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Date: February 11, 2015

City Plan Case No.: CPC-2009-542-GPA-ZC  
-HD-SPR-ZAA and

Environmental Case No: ENV-2009-339-EIR

Council File: 14-0869

Council District No. 15

Honorable City Council City of Los Angeles  
City Hall, Room 395  
Los Angeles, CA 90012

Dear Councilmembers:

**PROPOSED GENERAL PLAN AMENDMENT, AND ZONE AND HEIGHT DISTRICT CHANGE  
ON PROPERTY LOCATED 1313 - 1351 W SEPULVEDA BLVD., WITHIN THE HARBOR  
GATEWAY COMMUNITY PLAN**

This document is revised from the one dated January 29, 2015, to include two updated exhibits.

Pursuant to the provisions of Section 551, 555 and 558 of the City Charter, transmitted herewith is the April 17, 2014 action of the City Planning Commission recommending disapproval of a proposed General Plan Amendment to change the land use designation of the subject property from Heavy Industrial to General Commercial within the Harbor Gateway Community Plan ("Community Plan"). The City Planning Commission recommended disapproval of a concurrent Site Plan Review, Zoning Administrator Adjustment, Zone Variance, Zone Change, and Height District Change from M3-IVL to C2-IL.

The Applicant has modified the project and entitlement request with a project design change and elimination of the Zoning Administrator Adjustment and Zone Variance. Pursuant to Committee instruction at the January 13, 2015, Planning and Land Use Management Committee Public Hearing, the Department of City Planning prepared the following documents (resolution, conditions, findings and related ordinances) that support an approval of the proposed project and a change in zoning from M3-1VL to (T)(Q)-C2-2D.

Note that a twelve member (2/3 vote) of Council is required to approve the subject requests.

The proposed General Plan Amendment was submitted to the Mayor whose recommendation will be forwarded to you as specified by Section 11.5.6 of the Los Angeles Municipal Code.

#### RECOMMENDATION.

The Department cannot recommend an action disparate from our Commission Decision; following are the actions necessary if the Council is to not Concur with the lower decision making body.

That the City Council:

1. Certify that it has reviewed and considered the information contained in the Draft and the Revised and Updated Final Environmental Impact Report (published January 27th, 2015) ENV-2009-339-EIR, SCH 2010021020 and Adopt the Statement of Overriding Considerations.
2. Adopt the attached Findings as the Findings of the City Council; and
3. Do not Concur in the action of the City Planning Commission relative to its recommended disapproval of the Zone Change, Height District Change, and General Plan Amendment for the subject property; and
4. Adopt by Resolution, the proposed Plan Amendment to the Harbor Gateway Community Plan as set forth in the attached resolution; and
5. Adopt the ordinance changing the zone to (T)(Q)C2-2D as set forth in the attached exhibit; and
6. Do not Concur in the action of the City Planning Commission relative to its disapproval of Site Plan Review for a 352 unit residential project at the site.
7. Dismiss as Withdrawn by the applicant a Zoning Administrator's Adjustment and a Zone Variance
8. Direct staff to revise the Community Plan Map in accordance with this action.

Very truly yours,

MICHAEL J. LOGRANDE  
Director of Planning



Shana Bonstin  
Senior City Planner

#### Attachments:

1. Revised Conditions of Approval, Including Qs and Ts
2. Findings, including Land Use Findings and CEQA Findings
3. Resolution
4. General Plan Amendment Map
5. Zone Change Ordinance and Map
6. Revised "Exhibit A" Project Plans submitted by Applicant

## (Q) QUALIFIED CONDITIONS OF APPROVAL

Pursuant to Section 12.32 G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "Q" Qualified classification.

### A. Entitlement Conditions

1. **Site Plan.** The use and development of the property shall be in substantial conformance with the Plot plan and elevations marked **Revised Exhibit A (consistent with EIR Alternative D)**, and attached to the administrative file. Prior to the issuance of building permits, revised, detailed development plans that show compliance with all conditions of approval, including complete landscape and irrigation plans, shall be submitted to the Department of City Planning Department for review.
2. **Use.** Use of the subject property shall be limited to the use and area provisions of the C2-2D zone; multifamily residential shall be permitted.
3. **Parking.** Pursuant to LAMC Section 12.21A4(x)(3)(a) the Project need not provide more than 792 parking spaces.
4. **Residential Density.** Not more than 352 residential units may be constructed on the property.
5. **Open Space.** A minimum of 119,140 square feet of open space shall be provided on site.
6. **Landscape Plan.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with the landscape plan prepared by a licensed landscape architect to the satisfaction of the Department of City Planning Department. (MM)
  - a. Landscaped peninsulas between parking stalls shall be added to and planted with shade producing trees to create shade coverage meeting the City's Landscaping Ordinance # 170,978 subsection K 1. H.
  - b. Mature landscaping shall be planted along the lot lines abutting adjacent properties.
  - c. Pedestrian walkways shall connect doorways and entrances from one building to another and from each building to ground level amenities and the cul-de-sac sidewalks. Walkways on site shall be constructed with a distinct paving material, variegated color and pattern, such that the pathways are differentiated from the driveway surface and enhance pedestrian
7. **Setbacks.** The project shall maintain a 51 foot rear yard setback between the northern property line and any habitable structure on site.
8. **Balconies.** The balcony railings facing lot lines abutting other properties shall be made of solid material. Balconies shall not project into the required setbacks.

### B. Environmental Conditions

9. **Aesthetics (Landscape Plan).** 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 and an automatic irrigation plan, prepared by a Landscape Practitioner (Sec. 12.40-D) and to the satisfaction of the decision maker.

**10. Aesthetics (Vandalism)**

- a. Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.
- b. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a street or alley, pursuant to Municipal Code Section 91.8104.15.

**11. Aesthetics (Signage on Construction Barriers)**

- a. The applicant shall affix or paint a plainly visible sign, on publically accessible portions of the construction barriers, with the following language: "POST NO BILLS".
- b. Such language shall appear at intervals of no less than 25 feet along the length of the publically accessible portions of the barrier.
- c. The applicant shall be responsible for maintaining the visibility of the required signage and for maintaining the construction barrier free and clear of any unauthorized signs within 48 hours of occurrence.
- d. The Applicant shall ensure through appropriate postings and daily visual inspections that no unauthorized materials are posted on any temporary construction barriers or temporary pedestrian walkways, and that such temporary barriers and walkways are maintained in a visually attractive manner throughout the construction period.

**12. Aesthetics (Signage)** On-site signs shall be limited to the maximum allowable under the Municipal Code.

**13. Aesthetics (Light)** Project lighting shall be directed onto the site, and all lighting shall be shielded from adjacent roadways and off-site properties. Atmospheric light pollution shall be minimized by using lighting fixtures that cut-off light directed to the sky.

**14. Aesthetics (Glare)** The proposed buildings shall incorporate non-reflective exterior building materials (such as plaster and masonry) in their design. Any glass to be incorporated into the façade of the buildings shall be either of low-reflectivity, or accompanied by a non-glare coating.

**15. Land Use Planning.** The Project Applicant shall provide all prospective residents of the proposed apartment project with a disclosure statement acknowledging the Project is located adjacent to areas designated, zoned for, and improved with industrial land uses, including, at minimum, the following details:

- a. The surrounding M3 zone (City of Los Angeles to the north and west) allows any use in the M2 zone except for any R zone use, dwelling units or guest rooms, and hospitals. Thus, it allows industrial uses, storage yards, and limited commercial manufacturing.
- b. The surrounding M-2 zone (County of Los Angeles to the east) allows heavy manufacturing and all other uses, with the exception of heavy industry needing a CUP. Residential uses and school uses are prohibited
- c. Signed disclosure statements shall be procured by the leasing agent prior to the execution of any residential lease agreements.

**16. Sidewalks.** All new sidewalks along the project's street frontages shall be paved with pervious (permeable) concrete or interlocking pavers to create a distinctive pedestrian environment and to increase the opportunity for stormwater infiltration on the site.

**17. Increased Noise Levels (Landscape Buffer)**

- a. A minimum five-foot wide landscape buffer shall be planted adjacent to the residential use.
- b. A landscape plan prepared by a licensed Landscape Architect shall be submitted for review and approval by the decision maker.

**18. Increased Noise Levels (Demolition, Grading, and Construction Activities)**

- a. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- b. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- c. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- d. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices. The use of those pieces of construction equipment or construction methods with the greatest peak noise generation potential shall be minimized to the extent feasible. Examples include the use of drills, jackhammers, and pile drivers.
- e. Noise and groundborne vibration construction activities whose specific location on the site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise-sensitive land uses, and natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen propagation of noise from such activities towards these land uses to the maximum extent possible.
- f. Equipment warm-up areas, water tanks, and equipment storage areas shall be located as far as possible from the surrounding residential uses.
- g. The Project Contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- h. Flexible sound control curtains shall be placed around drilling apparatuses and drill rigs used within the Project Site, if sensitive receptors are located at, or within, 50 feet.

**19. Increased Noise Levels.**

- a. The proposed residences shall comply with the Noise Insulation Standards of Title 24 of the California Code of Regulations, which insure an acceptable interior noise environment. Specifically, the design standards shall be established to maintain noise levels at interior spaces to be within the 45 dBA noise standards. Measures can include, but not be limited to, using construction techniques/materials with a sound transmission class (STC) rating of 32 in habitable rooms/areas, installing sound-rated interior walls between uses, or other site planning and building placement that could reduce or eliminate the line-of-sight between the noise source and residential uses. The applicant shall verify, through an acoustical engineer, that installed sound insulation is sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.
- b. The Project Applicant shall construct an 8-foot-high masonry block wall along the northern, eastern, and western property lines to attenuate sound trespass from the adjacent industrial land uses. A 10-foot linear buffer zone fronting the block wall shall be attractively maintained with a landscaped buffer, including tall, dense foliage, to provide further sound absorption and attenuate excessive ambient noise levels.
- c. The Project Applicant shall provide all prospective residents of the proposed apartment project with a disclosure statement acknowledging the Project is located adjacent to an area zoned for and improved with industrial land uses that have the potential to generate noise levels during the late evenings and early morning hours.



Signed disclosure statements shall be procured by the leasing agent prior to the execution of any residential lease agreements.

**20. Public Services (Fire).**

- a. During demolition and construction, LAFD access from major roadways and internal roadways shall remain clear and unobstructed.
- b. The Project Applicant shall submit a plot plan to the LAFD for review and approval of the Project, which shall provide the capacity of the fire mains serving the Project Site and projected demands. Any required upgrades shall be identified and implemented prior to building permit sign-off.
- c. The design of the Project Site shall provide adequate access for Fire Department equipment and personnel to the structure.
- d. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along the path of travel, except for dwelling units, where travel distances shall be computed to the front door of the unit.
- e. The Project Applicant shall submit plot plans for LAFD approval of access and fire hydrants.
- f. The Project shall provide adequate off-site public and on-site private fire hydrants.
- g. Fire Code requirements that would be implemented as part of the Project include compliance with all applicable State and local codes and ordinances, fire lane design (including width and clearances), fire hydrant locations, fire hydrant flow rates, access roads, turning areas, distances from street or fire lane to condominiums and hotels, requirements for accommodating LAFD equipment, and load bearing requirements for fire access areas to accommodate LAFD equipment.

**21. Public Services (Police).**

- a. The Project Applicant shall employ security features, such as fencing, security lighting, and roaming security guards, which would serve to minimize the need for LAPD services during construction.
- b. The Project design shall address access control to proposed structures including parking areas, security lighting, landscaping planning and minimization of dead space to eliminate areas of concealment, and provision of security patrol throughout the Project Site if needed. The Design Out Crime Guidelines: Crime Prevention Through Environmental Design, The Design Out Crime Guidelines: Crime Prevention Through Environmental Design, published by LAPD, shall be used for reference. All crime prevention features shall be reviewed and approved by the LAPD prior to the issuance of a building permit.
- c. Upon completion of the Project, the Applicant shall provide the LAPD's Central Area Commanding Officer with a diagram of all portions of the Project Site that includes access routes and any other applicable information that may facilitate police response.
- d. For each construction phase and on-going during operations, an Emergency Procedures Plan shall be developed to address emergency concerns and practices. The plan shall be subject to review by the LAPD.

