



## DEPARTMENT OF CITY PLANNING RECOMMENDATION REPORT

### City Planning Commission

<b>Date:</b>	December 12, 2019	<b>Case No.:</b>	CPC-2016-4475-GPA-VZC-HD-MCUP-CUX-DB-SPR
<b>Time:</b>	After 8:30 a.m.*	<b>CEQA No.:</b>	ENV-2016-4476-EIR
<b>Place:</b>	Los Angeles City Hall Council Chamber, Room 340 200 North Spring Street Los Angeles, California 90012	<b>Related Case:</b>	VTT-74703
		<b>Council No.:</b>	14 – Huizar
		<b>Plan Area:</b>	Central City North
		<b>Plan Overlay:</b>	RIO – River Improvement Overlay
<b>Public Hearing:</b>	September 25, 2019	<b>Certified NC:</b>	Historic Cultural
<b>Appeal Status:</b>	General Plan Amendment is not appealable. Vesting Zone Change and Height District Change are appealable by the Applicant to the City Council if disapproved in whole or in part. All other actions are appealable to City Council.	<b>Existing GPLU:</b>	Heavy Industrial
		<b>Proposed GPLU:</b>	Regional Center Commercial
		<b>Existing Zone:</b>	M3-1-RIO
		<b>Proposed Zone:</b>	C2-2-RIO
<b>Expiration Date:</b>	December 6, 2019	<b>Applicant:</b>	Kevin Chen, Arts District Development, LLC
		<b>Representative:</b>	Anne Williams, Psomas

**PROJECT LOCATION:** 1101 East 5<sup>th</sup> Street; 1129 East 5<sup>th</sup> Street; 445-457 South Colyton Street; 450-456 South Seaton Street

**PROPOSED PROJECT:** The Project Site is currently developed with an approximately 91,200 square-foot, two-story brick building that contains approximately 45,600 square feet of light industrial/arts production space and approximately 45,600 square feet of live/work space, which consists of 10 units. The Project includes the demolition and removal of all existing uses on the Project Site, and development of a new mixed-use building, including 129 live/work condominium units, a 113-room hotel, and 81,326 square feet of commercial space to be used for art galleries, retail, restaurant, and artist collaborative space. Of the 129 live/work units, 15 units (or, 11 percent) would be set aside for Very Low Income households. The proposed building would be 12 stories (164 feet) in height. The Project includes 304 automobile parking spaces provided in two of three subterranean levels.

### REQUESTED ACTIONS:

#### ENV-2016-4476-EIR

1. Pursuant to CEQA Guidelines Sections 15162 and 15164, in consideration of the whole of the administrative record, that the project was assessed in the previously certified Arts District Center Project Environmental Impact Report No. ENV-2016-4476-EIR (SCH No. 2017041012), certified on October 11, 2019, and no subsequent EIR, negative declaration, or addendum is required for approval of the project.

**CPC-2016-4475-GPA-VZC-HD-MCUP-CUX-DB-SPR**

1. Pursuant to Los Angeles Municipal Code (LAMC) Section 11.5.6 and Charter Section 555, a **General Plan Amendment** to change the Central City North Community Plan land use designation of the Project Site from Heavy Industrial to Regional Center Commercial;
2. Pursuant to LAMC Section 12.32 Q, a **Vesting Zone Change** and **Height District Change** to change the zoning of the Project Site from M3-1-RIO to C2-2-RIO;
3. Pursuant to LAMC Section 12.24 W.1, a **Master Conditional Use** to permit the sale and dispensing of a full line of alcoholic beverages for off-site consumption at up to two establishments, and on-site consumption at up to 13 establishments;
4. Pursuant to LAMC Section 12.24 W.18, a **Conditional Use Permit** for live entertainment and dancing;
5. Pursuant to LAMC Section 12.22 A.25(g)(2), the Applicant proposes to set aside 15 units, or 11 percent of the total number of dwelling units, for Very Low Income households, with two **Affordable Housing On-Menu Incentives**:
  - a. A 35-percent increase in Floor Area Ratio;
  - b. 12-foot side yard setback in lieu of the 14 feet otherwise required; and
6. Pursuant to LAMC Section 16.05, Site Plan Review for a project resulting in an increase in 50 or more dwelling units.

**RECOMMENDED ACTIONS:****ENV-2016-4476-EIR**

1. **Find**, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in the previously certified Environmental Impact Report No. ENV-2016-4476-EIR (SCH No. 2017041012), which includes the Draft EIR dated February 2019, and the Final EIR, dated September 2019, certified on October 11, 2019; and pursuant to CEQA Guidelines, Sections 15162 and 15164, no subsequent EIR, negative declaration, or addendum is required for approval of the project.

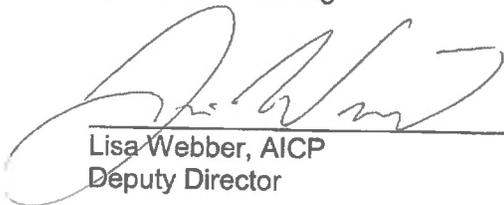
**CPC-2016-4475-GPA-VZC-HD-MCUP-CUX-DB-SPR**

2. **Recommend** that the Mayor and City Council approve a **General Plan Amendment** to the Central City North Community Plan to change the Central City North Community Plan land use designation of the Project Site from Heavy Industrial to Regional Center Commercial;
3. **Recommend** that the City Council approve a **Vesting Zone Change** and **Height District Change** to from M3-1-RIO to (T)(Q)C2-2-RIO;
4. **Approve** a **Master Conditional Use** to permit the sale and dispensing of a full line of alcoholic beverages for off-site consumption at up to two establishments, and on-site consumption at up to 13 establishments;
5. **Approve** a **Conditional Use Permit** for live entertainment and dancing;

6. **Approve** the following two (2) **Affordable Housing On-Menu Incentives**:
  - a. A 35-percent increase in Floor Area Ratio;
  - b. 12-foot side yard setback in lieu of the 14 feet otherwise required;
7. **Approve a Site Plan Review** for a project resulting in an increase in 50 or more dwelling units;
8. **Adopt** the Conditions of Approval; and
9. **Adopt** the attached Findings.

VINCENT P. BERTONI, AICP

Director of Planning



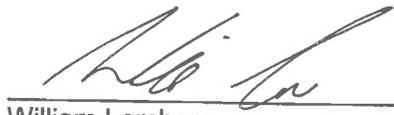
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Lisa Webber, AICP  
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William Lamborn  
City Planner

**ADVICE TO PUBLIC:** \*The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the Commission Secretariat, Room 272, City Hall, 200 North Spring Street, Los Angeles, CA 90012 (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to these programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1295.

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## PROJECT ANALYSIS

### Project Description

The Project Site is located on the north side of East 5<sup>th</sup> Street between Seaton Street and Colyton Street. The Project Site is developed with an approximately 91,200 square-foot, two-story brick building that contains approximately 45,600 square feet of light industrial/arts production space and approximately 45,600 square feet of live/work space, which consists of 10 units. The building covers the entirety of the Project Site and is bordered on its north side by adjacent arts, industrial, and warehousing businesses. Street parking (head-in) is provided on three sides (5<sup>th</sup>, Seaton, and Colyton Streets) of the existing structure, which directly abuts the adjoining off-site buildings to the north. The existing building at the Project Site was built in approximately 1915. All existing on-site improvements are proposed to be demolished to provide for the Proposed Project.

The Project as analyzed in the Draft Environmental Impact Report would develop the Project Site with a 12-story (148-foot-tall) building, containing 129 live/work condominium units (200,021 square feet); a 113-room hotel (97,850 square feet); 72,469 square feet of commercial space comprised of art gallery, retail, restaurant, and artist collaborative uses; one level of subterranean bicycle parking and storage; and four levels of subterranean parking (513 parking spaces). Of the 129 live/work units, 15 units (i.e., 11 percent) would be set aside as restricted affordable (Very Low Income) units.

As discussed in detail in the Final Environmental Impact Report, minor refinements have been made to the Project, including an increase in the building height by 16 feet, reallocation of some of the proposed uses and associated square footages, and a reduction in vehicle parking. The total unit count, the mix of uses provided, total number of hotel rooms, and total floor area remain unchanged. As further described in the Final EIR, the Project would include 129 live/work condominium units (increased to 201,204 square feet), a 113-room hotel (reduced to 87,810 square feet), and 81,326 square feet of commercial space that has been reallocated among the art gallery, retail, restaurant, and artist collaborative uses. Of the 129 live/work units, 15 units (i.e., 11 percent) would be set aside as restricted affordable (Very Low Income) units. The proposed building would be 12 stories (164 feet) in height. The Project includes 304 automobile parking spaces provided in two of three subterranean levels. The additional subterranean level would include 170 long-term bicycle parking spaces and storage space.

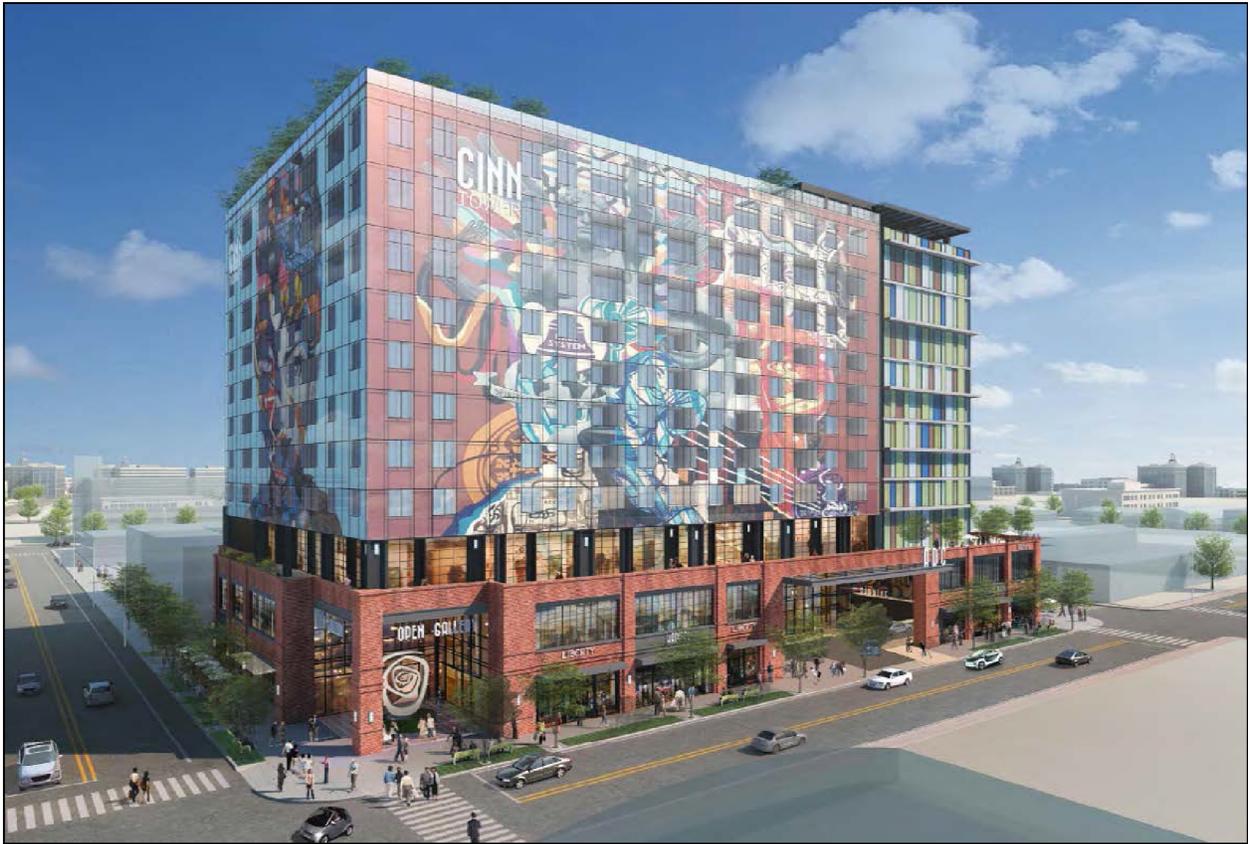
As discussed in detail in the Final EIR, the minor refinements to the Project would not result in a new significant environmental impact not already identified in the Draft EIR; would not increase the severity of any significant impacts identified in the Draft EIR; would not alter the conclusions of the Draft EIR; would not present or require new mitigation measures or alternatives to the Project; and do not reflect inadequacy of the Draft EIR.

### **Building Design**

As described above, the Project would include 129 live/work condominium units, a 113-room hotel, and 81,326 square feet of commercial space. Of the 129 live/work units, 15 units (i.e., 11 percent) would be set aside as Very Low Income units. The proposed building would be 12 stories (164 feet) in height. The Project includes 304 automobile parking spaces provided in two of three subterranean levels. The new uses would be provided within a 12-story, 164-foot building.

The Project is designed with a two-story base constructed with red brick, glass, and metal exterior materials. The ground floor would be activated by street-front retail and restaurant uses, which would be accessible to pedestrians. A porte-cochere is proposed at the center of the

Project's 5<sup>th</sup> Street frontage to provide access for arriving hotel guests. An expansive 45-foot wide pedestrian entrance area would be located on the western side of the porte cochere, and would be landscaped with raised planters. Short-term bicycle parking would also be provided.

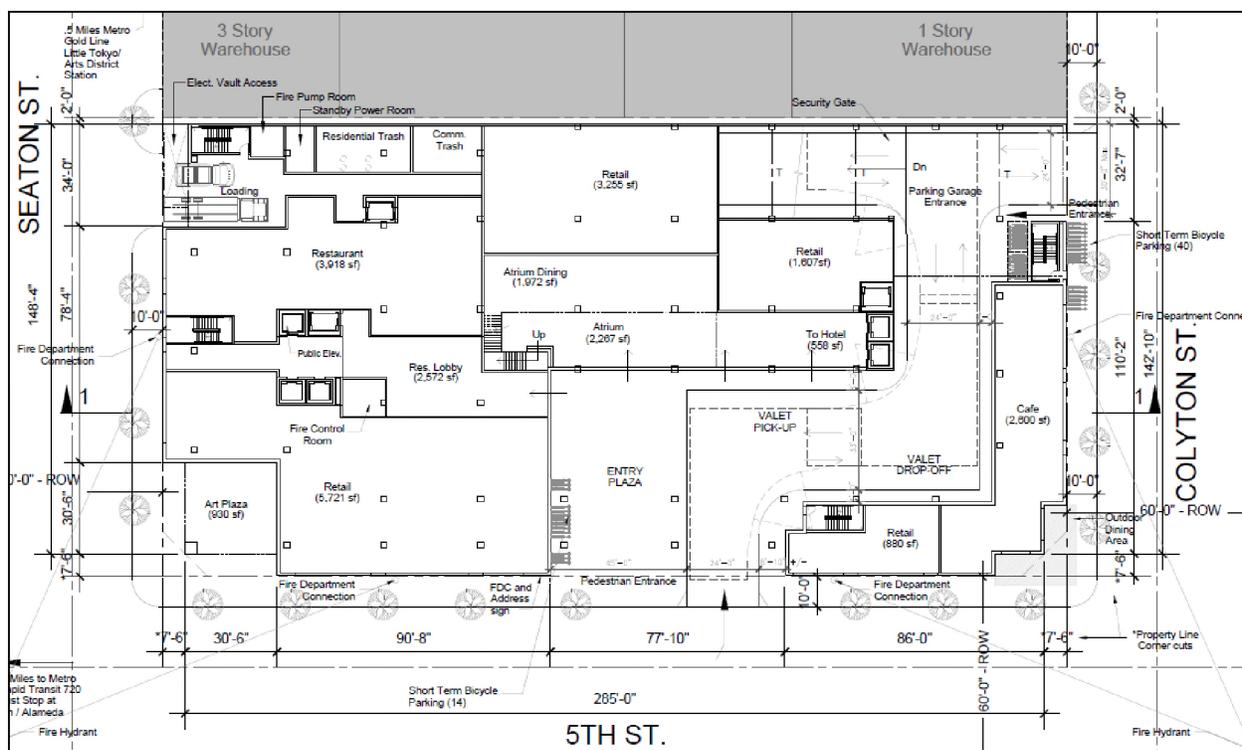


***Rendering of the Project***

Above the two-story base, the third floor would provide art gallery and artist collaborative space, as well as check-in and lounge areas for the proposed hotel. Residential live/work units and hotel guest rooms would be located on floors four through 11. The facades of the residential portion of the building would be covered by glass panels printed with contemporary artwork. The hotel portion of the building would be clad with a continuous window wall glass of a varied pastel color palette. Level 12 would provide a restaurant and rooftop bar that would be open to the public, as well as gym and clubhouse amenity areas available to both residents and hotel guests. Parking for the Project would be provided within subterranean levels B2 and B3. Level B1 would be comprised of storage space and long-term bicycle parking.

### **Building Height and Floor Area**

In combination with the proposed C2 Zone, Height District No. 2 imposes no limitation as to height, and sets forth a maximum Floor Area Ratio (FAR) of 6:1. The Project proposes a maximum height of 164 feet as measured to the top of parapet, with mechanical equipment extending to a maximum height of 170 feet. As described in further detail below, the Project is requesting an On Menu Density Bonus Incentive for a 35% increase in FAR. Under the proposed C2 Zone, the maximum base FAR would be 6:1. With the 35% FAR increase pursuant to the requested On Menu Density Bonus Incentive, the Project would have a maximum FAR of 8.1:1.



**Ground Floor Plan**

### Density and Setbacks

The Project proposes to develop 129 live/work residential units, 113 hotel rooms, and 81,326 square feet of commercial uses. LAMC Section 12.22 A.18 permits R5 uses for developments combining residential and commercial uses in the C2 Zone within the Regional Center Commercial designation. Under the Project's proposed Regional Center Commercial land use designation and C2 Zone, residential density would therefore be limited to a minimum of 200 square feet of lot area per dwelling unit. The 45,721-square foot Project Site would allow for a maximum density of 228 units. The total proposed 129 live/work residential units is thus below the maximum density allowed under the proposed zone and land use designation.

Under the proposed C2-2-RIO Zone, no setbacks are required for commercial uses. For residential uses, no front yard setbacks are required, while side yard and rear yard setbacks consistent with the R4 Zone are required at the lowest residential story. For side yards, the R4 Zone requires a minimum five-foot setback, plus one foot for every story above the second story, not to exceed 16 feet. The R4 Zone requires a minimum 15-foot rear yard setback plus one foot for each story over the third. Hotels are defined by the LAMC as a residential use, and as such, must also comply with the aforementioned residential setback requirements.

No front yards are required in the C2 Zone. Therefore, the Project is not required, and is not providing, front yard setbacks along Seaton Street and Colyton Street.

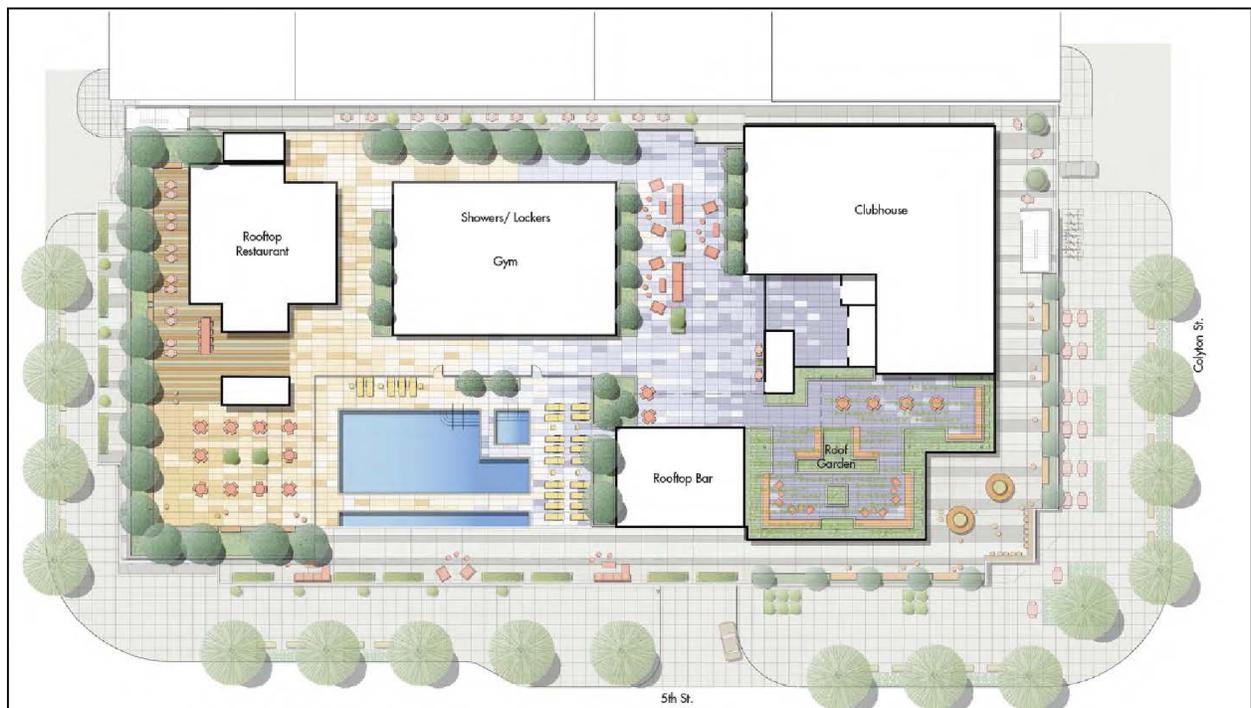
Pursuant to LAMC Section 12.22 A.25, the Project is requesting an On Menu Density Bonus to allow for a 12-foot side yard setback in lieu of the 14 feet otherwise required. The Project would provide a 12-foot side yard setback abutting neighboring properties to the north, and with approval of the requested Incentive, would be consistent with this requirement.

Pursuant to LAMC 12.22 A.18(c)(3), no yard requirements shall apply to the residential portions of buildings located on lots in the C2 Zone used for combined residential and commercial purposes, if such uses abut a street, and the first floor is used for commercial uses. As such, no side yards are required for the Project’s upper-floor residential uses fronting 5<sup>th</sup> Street.

**Open Space and Landscaping**

Based on the number of units and the mix of unit types, 16,275 square feet of open space is required. As shown in the table below, the Project would provide a total of 22,500 square feet of open space, which exceeds LAMC requirements. Open space would include the 9,000 square foot terrace on the third level, as well as the roof garden, pool, and terrace on the 12<sup>th</sup> level. A total of 5,720 square feet, or 25%, of the common open space would be planted with ground cover, shrubs or trees.

Open Space Required			
Use <sup>1</sup>	LAMC Requirement	Amount	Total Required
< 3 Habitable Rooms	100 sf / unit	50 units	5,000 sf
= 3 Habitable Rooms	125 sf / unit	51 units	6,375 sf
> 3 Habitable Rooms	175 sf / unit	28 units	4,900 sf
<b>Total Open Space Required</b>			<b>16,275 sf</b>
Open Space Provided			
3 <sup>rd</sup> Floor Terrace		9,000 sf	
Roof garden, pool, terrace		13,500 sf	
<b>Total Open Space Provided</b>		<b>22,500 sf</b>	
<sup>1</sup> Kitchens are not considered habitable rooms for the purposes of open space calculations.			



**Overall Landscape Plan**

## River Improvement Overlay (RIO)

The Project Site is within the River Improvement Overlay (RIO) supplemental use district. The RIO sets forth additional development standards pertaining to landscape buffers, exterior site lighting, fences and gates, and river access. The Applicant is required to obtain RIO approval verifying compliance with these standards prior to the issuance of building permits. This requirement has been made a condition of approval herein.

## Parking

### *Vehicle Parking*

Pursuant to LAMC Section 12.21 A.4(p), the Project is located within the Central City Parking District, and as such, would provide parking for its residential uses in conformance with those requirements as shown in the table below. Pursuant to LAMC 12.21 A.4(x)(3), the Project's commercial uses would be required to provide one parking space per 500 square feet of commercial space. In total, when accounting for permitted reductions for the provision of bicycle parking, the Project is required to provide 289 vehicle parking spaces. As detailed in the table below, the Project would provide 304 parking spaces, which exceeds LAMC requirements by 15 spaces. Parking would be provided as 270 automated parking spaces and 34 valet parking spaces located in subterranean levels B2 and B3.

<b>Required Vehicle Parking</b>			
<b>Use</b>	<b>Unit/Room/Square Feet</b>	<b>Parking Rate</b>	<b>Required</b>
Residential	50 (up to 3 habitable rooms)	1 space/unit	50
	79 (more than 3 habitable rooms)	1.25 space/unit	99
<b>Total Residential Parking</b>			<b>149 spaces</b>
Hotel	1-20 rooms	0.5 space/room	10
	21-40 rooms	0.25 space/room	5
	41-113 rooms	0.17 space/room	12
<b>Total Hotel Parking</b>			<b>27 spaces</b>
Commercial	Retail (27,888 sf)	1 space/500 sf	56
	Restaurant (32,283 sf)	1 space/500 sf	65
	Art Gallery (17,755 sf)	1 space/500 sf	36
	Artist Collaborative (3,400 sf)	1 space/500 sf	7
<b>Total Commercial Parking</b>			<b>164 spaces</b>
<b>Total Parking Required</b>			<b>289 spaces</b>
<b>Total Parking Provided</b>			<b>304 spaces</b>
*Note: 51-space reduction per Bicycle Parking Ordinance (up to 10% reduction for residential uses, including hotels, and up to 20% reduction for non-residential uses)			

### *Bicycle Parking*

The Project will meet and exceed the bicycle parking requirements set forth in Ordinance No. 185,480, as shown in the table below. All short-term bicycle parking will be located on the sidewalks and the pedestrian entrance to the porte cochere on the ground floor. Long-term bicycle parking would be located on Level B1.

<b>Bicycle Parking</b>				
<b>Use</b>	<b>Amount</b>	<b>Rate</b>	<b>Bicycle Parking Spaces Required and Provided</b>	
			<b>Short-Term</b>	<b>Long-Term</b>
Live/Work	129 units	<u>Short-term:</u> 1-25 units: 1 space/10 units 25-100 units: 1 space/15 units 29 units: 1 space/20 units <u>Long-term</u> 1-25 units: 1 space/unit 25-100 units: 1 space/1.5 units 29 units: 1 space/2 units	8	89
Hotel	113 rooms	1 per 10 rooms (short-term) 1 per 10 rooms (long-term)	11	11
Retail	27,888 sf	1 per 2,000 sf (short-term) 1 per 2,000 sf (long-term)	14	14
Restaurant	32,283 sf	1 per 2,000 sf (short-term) 1 per 2,000 sf (long-term)	17	17
Art Gallery	17,755 sf	1 per 10,000 sf (short-term) 1 per 10,000 sf (long-term)	2	2
Artist Collaborative	3,400 sf	1 per 10,000 sf (short-term) 1 per 5,000 sf (long-term)	2	2
<b>Total Required</b>			<b>54</b>	<b>135</b>
<b>Total Provided</b>			<b>54</b>	<b>170</b>

### **Access and Circulation**

Under existing conditions, the Project Site is accessed via street parking, as the Project Site currently does not provide any off-street parking. The 5<sup>th</sup> Street and Colyton Street frontages do not provide sidewalks, curbs or gutters under existing conditions, and are center-draining. A sidewalk currently adjoins the Project Site's Seaton Street frontage.

Under the Project, vehicular access to the Project would be provided from both 5<sup>th</sup> Street and Colyton Street, with a connecting driveway between each entrance through the center of the Project building. The 5<sup>th</sup> Street entry would be a porte cochere that offers valet parking and temporary valet pick-up/ drop-off areas. Access to the subterranean parking levels, which would feature an automated parking system, would be from the Colyton Street entrance, which would also connect to the 5<sup>th</sup> Street porte cochere. A loading area to serve the Project would be located at-grade on the northwest side of the building and accessed from Seaton Street. The loading area would also allow access to the live/work and communal trash rooms at the ground level.

### **Sustainability Features**

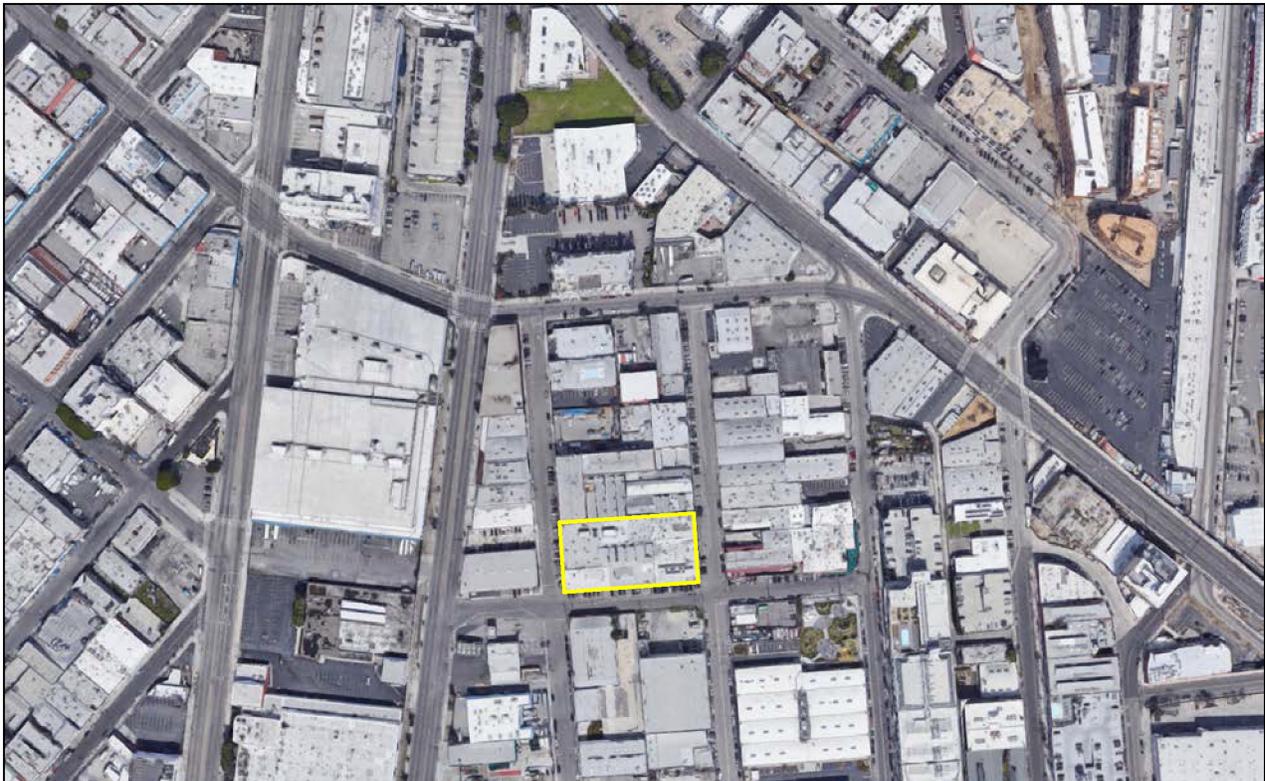
The Project will comply with applicable provisions of the CALGreen Code and the Los Angeles Green Building Code, which will serve to reduce the Project's energy usage. Furthermore, as

proposed and conditioned, a minimum of 20 percent of the total code-required parking spaces will be capable of supporting future electric vehicle supply equipment (EVSE), and five (5) percent of the total code-required parking spaces will be equipped with EV chargers. The exterior of the proposed structures will be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) to minimize glare and reflected heat. The Project also proposes to use photovoltaic glass for the curtain wall on the residential façade of the building. The exterior glass panels with printed artwork on the residential portion of the Project will not utilize highly reflective materials. As proposed and conditioned, a minimum of 15% of the upper roof of the Project will be installed with solar panels.

## **Background**

### **Location and Setting**

The Project Site is located at 1101 East 5<sup>th</sup> Street, in the Central City North Community Plan Area of the City of Los Angeles. Primary regional access to the Project Site is provided by the Hollywood Freeway (US-101) to the east and north of the Project Site and the Santa Monica Freeway (I-10) to the south and east of the Project Site. The Project Site is located approximately 0.5 miles south of the Metro Gold Line Little Tokyo/Arts District Station and is served by Metro bus service and LADOT Downtown DASH bus lines. The Project Site is immediately surrounded by a mix of industrial uses, a gas station, residential uses, restaurants, and commercial uses contained in low-rise and mid-rise buildings of varying age.



*Aerial View of the Project Site*



***View of Project Site***

### **Project Site and Characteristics**

The 1.05-acre project site is a relatively flat. The site has approximately 294 feet of frontage on East 5<sup>th</sup> Street, and approximately 148 feet of frontage along Seaton Street and Colyton Street. The project site immediately abuts existing one- and three-story buildings to the north. The Project Site is zoned M3-1-RIO and has a General Plan land use designation of Heavy Industrial. As mentioned above, the Project Site is currently improved with a 91,000 square-foot two-story brick building constructed in 1915 containing approximately 45,600 square feet of light industrial/arts production space and approximately 45,600 square feet of live/work space, which consists of 10 units. Above is a view of the Project Site under existing conditions.

### **Existing Land Use Designation and Zoning**

The Project Site is located in the Central City North Community Plan area, and is located within the boundary of the Artists-in-Residence (AIR) District as identified in the Community Plan. The Community Plan further notes that this area is “primarily made up of old warehouses now converted to artists lofts and studios,” and that “the Central City North Community plan encourages the continued and expanded development of a thriving artists-in-residence community in the plan and proposed redevelopment areas.” The Project Site is zoned M3-1-RIO and has a General Plan land use designation of Heavy Industrial. The M3-1-RIO Zone allows light manufacturing and commercial uses but does not permit residential development. The property is currently subject to Height District No. 1, which restrict the maximum Floor Area Ratio (FAR) on the Site to 1.5:1.

