Resources Code, and Article 19, Section 15332 (Class 32) of the CEQA Guidelines.

The proposed incentives will not have a specific adverse impact. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22.A.25(b)). The proposed Project and potential impacts were analyzed in accordance with the City's Environmental Quality Act (CEQA) Guidelines and the City's L.A. CEQA Thresholds Guide. These two documents establish guidelines and thresholds of significant impact, and provide the data for determining whether or not the impacts of a proposed Project reach or exceed those thresholds. Analysis of the proposed Project determined that it is Categorical Exempt from environmental review pursuant to Article 19, Section 15332 (Class 32) of the CEQA Guidelines. The Class 32 exemption is intended to promote infill development within urbanized areas.

Written Justification that the proposed Project meets the following criteria:

(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations:

The General Plan land use map for the Wilshire and zoning designate the subject property for Neighborhood Commercial Land Use and the C2-1-O zone, and Low II Residential and Medium Residential respectively, which allow up to 35 base dwelling units on the project site based on the size of the site. The TOC guidelines allow up to an 80 percent increase in the base density in a Tier 4 area. The subject TOC project meets all of the criteria to qualify for the requested incentives and allows the proposed 1 market rate units and 42 Extremely Low Income units.

Consistent with the Community Plan, the proposed 43-unit 100% affordable development will provide new, affordable housing to Los Angeles' housing supply, in a neighborhood which is conveniently located to a variety of community services.

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses:

The subject site is wholly within the City of Los Angeles, on a site that is approximately 0.357 acres. The surrounding neighborhood is characterized by a mix of residential and commercial developments.

The project site consists of two lots totaling 15,545.3 square feet with 101.335 feet of frontage on Crenshaw Street. The site is currently a grade level parking lot.

(c) The project site has no value as habitat for endangered, rare or threatened species:

The project site is situated in an established neighborhood adjacent to commercial corridors and residential developments. The subject property is currently maintained by a single family residence and commercial structures, and has no value as a habitat for endangered, rare, or threatened species.

NavigateLA and the Los Angeles City Planning Department's Environmental and Public Facilities map for Significant Ecological Areas show that the subject site is not located in any of these areas.

(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality:

At the time of writing a Los Angeles Department of Transportation Referral Form is being analyzed for indications of potential impacts and the necessity of a traffic study. Given existing data it is anticipated that the project generated traffic is not expected to create a significant impact at any of the surrounding intersections. Incremental but not significant impacts are likely but will probably not result in mitigations related to traffic.

The development of the project would not result in any significant effects relating to noise, since the project must comply with the City of Los Angeles Noise Ordinance No. 161,574 and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels. Furthermore, the project is below the 75 dwelling units and 1,000 average daily vehicle trips CEQA threshold.

The development of the project would not result in any significant effects relating to air quality, since operational emissions for the project related traffic will be less than significant, due in part to the relative size of the project, 43 units in a 56,240 square foot building.

In addition to mobile sources from vehicles, general development causes smaller amounts of "area source" air pollution to be generated from on-site energy consumption (natural gas combustion) and from off-site electrical generation. The

sources represent a small percentage of the total pollutants. The inclusion of such emissions adds negligibly to the total significant project-related emissions burden generated by the proposed project. The project will not cause the SCAQMD's recommended threshold levels to be exceeded.

Appropriate dust control measures would be implemented as part of the proposed Project during each phase of development, as required by SCAQMO Rule 403 - Fugitive Dust. Specifically, Rule 403 control requirements include, but are not limited to, applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, utilizing a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the Project site, and maintaining effective cover over exposed areas.

Construction impacts will also be at less-than significant levels since Best Available Control Measures must be used where feasible.

The development of the project would not result in any significant effects relating to water quality. The project is not adjacent to any water sources and does not involve extensive excavation that might have an impact on the water table. Therefore, construction of the project will not create any impact on water quality. Furthermore, the project will comply with the City's storm water management provisions per LAMC 64.70.

(e) *The site can be adequately served by all required utilities and public services:*

The site is currently and adequately served by the City's Department of Water and Power, the City's Bureau of Sanitation, the Southern California (SoCal) Gas Company, the Los Angeles Police Department, the Los Angeles Fire Department, Los Angeles Unified School District, Los Angeles Public Library, and other public services. These utilities and public services have continuously served the neighborhood for more than 50 years. In addition, the California Green Code requires new construction to meet stringent efficiency standards for both water and power, such as high-efficiency toilets, dual-flush water closets, minimum irrigation standards, LED lighting, etc. As a result of these new building codes, which are required of all projects, it can be anticipated that the proposed Project will not create any impact on existing utilities and public services through the net addition of 43-dwelling units. The project site will be adequately served by all public utilities and services given that the construction of a 43-unit residential project will be on a site surrounded by similar uses and is consistent with the general plan. The Project can be characterized as in-fill development within urban areas for the purpose of qualifying for Class 32 Categorical Exemption as a result of meeting the five conditions listed above.