**22. Transportation.** At the sole financing by the Project Applicant, the Project Applicant shall be responsible for the following:

- a. **Sepulveda Blvd.** The westbound/eastbound approaches on Sepulveda Boulevard at Normandie Avenue shall be modified to provide a second left-turn only lane. (The resultant approach lane configuration would provide two left-turn lanes, two through lanes, and one shared through/right-turn lane.)
- b. To accommodate the proposed left-turn lanes, the existing median islands on both the westbound and eastbound legs of the intersection along Sepulveda Boulevard shall be reconstructed and the existing eastbound and westbound roadway striping shall be modified for transitional purposes.

- c. Widen north and south sides of Sepulveda Boulevard by two feet from Normandie Avenue to a point east of Normandie Avenue where the striping transitions terminate.
- d. Make a fair-share contribution of 39.3 percent.
- e. **Vermont Avenue.** Vermont Avenue at Sepulveda Boulevard: East Approach: Two left-turn lanes, two through lanes, and one shared through/right-turn lane.
- f. Widen north and south sides of Sepulveda Boulevard by 2-feet from Vermont Avenue to a point east of Vermont Avenue where the striping transitions terminate.
- g. Reconstruct median on the east approach.
- h. Modify traffic signal.
- i. Make a fair-share contribution towards the Los Angeles County Intelligent Transportation System of 10.4 percent.

#### **Administrative Conditions of Approval**

- 23. **Final Plans.** Prior to the issuance of any building permits for the Project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
- 24. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
- 25. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
- 26. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
- 27. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the Project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
- 28. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
- 29. **Expiration.** In the event that this grant is not utilized within three years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.



30. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all of the information contained in these conditions shall be recorded by the property owner in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heir, or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a Certified Copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.
31. **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 relating to or 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.



**“D” DEVELOPMENT CONDITIONS**

Pursuant to Section 12.32 H of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the “D” Development classification.

1. **Height.** The buildings shall be limited to a height of 65 feet, as defined by Los Angeles Municipal Code (LAMC) Section 12.03, as depicted on Exhibit A.
2. **Floor Area Ratio (FAR).** The project FAR shall not exceed 2:1.

### CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

Pursuant to Section 12.32 G of the Municipal Code, the (T) Tentative Classification shall be removed by the recordation of a final parcel or tract map or by posting of guarantees through the B-permit process of the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approval or guarantees provided to the Department of City Planning for attachment to the subject planning case file.

1. **Dedication(s) and Improvement(s):** Prior to the issuance of any building permits, except demolition, excavation, or foundation permits, public improvements and dedications for streets and other rights of way adjoining the subject property shall be guaranteed to the satisfaction of the Department of Public Works, Bureau of Engineering, Fire Department (and other responsible City, regional, and Federal government agencies, as may be necessary).
  - a. Transportation Dedications and Improvements. The applicant shall consult with the Bureau of Engineering and the Department of Transportation (DOT) for any dedications or street widening requirements. These requirements shall be guaranteed before the issuance of any building permit through the B-permit process of the Bureau of Engineering, department of Public Works. They shall be constructed and completed prior to issuance of any Certificate of Occupancy to the satisfaction of DOT and the Bureau of Engineering.
2. **Parking Area and Driveway Plans.** Parking area and driveway plans shall be submitted to the Citywide Planning Coordination Section of the Department of Transportation, Construction Services Counter (201 North Figueroa Street, Suite 400, Station 3) and the Bureau of Engineering, prior to the issuance of a building permit. A parking area and driveway plan may be submitted to the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Final DOT approval should be accomplished by submitting detailed site/driveway plans at a scale of 1"=40' and proper documentation verifying the existing or previous use, square footage and shall include following minimum design features: Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.
3. **Fire Department.** The requirements of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features:
  - a. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width. (MM)
  - b. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. (MM)
  - c. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane. (MM)



- d. Access for Fire Department apparatus and personnel to and into all structures shall be required.
  - e. The Proposed Project shall comply with all applicable State and local codes and ordinances, and guidelines found in the Fire Protection and Fire Prevention Plan, as well as the Safety Plan, both of which are elements of the General Plan for the City of Los Angeles C.P.C. 19708.
4. **Power Facilities.** The developer shall make arrangements for the underground installation of all new utility lines in conformance with Section 17.05.N of the Los Angeles Municipal Code.
5. **Cable Television.** The applicant shall make any necessary arrangements with the appropriate cable television franchise holder to assure that cable television's facilities will be installed in City rights-of-way in the same manner as is required of other facilities, pursuant to Municipal Code Section 17.05 N, to the satisfaction of the Information Technology Agency (ITA).
6. **Recreation (Increase Demand for Parks or Recreational Facilities).** Pursuant to Los Angeles Municipal Code Section 12.33-A of, the applicant shall pay the applicable Recreation and Park fees for the construction of the dwelling units.
7. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning off the information contained in these conditions shall be recorded by the property owner in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heir, or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a Certified Copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.

Notice: If conditions dictate, connections to the public sewer system may be postponed until adequate capacity is available.

Notice: Certificates of Occupancies for the subject properties will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.

## PROPOSED LAND USE FINDINGS

### 1. GENERAL PLAN FINDINGS

**The action is in substantial conformance with the purposes, intent and provisions of the General Plan. (Charter Section 556)**

The General Plan sets forth goals, objectives, policies and programs that provide a guideline for day-to-day land use actions to meet the existing and future needs and desires of the communities within the City of Los Angeles, while integrating a range of state-mandated elements, including Transportation, Noise, Safety, and Conservation. The requested amendment of the Harbor Gateway Community Plan ("Community Plan") from Heavy Industrial to Neighborhood Commercial with a Height District designation of 2 is compatible with the broad goals, objectives and policies of the General Plan as follows. It serves a transition to commercial uses on Sepulveda Boulevard between Western Avenue and Normandie Avenue (the "Sepulveda Corridor"); The request puts focus on the relationship of the Property, located at the end of a cul-de-sac with only an outlet to Sepulveda Boulevard, to the Sepulveda Corridor and not to the industrial area further north. It allows for apartments as a housing alternative to existing single family dwellings thereby supporting a more diverse range of housing choices including residential apartment housing. It allows the placement of multi-family housing within walking distance of the commercial uses along the Sepulveda Corridor and in close proximity to transit and Freeway access; The requested C2-2 Zone ~~which~~ is necessary to facilitate development of the residential Project. These changes will allow residential uses consistent with the objectives and policies of the General Plan, as detailed below.

#### Framework Element

The Framework Element (the "Framework") of the General Plan, adopted by City Council on December 11, 1996 and re-adopted on August 8, 2001, provides guidance regarding policy issues for the entire City of Los Angeles. The Framework also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. By enabling the construction of additional housing units in close proximity to existing employment and commercial services, the zone change and associated General Plan amendment/designation, will be consistent with several goals and policies of the Framework.

The Framework is unequivocal as to the demand for housing:

*"Housing production has not kept pace with the demand for housing."* (Framework, Chapter 4, Summary of Housing Issues)

The cause of much of that unmet demand reflects an inadequate supply of vacant land planned for residential development. The Framework recognizes the need to repurpose vacant land where there is insufficient market demand for uses intended by Community Plans. In the Harbor Gateway Community Plan Area, 41 percent of the area is planned for industrial use and this constrains the ability of the remaining residential area to accommodate housing demand. In most other community plans, less than 10 percent of the area is planned for industrial use. The



substantial development of retail uses and commercial services in the Sepulveda Corridor, despite its Heavy Industrial Land Use designation, shows a lack of market demand and thus overabundance of industrial land in this community. As a consequence of too few vacant properties zoned for residential use and too much property planned for industrial use, the subject Property has remained vacant for approximately 15 years. The Framework discusses these very issues:

*“Currently, the City of Los Angeles has insufficient vacant properties to accommodate the cumulative amount of population growth which has been forecasted. The supply of land zoned for residential development is the most constrained in the context of population growth forecasts. Thus, should growth and new development in the City occur, most likely it will require the recycling and/or intensification of existing developed properties or conversion of certain uses, where there is insufficient market demand, to an alternative use.”* (Framework, Chapter 4, Summary of Housing Issues)

The Framework also points out that where residential development often occurs, the units are small and usable open space is insufficient:

*“Existing units often do not meet the needs of potential residents because the units are small (in number of rooms) and lack usable open space. A concentration of large households in many communities suggests the need for an increased supply of larger housing units.”* (Framework, Chapter 4, Summary of Housing Issues)

To those ends, the Project provides 352 two- and three-bedroom dwelling units with a range of floor areas from 980 square feet to 1,423 square feet. The requested height district change would permit these units to be an average of approximately 1,266 square feet each, rather than restricted to approximately 949 square feet each based upon a floor area ratio of 1.5:1. The provision of approximately 119,148 square feet of open space will far exceed the approximately 35,925 square feet of open space required by the Municipal Code. Open space provided includes private open space, courtyard, club house, roof deck, community room, fitness center and ground floor yards.

The Project also responds to the lack of a jobs/housing balance. While there is an abundance of employment in the community, housing opportunities are largely limited to existing single family dwellings. Few vacant single family lots are available and the Framework generally supports the retention of stable single family neighborhoods. Proximity to rich job centers nearby is limited by the lack of nearby housing opportunities. This contributes to poor air quality in the community as employees of local businesses must find housing farther from their places of employment making for longer commutes, greater congestion on freeways and other main roads resulting in a corresponding increase in carbon monoxide, nitrogen oxides, sulfur dioxide, hydrocarbons and particulate matter. As stated in the Framework:

*“The locational relationship between jobs and housing is an issue in Los Angeles. The distribution and extensive coverage of single-family units throughout the City coupled with their physical separation from commercial services, jobs, recreation, and entertainment necessitates the use of the automobile and results in a high number of generated trips and*

*distances traveled. This has resulted in increased traffic congestion and air pollution.”*  
(Framework, Chapter 4, Summary of Housing Issues)

One of the recommended measures to reduce trip generation and promote clean air is to provide housing and employment in close proximity to one another, as proposed here:

*“Living in proximity to transit and within mixed-use developments can reduce the number of trips people take in their cars, providing some people with the opportunity to walk between their home, job, and or neighborhood services.”* (Framework, Chapter 4, Housing Policy)

To implement the provision of jobs and housing in proximity to one another, the Framework recommends these uses be located in commercially-zoned corridors. While the Sepulveda Corridor is zoned M3, *actual use* is predominantly commercial, reflecting a transition away from industrial uses to neighborhood serving commercial uses including fast food restaurants, financial services and a drug store/pharmacy. Expanding the depth of this commercial corridor to incorporate housing is consistent with the intent of the following Framework policy:

*“Improvement of the jobs and housing relationships in sub-areas of the City may be accomplished through the re-use of commercially zoned corridors and development at transit stations which afford the opportunity for the development of a mix of uses, housing, local retail, and offices, and can improve localized jobs and housing relationships.”* (Framework, Chapter 4, Housing Policy)

Even where housing is developed, some projects are unaffordable to those with a moderate income. Most residential area in the vicinity of the Property is planned for single family use. The Low Density designation appropriately serves a segment of the population seeking to own a home, but does not serve those who prefer living in an apartment and/or who cannot afford to buy a home. Multi-family housing is largely absent in this area. According to the Framework:

*“[s]ome areas of the City have over-concentrations of low-income housing and other areas have very little housing available even to moderate-income families.”* (Framework, Chapter 4, Summary of Housing Issues)

The subject apartment Project is anticipated to be affordable at a lower price point than nearby single family homes.

The Project is consistent with the following multi-family residential land use goal and objective in the Framework:

#### GOAL 3C

*“Multi-family neighborhoods that enhance the quality of life for the City's existing and future residents.”*

#### Objective 3.7



*“Provide for the stability and enhancement of multi-family residential neighborhoods and allow for growth in areas where there is sufficient public infrastructure and services and the residents' quality of life can be maintained or improved.”*

At 5.1 acres, the subject project creates a new micro-neighborhood within approximately 400 feet of older residential uses on the south side of Sepulveda Boulevard and within 700 feet of 78 condominiums constructed in 2009 on the east side of Normandie Avenue. Based upon the analysis performed in the EIR, there is sufficient public infrastructure and services to accommodate the residents who would live and play at the subject development. The Project's setback from Sepulveda Boulevard provides for reduced traffic noise yet proximity to jobs and public transit. The Project's setback from Sepulveda Boulevard and the existence of commercial uses along the north side of Sepulveda Boulevard also provides an appropriate buffer to the single family residential neighborhood south of Sepulveda Boulevard. Numerous stores within walking distance provide opportunities for employment and nearby shopping. These stores and services will benefit from the expansion of local users.