To redevelop the site with the proposed mixed-use development, a General Plan Amendment has been initiated and a Vesting Zone and Height District Change from the M3-1-RIO Zone to the C2-2-RIO Zone has been requested. The initiated General Plan Amendment and the requested Zone and Height District Change would allow for the proposed residential mixed-use development on the site. In combination with the proposed C2 Zone, the proposed Height District No. 2 sets forth a maximum base FAR of 6:1. The Project is requesting an On Menu Density Bonus Incentive for a 35% increase in FAR, resulting in an 8.1:1 FAR. As proposed, the building’s maximum floor area of 370,340 square feet would result in a FAR of 8.1:1. The

requested incentive would allow for the developer to expand the building envelope so the overall space dedicated to residential uses is increased, and to set aside 15 Very Low Income dwelling units for a period of 55 years. The expanded envelope would also allow for the inclusion of the proposed art gallery, artist collaborative space, and proposed hotel uses on-site.

### **Downtown Los Angeles (DTLA) 2040 Community Plan Update**

The Project Site is located within the Central City North Community Plan area of the City of Los Angeles. The Department of City Planning is currently updating the Central City and Central City North Community Plans, in a combined planning process referred to as the DTLA 2040 Plan. The City has published preliminary draft land use documents.

The purpose of the DTLA 2040 Plan is to develop and implement a future vision for Downtown Los Angeles that supports and sustains ongoing revitalization while thoughtfully accommodating projected future growth. As Downtown has been a rapidly changing setting within Los Angeles, it supports a collection of economic opportunities and entrepreneurship, people, culture, and distinct neighborhoods, and sits at the center of the regional transportation network.

Specifically, the following core principles will represent the long-term priorities for the DTLA 2040 Plan:

- Accommodate anticipated growth through 2040 in an inclusive, equitable, sustainable, and healthy manner while supporting and sustaining Downtown's ongoing revitalization
- Reinforce Downtown's jobs orientation
- Grow and support the residential base
- Strengthen neighborhood character
- Promote a transit, bicycle, and pedestrian friendly environment
- Create linkages between districts
- Create a World-Class Streets and Public Realm

The Project is located within the proposed "Hybrid Industrial" designation of the DTLA 2040 Draft Plan. The DTLA 2040 Draft Plan generally characterizes the Hybrid Industrial designation as areas to "preserve productive activity and prioritize space for employment, including light industrial, new industry, commercial, and vertically-integrated businesses, with careful introduction of live-work uses," with general uses identified as creative office, live/work, manufacturing, and production activity. It should be noted, however, that as this Community Plan Update is ongoing, this preliminary information is subject to change.

As the Project provides live/work and productive arts, employment and commercial uses, it would be consistent with the current draft version of the DTLA 2040 Draft Plan. The Project also supports the core principles and long-term priorities of the Plan by providing housing that would accommodate anticipated growth through 2040, grow and support the residential base, support and sustain Downtown's ongoing revitalization, reinforce Downtown's jobs orientation, promote a transit, bicycle, and pedestrian friendly environment and strengthen neighborhood character.

### **Project Vicinity**

The area surrounding the Project Site is urbanized and is characterized by a mix of industrial, commercial and retail, and residential uses contained in low-rise and mid-rise buildings of widely varying age. Residential uses close to the Project Site include the four-story Barker Block Residences, located southwest at 510 Hewitt Street, and the Beacon Lofts, located to the north at 825 East 4<sup>th</sup> Street, as well as residential uses to the east across Colyton Street and 5<sup>th</sup> Street, located at 1201 East 5<sup>th</sup> Street. The Arts District Park is also located within a block to the southeast of the Project Site. Specifically:

North: To the north immediately abutting the project site is a three-story warehouse, comprising an event space and creative business, and two one-story warehouses comprising commercial uses, in the M3-1-RIO and C2-2-RIO Zones.

East: To the east of the Project Site across Colyton Street are a single-story industrial and/or warehouse building with associated gated surface parking and exterior shed facilities. To the southeast of the project site across East 5<sup>th</sup> Street and Hewitt Street are a restaurant, a tow service parking lot, the half-acre Arts District Park, and the La Kretz Innovation Campus in the M3-1-RIO Zone.

South: South of the Project Site across 5<sup>th</sup> Street, located from east to west, are a surface parking lot associated with a four-story warehouse/office building (fronting on Colyton Street), another gated paved surface parking lot, and a single-story stucco industrial office building at the corner of 5<sup>th</sup> Street and Seaton Street, in the M3-1-RIO Zone.

West: West of the Project Site across Seaton Street is a single-story brick industrial and/or warehouse building with an associated gated surface parking lot, and immediately to the south of this building (across 5<sup>th</sup> Street) is a commercial truck fueling station operated, in the M3-1-RIO Zone.

### **Streets and Circulation**

5<sup>th</sup> Street is a designated Collector in Mobility Plan 2035 traveling east-west with an existing right-of-way width of 60 feet. Bureau of Engineering is requesting a four-foot dedication to complete a 34-foot wide half right-of-way. 5<sup>th</sup> Street is center-draining and does not provide sidewalks or curbs along the project site frontage.

Colyton Street is a designated Collector in Mobility Plan 2035 traveling north-south with an existing right-of-way width of 60 feet. Bureau of Engineering is requesting a four-foot dedication to complete a 34-foot wide half right-of-way. Colyton Street is center-draining and does not provide sidewalks or curbs along the project site frontage.

Seaton Street is a designated Collector in Mobility Plan 2035 traveling north-south with an existing right-of-way width of 60 feet. Bureau of Engineering is requesting a four-foot dedication to complete a 34-foot wide half right-of-way. Abutting the Project Site, the east side of Seaton Street is improved with sidewalk, curbs and gutters.

### **Public Transit**

The Project Site is served by several transit lines, including Metro Rail, and Metro and LADOT DASH bus service. The Project is located within 0.5 miles to the Metro Gold Line Little Tokyo/Arts District Station and 0.25 miles to the Metro Rapid 720 bus stop at Alameda Street and 6<sup>th</sup> Street, providing service between Downtown Los Angeles and Santa Monica.

### **Bicycle Facilities**

The City's Mobility Plan designates a network of bicycle facilities (Bicycle Paths, Tier 1 Protected Bicycle Lanes, Tier 2 Bicycle Lanes, Tier 3 Bicycle Lanes, and the Neighborhood Enhanced Network). Bicycle paths are bicycle facilities outside of the roadway, such as the LA River bicycle path. Tier 1/ Protected Bicycle Lanes are bicycle facilities on arterial roadways with physical separation. Tier 2 and Tier 3 Bicycle Lanes are bicycle facilities on arterial roadways with striped separation. Tier 2 bicycle lanes are more likely than Tier 3 bicycle lanes to be built

by 2035. The Neighborhood Enhanced Network is a selection of streets that provide comfortable and safe routes for localized travel of slower-moving modes such as walking, bicycling, or other slow speed motorized means of travel, and include bicycle facilities on neighborhood-serving streets that provide connections within the protected bicycle lane system.

Mobility Plan 2035 identifies the following corridors that are proposed to receive improved bicycle, pedestrian and vehicle infrastructure improvements:

- Planned Tier 1 protected bicycle lanes in the study area include Spring Street, Main Street, Central Avenue, 1<sup>st</sup> Street, 2<sup>nd</sup> Street, 3<sup>rd</sup> Street, 6<sup>th</sup> Street, and 7<sup>th</sup> Street.
- Planned Tier 2 bicycle lanes in the study area include 3<sup>rd</sup> Street, Santa Fe Avenue, Mateo Street, and 7<sup>th</sup> Street.

In addition, Metro operates a bike-share program with stations throughout the Downtown Los Angeles area, as well as within other areas of the City. A Metro bike-share station is located at Arts District Park, approximately one block east of the Project Site near the corner of 5<sup>th</sup> Street and Hewitt Street.

Bicycle lanes facilities currently exist within the Project Vicinity along 1<sup>st</sup> Street, and Bicycle Routes/Sharrows are provided on 1<sup>st</sup> Street and 2<sup>nd</sup> Street. Bicycle lanes are also provided towards the Downtown core approximately 0.6 miles from the Project Site along 1<sup>st</sup> Street, 2<sup>nd</sup> Street, 3<sup>rd</sup> Street, Spring Street, Main Street, and Los Angeles Street.

## Relevant Cases

Subject Property:

VTT-74703: On October 11, 2019, the Advisory Agency approved Vesting Tentative Tract Map No. 74703, for the merger and re-subdivision of the project site into 1 master lot and 11 airspace lots for a mixed-use project containing 129 live/work condominium units, a 113-room hotel, and 81,326 square feet of commercial space, and a haul route for the export of up to 43,200 cubic yards of soils. This decision was not appealed.

ENV-2016-4476-EIR: Environmental Impact Report (EIR) for the proposed Arts District Center Project. The Draft EIR was released on February 28, 2019 and comments were accepted until April 15, 2019. The Final EIR was published on September 13, 2019. At a public hearing held on September 25, 2019, the Deputy Advisory Agency considered, pursuant to Section 21082.1(c) of the California Public Resources Code, the adequacy of ENV-2016-4476-EIR (SCH No. 2017041012), findings, accompanying mitigation measures, and Mitigation Monitoring Program as the environmental clearance for the project. On October 11, 2019, in conjunction with Case No. VTT-74703, the Deputy Advisory certified the Environmental Impact Report and adopted the associated findings, mitigation monitoring program, and statement of overriding considerations. As stated above, the determination of the Deputy Advisory Agency was not appealed.

Surrounding Properties:

The following relevant cases were identified to be within 500 feet of the Project Site:

CPC-2017-469-GPA-VZC-HD-CU-MCUP-SPR-WDI: A pending application for the development of an 11-story building comprised of 255,514 square feet of new office space and 14,906 square

feet of ground floor commercial space, retaining the approximately 7,800-square-foot existing Architecture and Design Museum, for the property located at 405 South Hewitt Street.

CPC-2016-3726-GPAJ-VZCJ-HD-MCUP-ZAA-DB-SPR: A pending application for a mixed-use development comprised of 220 live/work units, 44,530 square feet of commercial uses, and approximately 21,975 square feet of open space and recreational amenities, within an eight-story building, for the property located at 1100 East 5<sup>th</sup> Street, located across East 5<sup>th</sup> Street from the Project Site.

CPC-2016-3399-GPA-VZC-HD-MCUP-SPR: A pending application for a 12-story mixed-use development comprised of 310 residential units, up to 27,401 square feet of commercial uses (including retail, restaurant, art production and exhibition spaces), and a two-level subterranean parking garage, for the property located at 527 South Colyton Street.

CPC-2016-3655-GPA-ZC-HD-CUB-ZAA-SPR: On October 13, 2017, the City Planning Commission approved the conversion of an existing 44,600 square-foot manufacturing warehouse into a 66-guest room boutique hotel, including an approximately 3,800 square-foot restaurant, approximately 840 square-feet of specialty retail, and an approximately 890 square-foot screening room, with a rooftop pool deck with bar/lounge, for the property located at 400 South Alameda Street.

## **Requested Actions**

### Environmental Impact Report (EIR)

The City of Los Angeles released the Final EIR, ENV-2016-4476-EIR (SCH No. 2017041012), on September 13, 2019 detailing the potential environmental impacts resulting from the Project. The EIR identified Cumulative Construction Noise, Construction Vibration (human annoyance threshold), and traffic intersections during Project operation as areas where the Project would result in significant and unavoidable environmental impacts.

On October 11, 2019, the Deputy Advisory Agency certified the EIR in conjunction with the approval of Case No. VTT-74703. This decision was not appealed. Therefore, Planning staff is recommending that the City Planning Commission find, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, that the project was assessed in the previously certified Environmental Impact Report, and pursuant to CEQA Guidelines Sections 15162 and 15164, no subsequent EIR, negative declaration, or addendum is required for approval of the project.

### General Plan Amendment

A General Plan Amendment to change the Central City North Community Plan land use designation of the Project Site from Heavy Industrial to Regional Center Commercial;

### Vesting Zone Change and Height District Change

A Vesting Zone Change and Height District Change to from M3-1-RIO to (T)(Q)C2-2-RIO;

### Master Conditional Use Permit

A Master Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for off-site consumption at up to two establishments, and on-site consumption at up to 13 establishments;

### Conditional Use Permit

A Conditional Use Permit for live entertainment and dancing;

### On-Menu Affordable Housing Incentives

As a result of proposing to set aside a minimum of 15 units, or 11%, of the total 129 total residential units for Very Low Income households, the Applicant is eligible for two (2) density bonus incentives. The applicant is requesting two (2) density bonus on-menu incentives as follows:

- a. A 35-percent increase in Floor Area Ratio;
- b. 12-foot side yard setback in lieu of the 14 feet otherwise required.

Pursuant to LAMC Section 12.22 A.25(e)(2), in order to be eligible for any on-menu incentives, a Housing Development Project (other than an Adaptive Reuse Project) shall comply with the following criteria, which this Project does:

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

The Project Analysis and Entitlement Findings below discuss the Project's design and compliance with the LAMC and Citywide Design Guidelines. As proposed and conditioned, the Project will provide a well-designed and articulated building.

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

The Project Analysis and Entitlement Findings below discuss the Project's design and compliance with the LAMC and Citywide Design Guidelines. As proposed and conditioned, the Project will provide well-designed and articulated pedestrian entrances and street-facing elevations.

- c. *The Housing Development Project shall not involve a contributing structure in a designated Historic Preservation Overlay Zone (HPOZ) and shall not involve a structure that is a City of Los Angeles designated Historic-Cultural Monument (HCM).*

The Proposed Project is not located within a designated Historic Preservation Overlay Zone, nor does it involve a property that is designated as a City Historic-Cultural Monument.

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

The Proposed Project is not located in a Hillside Area, nor is it located in a Very High Fire Hazard Severity Zone.

### Site Plan Review

Site Plan Review for a project resulting in an increase in 50 or more dwelling units.

### **Public Hearing and Noticing**

Comments from identified state, regional and local agencies, and members of the public, on the scope of the EIR were solicited through a Notice of Preparation (NOP) process. The purpose of the NOP was to formally convey that the City was preparing a Draft EIR for the Project and to solicit input regarding the scope and content of the Draft EIR. The NOP was mailed to owners

and occupants within a 500-foot radius of the Project Site, and circulated for a 30-day review period starting on March 31, 2017 and ending on May 1, 2017. A public scoping meeting was held on April 20, 2017.

The Draft EIR was circulated for a 46-day public comment period beginning on February 28, 2019 and ending on April 15, 2019. A Notice of Availability (NOA) of the Draft EIR was mailed to owners and occupants within a 500-foot radius of the Project Site, as well as to commenters and interested parties from the NOP, posted on the Department of City Planning website and published in the Los Angeles Times.

On September 13, 2019, a Notice of Completion and Availability (NOC/NOA) of the Final EIR was distributed to all owners and occupants within a 500-foot radius of the Project Site, as well as to all commenters from the Draft EIR and interested parties, and was posted on the Department of City Planning website. A separate public hearing notice was mailed to all owners and occupants within 500 feet of the Project Site, as well as to all commenters from the Draft EIR and interested parties on August 30, 2019.

On September 25, 2019, a joint public hearing was held by the Deputy Advisory Agency and a Hearing Officer on behalf of the City Planning Commission at 10:00 a.m. in City Hall, Room 1020 (see Public Hearing and Communications, Page P-1).

On October 11, 2019, the Letter of Decision for VTT-74703 was mailed to all interested parties and to those who signed in at the joint hearing on September 25, 2019. The determination of the Deputy Advisory Agency was not appealed.

## **Project Analysis - Site Planning and Architectural Design**

### **Walkability Checklist**

The Citywide Design Guidelines complement and expand upon the Walkability Checklist, which provides guidance and tools for encouraging pedestrian activity, promoting high quality urban form, and place-making within project sites. The Checklist reinforces many of the same principles identified in the Citywide Design Guidelines, and addresses such topics as building orientation, building frontage, landscaping, off-street parking and driveways, building signage, and lighting within the private realm; and sidewalks, street crossings, on-street parking, and utilities in the public realm.

- a. Sidewalks. The primary objectives defined for sidewalks address facilitating pedestrian movement and enriching the quality of the public realm by providing appropriate connections and street furnishings in the public right-of-way. Colyton and 5<sup>th</sup> Streets adjacent to the Project Site currently have no sidewalks. Seaton Street has a sidewalk on both sides of the street immediately adjacent to the Project Site. However, the sidewalk stops at the northwestern corner of the Project Site. As stated above, Bureau of Engineering has requested four-foot dedications on the Project's street frontages consistent with the Industrial Collector standards of Mobility Plan 2035, with full curb, gutter and sidewalk improvements. These improvements would facilitate pedestrian movement and safety, and enhance the pedestrian experience relative to existing conditions.

The streets in the Arts District, and in particular those abutting the Project Site, have a unique character that reflects the history of industrial and warehousing uses in the area. Many of the streets are unimproved and without sidewalks, and demonstrate a center-draining V-shape section as opposed to a traditional center crown with drainage via

gutters along the sidewalks. These existing street design characteristics contribute to the unique visual character of the streets abutting the Project Site. Moreover, nine properties within the abutting blocks of 5<sup>th</sup> Street, Colyton Street and Seaton Street are identified as contributing historic resources under SurveyLA, and as such are less likely to be improved in the future with full dedications and street improvements (these include 430 South Alameda Street, 436 South Alameda Street, 440 South Alameda Street, 440 Seaton Street, 428 Colyton Street, 436 Colyton Street, 1201 East 5<sup>th</sup> Street, and 1200 East 5<sup>th</sup> Street). In consideration of the above, LA City Planning's Urban Design Studio, in consultation with the Bureau of Engineering, has been developing an Arts District Living Streets typology that reflects and enhances these unique existing street characteristics to create a strong pedestrian realm that enhances existing characteristics, calms traffic, and enriches the surrounding built environment. These improvements, if implemented, would generally maintain center-draining sections on 5<sup>th</sup> Street and Colyton Street, provide for a gently meandering geometry with wide sidewalks and near-flush detectable curb heights, pockets of parallel vehicle parking, one travel lane in each direction, shade trees, and bulb-outs that strategically connect to mid-block pedestrian crossings.

In consideration of the above, the Advisory Agency, in conjunction with the approval of the Project's Vesting Tentative Tract, approved two design approach options for the streets abutting the Project Site: the standard dedication and full sidewalk requirements, or the Arts District Center Streets Improvement Diagram, if approved and as may be modified by the full City Council, or if processed and approved through the Bureau of Engineering's B-Permit Case Management process. These two options are set forth in the conditions of approval for Vesting Tentative Tract Map No. 74703.

In sum, under either approach, the Project would support the intent of the Walkability Checklist relative to sidewalks and the pedestrian realm, either by creating a buffer between pedestrians and moving vehicles through the provision of wide sidewalks, street trees and landscaping, or in the event that the Applicant implements the Arts District Living Streets configuration, through a unique pedestrian-oriented design that maintains and enhances the existing nature of the surrounding streets.

- b. Crosswalks and Crossings. The Walkability Checklist strategies regarding crosswalks and crossings would not apply to the Project because LADOT does not require the Project to make any improvements to the existing crosswalks and crossings. However, as discussed above, if the Project were to implement the Arts District Living Streets configuration, if approved and as may be modified by City Council or through the B-Permit Case Management process, the proposed meandering street geometry, wide sidewalks, bulb-outs and pedestrian crossings, would enhance the pedestrian experience and provide for an improved pedestrian crosswalks and crossings in a manner that is consistent with the unique existing character of the streets surrounding the Project Site.
- c. On-Street Parking. The Walkability Checklist strategies regarding on-street parking do not apply to the Project because no internal roadways are located or proposed within the Project Site.
- d. Utilities. The primary objectives defined for utilities address minimizing the disruption of views and visual pollution created by utility lines and equipment. The Project has not indicated whether or not any utilities will be provided. However, as conditioned, any rooftop equipment and/or utility areas shall be screened or located within the building, or incorporated into the design of the Project, so as not to detract from the visual character of the Project Site. Utilities will be located away from building entrances. As such, the

Project will support the implementation strategies related to the undergrounding and screening of utilities.

- e. Building Orientation. The primary objectives defined for building orientation address the relationship between building and street as a means of improving neighborhood character and the pedestrian environment. Strategies that will be incorporated into the Project include designing grade level entrances from the public right-of-way for pedestrians; making primary entrances to buildings visible and accessible from the street and sidewalk; maintaining at least one entrance from the public way at retail establishments with doors unlocked during regular business hours; locating buildings at the front property line to create a strong street wall; and using architectural features to provide continuity at the street where openings occur. The Project will result in an attractive streetscape that will promote pedestrian activity by providing a consistent street wall lined with ground-floor retail and restaurant uses along 5<sup>th</sup> Street, Colyton Street, and Seaton Street. The Project will enhance pedestrian walkability by providing these new commercial uses, including ground floor retail and restaurants, and a corner art plaza at 5<sup>th</sup> Street and Colyton Street. The new uses will complement and be compatible with the varied range existing commercial, office, residential, retail, warehousing and production uses in the immediate vicinity of the Project site.
- f. Off-Street Parking and Driveways. The primary objectives defined for off-street parking and driveways address the safety of the pedestrian is primary in an environment that must accommodate pedestrians and vehicles. Parking for the Project would be fully subterranean, within levels B2 and B3. 270 parking spaces would be provided as automated parking, and 34 spaces would be valet parking. By providing all parking underground, the Project avoids the visual intrusion of parking uses into the streetscape and Project design.

Strategies that will ensure pedestrian safety with regards to off-street parking and driveways include accommodating vehicle access to and from the Project Site with as few driveways as possible, and illuminating all parking areas and pedestrian walkaways. Under the Project, vehicular access to the Project would be provided from both 5<sup>th</sup> Street and Colyton Street, with a connecting driveway between each entrance through the center of the Project building. The 5<sup>th</sup> Street entry would be a porte cochere that offers valet parking and temporary valet pick-up/ drop-off areas. Access to the subterranean parking levels, which would feature an automated parking system, would be from the Colyton Street entrance, which would also connect to the 5<sup>th</sup> Street porte cochere. A loading area to serve the Project would be located at-grade on the northwest side of the building and accessed from Seaton Street. The loading area would also allow access to the live/work and communal trash rooms at the ground level.

There are currently no curb cuts or off-street parking on the Project Site. Although the Project would increase driveways relative to existing conditions, the prominence of the porte cochere along the 5<sup>th</sup> Street frontage would be minimized through the provision of wide sidewalks, and a 45-foot wide landscaped pedestrian entrance within the porte cochere that would include planters and bicycle parking. The proposed design would thus ensure that the safety and comfort of the pedestrian remains primary in an environment that must accommodate both pedestrians and vehicles.

Furthermore, the proposed pedestrian entryway would be located directly across 5<sup>th</sup> Street to the north from a mid-block pedestrian paseo proposed by the 1100 East 5<sup>th</sup> Street mixed-use project to the south, which is a currently pending application. This strategic location would provide for a mid-block pedestrian connection south of the

Project Site, improving the pedestrian experience throughout the southern vicinity of the Site, should the 1100 East 5<sup>th</sup> Street project be approved.

- g. On-Site Landscaping. The primary objectives defined for on-site landscaping address the contribution to the environment, increased pedestrian comfort, added visual relief to the street, and extension of the sense of the public right-of-way. Landscaping, including numerous on-site trees, will be incorporated throughout the various outdoor areas in the Project. The Project would provide a total of 22,500 square feet of open space, which exceeds LAMC requirements. Open space would include the 9,000 square-foot terrace on the third level, as well as the roof garden, pool, and terrace on the 12<sup>th</sup> level. A total of 5,720 square feet, or 25%, of the common open space would be planted with ground cover, shrubs or trees. Landscaping along the Project's street frontages, including the 45-foot pedestrian entryway on 5<sup>th</sup> Street, and the proposed art plaza at 5<sup>th</sup> Street and Seaton Street, would increase pedestrian comfort and add interest to the streetscape.
- h. Building Façade. The primary objectives defined for building facade address design of visible building facades to create/reinforce neighborhood identity and a richer pedestrian environment. The Project will implement strategies related to building façades including incorporating different textures, colors, materials, screening, and distinctive architectural features that add visual interest; adding scale and interest to building façades by articulated massing; discouraging blank walls; and providing an engaging ground floor. Specifically, the two-story base of the Project would feature red brick, metal awnings and canopies, and ground-floor storefront glass that reflect the materials and massing of the surrounding build environment, and will create a visually interesting and enhanced pedestrian experience along street frontages. The upper floors would be covered by glass panels printed with contemporary artwork on the south, west and north façades. The hotel portion of the building would be clad with a continuous window wall glass façade, featuring a varied pastel color palette. These proposed distinctive textures, colors, materials, and architectural features add visual interest and reinforce neighborhood identity.
- i. Signage and Lighting. The primary objectives defined for signage and lighting address strengthening the pedestrian experience, neighborhood identity and visual coherence with the use of building signage and lighting. No signage has been proposed at this time aside from Project and tenant identification signage, all of which would comply with applicable LAMC requirements. In addition, as conditioned, all pedestrian walkways and vehicular access ways shall be illuminated with lighting fixtures and harmonious with the building design.

### **Urban Design Studio Professional Volunteer Program**

The Project was reviewed by Urban Design Studio staff and the Professional Volunteer Program (PVP) on November 20, 2017, resulting in the following comments:

- Consider opening and orienting the corner cafe towards the street, not towards the interior of the site.
- The interior retail spaces are deep within the site, with some on 2nd floor, and would be hard to access from the street. What will be done to bring attention to these uses?
- The porte cochère opening from 5<sup>th</sup> Street creates uninviting pedestrian/bike access. Pedestrian access points are difficult (e.g., access to retail uses and lobby, etc., accessed through porte cochere). Consider softening how this frontage interfaces with the street to improve the pedestrian experience and reduce pedestrian / vehicular conflicts.

- What is the nature of the materials beneath the proposed exterior murals, and is the artwork is proposed to be permanent?

In response to the PVP comments received, the Applicant made design modifications and provided clarifications which substantially address the PVP comments:

- The porte cochere driveway has been shifted to the east from where it was originally proposed, in order to align with the mid-block pedestrian paseo planned for the proposed mixed-use development at 1100 East 5<sup>th</sup> Street to the south, improving pedestrian connectivity.
- With the shift of the driveway to the east, an expanded landscaped pedestrian entryway is provided in order to enhance the public realm and pedestrian environment on 5<sup>th</sup> Street, orienting the focus of this area towards pedestrians and bicyclists as opposed to the car. Short-term bicycle parking is also provided on the pedestrian entryway.
- Regarding the visibility of commercial uses towards the interior of the lot and on the 2<sup>nd</sup> floor, the interior retail and restaurant spaces will rely on the use of signage along the building facades as well as within the porte cochere such that these uses will be seen from the street and visible to the pedestrian.
- Regarding exterior materials, the design concept is to print the artwork on the back of the glass using a special process provided by the glazing manufacturer. A Materials Board is provided in Exhibit A, attached to this staff report.
- Regarding the orientation of the café, the corner café will back into the internal driveway, and is designed to face Colyton Street and the intersection with 5<sup>th</sup> Street.

### **Issues and Other Details**

#### **Historic significance of the existing building**

Comments have been received by Planning staff asserting that the existing on-site building is historic and should be retained. However, as summarized below, upon a detailed site-specific analysis in the EIR, the existing building was found to be substantially altered, and to no longer contribute to a Potential Historic District identified by SurveyLA. Impacts to historic resources would be less than significant.

The Project Site is developed with a two-story vernacular brick warehouse building constructed in approximately 1915. SurveyLA identified the Project Site as within the boundaries of the potential Downtown Los Angeles Industrial Historic District (Potential Historic District), generally located between the Alameda Street Corridor and the Los Angeles River. According to SurveyLA, the Potential Historic District appears eligible for listing in National Register of Historic Places and the California Register of Historical Resources, as well as local designation for its association with the industrial development of Los Angeles. The Potential Historic District contains 196 buildings, of which 104 (approximately 53 percent) have been evaluated by SurveyLA to be contributors; the remaining 92 buildings were evaluated as non-contributors due to alterations or construction outside the period of significance (1900-1940). SurveyLA identified the building on the Project Site as contributing to the significance of the Potential Historic District.

SurveyLA findings are subject to change over time as properties age, additional information is uncovered, and more detailed analyses are completed. As part of the preparation of the Environmental Impact Report, an in-depth site-specific historic resources assessment was conducted by a qualified historic resources consultant to determine whether the building on the Project Site retains sufficient physical integrity to contribute to the Potential Historic District. Based on the field inspection and research, field study conducted by LA City Planning Office of

Historic Resources (OHR), and approval by OHR of the findings of the historic evaluation conducted for the Project Site, the building has been significantly altered since its construction in approximately 1915. Alterations include the loss of the original parapet, sandblasting damage to the brick exterior, alterations of original windows and ground floor openings, and removal of original detailing. As a result of these alterations, the building's essential physical features have mostly been removed or altered since the end of the Potential Historic District's period of significance. Therefore, as detailed in the historic assessment and Environmental Impact Report, the building on the Project Site does not retain integrity and does not appear to contribute to the Potential Historic District. As such, the demolishing of the building on the Project Site would have a less-than significant impact on the Potential Historic District. The integrity of the Potential Historic District as a whole would not be affected by the Project because the number of contributing buildings would not change, and impacts to historic resources would be less than significant.

### **Industrial Land Use Policy (ILUP)**

The City's Industrial Land Use Policy (2007) was conducted by the Department of City Planning and CRA/LA staff to re-evaluate the viability of the City's industrial districts, particularly those areas experiencing the greatest pressure to convert to other uses, including industrial districts located in the Central City, Central City North, Boyle Heights, South Los Angeles, Southeast Los Angeles, Hollywood, Wilshire and West Los Angeles Community Plan Areas. The City of Los Angeles established a policy to preserve and retain industrial land for job projecting uses with a memorandum giving direction through the ILUP. The City Planning Commission approved the ILUP, but it was never formally presented to the City Council for consideration or adoption.

The Project Site is located in the Alameda Industrial Mixed Use District, described as "Areas that should remain as predominantly industrial/employment districts, but which may support a limited amount of residential uses." More specifically, the Project Site is also located within Alameda Analysis Area 2 of the ILUP. The ILUP Map for Analysis Area 2 shows that the Project Site land use at the time was predominantly "retail," similar to current conditions on the Project Site today. The Project Site is no longer being fully utilized for industrial related purposes, as it currently incorporates residential live/work uses and arts production uses. While the Project does not preserve the industrial land use designation, it does expand employment opportunities and housing through a cluster of uses and is being implemented in an area where comparable uses currently exist, and which satisfies the need for new housing, office and commercial uses, and updated/renovated industrial uses that will support the growth of the Arts District. The Project is consistent with and would complement the land use patterns and uses in the immediate area, which is developed with a variety of commercial, residential, and live/work uses on properties zoned for industrial uses. The 1.05-acre Project Site is also not well-suited to modern large-scale industrial operations, and the site is no longer being fully utilized for industrial related purposes. Therefore, the Project would not conflict with the policies of the ILUP.

Further, the Project site is located within the boundary of the Artists-in-Residence (AIR) District as identified in the adopted Central City North Community Plan, and is proposed to be designated "Hybrid Industrial (HI)" under the Draft DTLA 2040 Plan. The adopted Central City North Community Plan notes that the AIR District is "primarily made up of old warehouses now converted to artists lofts and studios," and that "the Central City North Community plan encourages the continued and expanded development of a thriving artists-in-residence community in the plan and proposed redevelopment areas." As such, it should be noted that the existing Artists-in-Residence District in the current community plan is not limited to its current boundaries, but rather the Central City North Community plan encourages the continued and expanded development of a thriving artists-in-residence community in the plan and proposed

redevelopment areas. According to the Draft DTLA 2040 Plan, Hybrid Industrial areas preserve productive activity and prioritize space for employment, including light industrial, new industry, commercial, and vertically-integrated businesses, with careful introduction of live-work uses. As such, the Project's proposed uses that would be implemented by the proposed General Plan Amendment and Vesting Zone Change are generally consistent with the overarching vision of both the adopted Community Plan and the draft community plan update.

The Project proposes to change the land use designation from Heavy Industrial to Regional Commercial, and the corresponding zoning designation from M3 to C2 to allow a broader range of uses that would help stimulate economic growth, resulting in the creation of jobs and housing without being out of character with the surrounding area. The Project includes 129 residential units, of which 15 units, or 11% of the total proposed units, will be set aside for Very Low Income households, which would address the City's housing needs while also serving to provide housing for those who work in the area. Adding commercial, retail and restaurant uses would provide a compatible and complementary set of residential, commercial, and productive job-producing uses in keeping with the immediately surrounding area. While the Project does not preserve the industrial zoning, it does preserve the productive uses that create jobs and economic development, and is being implemented in an area where similar uses currently exist, and which satisfies the need for new housing, office and commercial uses, and updated/renovated industrial uses. Although the proposed residential use would be located within an area currently designated and zoned for heavy industrial uses, the Project Site currently includes live/work residential uses, and the immediate vicinity includes existing residential uses located on land that is designated and zoned for industrial uses but have received Zoning Administrator determinations or ministerial permits through the adaptive reuse ordinance to operate. Existing residential uses in proximity to the site include the four-story Barker Block Residences, located southwest at 510 Hewitt Street, and the Beacon Lofts, located to the north at 825 East 4<sup>th</sup> Street, as well as residential uses to the east across Colyton Street and 5<sup>th</sup> Street, located at 1201 East 5<sup>th</sup> Street.

### **Applicability of Measure JJJ**

On November 8, 2016, voters in the City of Los Angeles approved and passed Measure JJJ, the Build Better LA Initiative, which imposed minimum affordable housing requirements and labor regulations on certain development projects requiring General Plan Amendments, Zone Changes and Height District Changes, and became effective on December 13, 2016, following the Council's action to certify the election results.

It should be noted that while the proposed Project includes a General Plan Amendment, Vesting Zone Change and Height District Change, the Vesting Zone Change and related Vesting Tentative Map applications were both deemed complete by the Department of City Planning on December 1, 2016, prior to the effective date of Measure JJJ regulations. Therefore, Measure JJJ is not applicable to this Project.

### **Street Design**

As further discussed above, the streets in the Arts District, and in particular those abutting the Project Site, have a unique character that reflects the history of industrial and warehousing uses in the area. Many of the streets are unimproved and without sidewalks, and demonstrate a center-draining V-shape section as opposed to a traditional center crown with drainage via gutters along the sidewalks. These existing street design characteristics contribute to the unique visual character of the streets abutting the Project Site. LA City Planning's Urban Design Studio, in consultation with the Bureau of Engineering, has been developing an Arts District Living Streets typology that reflects and enhances these unique existing street characteristics to create a strong pedestrian realm that enhances existing characteristics, calms traffic, and enriches the

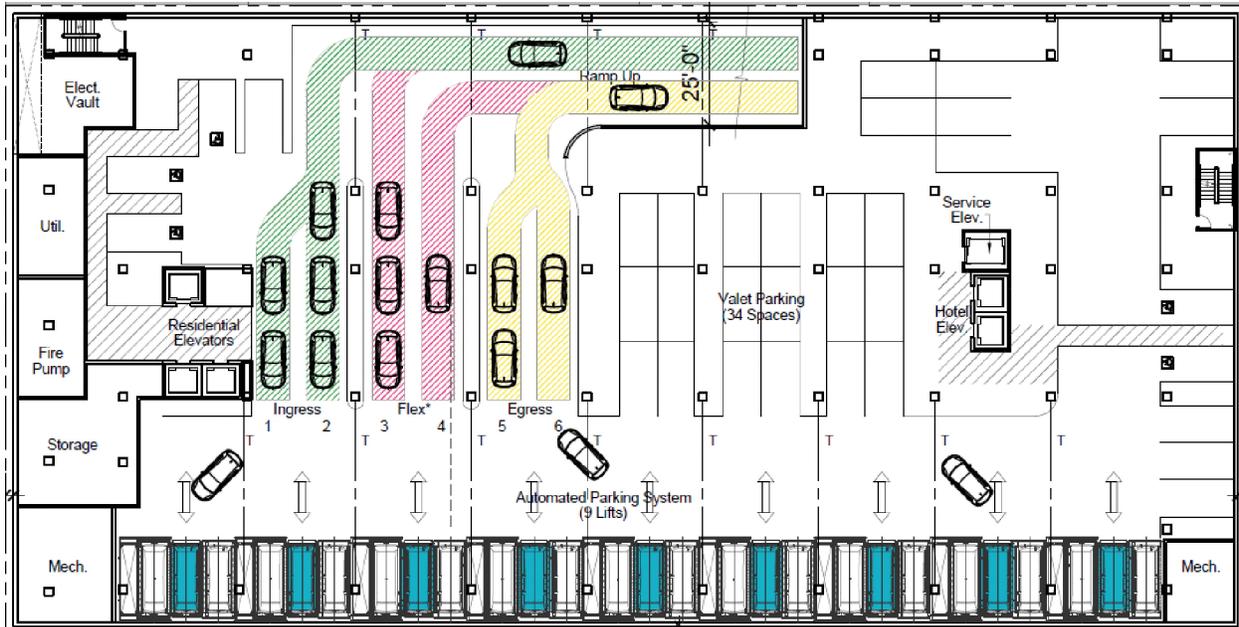
surrounding built environment. These improvements, if implemented, would generally maintain center-draining sections on 5<sup>th</sup> Street and Colyton Street, provide for a gently meandering geometry with wide sidewalks with unique finishing materials and near-flush detectable curb heights, pockets of parallel vehicle parking, one travel lane in each direction, and bulb-outs that strategically connect to pedestrian mid-block crossings, mid-block crossings. In consideration of the above, the Advisory Agency, in conjunction with the approval of the Project's Vesting Tentative Tract, approved two design approach options for the streets abutting the Project Site: the standard dedication and full sidewalk requirements, or the Arts District Center Living Streets Improvements Diagram, if approved and as may be modified by the full City Council, or if processed and approved through the Bureau of Engineering's B-Permit Case Management process. These two options are reflected in the conditions of approval for VTT-74703. For reference, see Exhibit D attached to the staff report.

### **Queuing for automated parking**

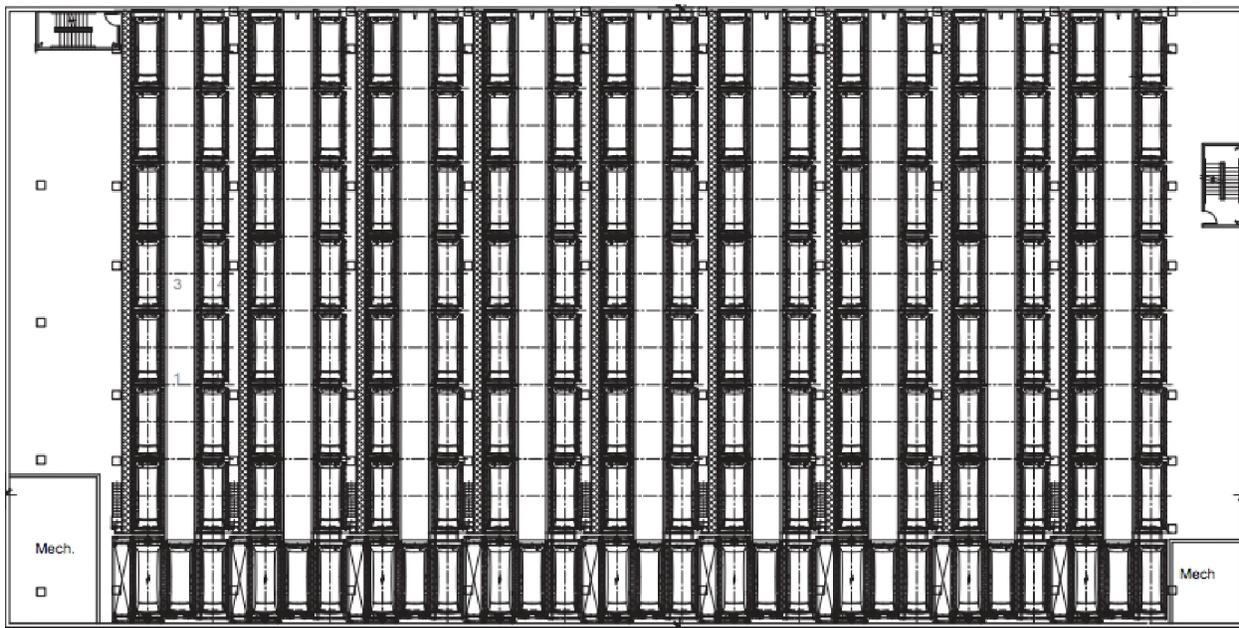
As detailed above, the Project would provide 304 parking spaces, which exceeds LAMC requirements by 15 spaces. Parking would be provided as 270 automated parking spaces and 34 valet parking spaces located in subterranean levels B2 and B3. Vehicular access would be provided from both 5<sup>th</sup> Street and Colyton Street. Access to the subterranean parking levels, which would feature an automated parking system, would be from the Colyton Street entrance, which would also connect to the 5<sup>th</sup> Street porte cochere. Six lanes for valet drop-off and pick-up prior to the automated parking system lifts, which increases the capacity of the valet system. The automated robotic parking system uses car lifts and allows the parked vehicles to be stored more efficiently and occupies less space than traditional ramped parking.

Regarding the queuing for the automated parking, the fully automated parking garage is a mechanical system designed to minimize area/volume required for parking vehicles. An automated parking garage utilizes mechanics made up of motors, chains, pulleys and pallets to transport vehicles within the parking system rather than the driver. The driver will drop their vehicle with a valet operator. The valet will pull into a loading bay that looks very similar to a garage; then they drive the vehicle onto a pallet and exit the bay. Once the valet exits the bay, the valet will operate the kiosk and the bay door will shut and the vehicle will automatically be transported underground to its designated parking space. When the driver is ready to retrieve their vehicle, they will hand their ticket to the valet operator. The valet will use the kiosk to retrieve the vehicle. The vehicle will be delivered facing out so that the driver does not have to back up out of the bay; this allows ease of exit as well as expedites the retrieval process. An exhibit illustrating the automated parking system is included in the attached plan set.

With regards to timing, nine vehicle lifts would be provided, and each lift would take approximately 160 seconds to process one inbound vehicle to subsequent parking levels or to retrieve one outbound vehicle from the subsequent parking levels. However, efficiencies are gained because both inbound and outbound vehicles can be served within that same period such that together, the nine vehicle lifts could process up to 310 inbound and outbound vehicles per hour, which would sufficiently accommodate the estimated peak hour Project trips accessing the automated parking spaces.



Level B2



Level B3

### Exterior Materials – Art Paneling

As described above, the upper portion of the proposed Project, comprised of the residential and hotel uses, would be clad with a unique set of colored and printed glass materials designed to incorporate artwork into the building's design. The residential portion of the building would be covered by glass panels printed with contemporary artwork using a special process provided by the glazing manufacturer. The unique curtain wall system on the exterior of the residential portion of the building would be comprised of photovoltaic glass. The hotel part of the building would be clad with a continuous window wall glass façade, featuring a varied pastel color palette. The Project is conditioned to substantially conform to the conceptual plans stamped Exhibit A, attached to this staff report, included architectural details therein. For further detail see page 21, Material Board, of the plans provided in Exhibit A.

**Conclusion**

The Arts District Center Project results in a development that will provide 129 live/work residential units, including 11% set aside for Very Low Income households, thereby contributing to addresses the shortage of housing in the City, including affordable housing, while retaining and creating arts-oriented and productive, jobs-producing uses in the Arts District. The Project's beneficial and complementary mix of uses, design, location, and other features will be compatible with the surrounding neighborhood, and will not adversely affect public health, welfare, and safety. Furthermore, overriding considerations of economic, social, aesthetic, and environmental benefits for the Project justify its adoption. Based on the information submitted, the testimony received at the public hearing, the analysis in the EIR, and the whole of the record, LA City Planning recommends that the City Planning Commission adopt and approve the Project as conditioned herein.

**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.

Dedications/Improvements and Responsibilities/Guarantees.

Dedications and Improvements herein contained in these conditions which are in excess of street improvements contained in either the Mobility Element 2035 or any future Community Plan amendment or revision may be reduced to meet those plans with the concurrence of the Department of Transportation and the Bureau of Engineering. In addition, consistent with the Letter of Determination for associated case VTT-74703, the Project has the option to implement dedications consistent with Exhibit I: Arts District Center Street Improvements Diagram, in the event that it is approved by the full City Council, or if processed and approved through Bureau of Engineering B-Permit Case Management.

1. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.
2. **Bureau of Engineering.** Street Dedications and Improvements shall be provided to the satisfaction of the City Engineer.
3. **Sewer.** Construction of necessary sewer facilities, or payment of sewer fees, shall be to the satisfaction of the City Engineer.
4. **Drainage.** Construction of necessary drainage and storm water runoff drainage facilities to the satisfaction of the City Engineer.
5. **Driveway/Parkway Area Plan.** Preparation of a parking plan and driveway plan to the satisfaction of the appropriate District Offices of the Bureau of Engineering and the Department of Transportation.
6. **Fire.** Incorporate into the building plans the recommendations of the Fire Department relative to fire safety, which includes the submittal of a plot plan for approval by the Fire Department either prior to recordation of a final map or the approval of a building permit.
7. **Cable.** Make any necessary arrangements with the appropriate cable television franchise holder to assure that cable television 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 Department of Telecommunications.
8. **Recreation and Park Fees.** Payment of the Quimby fee shall be based on the C2 Zone and be paid prior to the recordation of Final Tract map. The application for Vesting Tentative Tract Map No. 74703 was deemed complete on December 1, 2016.
9. **Lighting.** Street lighting facilities shall be provided to the satisfaction of the Bureau of Street Lighting.

10. **Street Trees.** All trees in the public right-of-way shall be provided per the current Urban Forestry Division Standards.

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

**(Q) QUALIFIED CONDITIONS**

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.

1. **Site Development.** The use and development of the property shall be in substantial conformance with the plans submitted with the application and marked Exhibit A, dated November 4, 2019. No change to the plans will be made without prior review by the Department of City Planning, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code or the project conditions.
2. **Use.** The use and area regulations of the development shall be developed for uses as permitted in the C2 Zone as defined in LAMC Section 12.14, except as modified by the conditions herein or subsequent action.
3. **Residential Density.** The project shall be limited to a maximum density of 129 residential live/work units, of which 15 units, or 11% of the total units provided, shall be set aside/restricted to Very Low Income households.
4. **Guest Rooms.** The project shall be limited to a maximum number of 113 hotel guest rooms.
5. **Commercial Floor Area.** The project shall be limited to a maximum commercial floor area of 81,326 square feet, as follows:
  - a. Retail: 27,888 square feet
  - b. Restaurant: 32,283 square feet
  - c. Art Gallery: 17,755 square feet
  - d. Artist Production (Artist Collaborative): 3,400 square feet
6. **Floor Area Ratio.** The Floor Area Ratio (FAR) of the Project shall be limited to a maximum FAR of 8.1:1, or 370,340 square feet of floor area.

## CONDITIONS OF APPROVAL

Pursuant to LAMC Sections 12.32, 12.24 W.1, 12.24 W.18, 12.22 A.25(g)(2), and 16.05, the following conditions are hereby imposed upon the use of the subject property.

### Development Conditions

1. **Site Development.** The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit A stamp-dated November 4, 2019, except as may be revised as a result of this action. No change to the plans will be made without prior review by the Department of City Planning, and written approval by the Director of Planning, with each change being identified and justified in writing. Minor deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
2. **Development Services Center.** Prior to sign-off on building permits by the Department of City Planning's Development Services Center for the project, the Department of City Planning's Major Projects Section shall confirm, via signature, that the project's building plans substantially conform to the conceptual plans stamped as Exhibit "A", as approved by the City Planning Commission.

Note to Development Services Center: The plans presented to, and approved by, the City Planning Commission (CPC) included specific architectural details that were significant to the approval of the project. Plans submitted at plan check for condition clearance shall include a signature and date from Major Projects Section planning staff to ensure plans are consistent with those presented at CPC.

3. **Uses.** The project shall be limited to a maximum of 129 live/work residential units and 81,326 square feet of commercial uses, as follows:
  - a. Retail: 27,888 square feet
  - b. Restaurant: 32,283 square feet
  - c. Art Gallery: 17,755 square feet
  - d. Artist Production (Artist Collaborative): 3,400 square feet
4. **Height.** The building shall not exceed a maximum height of 164 feet, excluding roof structures and equipment, as defined by LAMC Section 12.21.1.
5. **Floor Area Ratio.** The Floor Area Ratio (FAR) of the Project shall be limited to a maximum FAR of 8.1:1, or 370,340 square feet of total floor area.
6. **Affordable units.** A minimum of 15 units, or 11 percent of the total dwelling units, shall be reserved as affordable units, as defined by the State Density Bonus Law 65915(c)(1) or (c)(2). Affordable units required as replacement units, per Government Code 65915, shall be an equivalent size or type, or both, as those units being replaced.
7. **Changes in Restricted Units.** Deviations that decrease the number of restricted affordable units or that change the composition of units shall be consistent with LAMC Section 12.22 A.25 (9a-d).
8. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make 15 units, or 11 percent of the total dwelling units, available to Very Low Income Households, for sale or rental as determined to be affordable to such

households by HCIDLA for a period of 55 years. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with any monitoring requirements established by the HCIDLA.

## 9. Sustainability.

- a. The Project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.
- b. The Project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.
- c. Solar and Electric Generator. Where power poles are available, electricity from power poles and/or solar-powered generators rather than temporary diesel or gasoline generators shall be used during construction, In particular, solar-powered generators shall be used for the construction trailer(s) on-site.
- d. Solar Power.
  - i. A minimum of 15% of the upper roof of the Project shall be installed with solar panels. The solar panels shall be installed on the building rooftop as a part of an operational photovoltaic system to be maintained for the life of the project. The Project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.
- e. **Solar-ready Buildings.** The Project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.

## 10. Parking.

- a. **Vehicle Parking.** The minimum number of residential and commercial automobile parking spaces shall be provided as required by LAMC Section 12.21 A.4(a)(i), and (p). Up to a maximum of 30 percent of the required automobile parking for commercial uses and 15 percent of the of the required automobile parking for residential uses may be replaced by bicycle parking at a ratio of one vehicle parking space for every four bicycle parking spaces provided.
- b. **Electric Vehicle Parking.** The project shall include at least 20 percent of total code required parking spaces for all types of parking facilities as capable of supporting future Electric Vehicle Supply Equipment (EVSE). Plans shall indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating capacity. Five (5) percent of the total code required parking spaces shall be further provided with EV chargers to immediately accommodate electric vehicles within the parking areas. When the application of either the 20 percent or five percent results in a fractional space, round up to the next whole number. A label stating "EVCAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.

- c. **Bicycle Parking.** Bicycle parking shall be provided consistent with Ordinance No. 185,480, which amended Sections 12.03, 12.21 and 12.26 of the Los Angeles Municipal Code to update the bicycle parking regulations, effective on May 9, 2018.
- d. Prior to the issuance of a building permit, the driveway and parking plan shall be submitted for review and approval to the Department of Transportation.

**11. Open Space.** The Project shall provide open space as follows:

- a. A minimum of 22,500 square feet of open space shall be provided, in substantial conformance with the landscape plans stamped Exhibit A, dated November 4, 2019.

**12. Landscaping.** Prior to the issuance of a building permit, a landscape and irrigation plan shall be submitted to the Department of City Planning for approval. The landscape plan shall be in substantial conformance with the landscape plan stamped Exhibit A.

**a. Tree Wells.**

- i. The minimum depth of tree wells shall be as follows:
  - 1. Minimum depth for trees shall be 42 inches.
  - 2. Minimum depth for shrubs shall be 30 inches.
  - 3. Minimum depth for herbaceous plantings and ground cover shall be 18 inches.
  - 4. Minimum depth for an extensive green roof shall be three inches.
- ii. The minimum amount of soil volume for tree wells shall be based on the size of the tree at maturity as follows:
  - 1. 600 cubic feet for a small tree (less than 25 feet tall at maturity).
  - 2. 900 cubic feet for a medium tree (25-40 feet tall at maturity).
  - 3. 1,200 cubic feet for a large tree (more than 40 feet tall at maturity).

- b. Any trees that are required pursuant to LAMC Section 12.21 G and are planted on any podium or deck shall be planted in a minimum three-foot planter.

**13. Stormwater/irrigation.** The project shall implement on-site stormwater infiltration as feasible based on the site soils conditions, the geotechnical recommendations, and the City of Los Angeles Department of Building and Safety Guidelines for Storm Water Infiltration. If on-site infiltration is deemed infeasible, the project shall analyze the potential for stormwater capture and reuse for irrigation purposes based on the City Low Impact Development (LID) guidelines.

**14. Trash/Storage.**

- a. All trash collection and storage areas shall be located on-site and not visible from the public right-of-way.
- b. Trash receptacles shall be stored in a fully enclosed building or structure, constructed with a solid roof, at all times.
- c. Trash/recycling containers shall be locked when not in use.

15. **Mechanical Equipment.** Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view of any abutting properties and the public right-of-way. All screening shall be setback at least five feet from the edge of the building.
16. **Light.** All outdoor and parking lighting shall be shielded and down-cast within the site in a manner that prevents the illumination of adjacent public rights-of-way, adjacent properties, and the night sky (unless otherwise required by the Federal Aviation Administration (FAA) or for other public safety purposes).
  - a. **Lighting Design.** Areas where nighttime uses are located shall be maintained to provide sufficient illumination of the immediate environment so as to render objects or persons clearly visible for the safety of the public and emergency response personnel. All pedestrian walkways, storefront entrances, and vehicular access ways shall be illuminated with lighting fixtures. Lighting fixtures shall be harmonious with the building design. Wall mounted lighting fixtures to accent and complement architectural details at night shall be installed on the building to provide illumination to pedestrians and motorists.
17. **Glare.** The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.
18. **Reflectivity.** Glass used in building façades shall be non-reflective or treated with a non-reflective coating in order to minimize glare from reflected sunlight.
19. **Noise.** All exterior windows having a line of sight of an Avenue (Major or Secondary Highway) shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Coefficient (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto. Or, the applicant, as an alternative, may retain an acoustical engineer to submit evidence, along with the application for a building permit, any alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.
20. **Signage.**
  - a. All future signage shall be limited to what is permissible under the Los Angeles Municipal Code.
  - b. There shall be no off-site commercial signage on construction fencing during construction.
21. Prior to the issuance of the building permit, a copy of the letter of decision for Case No.VTT-74703 shall be submitted to the satisfaction of the Development Services Center.
22. **River Improvement Overlay.** The project shall comply with the River Improvement Overlay (RIO) requirements set forth in LAMC Section 13.17. RIO approval shall be obtained prior to the issuance of Building Permits.

**Master Conditional Use Permit for Alcohol Conditions**

23. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
24. The use and development of the property shall be in substantial conformance with the plot plan and floor plan submitted with the application and marked Exhibit A, except as may be revised as a result of this action.
25. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
26. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.
27. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Zoning Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
28. Authorized herein is the sale, dispensing, and consumption of a full line of alcoholic beverages for on-site consumption in conjunction with:
  - a. Total of up to 13 establishments, in conjunction with the proposed restaurant, retail, and hotel uses, as follows:
    - a. Three (3) on-site permits in conjunction with the hotel use (including, but not limited to the lobby, lobby bar, hotel terrace, pool deck, portable units to serve alcohol within the hotel use, mini-bars within each hotel room or suite);
    - b. Nine (9) on-site permits in conjunction with proposed restaurants, café, clubhouse or bars located within the commercial and art gallery areas;
    - c. One (1) on-site permit associated with the residential amenity spaces.
29. Authorized herein is the sale, dispensing, and consumption of a full line of alcoholic beverages for off-site consumption in conjunction with:
  - a. Total of up to two (2) retail establishments, including, but not limited to, the hotel, residential, or commercial uses.
30. **Plan Approval (MPA) Requirement.** Each individual venue shall be subject to a Master Plan Approval (MPA) determination pursuant to Section 12.24-M of the Los Angeles Municipal Code in order to implement and utilize the Master Conditional Use authorization granted. The purpose of the Master Plan Approval determination is to review each proposed venue in greater detail and to tailor site-specific conditions of approval for each of the premises including but not limited to hours of operation, seating capacity, size, security, live entertainment, the length of a term grant and/or any requirement for a subsequent MPA application to evaluate compliance and effectiveness of the conditions of approval. The Zoning Administrator may impose more restrictive or less restrictive conditions on each individual tenant at the time of review of each Plan Approval

application. A public hearing for any Master Plan Approval (MPA) request may be waived at the discretion of the Chief Zoning Administrator.

31. A camera surveillance system shall be installed and operating at all times to monitor the interior, entrance, exits and exterior areas, in front of and around the premises. Recordings shall be maintained for a minimum period of 30 days.
32. **STAR/LEAD Training.** Within the first six months of operation, all employees involved with the sale of alcohol shall enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR) or Department of Alcoholic Beverage Control "Licensee Education on Alcohol and Drugs" (LEAD) training program. Upon completion of such training, the applicant shall request the Police Department or Department of Alcoholic Beverage Control to issue a letter/certificate identifying which employees completed the training. Thereafter, STAR/LEAD training shall be conducted for all new hires within three (3) months of their employment.
33. The Applicant shall be responsible for monitoring both patron and employee conduct on the premises and within the parking areas under his/her control to assure such conduct does not violate applicable laws.
34. Loitering is prohibited on the premises or the area under the control of the applicant. "No Loitering or Public Drinking" signs shall be posted in and outside of the subject facility.
35. At least one on-duty manager with authority over the activities within the facility shall be on the premises during business hours. The on-duty manager's responsibilities shall include the monitoring of the premises to ensure compliance with all applicable State laws, Municipal Code requirements and the conditions imposed by the Department of Alcoholic Beverage Control (ABC) and the conditional use herein. Every effort shall be undertaken in managing the subject premises and any exterior area over which the building owner exercises control to discourage illegal and criminal activities.
36. The Applicant shall be responsible for maintaining the premises and adjoining sidewalk free of debris or litter.
37. An electronic age verification device shall be purchased and retained on the premises to determine the age of any individual and shall be installed on at each point-of-sales location. This device shall be maintained in operational condition and all employees shall be instructed in its use.
38. The restaurant establishments shall be maintained as a bona fide eating places (restaurants) with an operational kitchen and shall provide a full menu containing an assortment of foods normally offered in such restaurants. Food service shall be available at all times during operating hours. The establishment shall provide seating and dispense food and refreshments primarily for consumption on the premises and not solely for the purpose of food takeout or delivery.
39. The owner or the operator shall comply with California Labor Code 6404.5 which prohibits the smoking of tobacco or any non-tobacco substance, including from electronic smoking devices or hookah pipes, within any enclosed place of employment.
40. All deliveries shall be made in the designated on-site loading area.

41. Trash pick-up, compacting, loading and unloading and receiving activities shall be limited to 7:00 a.m. to 6:00 p.m. Monday through Friday and 10:00 a.m. to 4:00 p.m. on Saturday. No deliveries or trash pick-up shall occur on Sunday.
42. The outside disposal of glass bottles and containers shall only occur between the hours of 7:00 a.m. to 6:00 p.m.
43. **Designated Driver Program.** Prior to the utilization of this grant, the applicant shall establish a "Designated Driver Program" which shall include, but not be limited to, signs/cards, notation on websites/social media, notifying patrons of the program. The signs/cards/website/social media shall be visible to the customer and posted or printed in prominent locations or areas. These may include signs/cards on each table, at the entrance, at the host station, in the waiting area, at the bars, or on the bathrooms, or a statement in the menus, a website, or on social media.
44. Any music, sound or noise which is under control of the applicant shall not violate Sections 112.06 or 116.01 of the Los Angeles Municipal Code (Citywide Noise Ordinance). At any time, a City representative may visit the site during operating hours to measure the noise levels. If, upon inspection, it is found that the noise level exceeds those allowed by the citywide noise regulation, the owner/operator will be notified and will be required to modify or eliminate the source of the noise or retain an acoustical engineer to recommend, design and implement noise control measures within property such as, noise barriers, sound absorbers or buffer zones.
45. There shall be no Adult Entertainment of any type pursuant to LAMC Section 12.70.
46. **Cafe and Entertainment Permit.** A Cafe and Entertainment Permit shall be obtained from the Los Angeles Police Commission. A copy shall be submitted to the Department of City Planning for inclusion in the case file.
47. The applicant / operator shall obtain permits from the Los Angeles Police Permit Processing Section, pursuant to LAMC Sections 103.102 and 103.106. Copies of said permits shall be submitted to the Department of City Planning within 30 days of their issuance for inclusion in the case file.
48. Dancing shall be permitted from 9:00 AM until 2:00 AM, seven nights a week; Monday through Sunday, pursuant to a current Los Angeles Police Commission permit. Prior to the utilization of this grant, evidence of the permit shall be submitted to the Department of City Planning for inclusion in the case file.
49. **Private Events.** Any use of the restaurant for private events, including corporate events, birthday parties, anniversary parties, weddings or other private events which are not open to the general public, shall be subject to all the same provisions and hours of operation stated herein.
50. **MViP – Monitoring Verification and Inspection Program.** At any time, before, during, or after operating hours, a City inspector may conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and used to rate the operator according to the level of compliance. If a violation exists, the owner/operator will be notified of the deficiency or violation and will be required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed therein, may result in denial of future requests to renew or extend this grant.

51. Within 30 days of the effective date of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center or the BESt (Beverage and Entertainment Streamlined Program) for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center or BESt (Beverage and Entertainment Streamlined Program) for inclusion in the case file.
52. Should there be a change in the ownership and/or the operator of the business, the property owner and/or the business owner or operator shall provide the prospective new property owner and the business owner or operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination including the conditions required herewith has been provided to the prospective property owner and/or business owner/operator shall be submitted to the Department of City Planning in a letter from the new property owner and/or business owner or operator indicating the date that the new property owner and/or business owner or operator/management began and attesting to the receipt of this approval and its conditions. The new property owner and/or business owner or operator shall submit this letter to the Department of City Planning within 30 days of the beginning day of his/her new operation of the establishment along with any proposed modifications to the existing floor plan, seating arrangement or number of seats of the new operation.
53. Should there be a change in the ownership and/or the operator of the business, the Zoning Administrator reserves the right to require that the new owner or operator file a Plan Approval application, if it is determined that the new operation is not in substantial conformance with the approved floor plan, or the operation has changed in mode or character from the original approval, or if documented evidence be submitted showing a continued violation(s) of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties. The application, in association with the appropriate fees, and a 500-foot notification radius, shall be submitted to the Department of City Planning within 30 days of the date of legal acquisition by the new owner or operator. The purpose of the plan approval will be to review the operation of the premise and establish conditions applicable to the use as conducted by the new owner or operator, consistent with the intent of the Conditions of this grant. Upon this review, the Zoning Administrator may modify, add or delete conditions, and if warranted, reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.
54. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
55. The Zoning Administrator reserves the right to require that the owner or operator file a Plan Approval application, if it is determined that the new operation is not in substantial conformance with the approved floor plan, or the operation has changed in mode or character from the original approval, or if documented evidence be submitted showing a continued violation(s) of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties. The

application, in association with the appropriate fees shall be submitted to the Department of City Planning within 30 days of the date of legal acquisition by the new owner or operator. The purpose of the plan approval will be to review the operation of the premise and establish conditions applicable to the use as conducted by the new owner or operator, consistent with the intent of the Conditions of this grant. Upon this review, the Zoning Administrator may modify, add or delete conditions, and if warranted, reserves the right to conduct this public hearing for nuisance abatement/revocation purposes, pursuant to LAMC Section 12.27.1.

- 56. Prior to the effectuation of this grant,** a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for inclusion in case file. Fees required per LAMC Section 19.01 E.(3) for Monitoring of Conditional Use Permits and Inspection and Field Compliance Review of Operations shall be paid to the City prior to the final clearance of this condition. Failure to record a covenant acknowledging and agreeing to comply with all the terms and conditions of the approved grant will result in non-effectuation of said grant.

### **Environmental Conditions**

- 57. Mitigation Monitoring Program.** The project shall be in substantial conformance with the mitigation measures in the attached MMP and stamped Exhibit B and attached to the subject case file. The implementing and enforcing agencies may determine substantial conformance with mitigation measures in the MMP. If substantial conformance results in effectively deleting or modifying the mitigation measure, the Director of Planning shall provide a written justification supported by substantial evidence as to why the mitigation measure, in whole or in part, is no longer needed and its effective deletion or modification will not result in a new significant impact or a more severe impact to a previously identified significant impact.

If the project is not in substantial conformance to the adopted mitigation measures or MMP, a modification or deletion shall be treated as a new discretionary action under CEQA Guidelines, Section 15162(c) and will require preparation of an addendum or subsequent CEQA clearance. Under this process, the modification or deletion of a mitigation measure shall not require a Zone Change unless the Director of Planning also finds that the change to the mitigation measures results in a substantial change to the project or the non-environmental conditions of approval.

- 58. Mitigation Monitor.** During the construction phase and prior to the issuance of building permits, the applicant shall retain an independent Construction Monitor (either via the City or through a third-party consultant), approved by the Department of City Planning, who shall be responsible for monitoring implementation of project design features and mitigation measures during construction activities consistent with the monitoring phase and frequency set forth in this MMP.

The Construction Monitor shall also prepare documentation of the applicant's compliance with the project design features and mitigation measures during construction every 90 days in a form satisfactory to the Department of City Planning. The documentation must be signed by the applicant and Construction Monitor and be included as part of the

applicant's Compliance Report. The Construction Monitor shall be obligated to immediately report to the Enforcement Agency any non-compliance with the mitigation measures and project design features within two businesses days if the applicant does not correct the non-compliance within a reasonable time of notification to the applicant by the monitor or if the non-compliance is repeated. Such non-compliance shall be appropriately addressed by the Enforcement Agency.

**59. Tribal Cultural Resource Inadvertent Discovery.** In the event that objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities,<sup>1</sup> all such activities shall temporarily cease on the project site until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

- Upon a discovery of a potential tribal cultural resource, the project Permittee shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project; (2) and the Department of City Planning.
- If the City determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be tribal cultural resource, the City shall provide any effected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Applicant and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
- The Applicant shall implement the tribe's recommendations if a qualified archaeologist and a culturally affiliated tribal monitor, both retained by the City and paid for by the Applicant, reasonably concludes that the tribe's recommendations are reasonable and feasible.
- The Applicant shall submit a tribal cultural resource monitoring plan to the City that includes all recommendations from the City and any effected tribes that have been reviewed and determined by the qualified archaeologist to be reasonable and feasible. The Applicant shall not be allowed to recommence ground disturbance activities until this plan is approved by the City.

### **Administrative Conditions**

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

**61. Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.

**62. Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on

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<sup>1</sup> Ground disturbance activities shall include the following: excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, pounding posts, augering, backfilling, blasting, stripping topsoil or a similar activity

any subsequent property owners, heirs or assign. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.

63. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
64. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
65. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
66. **Project Plan Modifications.** Any corrections and/or modifications to the project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision-making authority including the Director of Planning, City Planning Commission, Area Planning Commission, or Board.
67. **Indemnification and Reimbursement of Litigation Costs.** The Applicant shall do all of the following:
  - (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
  - (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
  - (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
  - (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit

does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

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

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

## **General Plan / Charter Findings**

The City-initiated General Plan Amendment and requested Zone and Height District Change are in substantial conformance with the purposes, intent, and provisions of the General Plan as explained below:

### **1. General Plan Land Use Designation.**

The Project Site is located within the Central City North Community Plan, which was adopted by the City Council on December 15, 2000. The subject property is comprised of six contiguous lots, totaling approximately 45,721 square feet (1.05 acres) in size. The Community Plan currently designates the Project Site for Heavy Industrial land uses, corresponding to the M3 Zone. The Site is presently zoned M3-1-RIO, consistent with the range of zones under the land use designation.

As proposed, the General Plan Amendment would re-designate the Project Site from Heavy Industrial to Regional Commercial land uses. In addition, as recommended, a Vesting Zone Change and Height District Change would modify the existing zoning from M3-1-RIO to (T)(Q)C2-2-RIO. The proposed Regional Commercial land use designation corresponds to the CR, C1.5, C2, C4, RAS3, RAS4, R3, R4, R5 Zones. Thus, the recommended (T)(Q)C2-2-RIO Zone would be consistent with the adoption of the proposed land use designation and in substantial conformance with the purpose, intent, and provisions of the General Plan as it is reflected within the Central City North Community Plan.

### **2. General Plan Text.**

The Los Angeles General Plan sets forth goals, objectives and programs that guide both citywide and community specific land use policies. The General Plan is comprised of a range of State-mandated elements, including, but not limited to, Land Use, Transportation, Noise, Safety, Housing and Conservation. The City's Land Use Element is divided into 35 community plans that establish parameters for land use decisions within those sub-areas of the City. The project is in compliance with the following Elements of the General Plan: Framework Element, Housing Element, Mobility Element, Health and Wellness Element and the Land Use Element – Central City North Community Plan.

#### **Framework Element.**

The Framework Element for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. The Framework Element 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. The Framework Element includes the following provisions, objectives and policies relevant to the proposed project:

#### **Land Use**

***Goal 3A:*** *A physically balanced distribution of land uses that contributes towards and facilitates the City's long-term fiscal and economic viability, revitalization of economically depressed areas, conservation of existing residential neighborhoods, equitable distribution of public resources, conservation of natural resources, provision of adequate infrastructure and public services, reduction of traffic congestion and improvement of air quality, enhancement of recreation and open space opportunities, assurance of environmental*

*justice and a healthful living environment, and achievement of the vision for a more livable city.*

**Objective 3.1:** *Accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors.*

**Objective 3.4:** *Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.*

**Policy 3.4.1:** *Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated commercial and residential) development to be located:*

- a. *in a network of neighborhood districts, community, regional, and downtown centers,*
- b. *in proximity to rail and bus transit stations and corridors, and*
- c. *along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram.*

The Project would support the above goal, objectives and policy of the framework through the provision of a complementary mix of uses on site, including 129 live/work multi-family residential units, 15 of which would be set aside for Very Low Income households, ground floor retail and restaurant uses, art gallery and collaborative artist production space, and 113 hotel rooms. This diversity of co-located uses will support the needs of existing and future residents, businesses, as well as visitors. The proposed uses would be appropriately located on an infill site in close proximity to the Downtown Center, placing future residents, employees and visitors near existing commercial and residential activity centers at the neighborhood and regional level, with access to public transit connections throughout Downtown, including 0.5 miles from the Metro Gold Line.

**INDUSTRIAL LAND USE.** *Definition: It is the intent of the General Plan Framework Element to preserve industrial lands for the retention and expansion of existing and attraction of new industrial uses that provide job opportunities for the City's residents... some existing industrially zoned lands may be inappropriate for new industries and should be converted for other land uses. Where such lands are to be converted, their appropriate use shall be the subject of future planning studies. Policies provide for the consideration of a broader array of uses within the industrial zones than has traditionally been acceptable to facilitate the clustering of uses.*

**Policy 3.14.6:** *Consider the potential re-designation of marginal industrial land for alternative uses by amending the community plans based on the following criteria:*

- a. *Where it can be demonstrated that the existing parcelization precludes effective use for industrial or supporting functions and where there is no available method to assemble parcels into a unified Site that will support viable industrial development;*
- b. *Where the size and/or the configuration of assembled parcels are insufficient to accommodate viable industrial development;*

- c. Where the size, use, and/or configuration of the industrial parcels adversely impact adjacent residential neighborhoods;*
- d. Where available infrastructure is inadequate and improvements are economically infeasible to support the needs of industrial uses;*
- e. 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;*
- f. 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;*
- g. 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; and/or*
- h. Where existing industrial uses constitute a hazard to adjacent residential or natural areas.*

The proposed General Plan Amendment would change an industrial land use to a commercial land use designation. The Regional Commercial land use designation would allow for the development of new residential uses on the Project Site. As indicated in the Economic Development Chapter of the Framework Element, some existing industrially zoned lands may be inappropriate for new industries and should be converted for other land uses. Where such lands are to be converted, their appropriate use shall be the subject of future planning studies. This is satisfied in several ways.

First, the entire project approval process, including the CEQA process, the entitlement process, and the various points therein for public comment form a planning study themselves. The CEQA process included an Environmental Impact Report, which assessed the surrounding land uses, as well as an analysis of the proposed land use in relation to the General Plan and the LA CEQA Guidelines threshold for land use compatibility. The entitlement process further analyzed in detail the Goals and Policies of the General Plan, and demonstrated that the project met the overall intent of the General Plan. As demonstrated therein, the land use pattern in the immediate neighborhood of the subject property has evolved from its historic industrial and manufacturing uses to light industrial and manufacturing uses and new technologies along with compatible and complementary non-industrial uses including residential, creative office, and related retail / cultural / entertainment uses, reflecting larger employment and economic trends.

Second, in or about 2007, the Department of City Planning Department and Community Redevelopment Agency formulated an Industrial Land Use Policy (ILUP) that was intended to preserve certain industrially-zoned land in the City for industrial use. The ILUP addressed multiple areas of the City, among them the "Greater Downtown," which would encompass the Project Site. The Project Site is located within Analysis Area 2 of the ILUP. The ILUP Map for Analysis Area 2 shows that the Project Site land use at the time was predominantly "retail," which is similar to current conditions on the Project Site today. The Project Site is no longer being fully utilized for industrial-related purposes, as it currently incorporates residential live/work uses and arts production uses.

Since 2008, a number of other planning and policy studies have been undertaken involving industrial land use policy. For example, since 2014, the City began undertaking DTLA 2040, which involves an update of the Central City and Central City North Community Plans and would modify the land use designations and zoning for Downtown Los Angeles. DTLA 2040 is currently in the environmental review process. The Project Site is proposed to be designated "Hybrid Industrial (HI)" under the DTLA 2040 Draft Plan. According to the Draft Plan, Hybrid Industrial areas preserve productive activity and prioritize space for

employment, including light industrial, new industry, commercial, and vertically integrated businesses, with careful introduction of live-work uses.

The Project is proposing re-designation of industrial land. However, development of the Project would not result in a fragmented pattern of development because it would not physically divide an established community. Specifically, the surrounding urban environment includes a gas station, retail, residential uses, restaurants, and commercial uses contained in low-rise and mid-rise buildings of widely varying age. The immediate vicinity includes existing residential uses located on land that is designated and zoned for industrial uses but have received Zoning Administrator determinations or ministerial permits through the adaptive reuse ordinance to operate. The residential uses close to the Project Site include the four-story Barker Block Residences, located southwest at 510 Hewitt Street, and the Beacon Lofts, located to the north at 825 East 4th Street. To the southeast at the corner of 5<sup>th</sup> Street and Hewitt Street are a restaurant, a tow service parking lot, and the half-acre Arts District Park. The park sits immediately north of the La Kretz Innovation Campus, a 60,000-square-foot facility, which serves as an incubator for local startups in the cleantech industry. Given this mix of immediately adjacent uses, the conversion of industrial lands to a mix of live/work residential, and job producing art gallery, production, hotel, and commercial spaces, will be compatible and complementary, and will not result in an adverse impact on adjacent residential neighborhoods, commercial districts, or other land uses. Additionally, development of the Project would therefore not result in a fragmented pattern of development.

According to the Central City North Community Plan, there are 914 acres planned for industrial use (approximately 45.5 percent of the 2,010 acre total) in the Community Plan area. The Project Site comprises 1.05 acres or approximately 0.1 percent of the industrially-zoned land in the Community Plan area. The Project would result in an increase of 241 jobs onsite and would generate substantial ongoing revenue to the City in the form of sales and property taxes. Therefore, the Project would not adversely impact the City's ability to accommodate sufficient industrial uses to provide jobs for the City's residents or cause the City to incur adverse fiscal impacts. Furthermore, for this specific site, based on the immediately surrounding uses and the Project Site's smaller 1.05-acre parcel, the Project Site is not suited to a large-scale industrial operation. Therefore, the Project would not conflict with this policy.

In sum, the Project is consistent with the directions relative to industrial land set forth in the Framework Element in that it will provide for a mix of job-producing uses that are allowed for in industrial zones, along with the careful introduction of live/work uses, as is recognized in the adopted Central City North Community Plan Artists-in-Residence District, and current DTLA 2040 Draft Plan. The proposed uses are compatible with and complement the existing mix of industrial, live/work, arts production, and retail uses within the immediately surrounding area.

#### Chapter 4: Housing

The Project will be consistent with the relevant goals and objectives of the Framework Element (Chapter 4), including the following:

**Goal 4A:** *An equitable distribution of housing opportunities by type and cost accessible to all residents of the City.*

**Objective 4.1:** *Plan the capacity for and develop incentives to encourage production of an adequate supply of housing units of various types within each City subregion to*

*meet the projected housing needs by income level of the future population to the year 2010.*

***Objective 4.2:*** *Encourage the location of new multi-family housing development to occur in proximity to transit stations, along some transit corridors, and within some high activity areas with adequate transitions and buffers between higher-density developments and surrounding lower-density residential neighborhoods.*

As proposed, the Project will provide 129 live/work residential units, of which 11%, or 15 units, of the total dwelling units would be set aside for Very Low Income households, thereby providing a range of housing opportunities by type and cost and supporting the production of an adequate supply of housing. The development is located within an infill area in proximity to high-activity employment centers, entertainment, and amenities within the Downtown area, providing the future residents with convenient access to employment centers. The Project would not encroach on low-density residential neighborhoods. Access to public transit is provided throughout Downtown, including the Metro Gold Line Little Tokyo/Arts District Station, located approximately 0.5 miles from the Project Site.

#### Chapter 7: Economic Development

The Project's consistency with the relevant goals, objectives, and policies in the of the Framework Element (Chapter 7), is provided below:

***Goal 7B:*** *A City with land appropriately and sufficiently designed to sustain a robust commercial and industrial base.*

***Objective 7.2:*** *Establish a balance of land uses that provides for commercial and industrial development which meets the needs of local residents, sustains economic growth, and assures maximum feasible environmental quality.*

***Policy 7.2.2:*** *Concentrate commercial development entitlements in areas best able to support them, including community and regional centers, transit stations and mixed-use corridors. This concentration prevents commercial development from encroaching on existing residential neighborhoods.*

***Policy 7.2.6:*** *Concentrate office development in regional mixed-use centers, around transit stations, and within community centers.*

***Policy 7.2.8:*** *Retain the current manufacturing and industrial land use designations, consistent with other Framework Element policies, to provide adequate quantities of land for emerging industrial sectors.*

As mentioned above, the Project would redevelop the Site with a mixed-use development comprised of 129 live/work condominium units, a 113-room hotel, and 81,326 square feet of commercial space to be used for art galleries, retail, restaurant, and artist collaborative space. Of the 129 live/work units, 15 units (i.e., 11 percent) would be set aside for Very Low Income households. As mentioned above, the Project would provide for a mix of job-producing uses that are allowed for in industrial zones, along with the careful introduction of live/work uses, as is recognized in the adopted Central City North Community Plan Artists-in-Residence District, and DTLA 2040 Draft Plan. The Project would provide a balance of uses that provides for productive commercial development including art production, art gallery, hotel, and retail, restaurant uses that would result in an increase of 241 jobs onsite and would generate substantial ongoing revenue to the City in the form of sales and property taxes.

The proposed uses are compatible with and complement the existing mix of industrial, live/work, arts production, and retail uses within the immediately surrounding area. The development is located within an infill area in proximity to high activity employment centers, entertainment, and amenities within the Downtown Center. The Project would not encroach on low-density residential neighborhoods. Access to public transit is provided throughout Downtown, including the Metro Gold Line, located approximately 0.5 miles from the Project Site. While the Project is not consistent with Policy 7.2.8, which speaks to retaining the current manufacturing and industrial land use designations, the Project is retaining job-producing uses that will sustain economic growth and a robust commercial base, is being implemented in an area where similar uses currently exist, and satisfies numerous other policies with the provision of new housing and productive commercial uses within proximity to existing activity centers and transit.

***Goal 7C: A City with thriving and expanding businesses.***

***Objective 7.3: Maintain and enhance the existing businesses in the City.***

***Policy 7.3.2: Retain existing neighborhood commercial activities within walking distance of residential areas.***

***Policy 7.3.3: Prioritize the retention and renewal of existing industrial businesses.***

The Project will be consistent with the above goals, objectives and policies because it will provide 129 live/work residential units, 81,326 square feet of retail, restaurant, artist production, and art gallery space, and 113 hotel rooms, thus supporting a City with thriving and expanding businesses. These commercial activities would be sited in proximity to existing residential and employment centers in the nearby Downtown Center, as well as to the proposed residential uses on-site and within walking distance to existing residential buildings nearby, such as the Barker Building and Beacon Lofts. The proposed mix of productive uses would support the goal of a City with a renewed and enhanced base of expanding businesses in a manner that is complementary to the existing mix of uses immediately surrounding the Project Site.

***Goal 7G: A range of housing opportunities in the City.***

***Objective 7.9: Ensure that the available range of housing opportunities is sufficient, in terms of location, concentration, type, size, price/rent range, access to local services and access to transportation, to accommodate future population growth and to enable a reasonable portion of the City's work force to both live and work in the City.***

***Policy 7.9.1: Promote the provision of affordable housing through means which require minimal subsidy levels and which, therefore, are less detrimental.***

As recommended, the Regional Commercial land use designation and C2 Zone would enable the redevelopment of the site with 129 live/work residential uses, with 15 units, or 11% of the total provided dwelling units, to be set aside for Very Low Income households. By enabling the construction of a supply of both market-rate and covenanted affordable housing in proximity to jobs and services, the Proposed Project would be consistent with the above listed goals, objectives and policies of the Framework Element.

### **Housing Element.**

The Housing Element 2013-2021 was adopted on December 3, 2013 and identifies the City's housing conditions and needs, and establishes the goals, objectives and policies that are the foundation of the City's housing and growth strategy. The proposed project would be in conformance with the objectives and policies of the Housing Element as described below.

- Goal 1:** Housing production and preservation.
- Objective 1.1** Produce an adequate supply of rental and ownership housing in order to meet current and projected needs.
- Policy 1.1.2:** Expand affordable rental housing for all income groups that need assistance.
- Policy 1.1.3:** Facilitate new construction and preservation of a range of different housing types that address the particular needs of the City's households.
- Goal 2:** Safe, Livable, and Sustainable Neighborhoods.
- Objective 2.1:** Promote safety and health within neighborhoods.
- Objective 2.3:** Promote sustainable buildings, which minimize adverse effects on the environment and minimize the use of non-renewable resources.
- Policy 2.3.3:** Promote and facilitate the reduction of energy consumption in new and existing housing.

As recommended, the Regional Commercial land use designation and C2 Zone would enable the redevelopment of the site with 129 live/work residential uses, with 15 units, or 11% of the total provided dwelling units, to be set aside for Very Low Income households. As such, the Project would support goals and objectives to provide an adequate supply of a range of housing types and affordability levels, to meet current and projected needs.

Additionally, the Project would promote sustainable buildings and the reduction of energy consumption. The Project will comply with applicable provisions of the CALGreen Code and the Los Angeles Green Building Code, which will serve to reduce the Project's energy usage. Furthermore, as proposed and conditioned, a minimum of 20 percent of the total code-required parking spaces will be capable of supporting future electric vehicle supply equipment (EVSE), and five (5) percent of the total code-required parking spaces will be equipped with EV chargers. Additionally, the exterior of the proposed structures will be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films), brick, and metal to minimize glare and reflected heat. The exterior printed artwork on the residential portion of the Project will not utilize highly reflective materials. The Project would be clad in a photovoltaic curtain wall that surrounds the residential façade of the building, and 15% of the rooftop area would be set aside as a solar panel area.

**Mobility Plan 2035.**

The Mobility Element of the General Plan is not likely to be affected by the recommended action herein. The proposed project, with the requested General Plan Amendment and Vesting Zone Change, proposes to construct a new 12-story mixed-use building on the northern side of East 5<sup>th</sup> Street between Seaton Street and Colyton Street. East 5<sup>th</sup> Street, Seaton Street, and Colyton Street are designated as a Collector Streets by the Mobility Plan. Bureau of Engineering is requiring 4-foot dedications on the Project's street frontages, consistent with the Industrial Collector designation. The project will be required to dedicate and improve the public right-of-way to the satisfaction of the Bureau of Engineering, or, as further discussed above in this report, as approved and conditioned by the Advisory Agency in conjunction with the approval of Vesting Tentative Tract Map No. 74703, the Applicant has the option to implement dedications and improvements consistent Arts District Center Street Improvements Diagram attached thereto, in the event that it is approved by the full City Council, or if processed and approved through Bureau of Engineering B-Permit Case Management, in lieu of the dedications stated above.

**Health and Wellness Element and Air Quality Element.**

Policy 5.1 and 5.7 of the Plan for a Healthy LA, the Health and Wellness Element, and Policy 4.2.3 of the Air Quality Element are policy initiatives related to the reduction of air pollution and greenhouse gases. The Project will comply with applicable provisions of the CALGreen Code and the Los Angeles Green Building Code, which will serve to reduce the Project's energy usage. Furthermore, as proposed and conditioned, a minimum of 20 percent of the total code-required parking spaces will be capable of supporting future electric vehicle supply equipment (EVSE), and five (5) percent of the total code-required parking spaces will be equipped with EV chargers. Additionally, the exterior of the proposed structures will be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films), brick, and metal to minimize glare and reflected heat. The exterior artwork on the residential portion of the Project will not utilize highly reflective materials. The Project would be clad in a photovoltaic curtain wall that surrounds the residential façade of the building, and 15% of the rooftop area would be set aside as a solar panel area. As conditioned, the Project would be consistent with the aforementioned policies, as well as Policy 5.1.2 of the Air Quality Element, by ensuring that future developments are energy efficient and shift to efficient and non-polluting sources of energy. The solar-panel roof space and EV-parking are also good zoning practices because they provide a convenient service amenity to the occupants or visitors who utilize electricity on site for other functions. As such, the Project provides service amenities to improve habitability for future residents of the Project and to minimize impacts on neighboring properties. Taken together, the conditions would provide for the public welfare and public necessity by reducing the level of pollution or greenhouse gas emissions to the benefit of the neighborhood and the City.

**Land Use Element – Central City North Community Plan.**

The development of the Project would support the overarching goals of the Central City North Community Plan. The proposed development furthers the following Community Plan objectives and policies:

**Residential**

**Objective 1-1:** To provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the

existing residents and projected population of the Central City North Plan area to the year 2010.

**Objective 1-2:** To locate new housing in a manner which reduces vehicular trips and makes it accessible to services and facilities.

**Policy 1-2.1:** Encourage multiple residential development in commercial zones.

**Policy 1-3.1:** Seek a high degree of architectural compatibility and landscaping for new infill development to protect the character and scale of existing residential neighborhoods.

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

**Objective 1-4:** To promote and insure the provision of adequate housing for all persons regardless of income, age, or ethnic background.

**Policy 1-4.1:** Promote greater individual choice in type, quality, price, and location of housing.

**Policy 1-4.2:** Ensure that new housing opportunities minimize displacement of the existing residents.

The Project would support the above housing-related objectives and policies of the Community Plan through the provision of 129 new live/work residential units on a Site that currently provides 10 live/work residential units. 15 units, or 11% of the total provided dwelling units, would be restricted to Very Low Income households. The live/work units would include space for productive work activities, and include a mix of one- and two-bedroom units of varying sizes. As a result, the Project will develop new housing to meet the diverse economic and physical needs of the existing and projected future population of the Community Plan Area, and would promote individual choice in the available type, quality, and price of housing. These new units would be provided within the proposed C2 Commercial Zone. By providing 129 new units on a Site that currently contains 10 units, the Project would increase housing stock while substantially minimizing, although not completely avoiding, the displacement of existing residents.

The Project would locate new housing in an area that is accessible to existing and proposed services and facilities, reducing the number and length of vehicular trips. The area surrounding the Project Site is urbanized and is characterized by a mix of industrial, commercial and retail, and residential uses contained in low-rise and mid-rise buildings of varying age. The development is located within an infill area in proximity to high activity employment centers, entertainment, and amenities within the Downtown Center. The range of uses in the immediately surrounding area, proximity to the Downtown core and public transportation, including the Metro Gold Line 0.5-miles to the north, would reduce vehicular trips and facilitate the accessibility of services and employment centers to the residents, employees, patrons, and guests of the Project.

The Project is proposed to reach 12-stories and a maximum height of 164 feet. Although notably taller than existing immediately surrounding structures, the design of the Project incorporates elements to reflect the existing neighborhood character and identity, and promote architectural compatibility. The two-story base of the Project would feature red brick, metal awnings and canopies, and ground-floor storefront glass that reflect the

materials and massing of the surrounding build environment, creating an engaging pedestrian experience along street frontages. The upper floor exteriors would be covered by glass paneling printed with contemporary artwork. The hotel portion of the building would be clad with a continuous window wall glass façade, featuring a varied pastel color palette. These proposed distinctive textures, colors, materials, and architectural features add visual interest and reinforce neighborhood identity.

### Commercial

**Objective 2-1:** To conserve and strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services.

**Policy 2-1.1:** New commercial uses shall be located in existing established commercial areas or existing shopping centers.

**Policy 2-1.4:** Require that projects be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development.

**Objective 2-2:** To attract uses which strengthen the economic base and expand market opportunities for existing and new businesses.

**Policy 2-2.2:** New development needs to add to and enhance the existing pedestrian street activity.

**Policy 2-2.3:** Require that the first floor street frontage of structures, including mixed use projects and parking structures located in pedestrian oriented districts, incorporate commercial uses.

**Policy 2-3.4:** Require that the first floor street frontage of structures, including mixed use projects and parking structures located in pedestrian oriented areas incorporate commercial uses.

**Policy 2-4.2:** Preserve community character, scale, and architectural diversity.

**Policy 2-4.3:** Improve safety and aesthetics of parking areas in commercial areas.

### Industrial

**Goal 3:** Sufficient land for a variety of industrial uses with maximum employment opportunities which are safe for the environment and the work force and which have minimal adverse impact on adjacent uses.

**Objective 3-1:** To provide for existing and future industrial uses which contribute job opportunities for residents and which minimize environmental and visual impacts to the community.

**Objective 3-2:** Encourage the continued development and maintenance of the artists-in-residence community in industrial areas of the proposed redevelopment plan areas and of the plan, as appropriate.

**Policy 3-2.1:** Support the existing artists-in-residence in Central City North as a cultural resource for the community.

**Objective 3-3:** To retain industrial plan designations to maintain the industrial employment base for community residents and to increase it whenever possible.

The Project would support the Community Plan's overall goals, objectives and policies relative to commercial and industrial land uses. The Project's 129 live/work residential units, 81,326 square feet of retail, restaurant, artist production, and art gallery space, and 113 hotel rooms will strengthen viable commercial development, provide opportunities for new commercial development and services, and will strengthen the economic base and expand market opportunities for existing and new businesses. These commercial activities would be sited in proximity to existing residential and employment centers in the nearby Downtown Center, as well as to existing nearby residential uses. Parking will be fully provided in subterranean levels, improving the safety and aesthetics of parking areas in commercial areas. The mixed-use Project's ground-floor street frontage will incorporate retail and restaurant uses, with design features such as transparent storefront glass that will enhance the existing pedestrian street activity.

According to the Central City North Community Plan, there are 914 acres planned for industrial use (approximately 45.5 percent of the 2,010 acre total) in the Community Plan area. The Project Site comprises 1.05 acres or approximately 0.1 percent of the industrially-zoned land in the Community Plan area. The Project would result in an increase of 241 jobs onsite via productive commercial, retail, and art gallery and production uses, and would generate substantial ongoing revenue to the City in the form of sales and property taxes. Therefore, the Project would not adversely impact the ability of the Community Plan Area to provide sufficient land for a variety of industrial uses with maximum employment opportunities which are safe for the environment and the work force and which have minimal adverse impact on adjacent uses. Furthermore, for this specific site, based on the immediately surrounding uses and the Project Site's smaller 1.05-acre parcel, the Project Site is not well-suited to a large-scale industrial operation, and is no longer fully used for industrial purposes, as it currently incorporates live/work units as well as retail and art-production uses.

Furthermore, the Community Plan states that "the industrial sector is characterized by smaller parcels, piecemeal development, and substandard streets, restricting the potential for site expansion required by newer industries. In spite of these disadvantages, the industrial sector needs to be encouraged and protected, and "attempts should be made to attract new employment generating industries." The Project's provision of productive, employment-generating uses would support this intent.

Although in order to provide the proposed 129 live/work residential units the Project would not retain the current industrial land use designation, the Project is retaining job producing uses that will maximize employment opportunities which are safe for the environment and the work force and which have minimal adverse impact on adjacent uses. Specifically, the surrounding urban environment includes a gas station, retail, residential uses, restaurants, and commercial uses contained in low-rise and mid-rise buildings of widely varying age. The Arts District Park is also located within a block to the southeast of the Project Site. The proposed uses are compatible with and complement the existing mix of industrial, live/work, arts production, and retail uses within the immediately surrounding area. The Project would result in an increase of 241 jobs onsite and would generate substantial ongoing revenue to the City in the form of sales and property taxes. The Project would provide a balance of uses that provide for productive commercial development including art production, art gallery, hotel, and retail, restaurant uses.

The Project is located in the Artists-in-Residence District as identified by the Community Plan. Through the provision of 129 live/work units, which include productive as well as

residential components, and through the on-site provision of art gallery space and collaborative artist production space, the Project and proposed General Plan Amendment would encourage the continued development and maintenance of the artists-in-residence community in industrial areas of the plan, and through these new available live/work units and art spaces, support the artists-in-residence area in Central City North as a cultural resource for the community.

The Central City North Community plan further states that it “encourages the continued and expanded development of a thriving artists-in-residence community in the plan and proposed redevelopment areas,” and notes as an opportunity for “potential for artists-in-residence buildings to locate within industrially zoned areas of the plan.” The Project’s live/work units, art gallery and artist collaborative space would support these provisions of the Community Plan.

In sum, the Project is consistent with the directions relative to the above commercial and industrial policies in that it will provide for a mix of job-producing uses that are allowed for in industrial zones, along with the careful introduction of live/work uses, as is recognized in the adopted Central City North Community Plan Artists-in-Residence District, and DTLA 2040 Draft Plan. The proposed uses are compatible with and complement the existing mix of industrial, live/work, arts production, and retail uses within the immediately surrounding area.

For the reasons discussed above, the Project will be consistent with the overarching goals, objectives, and policies of the Central City North Community Plan.

### **Sewerage Facilities Element.**

The Sewerage Facilities Element of the General Plan will not be affected by the recommended action. The sewer system will be able to might be able to accommodate the total flows for the proposed project, further detailed gauging and evaluation may be needed as part of the permit process to identify a specific sewer connection point. If the public sewer has insufficient capacity then the developer will be required to build sewer lines to a point in the sewer system with sufficient capacity. A final approval for sewer capacity and connection permit will be made at that time. Ultimately, this sewage flow will be conveyed to the Hyperion Treatment Plant, which has sufficient capacity for the project.

3. **Charter Finding – City Charter Finding 555.** The General Plan may be amended in its entirety, by subject elements or parts of subject elements, or by geographic areas, provided that the part or area involved has significant social, economic or physical identity.
  - a. **Amendment in Whole or in Part.** The General Plan Amendment before the City Planning Commission represents an Amendment in Part of the Central City North Community Plan, representing a change to the social, physical and economic identity of Project Site, which is currently designated as Heavy Industrial and zoned M3-1-RIO. The Project’s initiated General Plan Amendment from Heavy Industrial to Regional Commercial, and recommended Vesting Zone Change and Height District Change from M3-1-RIO to (T)(Q)C2-2-RIO will allow for the proposed mix of live/work residential, commercial, and hotel uses, supporting the City’s efforts to provide housing in appropriate infill locations near existing activity centers, while retaining complementary employment and production uses.

The Project Site has its own social, physical and economic identity in that it is comprised of six contiguous parcels totaling approximately 45,721 square feet of lot area (1.05 acres), and is currently improved with a 91,200 square foot two-story brick

building used for light industrial/art production uses and 10 live/work units, located in the Artists-in-Residence district of the Central City North Community Plan Area. The adopted Central City North Community Plan notes that the AIR District is “primarily made up of old warehouses now converted to artists lofts and studios,” and that “the Central City North Community plan encourages the continued and expanded development of a thriving artists-in-residence community in the plan and proposed redevelopment areas.” The Project Site is immediately surrounded by a mix of industrial uses, a gas station, residential uses, restaurants, and commercial uses contained in low-rise and mid-rise buildings of widely varying age. The proposed uses are compatible with and complement the existing mix of industrial, live/work, arts production, and retail uses within the immediately surrounding area.

The Project Site’s location will help the City achieve land use goals of increasing density near transit and existing activity centers. The Project Site is located within a Transit Priority Area, and located within 0.5 miles of the Metro Gold Line Arts District/Little Tokyo Station. The Project represents an opportunity to provide new housing for a mix of incomes, hotel uses, and jobs-producing commercial uses including retail, restaurants, art gallery, and collaborative arts production spaces, which will provide uses that are compatible and complementary to the immediate area. The Project appropriately locates needed residential density near transit, jobs, entertainment, and services within Downtown, creates new commercial uses for the neighborhood, and promotes pedestrian activity in the general vicinity.

The Arts District is a neighborhood of Downtown Los Angeles that has historically been characterized by industrial, warehousing, and distribution uses, and is an important part of the City’s physical identity. The General Plan Amendment will allow the Project Site to contribute commercial, live/work residential, retail, and restaurant uses to strengthen the economic identity of the surrounding area, which currently includes a mix of industrial, residential, commercial, retail and restaurant uses ranging from low-rise to medium-rise buildings. The Amendment will allow new development to bring a mix of uses that will result in an active street life, while also maintaining productive arts-oriented uses on the Project Site, thereby contributing to the conservation of the significant economic identity of the Site while introducing new commercial and residential uses that contribute to the significant social and physical identity of the district.

Although the site, as well as a number of other properties in the immediate area, are designated for heavy industrial uses, the immediate vicinity is characterized by a mix of industrial uses, a gas station, residential uses within the Community Plan’s Artists-in-Residence district, restaurants, and commercial uses contained in low-rise and mid-rise buildings. The Project Site itself is no longer being fully utilized for industrial related purposes, as it currently incorporates residential live/work uses and arts production uses, which are not uncommon in the immediate area. Nearby residential buildings include the Barker Block and Beacon Lofts.

Redesignating the land use of the project site reinforces an area that has its own economic and physical identity in the form of: 1) contributing to the available housing stock within the City and towards alleviating the housing crisis in the City, 2) furthering the General Plan Land Use Element’s policies to focus development in areas that are accessible to existing activity centers and transit, providing compatible and complementary live/work and economically productive uses in the immediate area around the Project Site, which supports the provisions of the Central City North Community Plan.

Therefore, staff recommends that the General Plan be amended in part through the Central City North Community Plan as the Proposed Project will contribute to and strengthen an area which has significant social, economic or physical identity.

4. **Charter Finding - City Charter Finding 556.** When approving any matter listed in Section 556, the City Planning Commission and the Council shall make findings showing that the action is in substantial conformance with the purposes, intent and provisions of the General Plan.

The Project Site is located within the Central City North Community Plan area, which is one of the 35 community plans that comprise the Land Use Element of the General Plan. The Community Plan designates the site with a land use designation of Heavy Industrial which lists the corresponding zone of M3. The site is presently zoned M3-1-RIO, which is consistent with the existing land use designation. As recommended, the amendment would re-designate the Project Site from Heavy Industrial to Regional Commercial. The amendment of the land use designation, in conjunction with the recommended vesting zone and height district change to (T)(Q)C2-2-RIO, would allow the redevelopment of the site with a new mixed-use project comprised of 129 live/work residential units, 81,326 square feet of retail, restaurant, artist production, and art gallery space, and 113 hotel rooms.

The site is located within an immediate area that is designated and zoned for manufacturing uses, but has been developed and continually utilized with a mixture of residential, commercial, and manufacturing uses. The Project Site is no longer being fully utilized for industrial related purposes, as it currently incorporates residential live/work uses and arts production uses. The project site has been adaptively reused for residential purposes since approximately 1992. The Project is consistent with the land use patterns and uses in the immediate area, which is developed with a variety of commercial, residential, and live-work projects on properties zoned for industrial uses. Further, the 1.05-acre Project Site is not well-suited to modern large-scale industrial operations. The Site is located within the boundary of the Artists-in-Residence (AIR) District as identified in the adopted Central City North Community Plan. The adopted Central City North Community Plan notes that the AIR District is “primarily made up of old warehouses now converted to artists lofts and studios,” and that “the Central City North Community plan encourages the continued and expanded development of a thriving artists-in-residence community in the plan and proposed redevelopment areas.” The Project’s proposed uses that would be implemented by the proposed General Plan Amendment and Vesting Zone Change are generally consistent with the overarching vision of the adopted Community Plan.