The Framework also recognizes that some land planned for industrial use may be better served if developed for other uses. The Property is more closely aligned and connected to the commercial frontage in the Sepulveda Corridor than to the adjacent industrial properties to the north. In fact, there is no physical access from the Property to those industrial properties as the cul-de-sac providing access to Sepulveda Boulevard dead ends at the Property. Access to the industrially-developed properties is available through Normandie Avenue, 228<sup>th</sup> Street or Lockness Avenue only. The reduction of 5.1 acres of industrial property from the citywide inventory of approximately 19,000 acres (Los Angeles' Industrial Land: Sustaining a Dynamic City Economy, Appendix B, December 2007, Page 10.) would not adversely the City's ability to accommodate new industrial uses or adversely impact adjacent residential neighborhoods, commercial districts, or other land uses. The proposed request is consistent with several of the criteria for re-designating ~~marginal~~ industrial lands for alternative uses as indicated below. (Framework, Objective 3.14.6)

- Criterion: *Where the conversion of industrial lands to an alternative use will not create a fragmented pattern of development and reduce the integrity and viability of existing industrial areas.*

Between Normandie Avenue on the east and Western Avenue on the west, the north side of Sepulveda Boulevard is zoned [Q]M2, M2, MR2 and M3 approximately 2,900 lineal feet of frontage. All of these lots are designated as Light Industrial or Heavy Industrial. Notwithstanding these designations, commercial and retail uses occupy approximately 87 percent of this frontage. Only two of the lots are occupied with industrial uses and one lot is vacant. The Property is located immediately north of new retail uses on either side of the cul-de-sac. Approximately 84 percent of the south side of Sepulveda Boulevard designated Low Residential on the Community Plan and zoned R1. These lots were developed in approximately 1968 and 1969 exclusively with single family dwellings that remain. Retail uses on property zoned [Q]C2 occupy the other 16 percent of the frontage. No industrial use takes its access from the cul-de-sac. The Project compliments the emerging pattern of commercial development along the Sepulveda Corridor. Therefore, the Project would not cause any fragmentation of industrial land nor reduce the integrity or viability of existing industrial area. Any fragmentation that may have occurred has

preceded this Project and there is abundant industrial land remaining in the Community Plan area.

- Criterion: *Where the conversion of industrial lands to an alternative use will not result in an adverse impact on adjacent residential neighborhoods, commercial districts, or other land uses.*

The Property's vacancy for the past 15 years demonstrates the lack of demand for industrial use at this location. In addition, the development of the Sepulveda Corridor in the past decade or more has been exclusively with new retail, restaurant and financial services, despite the Heavy Industrial designation of the Community Plan. Industrial uses north of the Property do not appear to include uses that are required to be at least 500 feet from a more restrictive zone in the LAMC; no existing or prospective tenants would be adversely affected.

Residential use of the Property would complement existing single family development that abuts the opposite side of Sepulveda Boulevard by providing a wider range of housing opportunities.. Amending the Community Plan to Neighborhood Commercial with a Height District designation of 2 is more compatible with the adjacent single family homes than the existing Heavy Industrial designation. The Project's setback from Sepulveda Boulevard and the existence of the commercial uses along the north side of Sepulveda Boulevard also provides a buffer to the single family residential neighborhood south of Sepulveda Boulevard. As revised and proposed, the Project will be adequately buffered from the nearby industrial uses and designed and built to mitigate noise impact from surrounding uses.

There is no evidence in the record that the ongoing conversion of land planned and zoned for industrial use to commercial use within the Sepulveda Corridor has had any adverse impact on any adjacent land uses. Nor will the development of the Project result in any adverse impact on any adjacent land uses.

- Criterion: *Where it can be demonstrated that the reduction of industrial lands will not adversely impact the City's ability to accommodate sufficient industrial uses to provide jobs for the City's residents or incur adverse fiscal impacts;*

The Project will not adversely impact the City's ability to accommodate sufficient industrial uses to provide jobs for the City's residents. Approximately 41 percent of the Community Plan land area is planned for industrial uses. The 5.1 acres of land represented by the Project account for less than one-half of one percent of the total industrial acres designated by the Community Plan. Much of the nearby industrial area, including adjacent portions in the unincorporated County, are used for temporary activities such as a 350-car automobile auction lot near the intersection of the Harbor and San Diego Freeways, indicating a large surplus of industrial property extending beyond the boundaries of the Harbor Gateway community.

The absence of an updated community plan for nearly two decades underscores the public necessity of considering and approving the subject plan amendment.

In fact, there appears to be more industrial land in the general area surrounding the Project than is needed. The overabundance of industrial land in the Harbor Gateway community is evidenced by the following:

- A Holiday Inn at 19800 S. Vermont Avenue was developed as the result of a plan amendment and zone change from M3 to C4;
- An Extended Stay hotel, a Walmart and other retail stores at the southwest corner of Normandie Avenue and 190<sup>th</sup> Street was developed on property that was amended from Heavy Industrial to Neighborhood Commercial and from M3 to C2.
- Additional industrial sites in the adjacent unincorporated County are also used for commercial or residential purposes including:
  - a site adjacent to the Harbor Freeway, Vermont Avenue and 190th Street used as a 350-acre outdoor automobile auction,
  - a site on the 22900 block of S. Normandie Avenue, one block north of the Project, rezoned from industrial to residential to permit development of 78 residential condominiums in 2009 and
  - a site at 22425 – 22433 S. Vermont Avenue rezoned from M-1 to R-4 to permit a six-story, 246-unit residential condominium project currently under construction.

Therefore, there is precedent for amending the Heavy Industrial designation in the Community Plan based, in part, on the policy to consider re-designating underutilized parcels for alternate use.

The Project will provide jobs in the community. The Project will be constructed as a Class A multi-family community which will contain a broad array of amenities and systems such as a swimming pool, fitness center, club house, meeting rooms, recreational facilities, state of the art communication systems, Wi-Fi, elevators, methane gas detection system, sprinkler system, fire detection and alarm system, energy efficient lighting, central HVAC system and landscaping. In order for all of these amenities and systems to operate smoothly, the Project will rely on technicians, plumbers, electricians, carpenters, elevator crews, painters, cleaning crews, gardeners, pool cleaners and security personnel. Also needed are property managers, marketing executives, advertising agents and leasing specialists. The Project is anticipated to employ 40 full time people to perform ongoing operational functions to keep the facility in good order. Tenants may also have home-based businesses. Therefore, notwithstanding that the Project is a residential one, it will create a wide range of full time employment.

No adverse fiscal impact is expected to the City. The residential buildings will add value to the underlying land and increase the property taxes payable to local agencies including the City.

#### Housing Element



The Housing Element was most recently adopted by the City Council on December 3, 2014. It contains numerous goals, objectives, policies and programs, not all of which have equal weight with respect to all housing projects as noted here:

*“Not all plan policies can be achieved in any single action, and in relation to any decision, some goals may be more compelling than others. On a decision-by-decision basis, taking into consideration factual circumstances, decision makers will determine how best to implement the adopted policies of the general plan in any way which best serves the public health, safety, and general welfare.”* (Housing Element, Chapter 6, Housing Goals, Objectives, Policies and Programs, Page 6-3)

Housing policies are often in the form of aspirational obligations placed on City government such as expanding affordable home ownership opportunities (Policy 1.1.1), or administrative tasks such as reporting citywide housing needs on a periodic basis (Policy 1.3.3), or relate to preservation of existing housing (Policy 1.2.1). Other policies appear directed at housing developers who seek to build new housing on vacant land and are more germane to the Project. The policies that apply to the Project include the following:

- *“Facilitate new construction and preservation of a range of different housing types that address the particular needs of the city’s households.”* (Policy 1.1.3)

Approval of the requested plan amendment will facilitate development of moderate income rental housing in an area of the City where this type of housing has not been constructed in many years, thereby addressing the unmet needs of households in the Harbor Gateway community and households that would like to live in the community. The shortage of housing in the community is severe. Under construction on the campus of Gardena High School in Harbor Gateway is a 90 dwelling unit project, with 352 two- and three-bedroom dwelling units in a range of floor areas from 980 square feet to 1,423 square feet creating a range of housing opportunities. The subject Project provides an alternative housing option to the predominately single family residences in the Project vicinity.

- *“Provide sufficient land use and density to accommodate an adequate supply of housing units by type and cost within the City to meet the projections of housing needs, according to the policies and objectives of the City’s Framework Element of the General Plan.”* (Policy 1.3.5)

Approval of the requested plan amendments will facilitate development of standard income rental housing in an area of the City where this type of housing has not been constructed in many years, thereby addressing the unmet needs of households in the Harbor Gateway community and households that would like to live in the community.

- *“Reduce regulatory and procedural barriers to the production and preservation of housing at all income levels and needs.”* (Objective 1.4)

Amending the Community Plan reduces an immediate barrier to housing production on property that has remained vacant for 15 years.

- *“Establish development standards and policing practices that reduce the likelihood of crime.” (Policy 2.1.1)*

The Project has been reviewed under the Site Plan Review provisions in the Municipal Code and has been reviewed for consistency with the Citywide Residential Design Guidelines. As stated in the EIR, the Project includes fencing, landscape planning, security cameras and lighting to enhance public safety. Visually obstructed and infrequently accessed “dead zones” would be limited and, where possible, access control features would limit public access. All crime prevention features would be approved by the LAPD prior to the issuance of a building permit. Upon completion of construction, the Applicant would provide the LAPD a diagram of the site that includes access routes and any other applicable information that may facilitate police response.

- *“Promote sustainable neighborhoods that have mixed-income housing, jobs, amenities, services and transit.” (Objective 2.2.)*

The addition of 352 apartment housing units is consistent with providing mixed-income housing opportunities in the community. The area immediately proximate to the Property includes single family dwellings and small apartments. The Sepulveda Corridor provides a variety of retail, restaurant and financial services and uses within walking distance to existing residents and to the prospective residents of the Project. These businesses include One West Bank, Wells Fargo Bank, Jiffy Lube, Walgreens, Radio Shack, CVS Drug Store and several restaurants including Subway, Beef Bowl, Del Taco, El Pollo Loco, and Arbys, a health club, a children’s dental office and other commercial businesses. Public transit is available on both Sepulveda Boulevard and Normandie Ave.

The Property is located within a short distance of employment opportunities including the adjacent industrial park to the north, and large employers such as the UCLA Harbor Medical Center, the Port of Los Angeles, Los Angeles International Airport and Downtown Los Angeles. The Property is located near the Harbor (110) Freeway, the San Diego (405) Freeway and the Century (105) Freeway providing accessibility to jobs over a wide geographic area. The recent completion of express lanes on the Harbor Freeway and a 1,015-space commuter parking lot at the corner of Vermont Avenue and Artesia Boulevard have improved accessibility for residents of the Harbor Gateway community. Therefore, the Plan Amendment is consistent with this Opportunity.

- *“Promote and facilitate a jobs/housing balance at a citywide level.” (Policy 2.2.3)*

With 44 percent of the Community Plan area planned for commercial and industrial use, Harbor Gateway has a very large jobs base and a relatively small housing base as compared to the other community plans. In order to provide a jobs/housing balance throughout the City, greater opportunity for housing is needed in this area. This policy can only be achieved on an incremental, case by case basis. With respect to the Project, the development of 352 new housing units contributes toward achieving that policy.

#### Harbor Gateway Community Plan



As stated in the Framework, *"The general plan must be periodically updated to assure its relevance and usefulness."* (Framework, Chapter 1, Statutory Requirements) The Community Plan was last updated by the City Council more than 19 years ago on December 6, 1995.

The Community Plan Map designates the Property for Heavy Industrial land use with corresponding zones of M3 and P. Footnote 1 restricts development in the Heavy Industrial category to Height District 1. Approval of the requested Plan Amendment to the Neighborhood Commercial designation with a Height District designation of 2 will result in the requested Zone Change being consistent with the Community Plan in that the C2 Zone is among the zones identified on the Community Plan Map for the Neighborhood Commercial land use designation (CR, C1, C2, C4, RAS3 and P).