As detailed in Finding No. 2 above, the initiated General Plan Amendment complies with Los Angeles City Charter Section 556 in that it is in substantial conformance with the purposes, intent and provision of the General Plan and its elements, including the Framework Element, Housing Element, Mobility Element, Health and Wellness Element and the Land Use Element – Central City North Community Plan, as the Project would increase housing choices at varying income levels and different unit types; introduce new land uses while providing complementary economically productive uses; and enhance the pedestrian environment by activating ground floor uses, within proximity to transit and existing employment, amenity, and commercial centers within and around the Downtown Center.

5. **Charter Finding – City Charter Finding 558.** The proposed Amendment to the Central City North Community Plan will be in conformance with public necessity, convenience, general welfare and good zoning practice.

Public Necessity, Convenience, and General Welfare.

The recommended amendment to the Central City North Community Plan would re-designate the land use designation of the Project Site from Heavy Industrial to Regional Commercial. In conjunction with the recommended amendment, the recommended Vesting Zone Change and Height District Change from M3-1-RIO to (T)(Q)C2-2-RIO would permit the development of the Project Site with a new 12-story mixed-use project comprised of 129 live/work residential units, 81,326 square feet of retail, restaurant, artist production, and art gallery space, and 113 hotel rooms. As the existing land use designation and zone would not permit new residential development, the amendment is necessary to allow for the Project, although the site is currently used in part for live/work residential purposes.

On April 8, 2015, Mayor Eric Garcetti released the Sustainable City pLAn, a roadmap to achieve short-term results while setting the path to strengthen the transformation of the City in the decades to come. As part of the plan, the Mayor set forth a goal of creating 100,000 new housing units by 2021. This same goal was carried forward in the Green New Deal Sustainable City pLAn 2019. The proposed amendment would allow the site to be redeveloped and to provide 129 live/work residential units, including 15 units restricted to Very Low Income households. The Project would be an infill development within an immediate vicinity that is developed with a mixture of residential, commercial, and light manufacturing uses. The Project Site is immediately surrounded by a mix of industrial uses, a gas station, residential uses, restaurants, and commercial uses contained in low-rise and mid-rise buildings of widely varying age. As described by the Community Plan, the area includes several old warehouses now converted to artist lofts and studios. The Project Site itself is no longer being fully utilized for industrial related purposes, as it currently incorporates residential live/work uses and arts production uses.

As previously discussed, the existing building was constructed in 1915. As the existing building encompasses the entire site, there is no outdoor open space provided on the site. The proposed building would provide 22,500 square feet of open space, which would include new landscaping, third-floor and roof terraces, and planting of trees. As proposed, the Project would improve the livability and general welfare of the future residents of the development. The Project that will further promote foot traffic through the use of a strong street wall with ground-floor commercial uses, and a large landscaped pedestrian area at the center of the Project Site at the entrance to the porte cochere.

The Project would place new housing in close proximity to employment, amenity, and commercial areas within the immediate vicinity as well as within the greater Downtown core, as well as near public transit. The Project locates needed residential density near existing employment centers, entertainment, and services, and transit, creates new retail, restaurant, and art gallery uses for the neighborhood, and promotes pedestrian activity in the general area.

Approval of the initiated General Plan Amendment from Heavy Industrial to Regional Commercial would allow the Proposed Project to help address the City's housing shortage and need for affordable housing by providing a mixed-income, mixed-use residential development. In addition, the Proposed Project would make more efficient use of land by adding density while still providing employment and arts production uses. The Proposed Project would accommodate projected population growth in the area, while being compatible with its surrounding uses. Accordingly, the initiated General Plan Amendment would be in conformity with public necessity, convenience, and general welfare.

### Good Zoning Practice

The Project Site is designated by the Community Plan for Heavy Industrial land uses and is zoned M3-1-RIO. This zoning is consistent with the existing land use designation. Although the site, as well as a number of other properties in the immediate area, are designated for heavy industrial uses, the immediate vicinity is characterized by a mix of industrial uses, a gas station, residential uses within the Community Plan's Artists-in-Residence district, restaurants, and commercial uses contained in low-rise and mid-rise buildings. The Project Site itself is no longer being fully utilized for industrial related purposes, as it currently incorporates residential live/work uses and arts production uses, which are not uncommon in the immediate area. Nearby residential buildings include the Barker Block and Beacon Lofts.

The proposed amendment would allow for the Project to contribute to alleviating the City's housing shortage through the provision of 129 live/work units, which retain an economic production component, 15 of which would be restricted to Very Low Income households. As the surrounding area is developed with a mixture of residential, commercial, and light manufacturing uses, the Project would introduce a complementary and compatible use with the range of uses that exist in the vicinity. Immediately to the south of the Project Site across East 5<sup>th</sup> Street, an eight-story mixed-use project is proposed at 1100 East 5<sup>th</sup> Street. The pedestrian entrance to the Project's port cochere has been expanded, landscaped and realigned to abut an anticipated mid-block pedestrian paseo in the 1100 East 5<sup>th</sup> Street project site, thereby enhancing pedestrian connections through the vicinity south of the Site. A block to the northeast, a 12-story retail and office building is proposed on the surface parking areas that surround the Architecture and Design Museum at 4th Street and Hewitt Street. Therefore, the Project would also be compatible with proposed developments on nearby properties.

As proposed, the Project will provide new housing for a mix of incomes, and will offer amenities that would improve the quality of life for existing and future residents as well as the surrounding community. The General Plan Amendment will result in a project that will retain a productive employment-generating uses on the site that complement existing uses in the vicinity, while also providing much-needed residential units with commercial land uses on the ground level. The Project promotes a more walkable lifestyle by locating commercial and residential uses within proximity of transit and existing job centers and services. Furthermore, as described in Finding No. 2, the amendment would allow the development of the site with a residential use that is consistent with the objectives and policies of the Community Plan and is compatible with the existing and proposed development of the surrounding area. Therefore, the initiated General Plan Amendment to Regional Commercial would be in conformity with good zoning practices and with development patterns in the immediate area.

## ENTITLEMENT FINDINGS

1. **Vesting Zone Change, Height District Change, and "T" and "Q" Classification Findings.**
  - a. Pursuant to Section 12.32 C of the Los Angeles Municipal Code (LAMC), and based on these findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.

Public Necessity. The subject property is currently designated and zoned for Heavy Industrial, which prohibits residential uses. The recommended amendment to the Central City North Community Plan would re-designate the land use designation of the Project Site from Heavy Industrial to Regional Commercial. The recommended Vesting Zone

Change and Height District Change from M3-1-RIO to (T)(Q)C2-2-RIO would permit the development of the Project Site with a new 12-story mixed-use project comprised of 129 live/work residential units, 81,326 square feet of retail, restaurant, artist production, and art gallery space, and 113 hotel rooms. As the existing land use designation and zone would not permit new residential development, the plan amendment is necessary to permit the redevelopment of the Site.

On April 8, 2015, Mayor Eric Garcetti released the Sustainable City pLAn, a roadmap to achieve short-term results while setting the path to strengthen the transformation of the City in the decades to come. As part of the plan, the Mayor set forth a goal of creating 100,000 new housing units by 2021. This same goal was carried forward in the Green New Deal Sustainable City pLAn 2019. The proposed amendment would allow the site to be redeveloped and to provide 129 live/work residential units, including 15 units restricted to Very Low Income households, supporting the City's housing goals. The Project would be an infill development within an immediate vicinity that is developed with a mix of industrial uses, a gas station, residential uses, restaurants, and commercial uses contained in low-rise and mid-rise buildings of varying age. As described by the Community Plan, the area includes several old warehouses now converted to artist lofts and studios. The Project Site is located in proximity to existing and proposed residential uses, including the Barker Block, Beacon Lofts, and a proposed eight-story mixed-use residential project located at 1100 East 5<sup>th</sup> Street, across 5<sup>th</sup> Street from the Project Site. The Project Site itself is no longer being fully utilized for industrial related purposes, as it currently incorporates residential live/work uses and arts production uses. Accordingly, the proposed Vesting Zone Change and Height District Change would be in conformity with public necessity.

Convenience. Approval of the Vesting Zone and Height District Change would permit the development of the Project Site with a new 12-story mixed-use project comprised of 129 live/work residential units, 81,326 square feet of retail, restaurant, artist production, and art gallery space, and 113 hotel rooms. The Project would place housing within close proximity to employment, amenity, and commercial areas within the immediate vicinity as well as within the greater Downtown core, and near public transit. In addition, as previously discussed, as the existing building encompasses the entire site, there is no outdoor open space provided on the site. The proposed building would provide 22,500 square feet of open space, which would include new landscaping, third-floor and roof terraces, and planting of trees. As proposed, the Project would improve the livability and general welfare of the future residents of the development. The Project that will further promote foot traffic through the use of a strong street wall with ground-floor commercial uses, and a large landscaped pedestrian area at the center of the Project Site at the entrance to the porte cochere.

In sum, the Project locates needed residential density near existing employment centers, entertainment, and services, and transit. The Project creates new retail, restaurant, and art gallery uses for the neighborhood, and promotes pedestrian activity in the general area. Accordingly, the proposed Zone Change would be in conformity with the public convenience.

General Welfare.

Approval of the requested Vesting Zone and Height District Change would allow the development of an infill site with 129 multi-family live/work units that would contribute to alleviating the City's housing shortage. As there are currently 10 live/work units on the Project Site, the Project would result in a net gain of 119 units while minimizing displacement of existing residents. 15 units, or 11% of the total units provided, would

be set aside for Very Low Income households, helping to address the City's need for affordable housing. In addition, the Proposed Project would make efficient use of land by adding density while still providing employment and arts production uses, to the benefit of the future on-site residents as well as the existing neighborhood. The two-story base of the Project would feature red brick, metal awnings and canopies, and ground-floor storefront glass that reflect the materials and massing of the surrounding build environment, and will enhance the pedestrian experience along street frontages. The Proposed Project would thus accommodate projected population growth in the area, while being compatible with its surrounding uses. Accordingly, the initiated General Plan Amendment would be in conformity with public necessity.

#### Good Zoning Practice.

The Project Site is designated by the Community Plan for Heavy Industrial land uses and is zoned M3-1-RIO. This zoning is consistent with the existing land use designation. Although the site, as well as other properties in the immediate area, are designated for heavy industrial uses, the immediate vicinity is characterized by a mix of industrial uses, a gas station, residential uses within the Community Plan's Artists-in-Residence district, restaurants, and commercial uses contained in low-rise and mid-rise buildings. The Project Site itself is no longer being fully utilized for industrial related purposes, as it currently incorporates residential live/work uses and arts production uses, which are not uncommon in the immediate area. Nearby residential buildings include the Barker Block and Beacon Lofts.

The proposed amendment would allow for the Project to contribute to alleviating the City's housing shortage through the provision of 129 live/work units, which retain an economic production component, 15 of which would be restricted to Very Low Income households. As the surrounding area is developed with a mixture of residential, commercial, and light manufacturing uses, the Project would introduce a complementary and compatible use with the range of uses that exist in the vicinity. Immediately to the south of the Project Site across East 5<sup>th</sup> Street, an eight-story mixed-use project is proposed at 1100 East 5<sup>th</sup> Street. The pedestrian entrance to the Project's port cochere has been expanded, landscaped and realigned to abut an anticipated mid-block pedestrian paseo in the 1100 East 5<sup>th</sup> Street project site, thereby enhancing pedestrian connections through the vicinity south of the Site. A block to the northeast, a 12-story retail and office building is proposed on the surface parking areas that surround the Architecture and Design Museum at 4th Street and Hewitt Street. Therefore, the Project would also be compatible with proposed developments on nearby properties.

As proposed, the Project will provide new housing for a mix of incomes, and will offer amenities that would improve the quality of life for existing and future residents as well as the surrounding community. The General Plan Amendment will result in a project that will retain a productive employment-generating uses on the site that complement existing uses in the vicinity, while also providing much-needed residential units with commercial land uses on the ground level. The Project promotes a more walkable lifestyle by locating commercial and residential uses within proximity of transit and existing job centers and services. Furthermore, as described in Finding No. 2, the amendment would allow the development of the site with a residential use that is consistent with the objectives and policies of the Community Plan and is compatible with the existing and proposed development of the surrounding area. Therefore, the initiated General Plan Amendment to Regional Commercial would be in conformity with good zoning practices and with development patterns in the immediate area.

**b. “T” and “Q” Classification Findings.**

Per LAMC Section 12.32 G.1 and 2, the current action, as recommended, has been made contingent upon compliance with new “T” and “Q” conditions of approval imposed herein for the Proposed Project. The “T” Conditions are necessary to ensure the identified dedications, improvements, and actions are undertaken to meet the public’s needs, convenience, and general welfare served by the actions required. These actions and improvements will provide the necessary infrastructure to serve the proposed community at this site. The “Q” conditions that limits the scale and scope of future development on the Site are also necessary to protect the best interests of and to assure a development more compatible with surrounding properties and the overall pattern of development in the community, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

**2. Conditional Use Findings**

The following are the findings for a MCUP to permit the sale and dispensing of alcoholic beverages and CUX for live entertainment and dancing as required by LAMC 12.24 W.1 and 12.24 W.18.

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

The Project includes the demolition and removal of all existing uses on the Project Site, and development of a new mixed-use building, including 129 live/work condominium units, a 113-room hotel, and 81,326 square feet of commercial space to be used for art galleries, retail, restaurant, and artist collaborative space. Of the 129 live/work units, 15 units (i.e., 11 percent) would be set aside for Very Low Income households. The proposed building would be 12 stories (164 feet) in height. The Project includes 304 automobile parking spaces provided in two of three subterranean levels.

In conjunction with the development of the Project, the Applicant is requesting a Master Conditional Use Permit (MCUP) to permit the sale and dispensing of a full line of alcoholic beverages for off-site consumption at up to two establishments (i.e., retail establishments), and on-site consumption at up to 13 establishments i.e., restaurants, art galleries, and hotel uses). Specifically, the Project proposes three (3) on-site permits for the hotel use (including, but not limited to the lobby, lobby bar, hotel terrace, pool deck, portable units to serve alcohol for on-site consumption within the hotel, and mini-bars within each hotel room or suite), nine (9) permits for on-site consumption in conjunction with proposed restaurants, café, clubhouse or bars located within the commercial and art gallery areas, and one (1) on-site permit associated with the residential amenities. The Project is also requesting a Conditional Use Permit for live entertainment and dancing within the Project’s commercial and hotel uses.

The Project Site is located within the Central City North Community Plan area, and is currently designated for Heavy Industrial land uses corresponding to the M3-1-RIO Zone. The Project is requesting a General Plan Amendment to change the land use designation on the Project Site to Regional Commercial, and a Vesting Zone and Height District Change to change the zoning on the Project Site to C2-2-RIO.

The area surrounding the Project Site is urbanized and improved with a range of industrial uses, residential uses within the Community Plan’s Artists-in-Residence

district, restaurants, and commercial uses contained in low-rise and mid-rise buildings of widely varying age. To the north immediately abutting the project site is a three-story warehouse, comprising an event space and creative business offices and creative business offices, and two one-story warehouses comprising commercial uses. To the east of the Project Site across Colyton Street are a single-story industrial and/or warehouse building with associated gated surface parking and exterior shed facilities. To the southeast of the project site across East 5<sup>th</sup> Street and Hewitt Street are a restaurant, a tow service parking lot, and the half-acre Arts District Park, and the La Kretz Innovation Campus. South of the Project Site across 5<sup>th</sup> Street, located from east to west, are a surface parking lot associated with a four-story warehouse/office building (fronting on Colyton Street), another gated paved surface parking lot, and a single-story stucco industrial office building at the corner of 5<sup>th</sup> Street and Seaton Street, which is the site of a proposed eight-story, 247,000-square-foot mixed-use building containing up to 220 live/work units and 44,530 square feet of commercial uses. West of the Project Site across Seaton Street is a single-story brick industrial and/or warehouse building with an associated gated surface parking lot, and immediately to the south of this building (across 5<sup>th</sup> Street) is a commercial truck fueling station. Residential uses close to the Project Site include the four-story Barker Block Residences, located southwest at 510 Hewitt Street, and the Beacon Lofts, located to the north at 825 East 4<sup>th</sup> Street. Arts District Park is also located within a block to the southeast of the Project Site.

The proposed restaurant, retail, hotel, and art gallery uses will be desirable to the public convenience and welfare as the uses are in a convenient infill location accessible to nearby residents, workers, and visitors. The Project will provide convenient eating and shopping places to serve the residents, employees and visitors in the area, and add to the number of available dining venues. The offering of food and alcohol in conjunction with the proposed uses will be a benefit as an amenity to current and future residents and visitors and will also serve as an attraction and amenity to future residents and guests, as other residential projects are also in development in proximity.

A variety of commercial uses is an intrinsic part of the service amenities that are necessary for the conservation, development, and success of a vibrant neighborhood. The proposed Regional Commercial land use designation allows for the proposed restaurant and retail uses. The ability for the Site to offer a full line of alcoholic beverages will allow the restaurants and retail/grocery uses to remain competitive with other similar uses serving the same area, as alcohol service is a common and expected by patrons as part of these commercial uses. Further, patrons are drawn to the immediately surrounding area due to the shopping, entertainment, and dining experiences available to them, and offering a full line of alcoholic beverages at these uses on the Project Site will enhance the dining and entertainment experience for visitors, employees, and residents in the vicinity. Further, the on-site consumption of alcohol is a common and expected component of hotel operations, inclusive of in-room mini-bars, restaurants, and amenity areas, which will provide a function and beneficial service to hotel guests visiting the area. Restaurant uses with alcoholic services, as well as various hotel functions are necessary to support and provide amenities for the hotel use as proposed and consistent with various hotels in the nearby Downtown area. The proposed live entertainment and dancing in conjunction with the hotel and commercial uses would also provide a beneficial service, which as proposed and conditioned would be compatible with the surrounding community. In light of the above, the Project will perform a function that enhances the character of the area, which is appropriate within the context of the proposed Regional Commercial land use designation.

The MCUP provides an umbrella entitlement with conditions that apply to the Project Site and in general to all venues, including the retail and restaurant uses. These

conditions include, but are not limited to, security measures, such as a camera surveillance system and appropriate lighting in the evening hours, except routine clean-up, and of prohibiting adult entertainment. In addition, all music, sound or noise which is under the control of the Project Applicant shall be in compliance with the Citywide Noise Ordinance. Further, loitering is prohibited on and around the premises, and the Project Applicant will be required to maintain the premises and sidewalk in good condition. These conditions will be supplemented by more specific conditions designed to address the characteristics of each individual establishment a Plan Approval which will be required, prior to the effectuation of the approval for each respective tenancy identified above, where more specific physical and operational restrictions. Under these Plan Approvals, the Zoning Administrator and LAPD have the opportunity to comment and recommend any conditions, including the maximum number of indoor seats, as determined by the Department of Building and Safety.

As such, the off-site service of alcoholic beverages at two retail establishments, and on-site consumption at up to 13 establishments within the Project's restaurants, art galleries, and hotel uses, as part of a mixed-use development, and the associated request for live entertainment and dancing within the Project's commercial and hotel uses, will enhance the built environment in the surrounding neighborhood, and will provide a function that is beneficial and compatible with the character of the surrounding community and commercial viability of the region as a whole.

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

The Project includes the demolition and removal of all existing uses on the Project Site, and development of a new mixed-use building, including 129 live / work condominium units, a 113-room hotel, and 81,326 square feet of commercial space to be used for art galleries, retail, restaurant, and artist collaborative space. Of the 129 live/work units, 15 units (i.e., 11 percent) would be set aside for Very Low Income households. The proposed building would be 12 stories (164 feet) in height. The Project includes 304 automobile parking spaces provided in two of three subterranean levels. In conjunction with the development of the Project, the Applicant is requesting a Master Conditional Use Permit (MCUP) to permit the sale and dispensing of a full line of alcoholic beverages for off-site consumption at up to two establishments (i.e., retail establishments), and on-site consumption at up to 13 establishments (i.e., restaurants, art galleries, and hotel uses).

As previously described, the Project Site is located within the Central City North Community Plan area, and is proposed to be re-designated to Regional Commercial land uses. The area surrounding the Project Site is urbanized and improved with a range of industrial uses, residential uses within the Community Plan's Artists-in-Residence district, restaurants, and commercial uses contained in low-rise and mid-rise buildings of widely varying age. The Project will introduce new residential, retail and restaurant uses to the Site. The addition of these new uses will provide an amenity to the existing businesses and residents in the area as well as support projected growth. The Project would contain 12 stories and would reach a maximum height of 164 feet. Although notably taller than existing immediately surrounding structures, the design of the Project incorporates elements to reflect the existing neighborhood character and identity, and promote architectural compatibility. The two-story base of the Project would feature red brick, metal awnings and canopies, and ground-floor storefront glass that reflect the materials and massing of the surrounding build environment, and will enhance the

pedestrian experience along street frontages. The upper floors would be covered by glass panels printed with contemporary artwork. The hotel portion of the building would be clad with a continuous window wall glass façade, featuring a varied pastel color palette. These proposed distinctive textures, colors, materials, and architectural features add visual interest and reinforce neighborhood identity. The proposed restaurant, retail, hotel, and art gallery uses will be desirable to the public convenience and welfare as the uses are in a convenient infill location accessible to nearby residents, workers, and visitors to eat, drink, and socialize. Thus, the proposed retail, restaurant uses are located in a convenient infill location that nearby residents, visitors, and employees can patronize from within a short distance.

A variety of commercial uses is an intrinsic part of the service amenities that are necessary for the conservation, development, and success of a vibrant neighborhood. The project site has a proposed Regional Commercial land use designation, which allows for the proposed restaurant and retail uses. The ability for the Site to offer a full line of alcoholic beverages will allow the restaurants, hotel, and retail/gallery uses to remain competitive with other similar uses serving the same area, as alcohol service is a common and expected by patrons as part of these commercial uses. Further, patrons are drawn to the area due to the shopping, entertainment, arts, and dining experiences available to them. Offering a full line of alcoholic beverages at these uses on the Project Site, as well as the option to provide dancing and live entertainment, will enhance the dining and entertainment experience for visitors, hotel guests, employees, and residents in the vicinity. The proposed live entertainment and dancing in conjunction with the hotel and commercial uses would also provide a beneficial service, which has been conditioned and would not adversely affect or degrade adjacent properties.

Redevelopment of the Site will also increase street activity by introducing a new building with a mix of ground-floor commercial uses co-located on-site with 129 multi-family live/work residential units, as well as hotel and art gallery and collaborative art production uses. The Project locates new residential, hotel and commercial uses near existing employment centers, entertainment, and services in Downtown, in a convenient location that residents, visitors, and employees can patronize by walking, biking or public transit. The sale, dispensing, and consumption of alcoholic beverages, as well as the option to provide dancing and live entertainment, will provide a beneficial amenity available to residents, employees and visitors of the Arts District and Downtown area.

The sales of alcohol will not be detrimental to nearby residential uses, since the establishments serving alcohol will be carefully controlled and monitored. The conditions recommended herein will ensure that the establishments will not adversely affect or further degrade the surrounding neighborhood, or the public health, welfare, and safety. Approval of the conditional use will contribute to the success and vitality of the commercial development and help to reinvigorate the site and vicinity. Since the alcohol sales will be in conjunction with food service, retail, and hotel uses, therefore, permitting alcohol sales on the site will not be detrimental to the development of the community. Additionally, as discussed above, the Project's conditions will be supplemented by more specific conditions designed to address the characteristics of each individual establishment at Plan Approval which will be required, prior to the effectuation of the approval for each respective tenancy identified above. Under these Plan Approvals, the Zoning Administrator and LAPD will have the opportunity to comment and recommend any additional conditions, as warranted. Further, the sale of alcohol is regulated by the State of California through the issuance of an Alcohol Beverage Control (ABC) license. Thus, as conditioned, combined with the enforcement authority of ABC and LAPD, the approval for the sale of alcohol will not be detrimental to the public health, safety and

welfare. No churches, schools, or hospitals have been identified within 1,000 feet of the Project Site.

Thus, the Project will be compatible with development on adjacent and neighboring properties and its location, size height, and operations will be compatible with and will not adversely affect or further degrade surrounding properties and/or the public health, welfare, and safety.

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

The Project Site is located within the Central City North Community Plan area, which designates the Site for Heavy Industrial land uses corresponding to the M3 Zone. The Site is currently zoned M3-1-RIO, which is consistent with its existing land use designation. The Project is requesting a General Plan Amendment to change the land use designation on the Site from Heavy Industrial to Regional Commercial, and a Vesting Zone and Height District Change to change the zoning on the Project Site to C2-2-RIO, in order to implement the Proposed Project.

The Community Plan text is silent with regards to alcohol sales. In such cases, the decision-maker must interpret the intent of the Community Plan. The proposed request for the sale and dispensing of a full line of alcoholic beverages for off-site consumption at up to two establishments, and on-site consumption at up to 13 establishments, and a Conditional Use Permit for live entertainment and dancing, are consistent with the following Central City North Community Plan goal and objective:

**Goal 2:** A strong and competitive commercial sector which best serves the needs of the community through maximum efficiency and accessibility while preserving the historic commercial and cultural character of the district.

**Objective 2-1:** To conserve and strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services.

The Project will contribute to the area's viable commercial development by introducing new live/work residential, retail restaurant uses in an appropriate infill location. The area surrounding the Project Site is urbanized and improved with a range of industrial uses, residential uses within the Community Plan's Artists-in-Residence district, restaurants, and commercial uses contained in low-rise and mid-rise buildings. The proposed restaurant, retail, hotel, and art gallery uses will be desirable to the public convenience and welfare as the uses are in a convenient infill location accessible to nearby residents, workers, and visitors to eat, drink, and socialize, including opportunities for live entertainment and dancing.

The proposed Regional Commercial land use designation allows for the proposed restaurant, retail, hotel, and arts-related uses. The Project Site is located in an established area with a compatible and complementary mix of uses, including commercial and restaurant uses, which is appropriate for the sale and dispensing of alcohol incidental to the commercial retail and restaurant and hotel uses proposed under the Project.

The ability for the Site to offer a full line of alcoholic beverages will allow the retail and restaurant uses to remain competitive with other similar uses serving the same area, as

alcohol service is a common and expected by patrons as part of these commercial uses. Further, patrons are drawn to the Arts District and nearby Downtown neighborhoods due to the shopping, entertainment, and dining experiences available to them, and offering a full line of alcoholic beverages at these uses on the Project Site, as well as live entertainment and dancing, will enhance the dining and entertainment experience for visitors, employees, and residents in the vicinity. The sale, dispensing, and consumption of a full-line of alcoholic beverages, in conjunction with the operations of the proposed retail and restaurant uses, will be an added amenity for residents and patrons of the Project, and will thus help to conserve and strengthen viable economic development, and support a strong and competitive commercial sector, in the Community Plan area. Therefore, the Project substantially conforms with the purposes, intent and provisions of the General Plan and the Community Plan.

As discussed above, the Project is consistent with the surrounding development within the Community Plan area. No specific plans are applicable to the Project Site. Based on the above, the requested Master Conditional Use Permit for the dispensing of alcohol, and the request for live entertainment and dancing, substantially conform with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

#### **ADDITIONAL FINDINGS FOR ALCOHOL SALES**

**d. The proposed use will not adversely affect the welfare of the pertinent community.**

The approval of the Master Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages on the Site will not adversely affect the welfare of the community. The Project will provide additional amenities for hotel guests, result in a greater variety of dining options, and will support the growing residential population as well as improve the existing environment and attract new visitors and residents to the area.

The Project includes live/work residential, hotel, retail, restaurant, art gallery, and collaborative arts production uses. The new additional residents associated with the Project will improve the pedestrian experience and increase safety as there will be more active streets during extended hours of the day and night. The Project will also enhance the pedestrian experience through a strong ground-floor presence with storefront retail and restaurant uses built to the property line. The proposed retail and restaurant uses are allowed in the proposed C2 Zone, which corresponds to the proposed Regional Commercial land use designation. The sale of alcohol is a common and expected component of restaurants and grocery stores. Nearby uses that offer alcohol for sale include the Valerio gas station at 5<sup>th</sup> Street and Alameda. Various restaurants, markets, and bars offer alcohol service within 600 – 1,000 feet of the Project Site, which currently operate without adversely affecting the welfare of the surrounding community.

Diversity amongst uses is common in the immediately surrounding area and while there are residential uses near the subject site, the proposed establishments open to the public serving alcoholic beverages will be part of a controlled and monitored operation. In addition, numerous conditions have been imposed to ensure that the use is integrated into the community as well as to protect community members from adverse potential impacts. As part of the required Plan Approvals, additional conditions may be recommended for consideration by the California Department of Alcoholic Beverage Control that regulate the sale of alcoholic beverages to prevent adverse impacts to the neighborhood. Other conditions imposed will maintain the order and ensure cleanliness of the project and its surroundings. Thus, the proposed restaurant and event space

operations as it relates to the sale and dispensing of alcoholic beverages would not adversely affect the welfare of the pertinent community. Other conditions imposed will maintain the order and ensure cleanliness of the Project and its surroundings. In addition, the grant requires the use and maintenance of an age verification device to deter underage purchases and drinking. Employees must also undergo STAR (Standardized Training for Alcohol Retailers) training, provided by the Los Angeles Police Department. Both the Conditions of Approval and the requirements of the State Alcoholic Beverage Control agency are intended to protect the public health, welfare and safety of the community. Thus, the proposed on-site consumption associated with hotel and restaurant uses, and off-site consumption associated with retail/commercial uses, as it relates to the sale, dispensing, and consumption of alcoholic beverages will not adversely affect the welfare of the pertinent community.

- e. **The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.**

According to the California State Department of ABC licensing criteria, there are three (3) on-site and two (1) off-site licenses allocated to the subject Census Tract Number 2060.31, based on a population of 2,957 people. Within the subject Census Tract, there are currently 61 total active licenses, including 50 on-site licenses and 11 off-site licenses. As such, the number of existing on-site licenses within the census tract where the Project Site is located exceeds ABC guidelines.

According to statistics provided by the LAPD's Central Vice Unit within Crime Reporting District No. 159 which has jurisdiction over the Project Site, a total of 430 crimes were reported in 2018 (308 Part I and 122 Part II crimes), compared to the Citywide Average of 185 crimes and the High Crime Reporting District Average of 222 crimes. The vast majority (256) of the Part I crimes are reported as larceny. Alcohol-related Part II Crimes reported include Narcotics (17), Liquor Laws (15), Public Drunkenness (6), Disturbing the Peace (0), Disorderly Conduct (6), Gambling (0), and DUI related (8). These numbers do not reflect the total number of arrests in the subject reporting district over the accountable year. Arrests for this calendar year may reflect crimes reported in previous years.

Concentration can be undue when the addition of a license will negatively impact a neighborhood. Concentration is not undue when the approval of a license does not negatively impact an area, but rather such a license benefits the public welfare and convenience. The ABC has discretion to approve an application if there is evidence that normal operations will not be contrary to the public welfare and will not interfere with the quiet enjoyment of property by residents in the area. Negative impacts commonly associated with the sale of alcoholic beverages, such as criminal activity, public drunkenness, and loitering are mitigated by the imposition of conditions requiring responsible management and deterrents against loitering, public drinking, driving under the influence, and public drunkenness. As stated above, the number of existing on-site licenses within the census tract where the Project Site is located exceeds ABC guidelines. However, as conditioned, allowing the sale, dispensing, and consumption of

a full line of alcoholic beverages in conjunction with the proposed restaurant and retail/grocery uses and is not anticipated to create a law enforcement issue. Consequently this approval will not result in an undue concentration of premises selling, dispensing, and consumption of a full-line of alcoholic beverages.

The Project will not adversely affect community welfare because the proposed restaurant, retail, hotel, and art gallery uses are desirable uses would be located in an area that permits commercial uses. In this case, the Project will provide a convenience and new amenity to visitors and residents in the immediate neighborhood and, as conditioned, will not negatively impact the area. As such, the proposed uses in conjunction with the on- and off-site sale, dispensing, and consumption of a full-line of alcoholic beverages will be compatible with the surrounding development and will not adversely affect the welfare of the surrounding community.

- f. **The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.**

The area surrounding the Project Site is urbanized and improved with a range of industrial uses, residential uses within the Community Plan's Artists-in-Residence district, restaurants, and commercial uses contained in low-rise and mid-rise buildings of widely varying age.

The following residential uses are located within 1,000 feet of the Project Site:

- Multi-family residential uses: five (5)
- Hotel uses: three (3)

As such, the proposed restaurant, retail, art gallery, and hotel uses are located within proximity of sensitive uses, including residences. The Site is located within an immediate area that includes a complementary mix of live/work residential uses, industrial and warehousing uses, commercial, office, retail, and restaurant uses. As mentioned previously, while the Project Site is located near residential areas, the proposed restaurant and retail/grocery uses as it relates to the sale, dispensing, and consumption of alcoholic beverages have been properly conditioned as to not adversely affect the welfare of the pertinent community. As discussed above, more specific physical and operational conditions will be included as part of the Approval of Plans determination required for each venue as established by the MCUP provisions and the Project's conditions will be supplemented by more specific conditions designed to address the characteristics of each individual establishment at Plan Approval which will be required, prior to the effectuation of the approval for each respective tenancy identified above, where more specific physical and operational restrictions. Under these Plan Approvals, the Zoning Administrator and LAPD have the opportunity to comment and recommend any conditions, including the maximum number of indoor seats, as determined by the Department of Building and Safety.

With the conditions referenced herein, the impacts of the on-site and off-site sale, dispensing, and consumption of a full-line of alcoholic beverages will be reduced and not detrimentally affect nearby residentially zoned or developed communities and other sensitive uses within the area.

## 6. Density Bonus/Affordable Housing Incentives Program Findings

The Applicant proposes to set aside 15 units, or 11 percent of the total number of dwelling units, for Very Low Income households, with two Affordable Housing On-Menu Incentives. Following is a delineation of the findings and the application of the relevant facts as related to the request for two (2) On-Menu Incentives to allow for the construction, use and maintenance of a mixed-use Project comprised of 129 live/work condominium units, a 113-room hotel, and 81,326 square feet of commercial space totaling 370,340 square feet of floor area. Pursuant to Section 12.22 A.25(g) of the LAMC and Government Code Section 65915, the Commission shall approve a Density Bonus and requested Incentive(s) unless the Commission finds that:

- a. **The incentives do not result in identifiable and actual cost reductions to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for the affordable units.**

### On-Menu Incentives

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

The list of on-menu incentives in 12.22 A.25 were pre-evaluated at the time the Density Bonus Ordinance was adopted to include types of relief that minimize restrictions on the size of the project. As such, the Department will arrive at the conclusion that the density bonus on-menu incentives will result in identifiable and actual cost reductions that provide for affordable housing costs because the incentives by their nature increase the scale of the project.

The requested incentives for a 35-percent increase in Floor Area Ratio and a 12-foot side yard setback in lieu of the 14 feet otherwise required, are expressed in the Menu of Incentives per LAMC 12.22 A.25(f) and, as such, permit exceptions to zoning requirements that result in building design or construction efficiencies that provide for affordable housing costs. The requested incentives allow the developer to expand the building envelope so the additional units can be constructed and the overall space dedicated to residential uses is increased. These incentives support the Applicant's decision to set aside 15 Very Low Income dwelling units for 55 years.

#### *Floor Area Ratio Increase:*

The Project Site is zoned M3-1-RIO and has a General Plan land use designation of Heavy Industrial. The M3-1-RIO Zone allows light manufacturing and commercial uses but does not permit residential development. The property is currently subject to Height District No. 1, which restrict the maximum FAR on the Site to 1.5:1.

In combination with the proposed C2 Zone, the proposed Height District No. 2 sets forth a maximum base FAR of 6:1. The Project is requesting an On Menu Density Bonus

Incentive for a 35% increase in FAR, resulting in a maximum FAR of 8.1:1. As proposed, the building's maximum floor area of 370,340 square feet and 8.1:1 FAR would be consistent with the maximum base 6:1 FAR, with a 35% increase in FAR, pursuant to the requested Density Bonus Incentive.

The requested incentive allows the developer to expand the building envelope so the additional units can be constructed and the overall space dedicated to residential uses is increased. These incentives support the Applicant's decision to set aside 15 Very Low Income dwelling units for 55 years.

*Yard/setback reduction:*

Under the proposed C2-2-RIO Zone, side yard and rear yard setbacks consistent with the R4 Zone are required for residential uses at the lowest residential story. For side yards, the R4 Zone requires a minimum five-foot setback, plus one foot for every story above the second story, not to exceed 16 feet. The R4 Zone requires a minimum 15-foot rear yard setback plus one foot for each story over the third.

Pursuant to LAMC Section 12.22 A.25, the Project is requesting an On Menu Density Bonus to allow for a 12-foot side yard setback in lieu of the 14 feet otherwise required. The Project would provide a 12-foot side yard setback abutting neighboring properties to the north, and with approval of the requested Incentive, would be consistent with this requirement.

The requested incentive allows the developer to expand the building envelope so the additional units can be constructed and the overall space dedicated to residential uses is increased. These incentives support the Applicant's decision to set aside 15 Very Low Income dwelling units for 55 years.

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

There is no substantial evidence in the record that the proposed incentives will have a specific adverse impact. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22.A.25(b)). As required by Section 12.22 A.25 (e)(2), the project meets the eligibility criterion that is required for density bonus projects. The project also does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. Therefore, there is no substantial evidence that the proposed incentives will have a specific adverse impact on public health and safety.

## DENSITY BONUS LEGISLATION BACKGROUND

The California State Legislature has declared that "[t]he availability of housing is of vital statewide importance," and has determined that state and local governments have a responsibility to "make adequate provision for the housing needs of all economic segments of

the community." Section §65580, subds. (a), (d). Section 65915 further provides that an applicant must agree to, and the municipality must ensure, the "continued affordability of all Low and Very Low Income units that qualified the applicant" for the density bonus.

With Senate Bill 1818 (2004), state law created a requirement that local jurisdictions approve a density bonus and up to three "concessions or incentives" for projects that include defined levels of affordable housing in their projects. In response to this requirement, the City created an ordinance that includes a menu of incentives (referred to as "on-menu" incentives) comprised of eight zoning adjustments that meet the definition of concessions or incentives in state law (California Government Code Section 65915). The eight on-menu incentives allow for: 1) reducing setbacks; 2) reducing lot coverage; 3) reducing lot width, 4) increasing floor area ratio (FAR); 5) increasing height; 6) reducing required open space; 7) allowing for an alternative density calculation that includes streets/alley dedications; and 8) allowing for "averaging" of FAR, density, parking or open space. In order to grant approval of an on-menu incentive, the City utilizes the same findings contained in state law for the approval of incentives or concessions.

## 7. Site Plan Review Findings

The following are the findings for Site Plan Review as required by LAMC 16.05.

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

The Project includes the demolition and removal of all existing uses on the Project Site, and development of a new mixed-use building, including 129 live/work condominium units, a 113-room hotel, and 81,326 square feet of commercial space to be used for art galleries, retail, restaurant, and artist collaborative space. Of the 129 live/work units, 15 units (i.e., 11 percent) would be set aside for Very Low Income households. The proposed building would be 12 stories (164 feet) in height. The Project includes 304 automobile parking spaces provided in two of three subterranean levels.

The Los Angeles General Plan sets forth goals, objectives and programs that guide both Citywide and community-specific land use policies. As discussed in Finding No. 2, the recommended project would be consistent with the purposes, intent and provisions of the General Plan and its elements, including the Framework Element, Housing Element, Mobility Element, Health and Wellness Element and the Land Use Element – Central City North Community Plan. The Project Site is not subject to any specific plans.

As further detailed in Finding No. 2, above, the Project would support housing-related objectives and policies through the provision of 129 new live/work residential units, 15 of which would be restricted to Very Low Income households; would locate new housing in proximity to public transportation, reduce vehicular trips, and would be accessible to existing activity centers, services and facilities; would support policies and goals to strengthen viable commercial development, provide additional opportunities for new commercial development and services; would provide a complementary balance of uses that provides for productive commercial development including art production, art gallery, hotel, and retail, restaurant uses; would be consistent with the directions relative to industrial land set forth in the Framework Element and Community plan in that it will provide for a complementary mix of job-producing uses that are allowed for in industrial zones, along with live/work uses; and would incorporate design elements that reflect the existing neighborhood character and identity, and promote architectural compatibility; would provide ground-floor uses and design features that enhance pedestrian street activity.

Based on the above, the Project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan.

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

The Project Site is located within the Central City North Community Plan area. The area surrounding the Project Site is urbanized and improved with a range of industrial uses, residential uses within the Community Plan's Artists-in-Residence district, restaurants, and commercial uses contained in low-rise and mid-rise buildings of widely varying age.

Specifically:

- To the north immediately abutting the project site is a three-story warehouse, comprising an event space and creative business offices and creative business offices, and two one-story warehouses comprising commercial uses.
- To the east of the Project Site across Colyton Street are a single-story industrial and/or warehouse building with associated gated surface parking and exterior shed facilities. To the southeast of the project site across East 5<sup>th</sup> Street and Hewitt Street are a restaurant, a tow service parking lot, and the half-acre Arts District Park, and the La Kretz Innovation Campus.
- South of the Project Site across 5<sup>th</sup> Street, located from east to west, are a surface parking lot associated with a four-story warehouse/office building (fronting on Colyton Street), another gated paved surface parking lot, and a single-story stucco industrial office building at the corner of 5<sup>th</sup> Street and Seaton Street, which is the site of a proposed eight-story, 247,000-square-foot mixed-use building containing up to 220 live/work units and 44,530 square feet of commercial uses.
- West of the Project Site across Seaton Street is a single-story brick industrial and/or warehouse building with an associated gated surface parking lot, and immediately to the south of this building (across 5<sup>th</sup> Street) is a commercial truck fueling station. Residential uses close to the Project Site include the four-story Barker Block Residences, located southwest at 510 Hewitt Street, and the Beacon Lofts, located to the north at 825 East 4th Street. Arts District Park is also located within a block to the southeast of the Project Site.

The Project includes the demolition and removal of all existing uses on the Project Site, and development of a new mixed-use building, including 129 live/work condominium units, a 113-room hotel, and 81,326 square feet of commercial space to be used for art galleries, retail, restaurant, and artist collaborative space. Of the 129 live/work units, 15 units (i.e., 11 percent) would be set aside for Very Low Income households. The proposed building would be 12 stories (164 feet) in height. The Project includes 304 automobile parking spaces provided in two of three subterranean levels. In total, the Project would be comprised of 370,340 square feet of floor area, for a maximum FAR of up to 8.1:1.

#### Height

The Project will be 12 stories tall, with a maximum height of 164 feet. Retail and restaurant uses would be provided on the ground floor and second floor. Above the two-story base, the

third floor would provide art gallery and artist collaborative space, as well as check-in and lounge areas for the proposed hotel. Residential live-work units and hotel guest rooms would be located on floors four through 11. Level 12 would provide a restaurant and rooftop bar that will be open to the public, as well as gym and clubhouse amenity areas open to both Project residents and hotel guests.

The proposed 12 stories and maximum height of 164 feet would be notably taller than other buildings in the immediately surrounding area. The immediately abutting existing buildings to the north of the Project Site range from one- to three stories, and the closest buildings across Seaton Street to the west, Colyton Street to the east, and 5<sup>th</sup> Street to the south, are all one story. Although taller than existing immediately surrounding structures, the design of the Project incorporates elements to reflect the existing neighborhood character and identity, and promote architectural compatibility. The two-story base of the Project would feature red brick, metal awnings and canopies, and ground-floor storefront glass that reflect the materials and massing of the surrounding built environment, and will enhance the pedestrian experience along street frontages. The upper floors would be covered by glass panels printed with contemporary artwork. The hotel portion of the building would be clad with a continuous window wall glass façade, featuring a varied pastel color palette. These proposed distinctive textures, colors, materials, and architectural features add visual interest and reinforce neighborhood identity. Additionally, as noted above, proposed projects with filed applications in the immediate vicinity also include a proposed eight-story mixed use building to the south of the Project Site across 5<sup>th</sup> Street, and a proposed commercial and office building on the site of the Architecture and Design Museum a block to the northeast of the Project Site located at 4th Street and Hewitt Street.

Furthermore, the additional FAR and height proposed would allow for the Project to provide the 15 units set aside for Very Low Income households, and to incorporate the proposed art gallery and collaborative art production uses.

#### Bulk & Mass

The area surrounding the Project Site is generally characterized by one- to three-story buildings, with a three-story building immediately abutting the Project Site to the north, and the closest buildings across Seaton Street to the west, Colyton Street to the east, and 5<sup>th</sup> Street to the south, all comprised of one story.

The two-story base of the Project would feature red brick, metal awnings and canopies, and ground-floor storefront glass that reflect the materials and massing of the surrounding built environment. The third-level design transitions to the upper-floor live/work and hotel uses provided above. The two-story base reflects the materiality and overall horizontal massing of the nearby one- to three-story buildings, providing continuity in the pedestrian experience from the street, while arranging the proposed building in a manner that is compatible with existing adjacent development, with uniquely designed upper floors above. An outdoor terrace is provided along the entire perimeter of the third floor, providing open-air outdoor areas for users of the Project, and that steps back the upper floors by 5 feet to 20 feet. As a result, the terrace and step back creates space and differentiation for the massing of the upper floors above the two-story base.

Above the two-story base, the Project would reach 12 stories with maximum height of 164 feet. The third floor would provide art gallery and artist collaborative space, as well as check-in and lounge areas for the proposed hotel. Residential live-work units and hotel guest rooms would be located on floors four through 11. The residential portion of the building would also be covered by glass panels printed with contemporary artwork, and the hotel portion would be clad with a multi-colored window wall glass façade. Level 12 would provide a restaurant and rooftop bar that will be open to the public, as well as gym and clubhouse

amenity areas open to both Project residents and hotel guests. The unique cladding and curtain wall design would create visual interest and soften the visual mass of the building in relation to the surrounding buildings.

Additionally, as noted above, proposed projects with filed applications in the immediate vicinity also include a proposed eight-story mixed use building to the south of the Project Site across 5<sup>th</sup> Street, and a proposed commercial and office building on the site of the Architecture and Design Museum a block to the northeast of the Project Site located at 4<sup>th</sup> Street and Hewitt Street. As such, the Project would result in an overall massing that is consistent with proposed future development on nearby properties.

In sum, the proposed bulk and mass will be consistent with the scale of existing and future proposed developments within the surrounding neighborhood.

#### Off-Street Parking and Loading Area

Vehicular access to the Project Site is currently provided via on-street parking, as there is currently no off-street parking provided on the Project Site. Operation of the Project would introduce a porte cochere along the 5<sup>th</sup> Street frontage that offers valet parking and temporary valet pick-up/ drop-off areas. Access to the subterranean parking levels, which would feature an automated parking system, would be from the Colyton Street entrance, which would also connect to the 5<sup>th</sup> Street porte cochere. With the shift of the driveway to the east, an expanded landscaped pedestrian entryway is provided in order to enhance the public realm and pedestrian environment on 5<sup>th</sup> Street, orienting the focus of this area towards pedestrians and bicyclists as opposed to the car. Short-term bicycle parking is also provided within the pedestrian entryway. A loading area to serve the Project would be located at-grade on the northwest side of the building and accessed from Seaton Street. The loading area would also allow access to the live/work and communal trash rooms at the ground level. Project driveways and access would be designed according to LADOT standards.

As discussed above, the Project will be required to provide 289 vehicle parking spaces. The Project proposes to provide 304 parking spaces to be located entirely on subterranean levels B2 and B3, as a combination of 34 valet parking spaces and 270 automated parking spaces. By providing parking fully underground, the Project completely eliminates the appearance of parking as viewed from the street, thereby improving the pedestrian environment and overall aesthetics of the proposed new construction, and fully enclosing any potential light intrusion from parking vehicles. The Project also includes immediate installation of Electric Vehicle (EV) charging stations for five percent of the total code-required parking spaces and wiring for future installation of EV charging stations for 20 percent of the total code-required parking spaces.

#### Landscaping

The Project will create an inviting pedestrian environment through the provision of a 45-foot wide landscaped pedestrian entryway at the center of its 5<sup>th</sup> Street frontage. Additionally, a landscaped terrace ranging from five- to 20 feet in width will be provided on the third level along the west, south and east, adjacent to the proposed hotel lounge and check-in areas, and art gallery and collaborative art production spaces, providing visual relief and open space areas for hotel guests, residents, employees, and visitors to relax and congregate.

Additionally, Level 12 would provide a restaurant and rooftop bar that will be open to the public, as well as gym and clubhouse amenity areas, and a pool deck and terrace open to both residents and hotel guests. In sum, the Project would provide ample open space opportunities on-site for residents, hotel guests, employees and visitors to the Project Site.

### Trash Collection

As conditioned, all trash and recycling areas shall be enclosed and not visible from the public right-of-way.

### Lighting & Building Signage

The Project will add new live/work residential, hotel, commercial, and art gallery and production uses. Because the Project is located near a mix of complementary uses that include residential uses located across Colyton Street, the Project has been designed and conditioned to further protect nearby uses from lighting related impacts, including requirements for outdoor lighting to shine downward, be installed with shielding, and be directed onto the project site, so that the light source does not directly illuminate any adjacent properties or the above night skies. All parking will be provided underground. Signage for mixed-use developments typically includes building address identification, commercial retail, wayfinding, and security markings. All signage will be required to comply with LAMC requirements. In addition, the Project has been conditioned so that there shall be no off-site commercial signage on construction fencing during construction.

### Citywide Design Guidelines

The updated Citywide Design Guidelines were adopted by the City Planning Commission on October 24, 2019 and apply to all new development and substantial building alterations that seek a discretionary action for which the Department of City Planning has design authority. Design Guidelines provide a less prescriptive, more flexible way of conveying design expectations and shaping proposed projects but are not intended to supersede the Municipal Code and/or other regulatory documents such as specific plans and overlays. The Citywide Design Guidelines set forth three overarching design approaches, Pedestrian-First Design, 360-Degree Design, and Climate Adapted Design.

The guidelines for Pedestrian-First Design are to promote a safe, comfortable and accessible pedestrian experience for all; to carefully incorporate vehicular access such that it does not degrade the pedestrian experience; and to design projects to actively engage with streets and public space and maintain human scale. The guidelines for 360-Degree Design are to organize and shape projects to recognize and respect surrounding context; express a clear and coherent architectural idea; to provide amenities that support community building and provide an inviting, comfortable user experience; and to carefully arrange design elements and uses to protect site users. The guidelines for Climate Adapted Design are to protect the site's natural resources and features; configure the site layout, building massing and orientation to lower energy demand and increase the comfort and well-being of users; and to enhance green features to increase opportunities to capture stormwater and promote habitat.

The Project includes the demolition and removal of all existing uses on the Project Site, and development of a new mixed-use building, including 129 live / work condominium units, a 113-room hotel, and 81,326 square feet of commercial space to be used for art galleries, retail, restaurant, and artist collaborative space. Of the 129 live/work units, 15 units (i.e., 11 percent) would be set aside for Very Low Income households. The proposed building would be 12 stories (164 feet) in height. The Project includes 304 automobile parking spaces provided in two of three subterranean levels.

The Project supports Pedestrian-First Design and 360-Degree Design through several features. The two-story base of the Project would feature red brick, metal awnings and canopies, and ground-floor storefront glass that reflect the materials and massing of the surrounding build environment. The third level design transitions to the upper-floor live/work

and hotel uses provided above. An outdoor terrace is provided along the entire perimeter of the third floor, providing open-air outdoor areas for users of the Project while creating a setback ranging from ranges from 5 feet to 20 feet, creating space and differentiation for the massing of the upper floors above the two-story base. The two-story base reflects the materiality and overall horizontal massing of the nearby one- to three-story buildings, while the upper stories feature a unique cladding and curtain wall design comprised of printed and colored glass panels. The Project would result in an overall massing that is consistent with proposed future development on neighboring properties, including proposed mixed-use and office projects to the northeast and south. Parking would be provided fully underground, thereby improving the pedestrian environment and overall aesthetics of the proposed new construction.

The Project will be designed with window treatments, contemporary architectural design features, and building articulations and will include a variety of building materials, such as different types of colored glass panels, printed panels with contemporary artwork, concrete, metal, and brick, that will provide horizontal and vertical articulation that break up the building planes and reduce the visual mass of the building. The Project will include a transparent ground floor that will promote an active pedestrian street presence. At the higher residential levels, the building will intersperse varied surface materials will provide horizontal and vertical articulation that break up the building planes and reduce the visual mass of the building. Glass used in building facades will be non-reflective or treated with a non-reflective coating to minimize glare; glazing used would have the minimum reflectivity needed to achieve energy efficiency standards.

The Project will support Climate-Adapted Design by complying with applicable provisions of the CALGreen Code and the Los Angeles Green Building Code, which will serve to reduce the Project's energy usage. Furthermore, as proposed and conditioned, a minimum of 20 percent of the total code-required parking spaces will be capable of supporting future electric vehicle supply equipment (EVSE), and five (5) percent of the total code-required parking spaces will be equipped with EV chargers. The exterior of the proposed structures will be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) to minimize glare and reflected heat. The Project also proposes to use photovoltaic glass for the curtain wall on the residential façade of the building. As proposed and conditioned, a minimum of 15% of the upper roof of the Project will be installed with solar panels.

The Project combines design, density, and a complementary mix of uses that will activate the street and contribute to a livable, walkable community. Based on its design and proposed amenities, the Project meets several goals listed throughout the Design Guide.

As described above, the Project is an infill mixed-use project that will be compatible with existing and future development on adjacent and neighboring properties with regards to height, bulk, and setbacks, off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements. Therefore, the arrangement of the development is consistent and compatible with existing and future development in neighboring properties.

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

As discussed above in Finding 7(b), the Project will improve habitability for its residents by placing residents in proximity to on-site recreational amenities. Pursuant to LAMC 12.21 G.2, based on the number of units and the mix of unit types, 16,275 square feet of residential open space is required. The Project would provide 22,500 square feet of open space, exceeding LAMC requirements. The provided open space would include a 9,000 square foot third-level terrace, and a 13,500 square foot roof garden, pool deck and terrace. The residential and commercial amenities are wholly within the Project Site, and are not expected to impact neighboring properties.

By combining design, density, and indoor and outdoor open spaces, the Project will add to the livability of the residents and to residents and visitors to the Project Site. As proposed, the Project will be providing open space in excess of what is required by the LAMC and has programmed the open space to take into consideration the varying recreational needs of the future residents and guests. Therefore, the Project will provide recreational and service amenities to improve the habitability for its residents and minimize impacts on neighboring properties.

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”) FINDINGS**

The City of Los Angeles, as lead agency, acting through the Department of City Planning, prepared an environmental impact report (EIR), consisting of a Draft EIR and Final EIR, under case number ENV-2016-4476-EIR. Pursuant to the California Environmental Quality Act (California Public Resources Code Sections 21000-21189.57)(CEQA), the EIR is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and components of the Arts District Center Project, consisting of a mixed-use project comprised of 129 live / work condominium units, a 113-room hotel, and 81,326 square feet of commercial space, located at 1101 East 5<sup>th</sup> Street, 1129 East 5<sup>th</sup> Street, 445-457 South Colyton Street, and 450-456 South Seaton Street, in the Central City North Community Plan area of Los Angeles (Site or Project Site). In a determination letter dated October 11, 2019, the City’s Deputy Advisory Agency (DAA) certified the EIR; adopted the environmental findings prepared for the Project as well as a statement of overriding considerations and a mitigation monitoring program (MMP); and approved the Project’s vesting tentative tract map (VTTM). A Notice of Determination was filed on October 16, 2019 with the Los Angeles County Clerk. No appeal was filed with respect to the DAA’s approval of the VTTM. The appeal period closed on October 21, 2019.

CEQA and the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, Sections 15000-15387) allow the City to rely on the previously certified EIR unless a Subsequent or Supplemental EIR is required. Specifically, CEQA Guidelines Sections 15162 and 15163 require preparation of a Subsequent or Supplemental EIR when an EIR has been previously certified or a negative declaration has previously been adopted and one or more of the following circumstances exist:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
  - The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
  - Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Likewise, Public Resources Code Section 21166 states that unless one or more of the following events occur, no Subsequent or Supplemental EIR shall be required by the lead agency or by any responsible agency:

- Substantial changes are proposed in the project which will require major revisions of the environmental impact report;
- Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report; or
- New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

## SECTION 2. CEQA FINDINGS

FIND, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in the Arts District Center Project EIR No. ENV-2016-4476-EIR, SCH No. 2017041012, certified on October 11, 2019; and pursuant to CEQA Guidelines, Sections 15162 and 15164, no subsequent EIR, negative declaration, or addendum is required for approval of the Project.

## SECTION 3. MITIGATION MONITORING PROGRAM

All mitigation measures in the previously adopted Mitigation Monitoring Program attached as Exhibit "B", are imposed on the project through Conditions of Approval, Environmental Conditions Nos. 51 and 52, to mitigate or avoid significant effects of the proposed Project on the environment and to ensure compliance during Project implementation.

## PUBLIC HEARING AND COMMUNICATIONS

A joint public hearing conducted by the Hearing Officer and Deputy Advisory Agency on this matter, in conjunction with Case No. VTT-74703, was held in Room 1020, City Hall on Wednesday September 25, 2019 at 10:00 a.m. In attendance were the Project Applicant and Representative, and several members of the public.

### Summary of Public Hearing and Communications

The Project Applicant presented the Project and described the design concept within the context of the surrounding area. The Project Applicant also requested that street dedications be waived along 5<sup>th</sup> Street, Seaton Street, and Colyton Street.

From the public, the following comments were made:

- Several members of the public expressed their opposition to the Project. Speakers objected to the demolition of the existing on-site building, and stated that the building is a contributing historic building that should be kept, or that the façade should be preserved as part of the new construction.
- Commenters stated that the proposed floor area ratio is inappropriate for the zoning and character of the area.
- Multiple commenters in opposition to the Project stated that the design, density, and height are out of character for the area.
- Several members of the public spoke in support of the Project, in particular for its potential to create jobs, construction careers, tourism and local economic development.

At the hearing, Planning Staff and the Deputy Advisory Agency requested and received verbal clarifications from the Applicant as to points raised by the public regarding the evaluation of the existing on-site building as a historic resource. The Applicant described the analysis in the Draft EIR, which concluded that the building no longer retained integrity and as such, upon a more in-depth site-specific analysis, was found not to be a contributing property to the potential historic district identified in SurveyLA.

Planning Staff, the Advisory Agency, and Bureau of Engineering discussed the requested waiver of dedications, and the proposed Arts District Streets Living Streets configuration that has been under development by LA City Planning.

Case No. VTT-74703 was taken under advisement by the Deputy Advisory Agency. Subsequently, on October 11, 2019, the Deputy Advisory Agency issued a Letter of Determination approving Vesting Tentative Tract No. 74703. The determination of the Deputy Advisory Agency was not appealed.

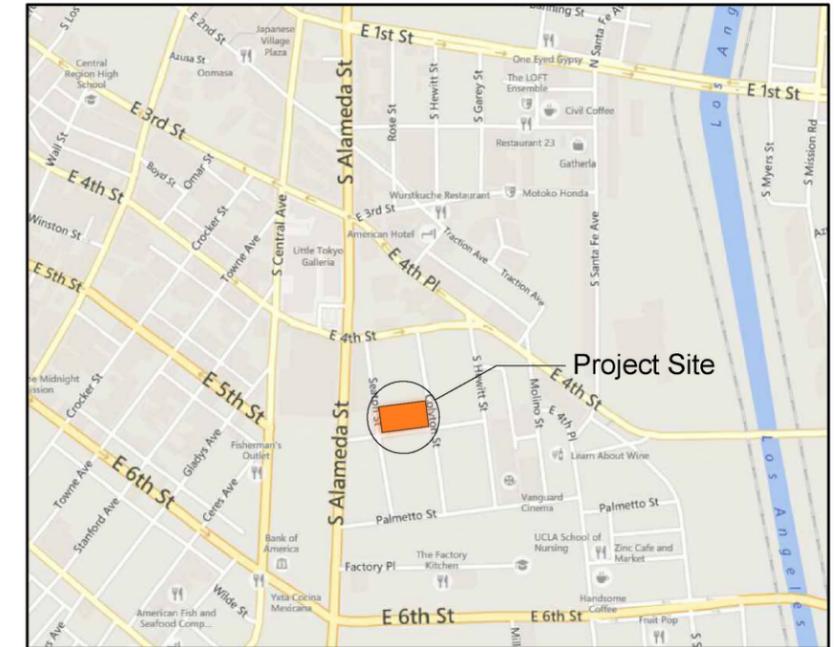
At its meeting of November 14, 2019, the City Planning Commission continued the Project to a date certain of December 12, 2019.

### Communications Received

Since the distribution of the courtesy notice of public hearing, Planning Staff has received one comment letter in opposition to the proposed Project. The comment letter objects to the density and scale of the proposed new construction, and objects to the number of proposed alcohol permits. The comment letter also expresses concerns regarding the number of construction truck trips and overall vehicle trips associated with the proposed Project, environmental hazards from dust and diesel emissions, and the potential for building damage from earthquakes.

# Arts District Center

1101 E. 5th Street, Los Angeles, CA 90013



Vicinity Map NTS 

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## Arts District Center

1101 E 5th Street, Los Angeles, California 90013  
APN: 5163025009

Arts District Development, LLC

**EXHIBIT A**  
**CPC-2016-4475-GPA-VZC-HD-MCUP-CUX-DB-SPR**  
**November 4, 2019**

November 4, 2019



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# Project Summary

Address: 1101 E 5th Street, Los Angeles, CA 90013

Existing Zone - M3-1-RIO  
 Proposed Zone - C2-2 (Per LAMC)  
 Proposed GPA - Regional Commercial  
 Lot Area - 45,721 sf (1.05 Acres)

Proposed FAR - 8.1:1  
 370,340 sf (Floor Area) / 45,721 sf = 8.1:1

### Gross Floor Area\*

Level	Residential	Hotel	Retail	Restaurant	Art Gallery	CoLab	TOTAL
Ground	2,572 sf	558 sf	13,730 sf 3,255 (Retail 1) 1,607 (Retail 2) 5,721 (Retail 3) 880 (Retail 4) 2,267 (Atrium Ret.)	8,490 sf 3,918 (Rest. 1) 2,600 (Café) 1,972 (Atrium Din.)			25,350 sf
2nd			14,158 sf 5,524 (Retail 1) 8,634 (Retail 2)	19,610 sf 7,548 (Rest. 1) 5,537 (Rest. 2) 6,525 (Rest. 3)			33,768 sf
3rd		9,212 sf 1,015 (Office) 1,125 (Bus. Cntr.) 1,257 (Kitchen) 4,545 (Check-in) 1,270 Lounge			17,755 sf 10,389 (Gallery 1) 3,600 (Gallery 2) 3,766 (Gallery 3)	3,400 sf	30,367 sf
4th-11th	198,632 sf	69,368 sf					268,000 sf
12th		8,672 sf 5,027 (Clubhouse) 2,825 (Gym) 820 (Lockers)		4,183 sf 1,870 (Rest.) 1,113 (Outdoor Din.) 1,200 (Bar)			12,855 sf
<b>Total</b>	<b>201,204 sf</b>	<b>87,810 sf</b>	<b>27,888 sf</b>	<b>32,283 sf</b>	<b>17,755 sf</b>	<b>3,400 sf</b>	<b>370,340 sf</b>

\* FAR= Area confined within the exterior walls of a building, but not including the area of exterior walls, stairways, shafts, rooms housing building-operating equipment or machinery, parking areas with associated driveways and ramps, space for the landing and storage of helicopters, and basement storage areas.