The Community Plan states that 1,050 acres, or 41 percent of the Community, is designated for industrial use. This is an unusually high percentage as compared to other community plans. The reduction of 5.1 acres from this total would result statistically in virtually no change: 1,044.9 acres and 41 percent of the Community would still be designated for industrial use.

The Community Plan has not been updated in 19 years and, therefore, potentially reflects dated land use planning policies, and there is no current effort to update the Community Plan. As noted above, the Framework states that *"[t]he general plan must be periodically updated to assure its relevance and usefulness."* Given the absence of initiating a Community Plan update by the City, individual land owners and developers may initiate plan amendments and zone changes on an *ad hoc* basis. The Heavy Industrial designation for Sepulveda Boulevard in 1996, when the plan was last updated, is at odds with the ongoing redevelopment of the Sepulveda Corridor exclusively with commercial uses (neighborhood-serving banks, restaurants and stores) since then. The passage of time demonstrates that the Heavy Industrial plan designation for those properties, like the Applicant's, does not reflect international industrial competition and the economic cost of production during the past 20 years. The result may be too much land in the Community planned for industrial use as demonstrated by market forces. Even where industrial use is newly established in industrial parks, as abuts the Property to the north, it is limited to warehouses and distribution centers where employment is relatively low as compared to manufacturing uses. Residential use is compatible being located adjacent to industrial parks which have little appearance of being used for industrial purpose, plus the Project provides a 50-foot separation between the proposed buildings and the northerly property line abutting the industrial park. The Property has no physical access to any industrial uses so its orientation is outward toward Sepulveda Boulevard. In fact, the Project is set back approximately 300 feet from the street such that it is in proximity to the street yet buffered from traffic noise by distance and by intervening new commercial buildings. The south side of Sepulveda Boulevard is developed with a stable and desirable neighborhood single family housing notwithstanding the incongruous Heavy Industrial plan designation on the north side of the street and its closer proximity to the street.

One of the Issues identified in the Community Plan is the following:

- *"Scale, density and character of multiple housing adjacent to single family homes."* (Community Plan, Page I-3)



The Project does not adjoin any lot developed with single family homes. The nearest single family homes are located on the south side of Sepulveda Boulevard, a distance of approximately 385 feet from the northern edge of the cul-de-sac. The Project's setback from Sepulveda Boulevard and the existence of the commercial corridor along the north side of Sepulveda Boulevard also provides an appropriate buffer to the single family residential neighborhood south of Sepulveda Boulevard. Therefore, the Plan Amendment is consistent with protecting the continued use and enjoyment of single family homes.

Among the Opportunities sought in the Community Plan are the following:

- *"Access and proximity to employment."* (Community Plan, Page I-3)

The Property is located within a short distance of employment opportunities including the adjacent industrial park to the north, and large employers such as the UCLA Harbor Medical Center, the Port of Los Angeles, Los Angeles International Airport and Downtown Los Angeles. The Property is located near the Harbor (110) Freeway, the San Diego (405) Freeway and the Century (105) Freeway providing accessibility to jobs over a wide geographic area. The recent completion of express lanes on the Harbor Freeway and a 1,015-space commuter parking lot at the corner of Vermont Avenue and Artesia Boulevard have improved accessibility for residents of the Harbor Gateway community. Therefore, the Plan Amendment is consistent with this Opportunity.

- *"Potential for residential and mixed-use development along commercial corridors."* (Community Plan, Page I-3)

The Property is located along the Sepulveda Corridor, which extends from Normandie Avenue to Western Avenue – the entire width of the Harbor Gateway Community Plan Area, that is developed with commercial uses, although it has an industrial plan designation. Among the commercial uses are One West Bank, Wells Fargo Bank, Jiffy Lube, Walgreens, Radio Shack, CVS Drug Store and several restaurants including Subway, Beef Bowl, Del Taco, El Pollo Loco, and Arbys, a health club, a children's dental office and other commercial businesses. The amendment of the Community Plan from Heavy Industry to Neighborhood Commercial would complement these uses and provide a mix of commercial and residential development consistent with this Opportunity.

The Community Plan provides land use policies and programs. Among the residential policies are these:

- *"Apartments should be soundproofed and be provided with adequate off-street parking, open space and usable recreational areas."* (Community Plan, Page III-1)

The Project as designed meets or exceeds the applicable parking and open space requirements in the Municipal Code. Open space will be provided through courtyards, club house, roof deck, community room, fitness center and ground floor yards, and will exceed the Municipal Code requirement of approximately 35,925 square feet by providing approximately 119,148 square feet of open space. Municipal Code parking requirements to provide 792 spaces will be exceeded by the provision of approximately 811 spaces. The Project would provide sound attenuation and

noise reducing design elements including exterior and interior soundproofing walls, insulated walls, solid structure exterior balconies, mature landscaping along property lines, and high performance double glazed windows throughout the entire residential structure. Therefore, the Project is consistent with this policy.

- *“Single- and multiple-family housing should be made available to all persons regardless of social, economic, and ethnic status.”* (Community Plan, Page III-1)

The Project will be made available to all qualified tenants without discrimination toward any protected class. Therefore, the Project is consistent with this policy. By providing an apartment complex housing alternative to the predominately single family residential opportunities in the general vicinity of the Project area, the Project broadens the new housing opportunities generally available in the community.

- *“The Plan proposes that the predominant low-density residential character of the Harbor Gateway Community be preserved and that single-family residential neighborhoods be protected from encroachment by other types of use.”* (Community Plan, Page III-2)

The Project does not remove any low-density housing or abut any single-family lots. The nearest single-family development is located on the south side of Sepulveda Boulevard approximately 385 feet from the nearest portion of the Property. The Project’s setback from Sepulveda Boulevard and the existence of the commercial corridor along the north side of Sepulveda Boulevard also provides an appropriate buffer to the single family residential neighborhood south of Sepulveda Boulevard. Therefore, the Project is consistent with this policy.

#### The Transportation Element

The Transportation Element of the General Plan serves as a guide that furthers the development of a citywide transportation system to provide for the efficient movement of people and goods. The Transportation Element recognizes that primary emphasis must be placed on maximizing the efficiency of existing and proposed transportation infrastructure through advanced transportation technology, reduction of vehicle trips, and focused growth in proximity to public transit.

The Transportation Element is unaffected by the Plan Amendment because Sepulveda Boulevard upon which the Project fronts, is a fully improved Major Highway. The Project is subject to standard conditions of approval regarding access and circulation. The provision of housing in a jobs-rich area promotes a reduction in the length of automobile vehicle trips.

## **II. ZONE AND HEIGHT DISTRICT CHANGE FINDINGS**

### **1. The zone and height changes are consistent with the General Plan.**

#### Framework Element

The Framework of the General Plan provides guidance regarding policy issues for the entire City of Los Angeles. The Framework also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form,

neighborhood design, open space, economic development, transportation, infrastructure, and public services. By enabling the construction of additional housing units in close proximity to existing employment opportunities, services and public transit, the requested zone and height district changes to C2-2 is consistent with several goals and policies of the Framework. For instance, the Framework is unequivocal as to the demand for housing:

*“Housing production has not kept pace with the demand for housing.”* (Framework, Chapter 4, Summary of Housing Issues)

The cause of much of that unmet demand reflects an inadequate supply of vacant land zoned for residential development. The Framework recognizes the need to repurpose vacant land where there is insufficient market demand. In the Harbor Gateway Community Plan Area, 41 percent of the area is zoned for industrial use and this constrains the ability of the remaining residential area to accommodate housing demand. In most other communities, industrial zoning accounts for less than 10 percent of the area. The substantial development of retail uses and commercial services in the Sepulveda Corridor, despite its industrial Land use designation, shows a lack of market demand and thus overabundance of industrial land in this community. As a consequence of too few vacant properties zoned for residential use and too much property planned for industrial use, the subject Property has remained largely vacant for approximately 15 years. The Framework discusses these very issues:

*“Currently, the City of Los Angeles has insufficient vacant properties to accommodate the cumulative amount of population growth which has been forecasted. The supply of land zoned for residential development is the most constrained in the context of population growth forecasts. Thus, should growth and new development in the City occur, most likely it will require the recycling and/or intensification of existing developed properties or conversion of certain uses, where there is insufficient market demand, to an alternative use.”* (Framework, Chapter 4, Summary of Housing Issues)

The Framework also points out that where residential development often occurs, the units are small and usable open space is insufficient:

*“Existing units often do not meet the needs of potential residents because the units are small (in number of rooms) and lack usable open space. A concentration of large households in many communities suggests the need for an increased supply of larger housing units.”* (Framework, Chapter 4, Summary of Housing Issues)

To those ends, the Project provides 352 two- and three-bedroom dwelling units with a range of floor areas from 980 square feet to 1,423 square feet. The requested height district change would permit these units to be an average of approximately 1,266 square feet each, rather than restricted to approximately 949 square feet each based upon a floor area ratio of 1.5:1. The provision of approximately 119,148 square feet of open space will far exceed the approximately 35,925 square feet of open space required by the Municipal Code. Open space provided includes private open space, courtyard, club house, roof deck, community room, fitness center and ground floor yards.



The Project also responds to the lack of a jobs/housing balance. While there is an abundance of employment in the community, housing opportunities are largely limited to existing single family dwellings. Few vacant single family lots are available and the Framework generally supports the retention of stable single family neighborhoods. Proximity to robust job centers nearby is limited by the lack of nearby housing opportunities. This contributes to poor air quality in the community as employees of local businesses must find housing farther from their place of employment, making for longer commutes, greater congestion on freeways and other main roads resulting in a corresponding increase in carbon monoxide, nitrogen oxides, sulfur dioxide, hydrocarbons and particulate matter. As stated in the Framework:

*"The locational relationship between jobs and housing is an issue in Los Angeles. The distribution and extensive coverage of single-family units throughout the City coupled with their physical separation from commercial services, jobs, recreation, and entertainment necessitates the use of the automobile and results in a high number of generated trips and distances traveled. This has resulted in increased traffic congestion and air pollution."* (Framework, Chapter 4, Summary of Housing Issues)

One of the recommended measures to reduce trip generation and promote clean air is to provide housing and employment in close proximity to one another, as proposed here:

*"Living in proximity to transit and within mixed-use developments can reduce the number of trips people take in their cars, providing some people with the opportunity to walk between their home, job, and or neighborhood services."* (Framework, Chapter 4, Housing Policy)

To provide jobs and housing in proximity to one another, the Framework recommends these uses be located in commercially-zoned corridors. While the Sepulveda Corridor is zoned M3, *actual use* is predominant commercial, reflecting a transition away from industrial uses to commercial uses including fast food restaurants, financial services, drug stores, pharmacies, health club and a children's dental office. Expanding the depth of this commercial corridor to incorporate housing is consistent with the intent of the following policy:

*"Improvement of the jobs and housing relationships in sub-areas of the City may be accomplished through the re-use of commercially zoned corridors and development at transit stations which afford the opportunity for the development of a mix of uses, housing, local retail, and offices, and can improve localized jobs and housing relationships."* (Framework, Chapter 4, Housing Policy)

Even where housing is developed, some projects are unaffordable to those with a moderate income. Most residential area in the vicinity of the Property is planned for single family use. The Low Density designation appropriately serves a segment of the population seeking to own a home, but does not serve those who prefer living in an apartment and/or who cannot afford to own a home. Multi-family housing is largely absent in this area. The Framework points out that:

*"[s]ome areas of the City have over-concentrations of low-income housing and other areas have very little housing available even to moderate-income families."* (Framework, Chapter 4, Summary of Housing Issues)

The subject apartment Project is anticipated to be affordable at a lower price than nearby single family homes.

The Project is consistent with the following multi-family residential land use goal and objective in the Framework:

### GOAL 3C

*“Multi-family neighborhoods that enhance the quality of life for the City's existing and future residents.”*

#### Objective 3.7

*“Provide for the stability and enhancement of multi-family residential neighborhoods and allow for growth in areas where there is sufficient public infrastructure and services and the residents' quality of life can be maintained or improved.”*

At 5.1 acres, the project creates a new micro-neighborhood it is within approximately 400 feet of older residential uses on the south side of Sepulveda Boulevard and within 700 feet of 78 condominiums constructed in 2009 on the east side of Normandie Avenue. Based upon the analysis performed in the EIR, there is sufficient public infrastructure and services to accommodate the residents who would live and play at the subject development. The Project's setback from Sepulveda Boulevard provides for reduced traffic noise yet proximity to jobs and public transit. The Projects's setback from Sepulveda Boulevard and the existence of commercial uses along the north side of Sepulveda Boulevard also provides a buffer to the single family residential neighborhood south of Sepulveda Boulevard. Numerous stores within walking distance provide opportunities for employment and nearby shopping. These stores and services will benefit from the expansion of local users.

The Framework also recognizes that some land planned for industrial use may be better served if developed for other uses. The Property is more closely aligned and connected to the commercial frontage in the Sepulveda Corridor than to the adjacent industrial properties to the north. In fact, there is no physical access from the Property to those industrial properties as the cul-de-sac providing access to Sepulveda Boulevard dead ends at the Property. Access to the industrially-developed properties is available through Normandie Avenue, 228<sup>th</sup> Street or Lockness Avenue only. The reduction of 5.1 acres of industrial property from the citywide inventory of approximately 19,000 acres (Los Angeles' Industrial Land: Sustaining a Dynamic City Economy, Appendix B, December 2007, Page 10) would not adversely the City's ability to accommodate new industrial uses or adversely impact adjacent residential neighborhoods, commercial districts, or other land uses. Therefore, the proposed request is consistent with the criteria for re-designating industrial lands for alternative uses as indicated below. (Framework, Objective 3.14.6)

- Criterion: *Where the conversion of industrial lands to an alternative use will not create a fragmented pattern of development and reduce the integrity and viability of existing industrial areas.*



Between Normandie Avenue on the east and Western Avenue on the west, the north side of Sepulveda Boulevard is zoned [Q]M2, M2, MR2 and M3 approximately 2,900 lineal feet of frontage. All of these lots are designated as Light Industrial or Heavy Industrial. Notwithstanding these designations, commercial and retail uses occupy approximately 87 percent of this frontage. Only two of the lots are occupied with industrial uses and one lot is vacant. The Property is located immediately north of new retail uses on either side of the cul-de-sac. Approximately 84 percent of the south side of Sepulveda Boulevard is designated Low Residential on the Community Plan and zoned R1. These lots were developed in approximately 1968 and 1969 exclusively with single family dwellings that remain. Retail uses on property zoned [Q]C2 occupy the other 16 percent of the frontage. No industrial use takes its access from the cul-de-sac. The Project compliments the emerging pattern of commercial development along the Sepulveda Corridor. Therefore, the Project would not cause any fragmentation of industrial land nor reduce the integrity or viability of existing industrial area. Any fragmentation that may have occurred has preceded this Project and there is abundant industrial land remaining in the Community Plan area.

- Criterion: *Where the conversion of industrial lands to an alternative use will not result in an adverse impact on adjacent residential neighborhoods, commercial districts, or other land uses.*

The Property's vacancy for the past 15 years demonstrates the lack of demand for industrial use at this location. In addition, the development of the Sepulveda Corridor in the past decade or more has been exclusively with new retail, restaurant and financial services, despite the Heavy Industrial designation of the Community Plan. Industrial uses north of the Property do not appear to include uses that are required to be at least 500 feet from a more restrictive zone in the LAMC no existing or prospective tenants would be adversely affected by the requested zone and height district change.

Residential use of the Property would complement existing single family development that abuts the opposite side of Sepulveda Boulevard by providing a wider range of housing opportunities.. Amending the zoning to C2-2 is more compatible with the adjacent single family homes than the existing M3-1VL Heavy Industrial designation. The Project's setback from Sepulveda Boulevard and the existence of the commercial uses along the north side of Sepulveda Boulevard also provides a buffer to the single family residential neighborhood south of Sepulveda Boulevard. As revised and proposed, the Project will be adequately buffered from the nearby industrial uses and designed and built to mitigate noise impact from surrounding uses.

There is no evidence in the record that the ongoing conversion of land planned and zoned for industrial use to commercial use within the Sepulveda Corridor has had any adverse impact on any adjacent land uses. Nor will the development of the Project result in any adverse impact on any adjacent land uses.

- Criterion: *Where it can be demonstrated that the reduction of industrial lands will not adversely impact the City's ability to accommodate sufficient industrial uses to provide jobs for the City's residents or incur adverse fiscal impacts;*



Approximately 41 percent of the Community Plan land area is zoned for industrial uses. The 5.1 acres of land represented by the Project account for less than one-half of one percent of the total industrial acres zoned within the area defined by the Community Plan. Much of the nearby industrial area, including adjacent portions in the unincorporated County, are used for interim activities such as a 350-car automobile auction lot near the intersection of the Harbor and San Diego Freeways, indicating a large surplus of industrial property extending beyond the boundaries of the Harbor Gateway community.

The absence of an updated community plan for nearly two decades underscores the public necessity of considering and approving the subject plan amendment.

The overabundance of industrially-zoned land in the Harbor Gateway community is evidenced by the following:

- A Holiday Inn at 19800 S. Vermont Avenue was developed as the result of a plan amendment and zone change from M3 to C4;
- An Extended Stay hotel, a Walmart and other retail stores at the southwest corner of Normandie Avenue and 190<sup>th</sup> Street are constructed on property that was amended from Heavy Industrial to Neighborhood Commercial and from M3 to C2.
- Additional industrial sites in the adjacent unincorporated County are also used for commercial or residential purposes including a 350-acre automobile auction site adjacent to the Harbor Freeway, Vermont Avenue and 190<sup>th</sup> Street, as well as a rezoned site where 78 residential condominiums were constructed in 2009 on the 22900 block of S. Normandie Avenue, one block north of the Project.

Therefore, there is precedent for amending the M3-1VL designation based, in part, on the City's policy to consider re-designating underutilized parcels for alternate use.

Therefore, there is precedent for amending the Heavy Industrial designation in the Community Plan based, in part, on the policy to consider re-designating underutilized parcels for alternate use.

The Project will provide jobs in the community. The Project will be constructed as a Class A multi-family community which will contain a broad array of amenities and systems such as a swimming pool, spa, fitness center, club house, meeting rooms, recreational facilities, state of the art communication systems, Wi-Fi, elevators, methane gas detection system, sprinkler system, fire detection and alarm system, energy efficient lighting, central HVAC system and landscaping. In order for all of these amenities and systems to operate smoothly, the Project will rely on technicians, plumbers, electricians, carpenters, elevator crews, painters, cleaning crews, gardeners, pool cleaners and security personnel. Also needed are property managers, marketing executives, advertising agents and leasing specialists. The Project is anticipated to employ 40 full time people to perform ongoing operational functions to keep the facility in good order. Tenants may also have home-based businesses. Therefore, notwithstanding that the Project is a residential one, it will create a wide range of full time employment.

No adverse fiscal impact is expected to the City. The residential buildings will add value to the underlying land and increase the property taxes payable to local agencies including the City.

### Housing Element

The Housing Element was most recently adopted by the City Council on December 3, 2014. It contains a large number of goals, objectives, policies and programs, not all of which have equal weight with respect to all housing projects as noted here:

*“Not all plan policies can be achieved in any single action, and in relation to any decision, some goals may be more compelling than others. On a decision-by-decision basis, taking into consideration factual circumstances, decision makers will determine how best to implement the adopted policies of the general plan in any way which best serves the public health, safety, and general welfare.”* (Housing Element, Chapter 6, Housing Goals, Objectives, Policies and Programs, Page 6-3)

Housing policies are often in the form of aspirational obligations placed on City government such as expanding affordable home ownership opportunities (Policy 1.1.1) or administrative tasks such as reporting citywide housing needs on a periodic basis (Policy 1.3.3) or relate to preservation of existing housing (Policy 1.2.1). Other policies appear directed at housing developers who seek to build new housing on vacant land and are more germane to the Project. The policies that apply to the Project include the following:

- *“Facilitate new construction and preservation of a range of different housing types that address the particular needs of the city’s households.”* (Housing Element, Policy 1.1.3)

Approval of the requested zone change will facilitate development of moderate income rental housing in an area of the City where this type of housing has not been constructed in many years, thereby addressing the unmet needs of households in the Harbor Gateway community and households that would like to live in the community. The shortage of housing in the community is severe. Under construction on the campus of Gardena High School in Harbor Gateway is a 90 dwelling unit project, with 352 two- and three-bedroom dwelling units in a range of floor areas from 980 square feet to 1,423 square feet creating a range of housing opportunities. The subject Project provides an alternative housing option to the predominately single family residences in the Project vicinity.

- *“Provide sufficient land use and density to accommodate an adequate supply of housing units by type and cost within the City to meet the projections of housing needs, according to the policies and objectives of the City’s Framework Element of the General Plan.”* (Housing Element, Policy 1.3.5)

Approval of the requested zone change and height district will facilitate development of standard income rental housing in an area of the City where this type of housing has not been constructed in many years, thereby addressing the unmet needs of households in the Harbor Gateway community and households that would like to live in the community.

- *“Reduce regulatory and procedural barriers to the production and preservation of housing at all income levels and needs.”* (Housing Element, Objective 1.4)

Amending the zone and height district reduces an immediate barrier to housing production on property that has remained vacant for 15 years.

- *“Establish development standards and policing practices that reduce the likelihood of crime.”* (Housing Element, Policy 2.1.1)

The Project has been reviewed under the Site Plan Review provisions in the Municipal Code and has been reviewed for consistency with the Citywide Residential Design Guidelines. As stated in the EIR, the Project includes fencing, landscape planning, security cameras and lighting to enhance public safety. Visually obstructed and infrequently accessed “dead zones” would be limited and, where possible, access control features would limit public access. All crime prevention features would be approved by the LAPD prior to the issuance of a building permit. Upon completion of construction, the Applicant would provide the LAPD a diagram of the site that includes access routes and any other applicable information that may facilitate police response.

- *“Promote sustainable neighborhoods that have mixed-income housing, jobs, amenities, services and transit.”* (Housing Element, Objective 2.2.)

The Zone Change to accommodate the addition of 352 apartment housing units is consistent with providing mixed-income housing opportunities in the community. The area immediately proximate to the Property includes single family dwellings and small apartments. The Sepulveda Corridor provides a variety of retail, restaurant and financial services and uses within walking distance to existing residents and to the prospective residents of the Project. These businesses include One West Bank, Wells Fargo Bank, Jiffy Lube, Walgreens, Radio Shack, CVS Drug Store and several restaurants including Subway, Beef Bowl, Del Taco, El Pollo Loco, and Arbys, a health club, a children’s dental office and other commercial businesses. Public transit is available on both Sepulveda Boulevard and Normandie Ave.

The Property is located within a short distance of employment opportunities including the adjacent industrial park to the north, and large employers such as the UCLA Harbor Medical Center, the Port of Los Angeles, Los Angeles International Airport and Downtown Los Angeles. The Property is located near the Harbor (110) Freeway, the San Diego (405) Freeway and the Century (105) Freeway providing accessibility to jobs over a wide geographic area. The recent completion of express lanes on the Harbor Freeway and a 1,015-space commuter parking lot at the corner of Vermont Avenue and Artesia Boulevard have improved accessibility for residents of the Harbor Gateway community. Therefore, the Zone Change is consistent with this Opportunity.

- *“Promote and facilitate a jobs/housing balance at a citywide level.”* (Housing Element, Policy 2.2.3)

With 44 percent of the Community Plan area planned for commercial and industrial use, Harbor Gateway has a very large jobs base and a relatively small housing base as compared to the other community plans. In order to provide a jobs/housing balance throughout the City, greater opportunity for housing is needed in this area. This policy can only be achieved on an



incremental, case by case basis. With respect to the Project, the development of 352 new apartment housing units is a substantial contribution toward achieving that short and long range policy.

#### Harbor Gateway Community Plan

As stated in the Framework, "The general plan must be periodically updated to assure its relevance and usefulness." (Framework, Chapter 1, Statutory Requirements). The Community Plan was last updated by the City Council more than 19 years ago on December 6, 1995.