### Building Setbacks

Commercial (Required / Provided)  
 Street Frontage (5th St., Colyton St., Seaton St.): 0' / 0'  
 Side (North PL): 0' / 2'

Residential (Required / Provided)  
 Street Frontage (5th St., Colyton St., Seaton St.): 0' / 8'-8"  
 Side (North PL): 15' / 12' \*

\* Sideyard Reduction Using Affordable Density Bonus Ordinance (20%)

# Arts District Center

1101 E 5th Street, Los Angeles, California 90013  
 APN: 5163025009

## Arts District Development, LLC

### Building Height

Maximum Height - 164'  
 Proposed Height - 164' (12 Stories)

164'-0" (top of parapet), 170'-0" (top of mechanical)

### Maximum Residential Density Allowed

C2 Zone (use R5 Zone): 45,721 sf / 200 = 228 Units  
 35% Density Bonus: 80 Units  
 Maximum Density: 308 Units

### Residential\*\*

Proposed - 129 Units  
 Average Unit Area=1,194 sf

Live/Work 1BR (620 sf) - 15 Units (11.6%)  
 Live/Work 1BR (700 sf) - 5 Units (3.9%)  
 Live/Work 1BR (710 sf) - 5 Units (3.9%)  
 Live/Work 1BR (790 sf) - 15 Units (11.6%)  
 Live/Work 1BR (880 sf) - 5 Units (3.9%)  
 Live/Work 1BR (890 sf) - 5 Units (3.9%)  
 Live/Work 1BR + Den (1,000 sf) - 5 Units (3.9%)  
 Live/Work 1BR + Den (1,430 sf) - 40 Units (31.0%)

Penthouse 2BR (1,120 sf) - 6 Units (4.6%)  
 Penthouse 2BR + Den (1,310 sf) - 1 Unit (0.8%)  
 Penthouse 2BR + Den (1,390 sf) - 3 Units (2.3%)  
 Penthouse 2BR + Den (1,400 sf) - 1 Unit (0.8%)  
 Penthouse 2BR + Den (1,570 sf) - 3 Units (2.3%)  
 Penthouse 2BR + Den (1,640 sf) - 2 Units (1.6%)  
 Penthouse 2BR + Den (1,730 sf) - 2 Units (1.6%)  
 Penthouse 2BR + Den (1,740 sf) - 12 Units (9.2%)  
 Penthouse 2BR + Den (2,050 sf) - 1 Unit (0.8%)  
 Penthouse 2BR + Den (2,080 sf) - 3 Units (2.3%)

\*\* 11% Very Low Income Affordable Units: 15 Units

### Hotel

Proposed - 113 Rooms

Guest (390 sf) - 77 Rooms (68.1%)  
 Guest (425 sf) - 7 Rooms (6.2%)  
 Guest (465 sf) - 7 Rooms (6.2%)  
 Guest (630 sf) - 15 Rooms (13.3%)  
 Suite (790 sf) - 4 Rooms (3.5%)  
 Suite (820 sf) - 1 Room (0.9%)  
 Suite (865 sf) - 1 Room (0.9%)  
 Suite (1,025 sf) - 1 Room (0.9%)

### Open Space Required - 16,275 sf

50 Units (< 3 Habitable Rms) x 100 sf = 5,000 sf  
 51 Units (= 3 Habitable Rms) x 125 sf = 6,375 sf  
 28 Units (> 3 Habitable Rms) x 175 sf = 4,900 sf

### Open Space Provided - 22,500 sf

3rd Level Terrace - 9,000 sf  
 Roof Garden, Pool, Terrace - 13,500 sf

### Residential Storage - 17,800 sf

Located on Level B1

### Vehicular Parking

#### Residential - 149 Spaces

50 Units (< 3 Habitable Rooms) @ 1:1 = 50  
 79 Units (≥ 3 Habitable Rooms) @ 1.25:1 = 99

#### Hotel - 27 Spaces

1-20 Rooms @ .5:1 = 10  
 21-40 Rooms @ .25:1 = 5  
 41-113 Rooms @ .17:1 = 12

#### Commercial - 164 Spaces

Retail - 27,888 sf (1:500) = 56 Spaces  
 Restaurant - 32,283 sf (1:500) = 65 Spaces  
 Art Gallery - 17,755 sf (1:500) = 36 Spaces  
 Artist Colab - 3,400 sf (1:500) = 7 Spaces

### Parking Required: 289 Spaces\*

#### Parking Provided - 304 Spaces Total

270 Automated Parking Spaces  
 34 Valet Parking Spaces

\*Note: 51 Parking Stall Reduction (per bike parking ordinance)

Residential/Hotel = 176 x 0.1 = 18 Spaces  
 Commercial = 164 x 0.2 = 33 Spaces  
 Total Parking Reduction = 51 Spaces

### Bicycle Parking

	Long Term (@ B1 Level)	Short Term (@ Ground Level)
Residential	See Below - 89 Spaces	See Below - 8 Spaces
Hotel	113 Rooms / 10 = 11 Spaces	113 Rooms / 10 = 11 Spaces
Retail	27,888 / 2,000 = 14 Spaces	27,882 / 2,000 = 14 Spaces
Restaurant	32,283 / 2,000 = 17 Spaces	32,283 / 2,000 = 17 Spaces
Art Gallery	17,755 / 10,000* = 2 Spaces	17,755 / 10,000* = 2 Spaces
Artist Colab	3,400 / 5,000* = 2 Spaces	3,400 / 10,000* = 2 Spaces
<b>Required</b>	<b>135 Spaces</b>	<b>54 Spaces</b>
<b>Provided</b>	<b>170 Spaces</b>	<b>54 Spaces</b>

\*Min. 2 Spaces

### Density = 129 Units

#### Long Term

1-25 Units = 25 / 1 = 25 Spaces  
 25-100 Units = 75 / 1.5 = 50 Spaces  
 100-129 Units = 29 / 2 = 14 Spaces  
**Total LT Bike Parking Required = 89 Spaces**

#### Short Term

1-25 Units = 25 / 10 = 2 Spaces  
 25-100 Units = 75 / 15 = 5 Spaces  
 100-129 Units = 29 / 20 = 1 Spaces  
**Total ST Bike Parking Required = 8 Spaces**

# 1



INCORPORATED

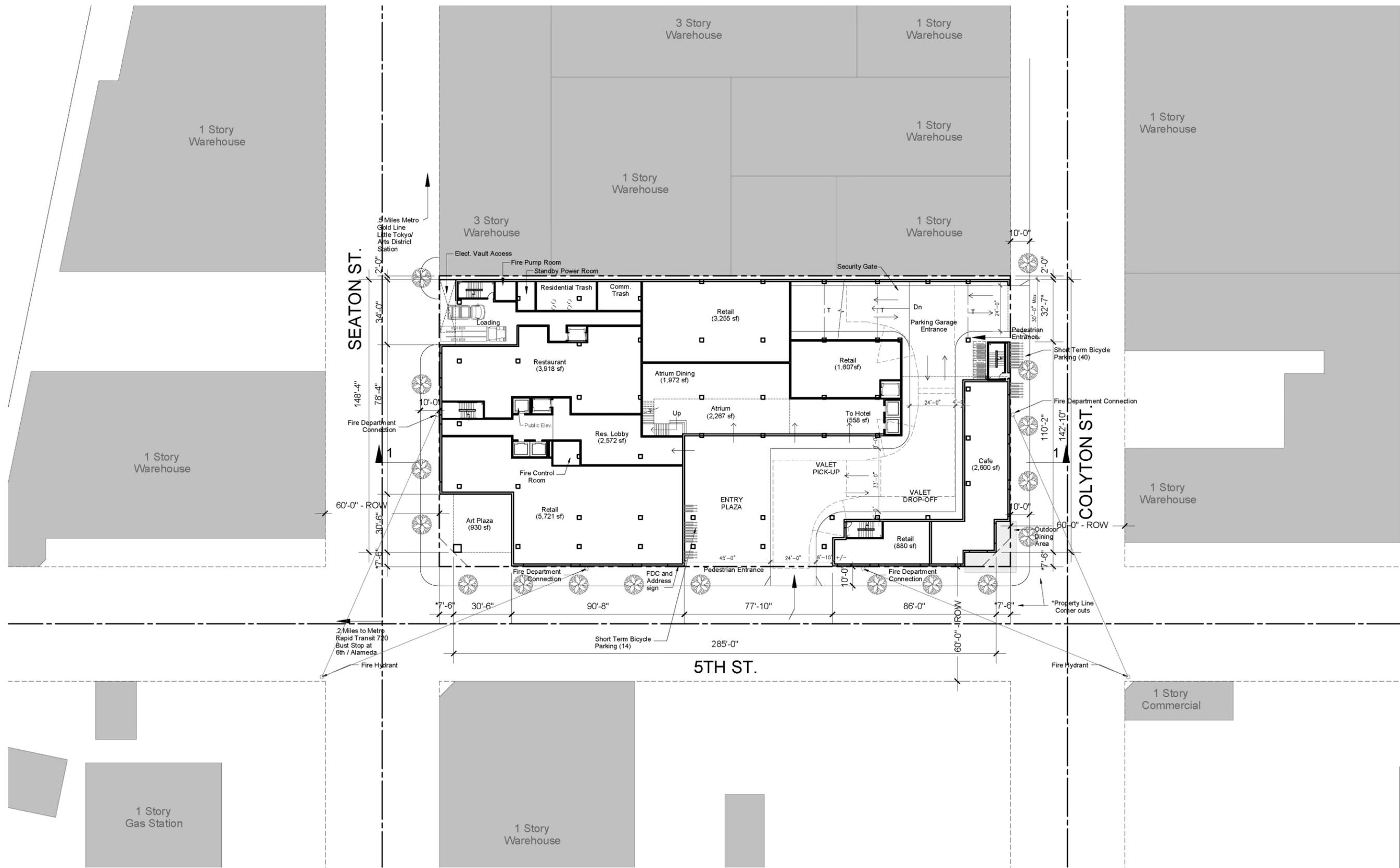
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# Arts District Center

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Arts District Development, LLC

Site Plan



2

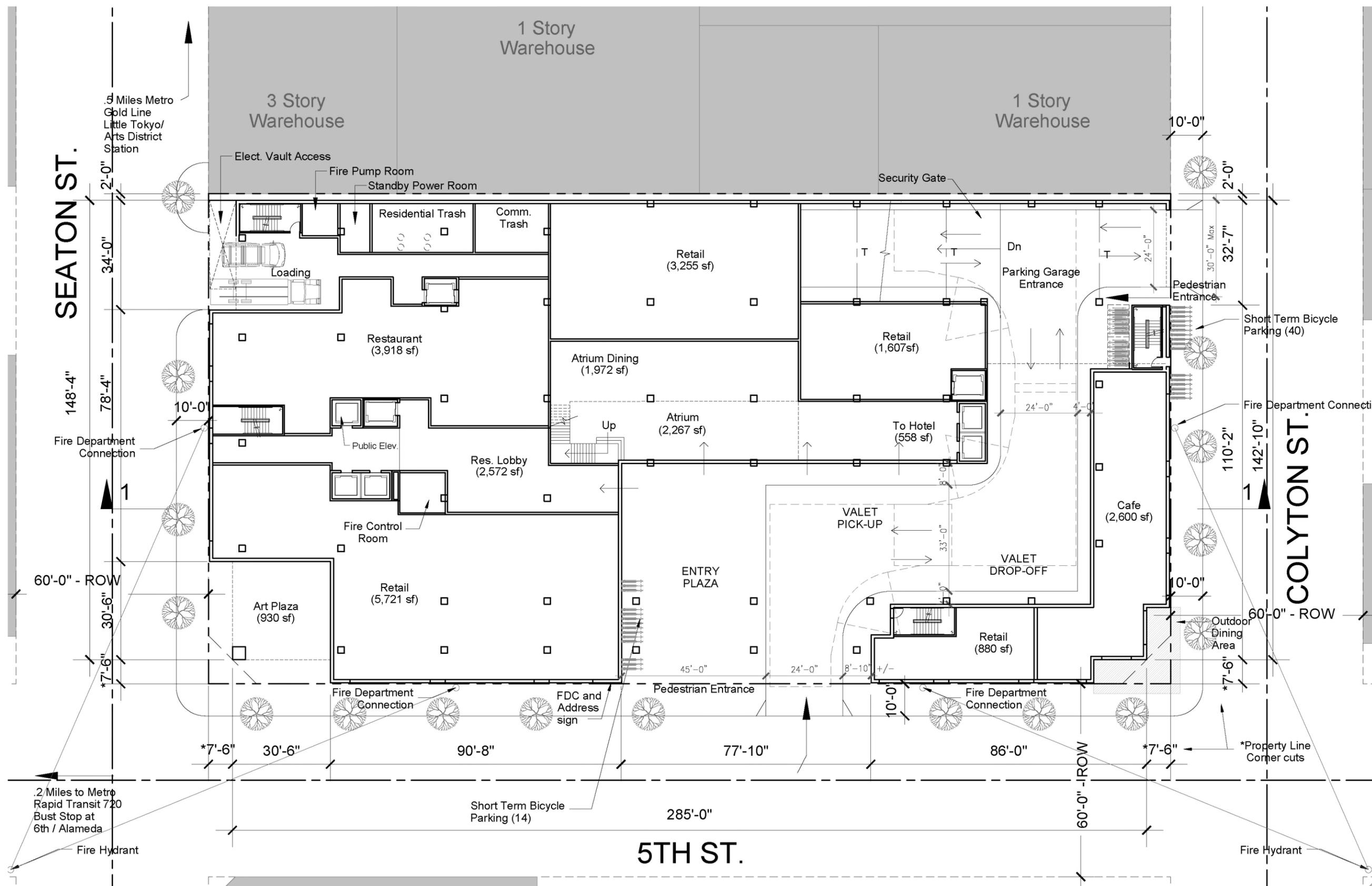


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3

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Ground Level Plan



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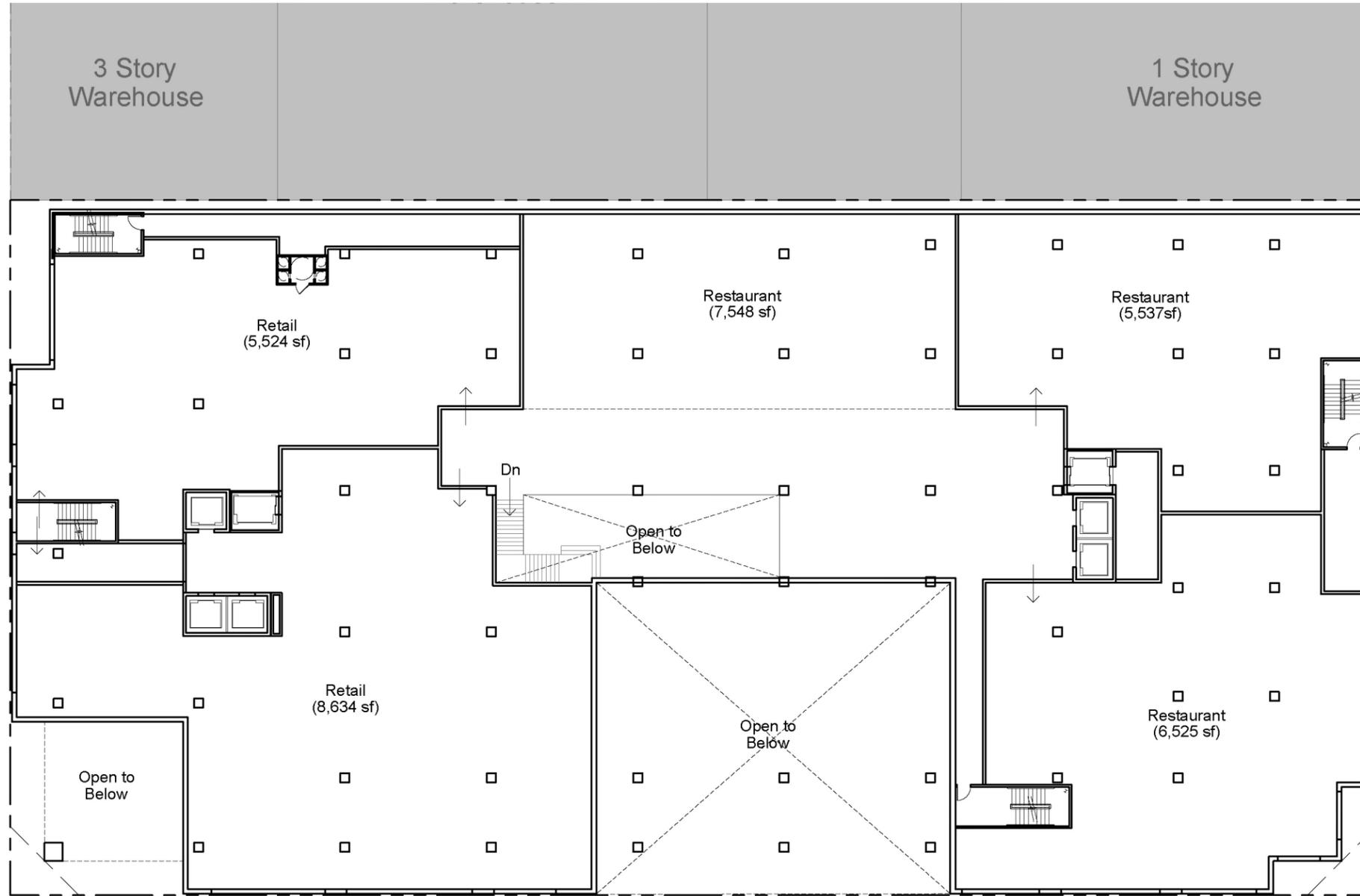
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SEATON ST.

COLYTON ST.



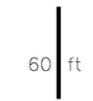
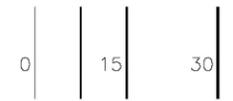
5TH ST.

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2nd Level Plan



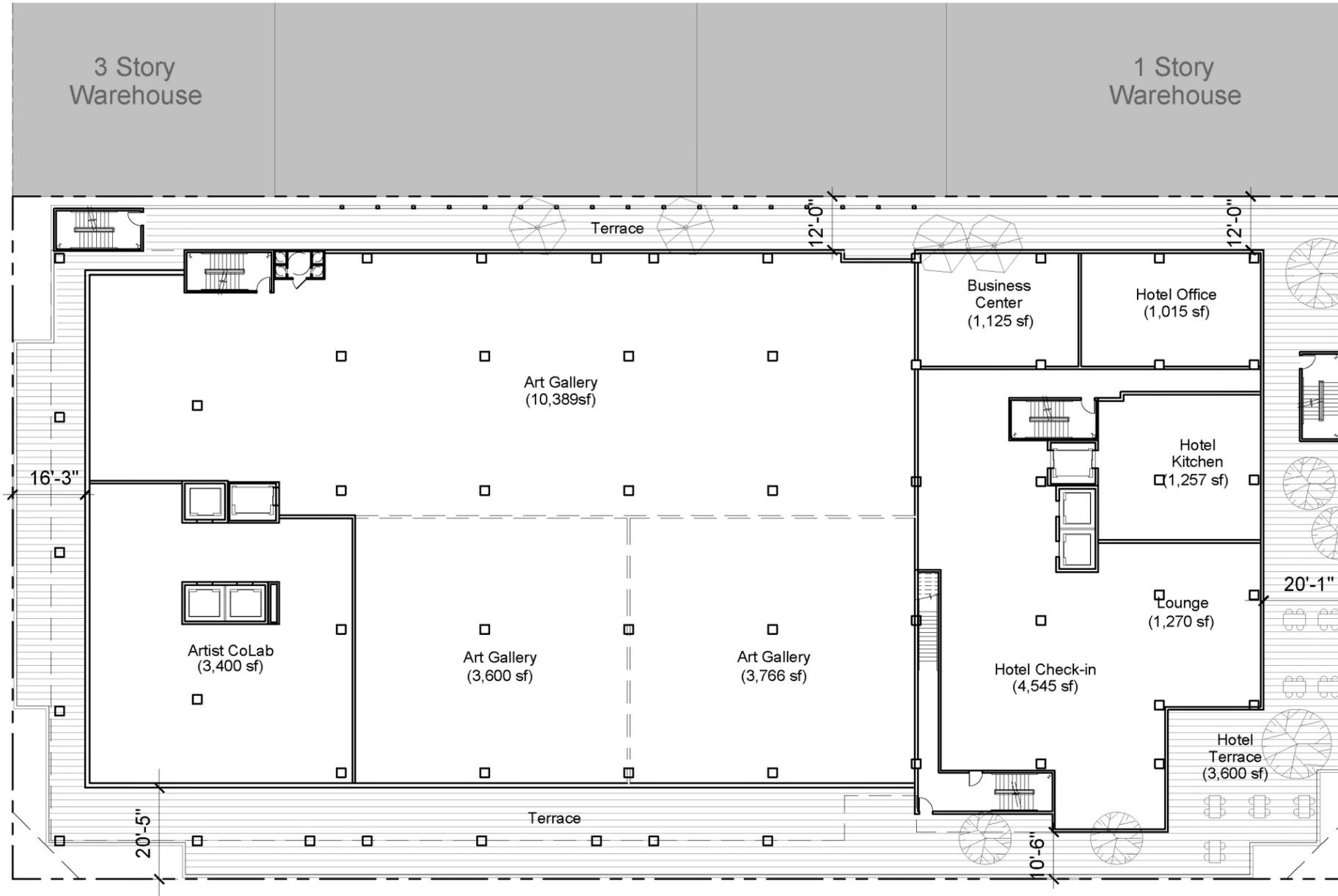
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SEATON ST.

COLYTON ST.



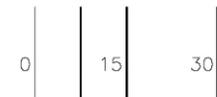
5TH ST.

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3rd Level Plan



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COLYTON ST.



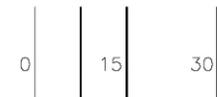
5TH ST.

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4th-8th Level Plan



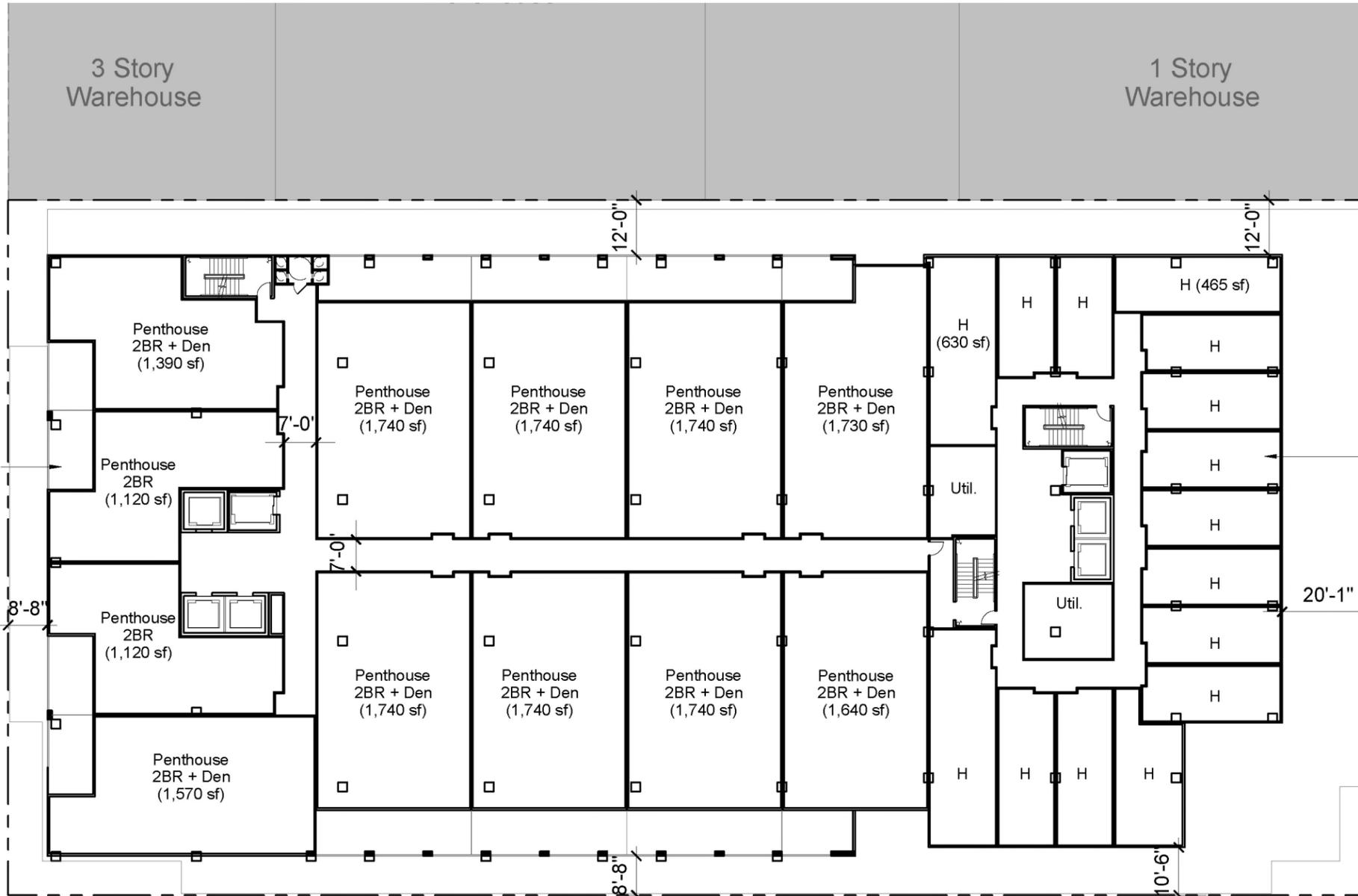
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COLYTON ST.



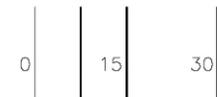
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9th - 10th Level Plan



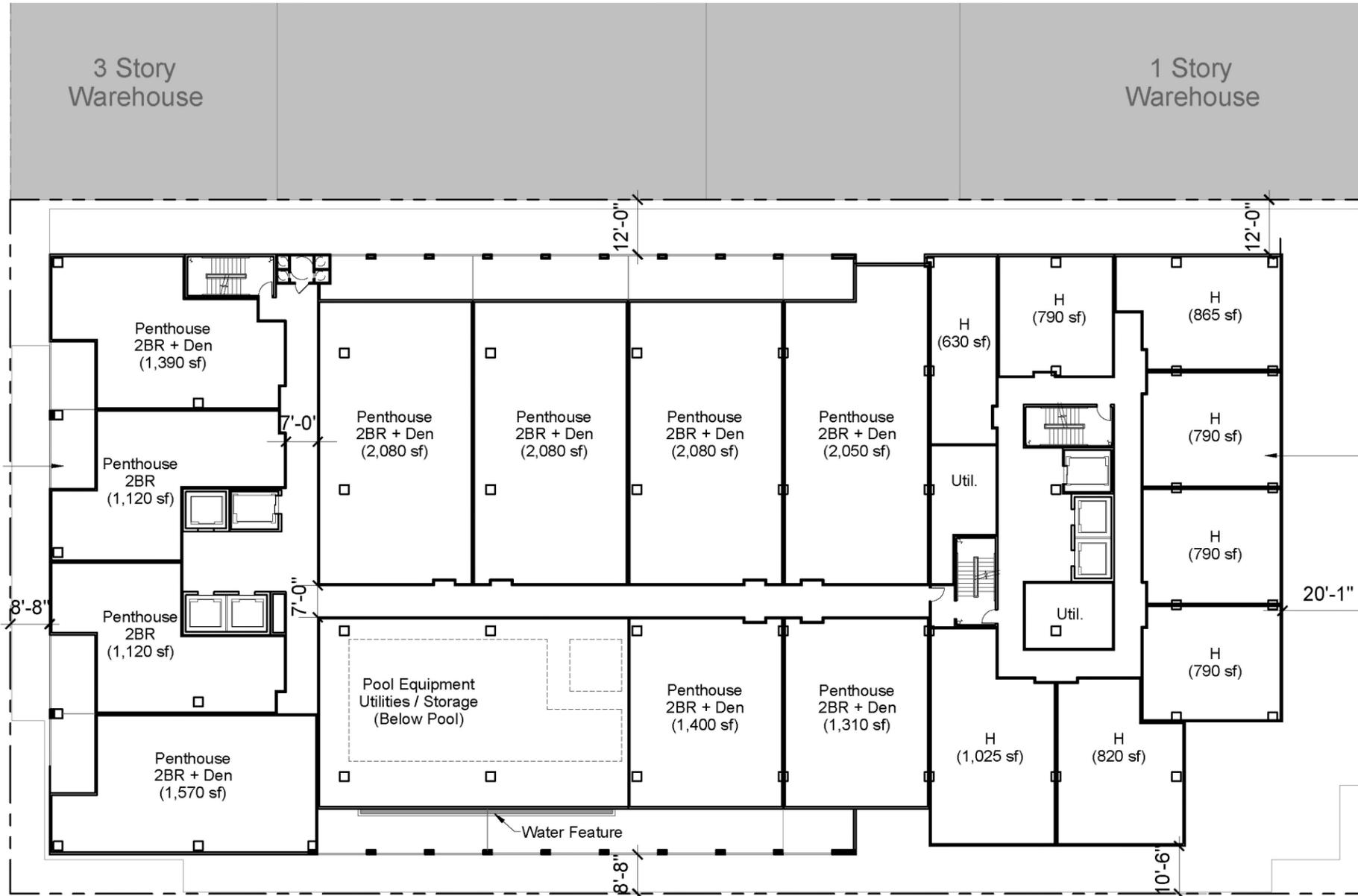
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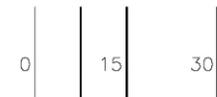
5TH ST.

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11th Level Plan



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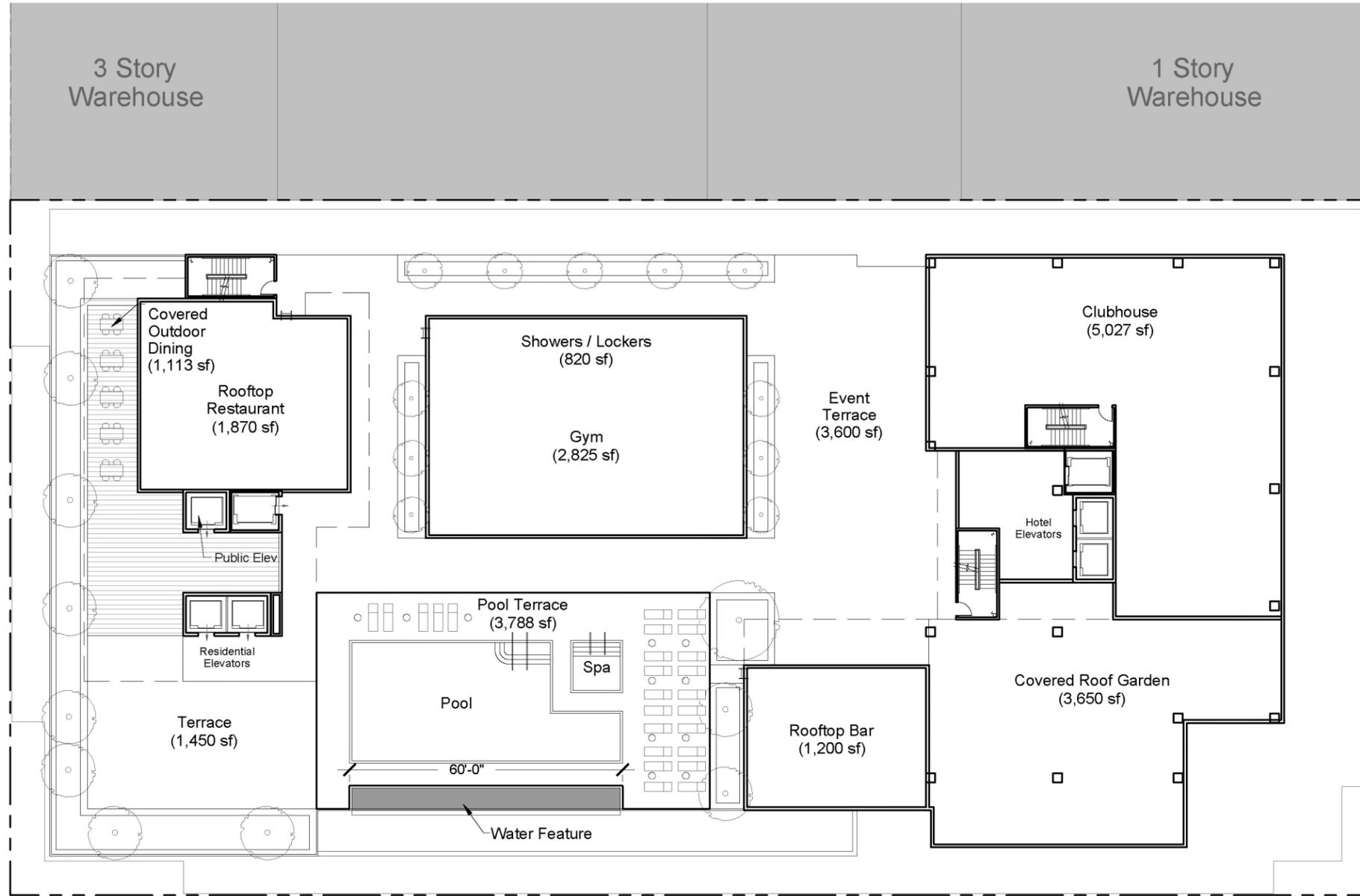
November 4, 2019

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SEATON ST.

COLYTON ST.



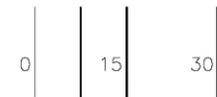
5TH ST.

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12th Level Plan



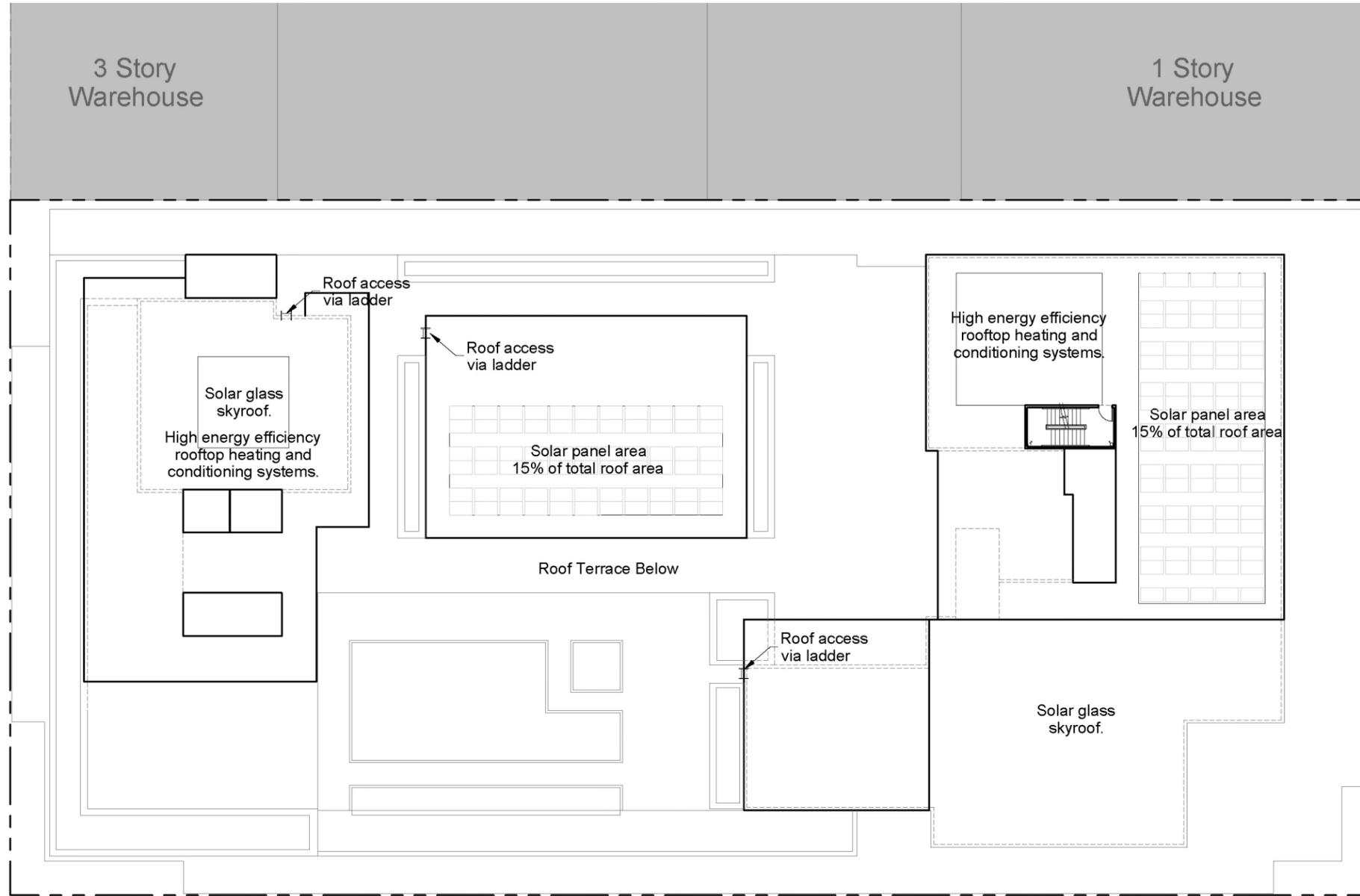
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November 4, 2019

SEATON ST.

COLYTON ST.



5TH ST.