The Community Plan Map designates the Property for Heavy Industrial land use with a corresponding zones of M3 and P. Footnote 1 restricts development in the Heavy Industrial category to Height District 1. Approval of the requested Plan Amendment to the Neighborhood Commercial designation with a height District designation of 2 will result in the requested Zone Change being consistent with the Community Plan in that the C2 Zone is among the zones identified on the Community Plan Map for the Neighborhood Commercial land use designation (CR, C1, C2, C4, RAS3 and P).

The Community Plan states that 1,050 acres, or 41 percent of the Community, is designated for industrial use. This is an unusually high percentage as compared to other community plans. The reduction of 5.1 acres from this total would result statistically in virtually no change: 1,044.9 acres and 41 percent of the Community would still be zoned for industrial use.

The Community Plan has not been updated in 19 years and, therefore, potentially reflects dated land use planning policies, and there is no current effort to comprehensively update the Community Plan. As noted above, the Framework states that "[t]he general plan must be periodically updated to assure its relevance and usefulness." (Framework, Chapter 1, Statutory Requirements). Given the absence of initiating a Community Plan update by the City, individual land owners and developers may initiate plan amendments and zone changes on an *ad hoc* basis. The Heavy Industrial designation for Sepulveda Boulevard in 1996, when the plan was last updated, is at odds with the ongoing redevelopment of the Sepulveda Corridor exclusively with commercial (neighborhood-serving banks, restaurants and stores) since then. The passage of time demonstrates that the M3-1VL Zone for those properties, like the Applicant's, does not reflect international industrial competition and the economic cost of production during the past 20 years. The result may be too much land in the Community zoned for industrial use as demonstrated by market forces. Even where industrial use is newly established in industrial parks, as abuts the Property to the north, it is limited to warehouses and distribution centers where employment is relatively low as compared to manufacturing uses. Residential use is compatible being located adjacent to industrial parks which have little appearance of being used for industrial purposes, plus the Project provides a 50-foot separation between the proposed buildings and the northerly property line abutting the industrial park. . The Property has no physical access to any industrial uses so its orientation is outward toward Sepulveda Boulevard. In fact, the Project is set back approximately 300 feet from the street such that it is in proximity to the street yet buffered from traffic noise by distance and by intervening new commercial buildings. The south side of Sepulveda Boulevard is developed with a stable and desirable neighborhood single family housing notwithstanding the incongruous Heavy Industrial plan designation on the north side of the street and its closer proximity to the street.

One of the Issues identified in the Community Plan is the following:

- *“Scale, density and character of multiple housing adjacent to single family homes.”* (Page I-3)

The Project does not adjoin any lot developed with single family homes. The nearest single family homes are located on the south side of Sepulveda Boulevard, a distance of approximately 385 feet from the northern edge of the cul-de-sac. Therefore, the Zone Change is consistent with protecting the continued use and enjoyment of single family homes.

Among the Opportunities are these:

- *“Access and proximity to employment.”* (Page I-3)

The Property is located within a short distance of employment opportunities including the adjacent industrial park to the north, and large employers such as the UCLA Harbor Medical Center, the Port of Los Angeles, Los Angeles International Airport and Downtown Los Angeles. The Property is located near the Harbor (110) Freeway, the San Diego (405) Freeway and the Century (105) Freeway providing accessibility to jobs over a wide geographic area. The recent completion of express lanes on the Harbor Freeway and a 1,015-space commuter parking lot at the corner of Vermont Avenue and Artesia Boulevard have improved accessibility for residents of the Harbor Gateway community. Therefore, the Zone Change is consistent with this Opportunity.

- *“Potential for residential and mixed-use development along commercial corridors.”* (Page I-3)

The Property is located along the Sepulveda Corridor, which extends from Normandie Avenue to Western Avenue – the entire width of the Harbor Gateway Community Plan Area, that is developed with commercial uses, although it has an industrial plan designation. Among the commercial uses are One West Bank, Wells Fargo Bank, Jiffy Lube, Walgreens, Radio Shack, CVS Drug Store and several restaurants including Subway, Beef Bowl, Del Taco, El Pollo Loco, and Arbys, a health club, a children’s dental office and other commercial businesses. The Zone Change would complement these uses and provide a mix of commercial and residential development consistent with this Opportunity.

The Community Plan provides land use policies and programs. Among the residential policies are these:

- *“Apartments should be soundproofed and be provided with adequate off-street parking, open space and usable recreational areas.”* (Page III-1)

Open space will be provided through courtyards, club house, roof deck, community room, fitness center and ground floor yards, and will exceed the Municipal Code requirement of approximately 35,925 square feet by providing approximately 119,148 square feet of open space. Municipal Code parking requirements to provide 792 spaces will be exceeded by the provision of approximately 811 spaces. The Project would provide sound attenuation and noise reducing



design elements including exterior and interior soundproofing walls, insulated walls, solid structure exterior balconies, mature landscaping along property lines, and high performance double glazed windows throughout the entire residential structure. Therefore, the requested zone and height district change to accommodate the Project is consistent with this policy.

- *“Single- and multiple-family housing should be made available to all persons regardless of social, economic, and ethnic status.”* (Page III-1)

The Project will be made available to all qualified tenants without discrimination toward any protected class. Therefore, the requested zone and height district change is consistent with this policy. By providing an apartment complex housing alternative to the predominately single family residential opportunities in the general vicinity of the Project area, the Project broadens the new housing opportunities generally available in the community.

- *“The Plan proposes that the predominant low-density residential character of the Harbor Gateway Community be preserved and that single-family residential neighborhoods be protected from encroachment by other types of use.”* (Page III-2)

The Project does not remove any low-density housing or abut any single-family lots. The nearest single-family development is located on the south side of Sepulveda Boulevard approximately 385 feet from the nearest portion of the Property. The Project's setback from Sepulveda Boulevard and the existence of the commercial corridor along the north side of Sepulveda Boulevard also provides an appropriate buffer to the single family residential neighborhood south of Sepulveda Boulevard. Therefore, the requested zone and height district change is consistent with this policy.

A zone change to C2 is consistent with the Neighborhood Commercial land use designation in the Community Plan in that the C2 Zone is a corresponding zone for that land use category (CR, C1.5, C2, C4, RAS3, and P).

A height district change to Height District 2 is consistent as Footnote 1 of the Community Plan states, *“Height District No. 1, unless otherwise specified on the Plan Map.”* The Plan Amendment includes a designation on the Plan Map to permit a floor area ratio of 2:1 for this Property.

### The Transportation Element

The Transportation Element of the General Plan serves as a guide that furthers the development of a citywide transportation system to provide for the efficient movement of people and goods. The Transportation Element recognizes that primary emphasis must be placed on maximizing the efficiency of existing and proposed transportation infrastructure through advanced transportation technology, reduction of vehicle trips, and focused growth in proximity to public transit.

The Transportation Element is unaffected by the requested zone and height district change because Sepulveda Boulevard upon which the Project fronts, is a fully improved Major Highway. The Project is subject to standard conditions of approval regarding access and



circulation. The provision of housing in a jobs-rich area promotes a reduction in the length of automobile vehicle trips.

For all of the reasons stated above, the requested zone and height district change is consistent with the General Plan.

**2. The zone change is in conformity with public necessity, convenience, general welfare and good zoning practice.**

The requested actions will allow and facilitate the development of 352 new apartment housing units that are complementary to multiple employment centers within commuting distance by automobile on local highways and nearby freeways and public transit, thereby providing for the public's convenience and general welfare. Development of the site will result in the upgrading of 5.1 acres of land that have been vacant and unproductive for the past 15 years.

The requested actions are necessary because the current land use designation and the corresponding M3-1-VL Zone, (along with the Community Plan) have not been updated in 19 years, during which time the reliance on industrial zoning to facilitate a healthy and diverse economy has diminished considerably while the need for additional housing units has grown. The requested actions will facilitate the increase in choice of where employees can live and would represent a positive step toward reduced commuting for those who would be able to live closer to where they work which benefits air quality and quality of life.

New housing units will be located proximate and complementary to the Sepulveda Corridor which will provide an economic boost for local businesses and convenient access to a variety of retail, restaurant, financial and other commercial uses and services for the residents, thereby reflecting good zoning practice. The Project's location behind the existing commercial corridor provides Project residents a buffer from the traffic on Sepulveda Boulevard rather than being located immediately adjacent to a major highway. The regulations contained in the C2 Zone and conditions of approval provide the necessary flexibility to accommodate the Project while also maintaining compatibility between land uses in the area.

The absence of an updated community plan for nearly two decades underscores the public necessity of considering and approving the requested zone and height district change.

The value of industrial land is often based upon a presumption of high levels of employment. The Project is anticipated to employ 40 full time people to perform ongoing functions to keep the facility in good order. This includes painters, cleaning crews, gardeners, pool cleaners and security personnel as well as property managers, marketing executives, advertising agents and leasing specialists. Tenants may also have home-based businesses.

The overabundance of industrial land is evidenced, in part, by the following:

- A Holiday Inn at 19800 S. Vermont Avenue was developed as the result of a zone change from M3 to C4;

- An Extended Stay hotel, a Walmart and other retail shops at 19503 S. Normandie Avenue are constructed on property that was changed from Heavy Industrial to Neighborhood Commercial and from M3 to C2.
- Additional industrial sites in the adjacent unincorporated County are also used for commercial or residential purposes including a 350-acre automobile auction site adjacent to the Harbor Freeway, Vermont Avenue and 190<sup>th</sup> Street, as well 78 residential condominiums constructed in 2009 located one block north of the Project on the 22900 block of S. Normandie Avenue that was rezoned from its former industrial classification.

Therefore, there is precedent for amending the M3-1VL designation based, in part, on the City's policy to consider re-designating underutilized parcels for alternate use.

### **III. SITE PLAN REVIEW FINDINGS**

- **That the subject project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan.**

Development of housing is permitted as a matter of right by the General Plan and the Community Plan within an area designated as Neighborhood Commercial and by the Zoning Code where property is classified in the C2 Zone. There is no applicable specific plan at the subject site.

The General Plan sets forth goals, objectives, policies and programs that provide a guideline for day-to-day land use actions to meet the existing and future needs and desires of the communities within the City of Los Angeles, while integrating a range of state-mandated elements, including Transportation, Noise, Safety, and Conservation. The requested amendment of the Community Plan Land Use Designation from Heavy Industrial to Neighborhood Commercial is compatible with the goals, objectives and policies of the General Plan because it accommodates the majority of existing commercial uses on Sepulveda Boulevard between Western Avenue and Normandie Avenue (the "Sepulveda Corridor"); it is a more compatible designation to the single family dwellings located on the south side of Sepulveda Boulevard between Western Avenue and Normandie Avenue; it is more consistent with the relationship of the Property, located at the end of a cul-de-sac with the sites only outlet to the Sepulveda Boulevard, to the Sepulveda Corridor and not to the industrial area further north; it allows for apartments as an alternative to existing single family dwellings thereby supporting a more diverse range of housing choices; it allows the placement of multi-family housing within walking distance of the commercial uses along the Sepulveda Corridor; and it is consistent with the requested C2-2 Zone that is necessary to facilitate development of the Project. These changes will allow residential uses consistent with the objectives and policies of the General Plan, as detailed below.

#### **Framework Element**

The Framework was adopted by City Council on December 11, 1996 and re-adopted on August 8, 2001; it provides guidance regarding policy issues for the entire City of Los Angeles. The Framework also sets forth a Citywide comprehensive long-range growth strategy and defines

Citywide policies regarding land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. By enabling the construction of additional housing units in close proximity to existing employment and commercial services, the zone change and associated General Plan Amendment will be consistent with several goals and policies of the Framework.

The Framework is unequivocal as to the demand for housing:

*“Housing production has not kept pace with the demand for housing.”* (Framework, Chapter 4, Summary of Housing Issues)

The cause of much of that unmet demand reflects an inadequate supply of vacant land planned for residential development. The Framework recognizes the need to repurpose vacant land where there is insufficient market demand for uses intended by Community Plans. In the Harbor Gateway Community Plan Area, 41 percent of the area is planned for industrial use and this constrains the ability of the remaining residential area to accommodate housing demand. In most other community plans, less than 10 percent of the area is planned for industrial use. The substantial development of retail uses and commercial services in the Sepulveda Corridor, despite its Heavy Industrial Land use designation, shows a lack of market demand and thus overabundance of industrial land in this community. As a consequence of too few vacant properties planned for residential use and too much property planned for industrial use, the subject Property has remained vacant for approximately 15 years. The Framework discusses these very issues:

*“Currently, the City of Los Angeles has insufficient vacant properties to accommodate the cumulative amount of population growth which has been forecasted. The supply of land zoned for residential development is the most constrained in the context of population growth forecasts. Thus, should growth and new development in the City occur, most likely it will require the recycling and/or intensification of existing developed properties or conversion of certain uses, where there is insufficient market demand, to an alternative use.”* (Framework, Chapter 4, Summary of Housing Issues)

The Framework also points out that where residential development often occurs, the units are small and usable open space is insufficient:

*“Existing units often do not meet the needs of potential residents because the units are small (in number of rooms) and lack usable open space. A concentration of large households in many communities suggests the need for an increased supply of larger housing units.”* (Framework, Chapter 4, Summary of Housing Issues)

To those ends, the Project provides 352 two- and three-bedroom dwelling units with a range of floor areas from 980 square feet to 1,423 square feet. The requested height district change would permit these units to be an average of approximately 1,266 square feet each, rather than restricted to approximately 949 square feet each based upon a floor area ratio of 1.5:1. The provision of approximately 119,148 square feet of open space will far exceed the approximately 35,925 square feet of open space required by the Municipal Code. Open space provided includes



private open space, courtyards, club house, roof deck, community room, fitness center and ground floor yards.

The Project also responds to the lack of a jobs/housing balance. While there is an abundance of employment in the community, housing opportunities are largely limited to existing single family dwellings. Few vacant single family lots are available and the Framework generally supports the retention of stable single family neighborhoods. Proximity to robust job centers nearby is limited by the lack of nearby housing opportunities. This contributes to poor air quality in the community as employees of local businesses must find housing farther from their places of employment, making for longer commutes, greater congestion on freeways and other main roads resulting in a corresponding increase in carbon monoxide, nitrogen oxides, sulfur dioxide, hydrocarbons and particulate matter. As stated in the Framework:

*"The locational relationship between jobs and housing is an issue in Los Angeles. The distribution and extensive coverage of single-family units throughout the City coupled with their physical separation from commercial services, jobs, recreation, and entertainment necessitates the use of the automobile and results in a high number of generated trips and distances traveled. This has resulted in increased traffic congestion and air pollution."* (Framework, Chapter 4, Summary of Housing Issues)

One of the recommended measures to reduce trip generation and promote clean air is to provide housing and employment in close proximity to one another, as proposed here:

*"Living in proximity to transit and within mixed-use developments can reduce the number of trips people take in their cars, providing some people with the opportunity to walk between their home, job, and or neighborhood services."* (Framework, Chapter 4, Housing Policy)

To implement the provision of jobs and housing in proximity to one another, the Framework recommends these uses be located in commercially-zoned corridors. While the Sepulveda Corridor is planned for Heavy Industrial uses and zoned M3, *actual* use is predominantly commercial, reflecting a transition away from industrial uses to neighborhood serving commercial uses including fast food restaurants, financial services and a drug store/pharmacy. Expanding the depth of this commercial corridor to incorporate housing is consistent with the intent of the following Framework policy:

*"Improvement of the jobs and housing relationships in sub-areas of the City may be accomplished through the re-use of commercially zoned corridors and development at transit stations which afford the opportunity for the development of a mix of uses, housing, local retail, and offices, and can improve localized jobs and housing relationships."* (Framework, Chapter 4, Housing Policy)

Even where housing is developed, some projects are unaffordable to those with a moderate income. Most residential area in the vicinity of the Property is planned for single family use. The Low Density designation appropriately serves a segment of the population seeking to own a home, but does not serve those who prefer living in an apartment and/or who cannot afford to

buy a home. Multi-family “workforce” housing is largely absent in this area. According to the Framework:

*“[s]ome areas of the City have over-concentrations of low-income housing and other areas have very little housing available even to moderate-income families.”*  
(Framework, Chapter 4, Summary of Housing Issues)

The subject apartment Project is anticipated to be affordable at a lower price point than nearby single family homes.

The Project is consistent with the following multi-family residential land use goal and objective in the Framework:

### GOAL 3C

*“Multi-family neighborhoods that enhance the quality of life for the City's existing and future residents.”*

### Objective 3.7

*“Provide for the stability and enhancement of multi-family residential neighborhoods and allow for growth in areas where there is sufficient public infrastructure and services and the residents' quality of life can be maintained or improved.”*

At 5.1 acres, the subject project creates a new micro-neighborhood within approximately 400 feet of older residential uses on the south side of Sepulveda Boulevard and within 700 feet of 78 condominiums constructed in 2009 on the east side of Normandie Avenue. Based upon the analysis performed in the EIR, there is sufficient public infrastructure and services to accommodate the residents who would live and play at the subject development. The Project's setback from Sepulveda Boulevard provides for reduced traffic noise yet proximity to jobs and public transit. The Project's setback from Sepulveda Boulevard and the existence of commercial uses along the north side of Sepulveda Boulevard also provides a buffer to the single family residential neighborhood south of Sepulveda Boulevard. Numerous stores within walking distance provide opportunities for employment and nearby shopping. These stores and services will benefit from the expansion of local users.

The Framework also recognizes that some land planned for industrial use may be better served if developed for other uses. The Property is more closely aligned and connected to the commercial frontage in the Sepulveda Corridor than to the adjacent industrial properties to the north. In fact, there is no physical access from the Property to those industrial properties as the cul-de-sac providing access to Sepulveda Boulevard dead ends at the Property. Access to the industrially-developed properties is available through Normandie Avenue, 228th Street or Lockness Avenue only. The reduction of 5.1 acres of industrial property from the citywide inventory of approximately 19,000 acres (Los Angeles' Industrial Land: Sustaining a Dynamic City Economy, Appendix B, December 2007, Page 10.) would not adversely the City's ability to accommodate new industrial uses or adversely impact adjacent residential neighborhoods, commercial districts, or other land uses. The proposed request is consistent with several of the



criteria for re-designating industrial lands for alternative uses as indicated below. (Framework, Objective 3.14.6)

- Criterion: *Where the conversion of industrial lands to an alternative use will not create a fragmented pattern of development and reduce the integrity and viability of existing industrial areas.*

Between Normandie Avenue on the east and Western Avenue on the west, the north side of Sepulveda Boulevard is planned for industrial uses and zoned [Q]M2, M2, MR2 and M3 approximately 2,900 lineal feet of frontage. All of these lots are designated as Light Industrial or Heavy Industrial. Despite these designations, commercial and retail uses occupy approximately 87 percent of this frontage. Only two of the lots are occupied with industrial uses and one lot is vacant. The Property is located immediately north of new retail uses on either side of the cul-de-sac. Approximately 84 percent of the south side of Sepulveda Boulevard designated Low Residential on the Community Plan and zoned R1. These lots were developed in approximately 1968 and 1969 exclusively with single family dwellings that remain. Retail uses on property zoned [Q]C2 occupy the other 16 percent of the frontage. No industrial use takes its access from the cul-de-sac. The Project compliments the emerging pattern of commercial development along the Sepulveda Corridor. Therefore, the Project would not cause any fragmentation of industrial land nor reduce the integrity or viability of existing industrial area. Any fragmentation that may have occurred has preceded this Project and there is abundant industrial land remaining in the Community Plan area.

- Criterion: *Where the conversion of industrial lands to an alternative use will not result in an adverse impact on adjacent residential neighborhoods, commercial districts, or other land uses.*

The Property's vacancy for the past 15 years demonstrates the lack of demand for industrial use at this location. In addition, the development of the Sepulveda Corridor in the past decade or more has been exclusively with new retail, restaurant and financial services, despite the Heavy Industrial Land use designation of the Community Plan. Industrial uses north of the Property do not appear to include uses that are required to be at least 500 feet from a more restrictive zone in the LAMC; no existing or prospective tenants would be adversely affected.

Residential use of the Property would complement existing single family development that abuts the opposite side of Sepulveda Boulevard by providing a wider range of housing opportunities.. Amending the Community Plan to Neighborhood Commercial is more compatible with the adjacent single family homes than the existing Heavy Industrial designation. The Project's setback from Sepulveda Boulevard and the existence of the commercial uses along the north side of Sepulveda Boulevard also provides a buffer to the single family residential neighborhood south of Sepulveda Boulevard.

There is no evidence in the record that the ongoing conversion of land planned and zoned for industrial use to commercial use within the Sepulveda Corridor has had any adverse impact on any adjacent land uses.



- Criterion: *Where it can be demonstrated that the reduction of industrial lands will not adversely impact the City's ability to accommodate sufficient industrial uses to provide jobs for the City's residents or incur adverse fiscal impacts.*

The Project will not adversely impact the City's ability to accommodate sufficient industrial uses to provide jobs for the City's residents. Approximately 41 percent of the Community Plan land area is planned for industrial uses. The 5.1 acres of land represented by the Project account for less than one-half of one percent of the total industrial acres designated by the Community Plan. Much of the nearby industrial area, including adjacent portions in the unincorporated County, are used for temporary activities such as a 350-car automobile auction lot near the intersection of the Harbor and San Diego Freeways, indicating a large surplus of industrial property extending beyond the boundaries of the Harbor Gateway community.

The absence of an updated community plan for nearly two decades underscores the public necessity of considering and approving the subject plan amendment.

In fact, there appears to be more industrial land in the general area surrounding the Project than is needed. The overabundance of industrial land in the Harbor Gateway community is evidenced by the following:

- A Holiday Inn at 19800 S. Vermont Avenue was developed as the result of a plan amendment and zone change from M3 to C4;
- An Extended Stay hotel, a Walmart and other retail stores at the southwest corner of Normandie Avenue and 190th Street are constructed on property that was amended from Heavy Industrial to Neighborhood Commercial and from M3 to C2.

Additional industrial sites in the adjacent unincorporated County are also used for commercial or residential purposes including a 350-acre automobile auction site adjacent to the Harbor Freeway, Vermont Avenue and 190th Street, as well as a rezoned site where 78 residential condominiums were constructed in 2009 on the 22900 block of S. Normandie Avenue, one block north of the Project.

Therefore, there is precedent for amending the Heavy Industrial designation in the Community Plan based, in part, on the policy to consider re-designating underutilized parcels for alternate use.

The Project will provide jobs in the community. The Project will be constructed as a Class A multi-family community which will contain a broad array of amenities and systems such as a swimming pool, fitness center, club house, meeting rooms, recreational facilities, state of the art communication systems, Wi-Fi, elevators, methane gas detection system, sprinkler system, fire detection and alarm system, energy efficient lighting, central HVAC system and landscaping. In order for all of these amenities and systems to operate smoothly, the Project will rely on technicians, plumbers, electricians, carpenters, elevator crews, painters, cleaning crews, gardeners, pool cleaners and security personnel. Also needed are property managers, marketing executives, advertising agents and leasing specialists. The Project is anticipated to employ 40

full time people to perform ongoing operational functions to keep the facility in good order. Tenants may also have home-based businesses. Therefore, notwithstanding that the Project is a residential one, it will create a wide range of full time employment.

No adverse fiscal impact is expected to the City. The residential buildings will add value to the underlying land and increase the property taxes payable to local agencies including the City.

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The Housing Element was most recently adopted by the City Council on December 3, 2014. It contains numerous goals, objectives, policies and programs, not all of which have equal weight with respect to all housing projects as noted here:

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Housing policies are often in the form of aspirational obligations placed on City government such as expanding affordable home ownership opportunities (Policy 1.1.1), or administrative tasks such as reporting citywide housing needs on a periodic basis (Policy 1.3.3), or relate to preservation of existing housing (Policy 1.2.1). Other policies appear directed at housing developers who seek to build new housing on vacant land and are more germane to the Project. The policies that apply to the Project include the following:

*“Facilitate new construction and preservation of a range of different housing types that address the particular needs of the city’s households.”* (Policy 1.1.3)

Approval of the Project will facilitate development of moderate income rental housing in an area of the City where this type of housing has not been constructed in many years, thereby addressing the unmet needs of households in the Harbor Gateway community and households that would like to live in the community. The shortage of housing in the community is severe. Under construction on the campus of Gardena High School in Harbor Gateway is a 90 dwelling unit project, with 352 two- and three-bedroom dwelling units in a range of floor areas from 980 square feet to 1,423 square feet creating a range of housing opportunities. The subject Project provides an alternative housing option to the predominately single family residences in the Project vicinity.

*“Provide sufficient land use and density to accommodate an adequate supply of housing units by type and cost within the City to meet the projections of housing needs, according to the policies and objectives of the City’s Framework Element of the General Plan.”* (Policy 1.3.5)

Approval of the Project will facilitate development of moderate income rental housing in an area of the City where this type of housing has not been constructed in many years, thereby

addressing the unmet needs of households in the Harbor Gateway community and households that would like to live in the community.

*“Reduce regulatory and procedural barriers to the production and preservation of housing at all income levels and needs.” (Objective 1.4)*

Amending the Community Plan reduces an immediate barrier to housing production on property that has remained vacant for 15 years.

*“Establish development standards and policing practices that reduce the likelihood of crime.” (Policy 2.1.1)*

The Project has been reviewed under the Site Plan Review provisions in the Municipal Code and has been reviewed for consistency with the Citywide Residential Design Guidelines. As stated in the EIR, the Project includes fencing, landscape planning, security cameras and lighting to enhance public safety. Visually obstructed and infrequently accessed “dead zones” would be limited and, where possible, access control features would limit public access. All crime prevention features would be approved by the LAPD prior to the issuance of a building permit. Upon completion of construction, the Applicant would provide the LAPD a diagram of the site that includes access routes and any other applicable information that may facilitate police response.

*“Promote sustainable neighborhoods that have mixed-income housing, jobs, amenities, services and transit.” (Objective 2.2.)*

The area immediately proximate to the Property includes single family dwellings and small apartments. The Sepulveda Corridor provides a variety of retail, restaurant and financial services and uses within walking distance to existing residents and to the prospective residents of the Project. These businesses include One West Bank, Wells Fargo Bank, Jiffy Lube, Walgreens, Radio Shack, CVS Drug Store and several restaurants including Subway, Beef Bowl, Del Taco, El Pollo Loco, and Arbys, a health club, a children’s dental office and other commercial businesses. Public transit is available on both Sepulveda Boulevard and Normandie Ave.

The Property is located within a short distance of employment opportunities including the adjacent industrial park to the north, and large employers such as the UCLA Harbor Medical Center, the Port of Los Angeles, Los Angeles International Airport and Downtown Los Angeles. The Property is located near the Harbor (110) Freeway, the San Diego (405) Freeway and the Century (105) Freeway providing accessibility to jobs over a wide geographic area. The recent completion of express lanes on the Harbor Freeway and a 1,015-space commuter parking lot at the corner of Vermont Avenue and Artesia Boulevard have improved accessibility for residents of the Harbor Gateway community. Therefore, the Project is consistent with this Opportunity.

*“Promote and facilitate a jobs/housing balance at a citywide level.” (Policy 2.2.3)*

With 44 percent of the Community Plan area planned for commercial and industrial use, Harbor Gateway has a very large jobs base and a relatively small housing base as compared to the other community plans. In order to provide a jobs/housing balance throughout the City, greater



opportunity for housing is needed in this area. This policy can only be achieved on an incremental, case by case basis. With respect to the Project, the development of 352 new apartment housing units contributes toward achieving that policy.

#### Harbor Gateway Community Plan

As stated in the Framework, *"The general plan must be periodically updated to assure its relevance and usefulness."* (Framework, Chapter 1, Statutory Requirements) The Community Plan was last updated by the City Council more than 19 years ago on December 6, 1995.

The Community Plan Map designates the Property for Heavy Industrial land use with corresponding zones of M3 and P. Footnote 1 restricts development in the Heavy Industrial category to Height District 1. Approval of the requested Plan Amendment to the Neighborhood Commercial designation with a Height District designation of 2 will result in the requested Zone Change being consistent with the Community Plan in that the C2 Zone is among the zones identified on the Community Plan Map for the Neighborhood Commercial land use designation (CR, C1, C2, C4, RAS3 and P).

The Community Plan states that 1,050 acres, or 41 percent of the Community, is designated for industrial use. This is an unusually high percentage as compared to other community plans. The reduction of 5.1 acres from this total would result statistically in virtually no change: 1,044.9 acres and 41 percent of the Community would still be designated for industrial use.

The Community Plan has not been updated in 19 years and, therefore, potentially reflects dated land use planning policies, and there is no current effort to update the Community Plan. As noted above, the Framework states that "[t]he general plan must be periodically updated to assure its relevance and usefulness." Given the absence of initiating a Community Plan update by the City, individual land owners and developers may initiate plan amendments and zone changes on an ad hoc basis. The Heavy Industrial designation for Sepulveda Boulevard in 1996, when the plan was last updated, is at odds with the ongoing redevelopment of the Sepulveda Corridor exclusively with commercial uses (neighborhood-serving banks, restaurants and stores) since then. The passage of time demonstrates that the Heavy Industrial plan designation for those properties, like the Applicant's, does not reflect international industrial competition and the economic cost of production during the past 20 years. The result maybe too much land in the Community planned for industrial use as demonstrated by market forces. Even where industrial use is newly established in industrial parks, as abuts the Property to the north, it is limited to warehouses and distribution centers where employment is relatively low as compared to manufacturing uses. Residential use is compatible being located adjacent to industrial parks which have little, appearance of being used for industrial purpose, plus the Project provides a 50-foot separation between the proposed buildings and the northerly property line abutting the industrial park. The Property has no physical access to any industrial uses so its orientation is outward toward Sepulveda Boulevard. In fact, the Project is set back approximately 300 feet from the street such that it is in proximity to the street yet buffered from traffic noise by distance and by intervening new commercial buildings. The south side of Sepulveda Boulevard is developed with a stable and desirable neighborhood single family housing notwithstanding the incongruous Heavy Industrial plan designation on the north side of the street and its closer proximity to the street.

One of the Issues identified in the Community Plan is the following:

*“Scale, density and character of multiple housing adjacent to single family homes.”*  
(Community Plan, Page I-3)

The Project does not adjoin any lot developed with single family homes. The nearest single family homes are located on the south side of Sepulveda Boulevard, a distance of approximately 385 feet from the northern edge of the cul-de-sac. The Project’s setback from Sepulveda Boulevard and the existence of the commercial corridor along the north side of Sepulveda Boulevard also provides a buffer to the single family residential neighborhood south of Sepulveda Boulevard. Therefore, the Plan Amendment is consistent with protecting the continued use and enjoyment of single family homes.

Among the Opportunities sought in the Community Plan are the following:

*“Access and proximity to employment.”* (Community Plan, Page I-3)

The Property is located within a short distance of employment opportunities including the adjacent industrial park to the north, and large employers such as the UCLA Harbor Medical Center, the Port of Los Angeles, Los Angeles International Airport and Downtown Los Angeles. The Property is located near the Harbor (110) Freeway, the San Diego (405) Freeway and the Century (105) Freeway providing accessibility to jobs over a wide geographic area. The recent completion of express lanes on the Harbor Freeway and a 1,015-space commuter parking lot at the corner of Vermont Avenue and Artesia Boulevard have improved accessibility for residents of the Harbor Gateway community. Therefore, the Plan Amendment is consistent with this Opportunity.

*“Potential for residential and mixed-use development along commercial corridors.”*  
(Community Plan, Page I-3)

The Property is located along the Sepulveda Corridor, which extends from Normandie Avenue to Western Avenue – the entire width of the Harbor Gateway Community Plan Area, that is developed with commercial uses, although it has an industrial plan designation. Among the commercial uses are One West Bank, Wells Fargo Bank, Jiffy Lube, Walgreens, Radio Shack, CVS Drug Store and several restaurants including Subway, Beef Bowl, Del Taco, El Pollo Loco, and Arbys, a health club, a children’s dental office and other commercial businesses. The amendment of the Community Plan from Heavy Industry to Neighborhood Commercial would complement these uses and provide a mix of commercial and residential development consistent with this Opportunity.

The Community Plan provides land use policies and programs. Among the residential policies are these:

*“Apartments should be soundproofed and be provided with adequate off-street parking, open space and usable recreational areas.”* (Community Plan, Page III-1)



The Project as designed meets or exceeds the applicable parking and open space requirements in the Municipal Code . Open space will be provided through courtyards, club house, roof deck, community room, fitness center and ground floor yards, and will exceed the Municipal Code requirement of approximately 35,925 square feet by providing approximately 119,148 square feet of open space. Municipal Code parking requirements to provide 792 spaces will be exceeded by the provision of approximately 811 spaces. The Project would provide sound attenuation and noise reducing design elements including exterior and interior soundproofing walls, insulated walls, solid structure exterior balconies, mature landscaping along property lines, and high performance double glazed windows throughout the entire residential structure. Therefore, the Project is consistent with this policy.

*“Single- and multiple-family housing should be made available to all persons regardless of social, economic, and ethnic status.”* (Community Plan, Page III-1)

The Project will be made available to all qualified tenants without discrimination toward any protected class. Therefore, the Project is consistent with this policy. By providing an apartment housing alternative to the predominately single family residential opportunities in the general vicinity of the Project area, the Project broadens the new housing opportunities generally available in the community.

*“The Plan proposes that the predominant low-density residential character of the Harbor Gateway Community be preserved and that single-family residential neighborhoods be protected from encroachment by other types of use.”* (Community Plan, Page III-2)

The Project does not remove any low-density housing or abut any single-family lots. The nearest single-family development is located on the south side of Sepulveda Boulevard approximately 385 feet from the nearest portion of the Property. The Project’s setback from Sepulveda Boulevard and the existence of the commercial corridor along the north side of Sepulveda Boulevard also provides an appropriate buffer to the single family residential neighborhood south of Sepulveda Boulevard. Therefore, the Project is consistent with this policy.

#### The Transportation Element

The Transportation Element of the General Plan serves as a guide that furthers the development of a citywide transportation system to provide for the efficient movement of people and goods. The Transportation Element recognizes that primary emphasis must be placed on maximizing the efficiency of existing and proposed transportation infrastructure through advanced transportation technology, reduction of vehicle trips, and focused growth in proximity to public transit.

The Transportation Element is unaffected by the Plan Amendment because Sepulveda Boulevard upon which the Project fronts, is a fully improved Major Highway. The Project is subject to standard conditions of approval regarding access and circulation. The provision of housing in a jobs-rich area promotes a reduction in the length of automobile vehicle trips.



- **That the subject 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 Project consists of two buildings each having four floors of residential use providing for 176 dwelling units above two levels of parking, additional surface parking, amenities for Project residents, private open space, courtyards, club house, roof deck, community room, fitness center and ground floor yards and landscaping. The Project will improve Sepulveda Boulevard abutting the site as may be required to meet Major Highway street standards, including street lighting, street trees and parkway landscaping. Trash collection and all loading operations will occur on-site. The Project is subject to current Building and Fire Code requirements including seismic and green building standards. As the site is vacant, the Project has no non-conforming rights and will be subject to automobile and bicycle parking requirements in the Zoning Code and other contemporary development standards that did not exist when other residential buildings were constructed in the Community. The Project provide sound attenuation and noise reducing design elements including exterior and interior soundproofing walls, insulated walls, solid structure exterior balconies, mature landscaping along property lines, and high performance double glazed windows throughout the entire residential structure. The Project compliments the emerging pattern of commercial development along the Sepulveda Corridor by placing multi-family housing within walking distance to neighborhood serving commercial uses. Thus the Project will be compatible with existing and future development on adjacent properties and neighboring properties.

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

The Project will meet or exceed the open space requirements set forth in the Zoning Code. Per LAMC Section 12.21 G.(2), residential projects are required to provide 125 square feet of open space for each unit have three habitable rooms and 175 square feet of open space for each unit having more than three habitable rooms. As designed, approximately 35,925 square feet of open space is required and approximately 119,148 square feet of open space will be provided. In addition, the Project will provide private open space, courtyards, club house, roof deck, community room, fitness center and ground floor yards. These provision of these amenities will exceed most, if not all, other residential projects in the community.