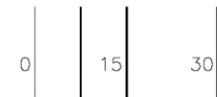
10

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Roof Plan



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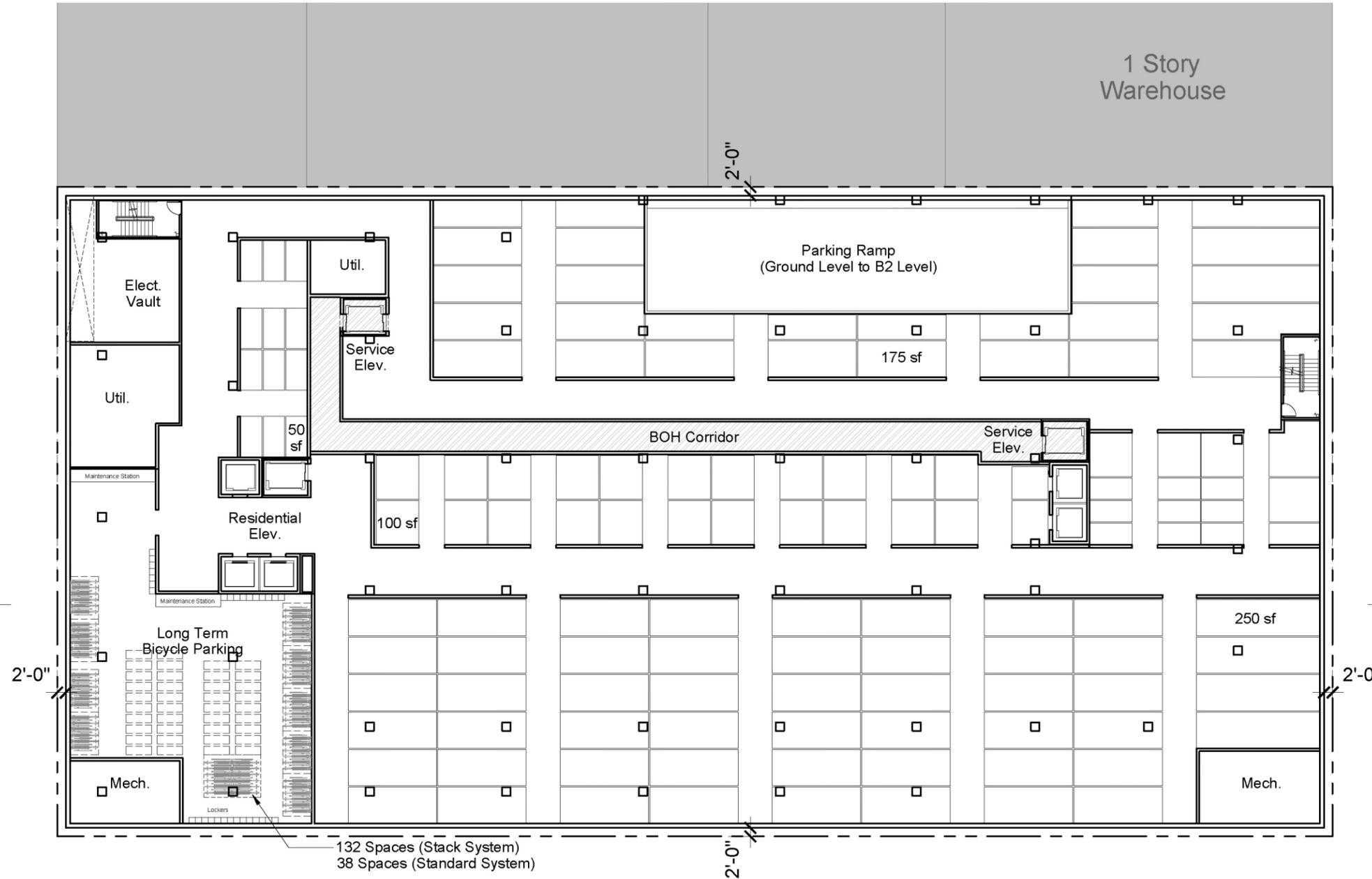
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SEATON ST.

COLYTON ST.



**Resident Storage Tabulation**

50 sf Unit	22
100 sf Unit	34
175 sf Unit	66
250 sf Unit	7
<b>Total Units =</b>	<b>129</b>

**Total Storage Area = +/-17,800 sf**  
**Average Storage Unit Size = +/-138 sf**

5TH ST.

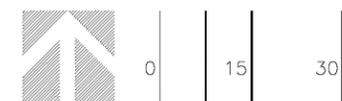
11

**Arts District Center**

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**Arts District Development, LLC**

B1 Level Plan



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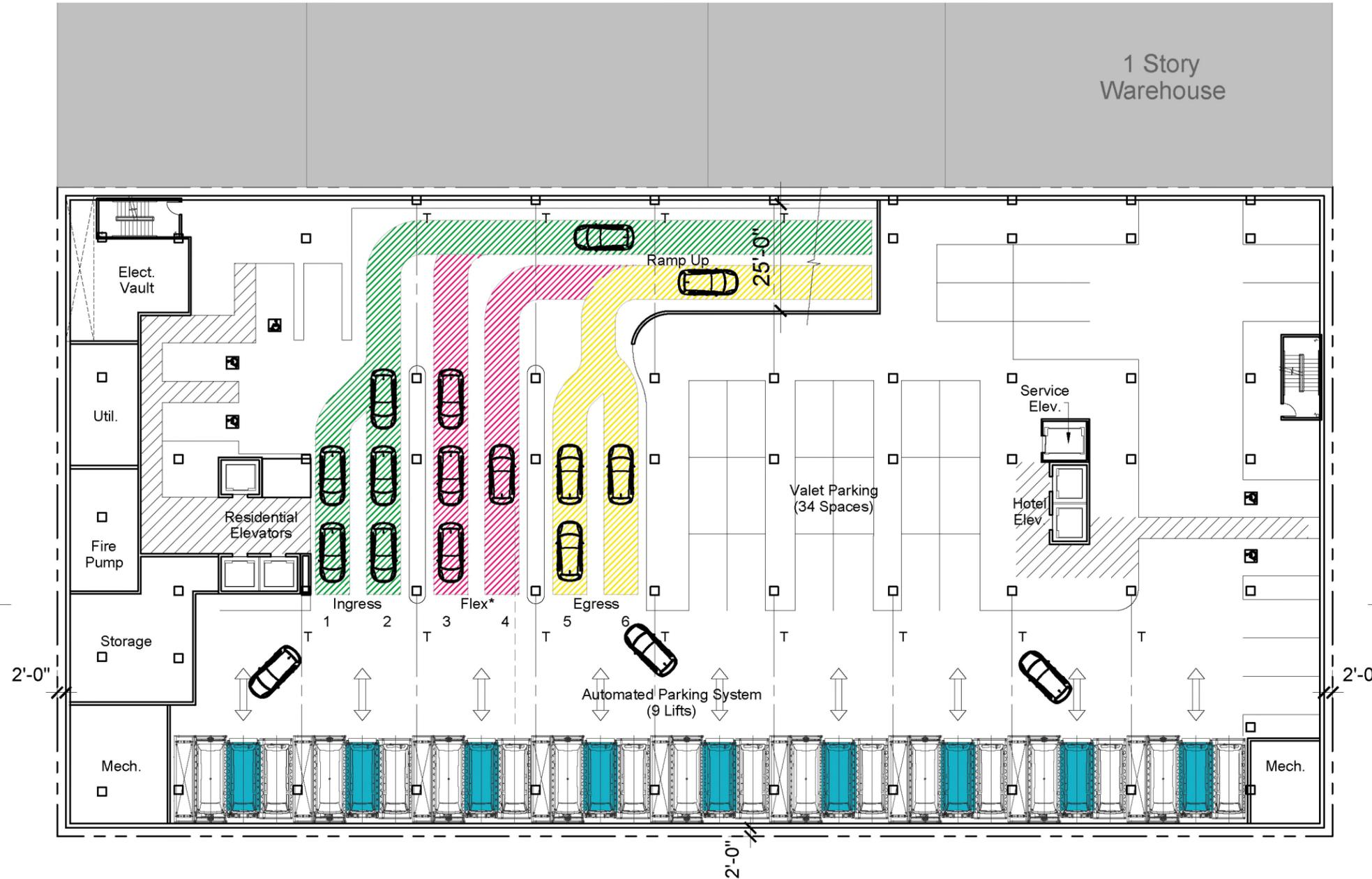
**EXHIBIT A**  
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SEATON ST.

COLYTON ST.



NOTE:  
Transfer Beam: T

NOTE:  
\*Flex Lanes are reversible  
depending on peak traffic flows.

5TH ST.

12

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**Arts District Development, LLC**

B2 Level Plan  
 Automated Parking / Queuing Diagram

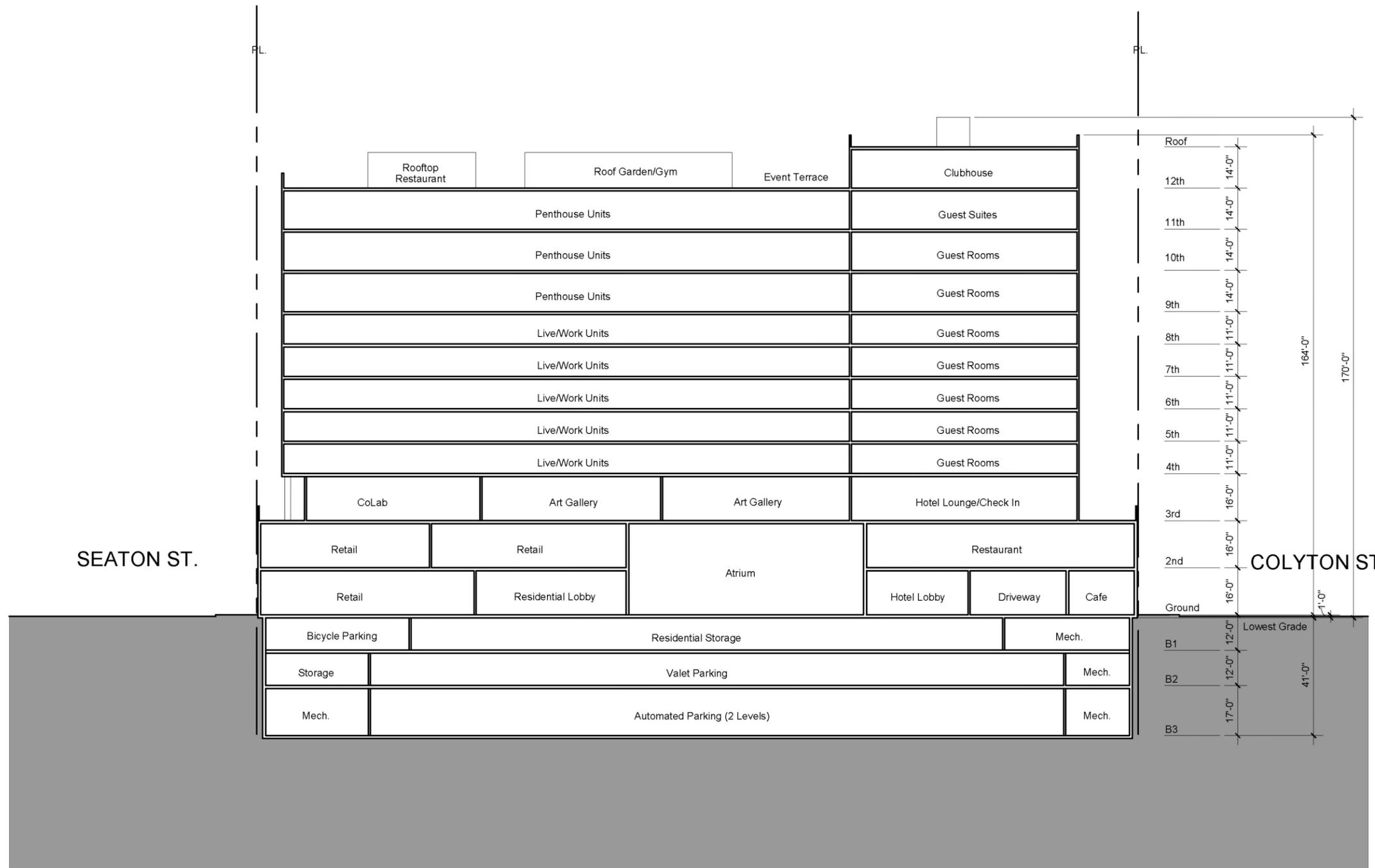


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# Arts District Center

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## Building Section



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- |   |                                  |
|---|----------------------------------|
| 1. Glass Guardrail                        | 10. Metal Awning                 |
| 2. Photovoltaic Curtain Wall with Artwork | 11. Metal Canopy                 |
| 3. Residential Window                     | 12. Art Plaza                    |
| 4. Window Wall Glass                      | 13. Porte Cochere                |
| 5. Storefront @ Retail                    | 14. Sectional Glass Roll-up Door |
| 6. Brick Veneer                           | 15. Metal Panel                  |
| 7. Tenant Signage                         | 16. Covered Roof Terrace         |
| 8. Project Signage                        | 17. Roof Terrace                 |
| 9. Terrace                                |                                  |

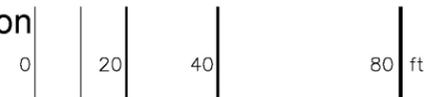
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# Arts District Center

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5th Street (South) Elevation



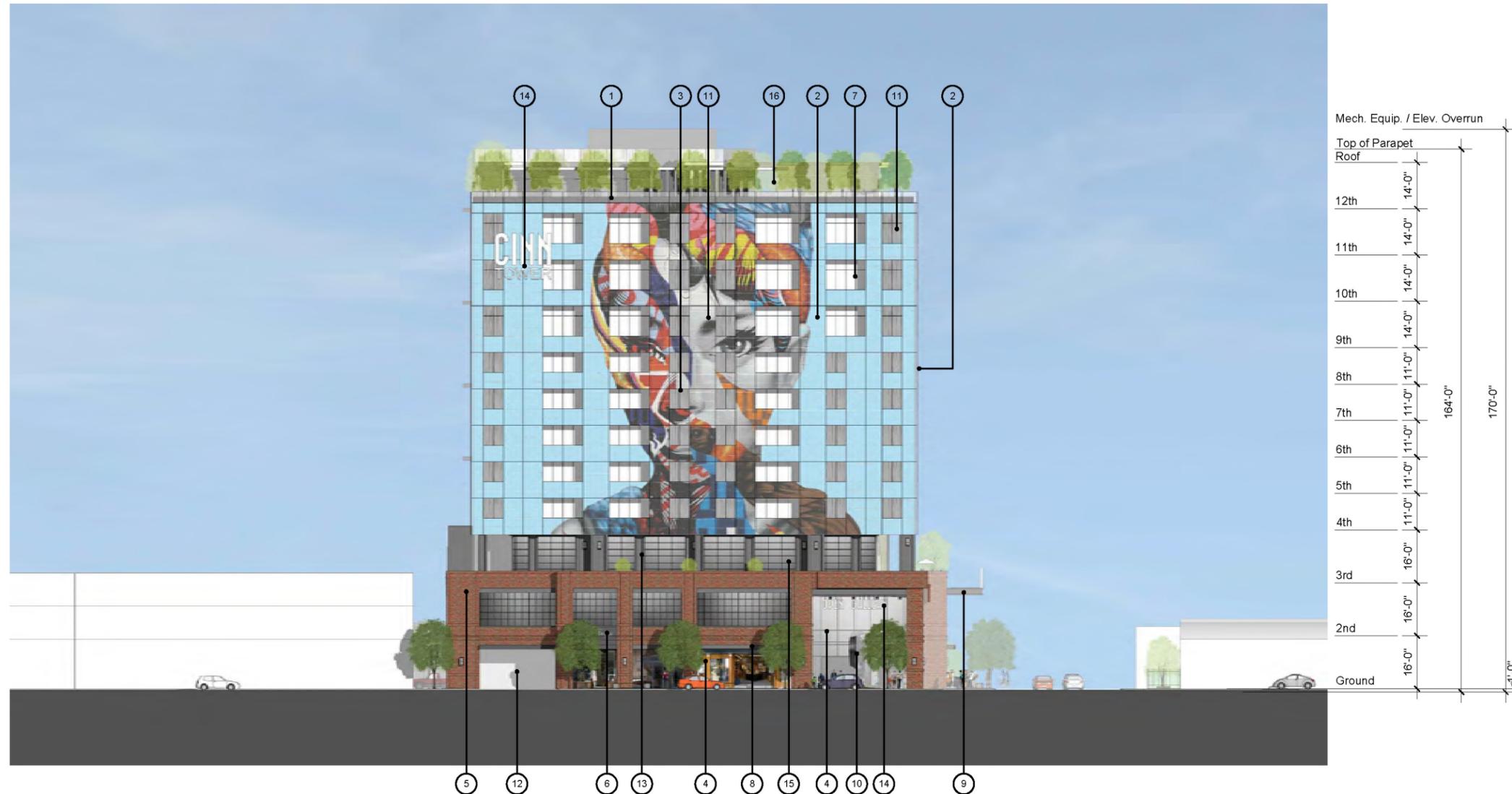
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November 4, 2019

October 30, 2019



- |   |                                  |
|---|----------------------------------|
| 1. Glass Guardrail                        | 9. Metal Canopy                  |
| 2. Photovoltaic Curtain Wall with Artwork | 10. Art Plaza                    |
| 3. Residential Window                     | 11. Residential Window           |
| 4. Commercial Storefront                  | 12. Loading Dock                 |
| 5. Brick Veneer                           | 13. Metal Panel                  |
| 6. Tenant Signage                         | 14. Project Signage              |
| 7. Terrace                                | 15. Sectional Glass Roll-up Door |
| 8. Metal Awning                           | 16. Roof Terrace                 |

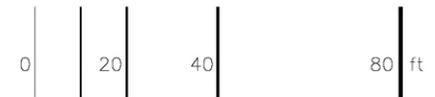
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Arts District Development, LLC

## Seaton Street (West) Elevation



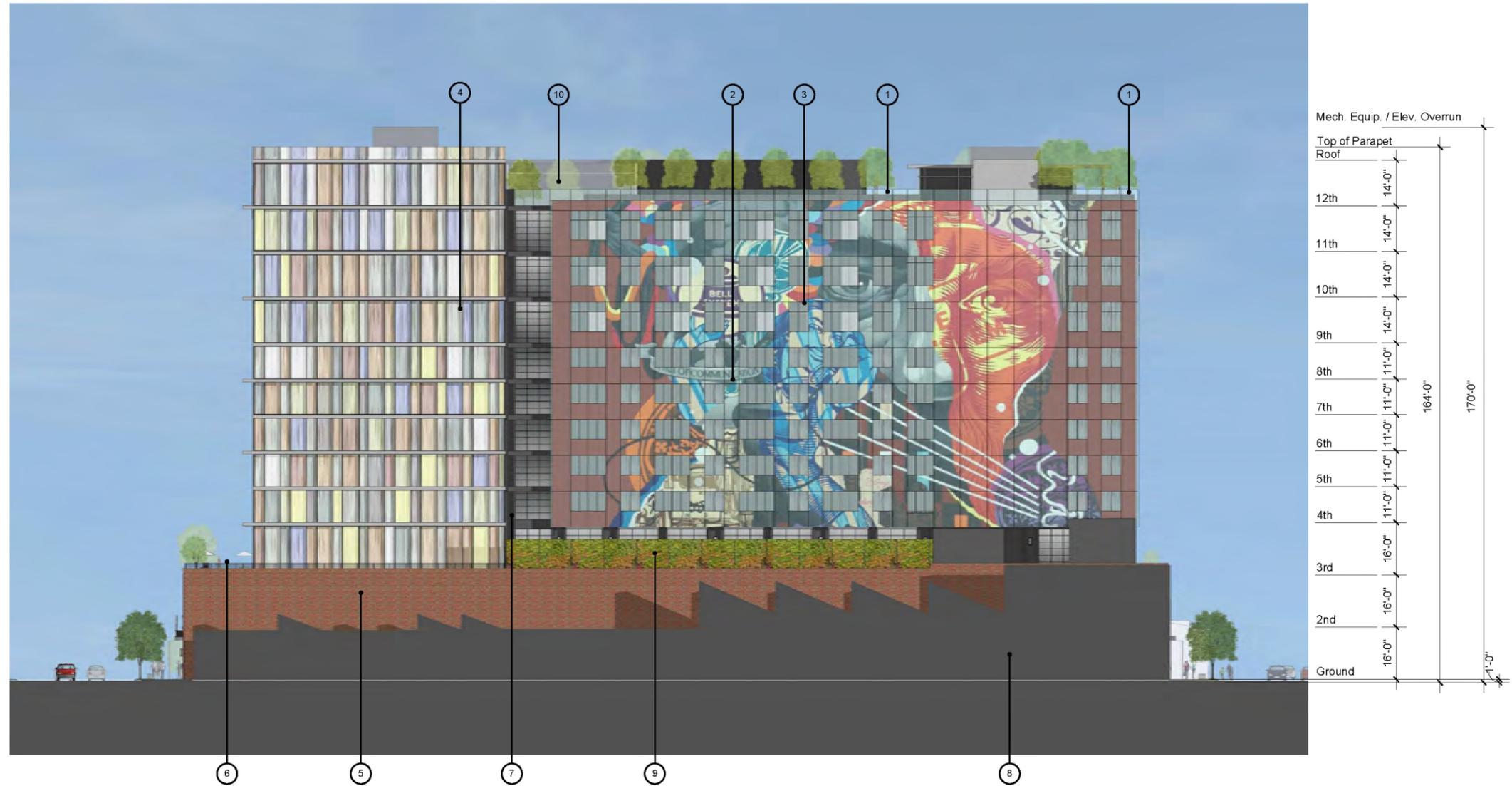
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November 4, 2019

October 30, 2019



- 1. Glass Guardrail
- 2. Photovoltaic Curtain Wall with Artwork
- 3. Residential Window
- 4. Window Wall Glass
- 5. Brick Veneer
- 6. Terrace
- 7. Metal Panel
- 8. Existing Adjacent Building
- 9. Landscape Screen Wall
- 10. Roof Terrace

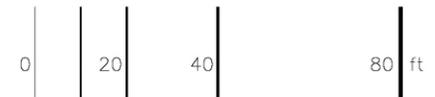
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North Elevation



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SMITH  
MARTIN

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- |   |                          |
|---|--------------------------|
| 1. Glass Guardrail                        | 7. Project Signage       |
| 2. Photovoltaic Curtain Wall with Artwork | 8. Metal Canopy          |
| 3. Window Wall Glass                      | 9. Metal Awning          |
| 4. Commercial Storefront                  | 10. Parking Garage Entry |
| 5. Brick Veneer                           | 11. Terrace              |
| 6. Tenant Signage                         | 12. Covered Roof Garden  |

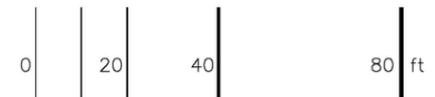
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### Colyton Street (East) Elevation



# 18



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Birds Eye View Looking Northeast from Seaton St.

## Arts District Center

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Arts District Development, LLC

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October 30, 2019

ARCHITECTS

TOGAWA  
 SMITH  
 MARTIN

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 Renderings shown for illustration purposes only.

## Arts District Center

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Birds Eye View from E. 5th St. and Seaton St. Intersection

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**November 4, 2019**

20

ARCHITECTS

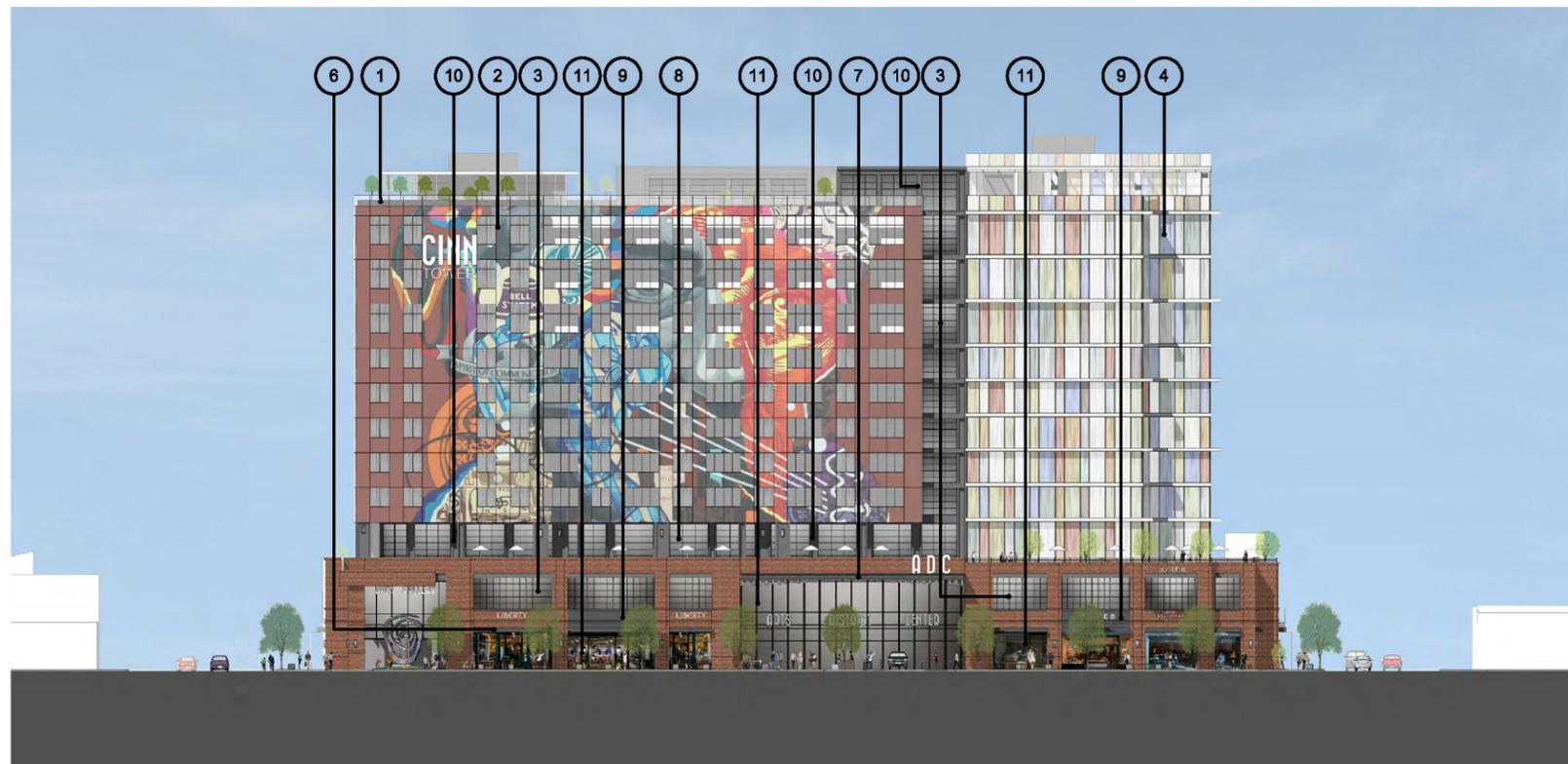
TOGAWA  
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**1** Glass Guardrail  
Metal Portion to Match Anodized Aluminum Arcadia or Equal



**2** Photovoltaic Curtain Wall with Custom Artwork  
Onyx Solar or Equal



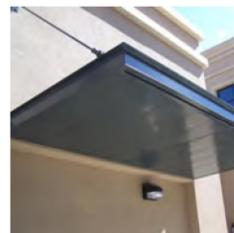
**3** Industrial Window  
Aluminum Frame Dark Bronze Accuratedorwin or Equal



**4** Hotel Window Wall  
Low-E Glass Light Gray Tint PPG or Equal



**5** Brick Veneer  
Custom Rustic Blend Equal



**6** Metal Awning  
Electrolurgy Manufacturing or Equal To Match DE 6383 Bank Vault Dunn Edwards or Equal



**7** Metal Canopy  
Electrolurgy Manufacturing or Equal To Match DE 6383 Bank Vault Dunn Edwards or Equal



**8** Glass Roll-up Door  
Frame To Match DE 6368 Walrus Crown Incorporated or Equal



**9** ACM -Metal Panel  
To Match DE 6368 Walrus Omega Panel or Equal



**10** Metal Panel  
To Match DE 6368 Walrus Roll Fab or Equal



**11** Storefront  
To Match Dark Bronze Aluminum Arcadia or Equal

# Arts District Center

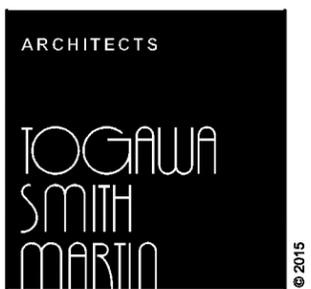
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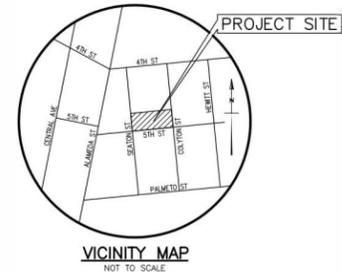
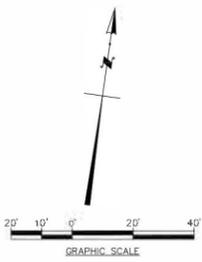
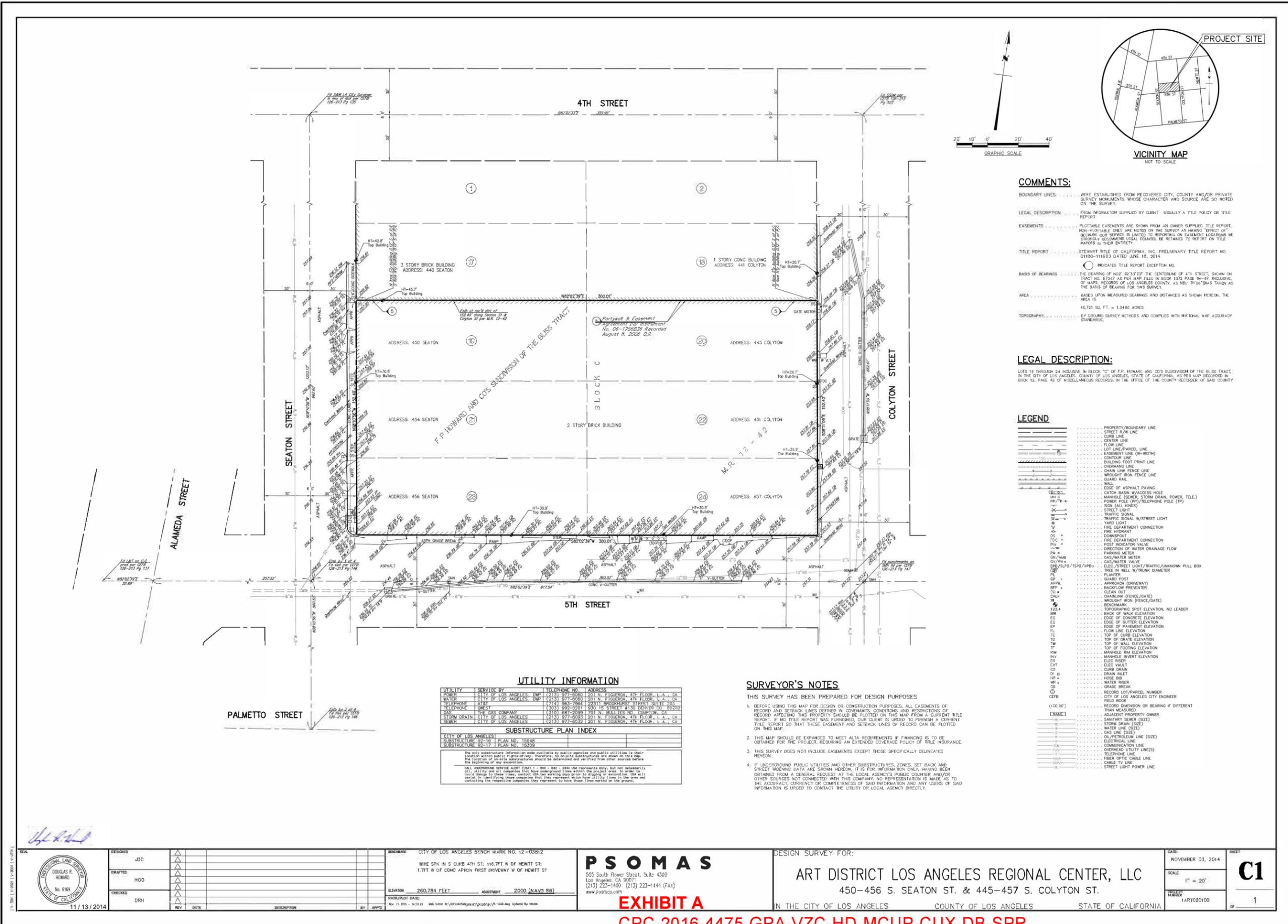
## Material Board

**EXHIBIT A**  
CPC-2016-4475-GPA-VZC-HD-MCUP-CUX-DB-SPR  
November 4, 2019

October 30, 2019



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Los Angeles, California 90071  
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**COMMENTS:**

BOUNDARY LINES: ... WERE ESTABLISHED FROM RECOVERED CITY, COUNTY AND/OR PRIVATE SURVEY MONUMENTS WHOSE CHARACTER AND SOURCE ARE SO NOTED ON THIS SURVEY.

LEGAL DESCRIPTION: ... FROM INFORMATION SUPPLIED BY CLIENT. USUALLY A TITLE POLICY OR TITLE REPORT.

EASEMENTS: ... PLOTTABLE EASEMENTS ARE SHOWN FROM AN OWNER SUPPLIED TITLE REPORT. NON-PLOTTABLE ONES ARE NOTED ON THE SURVEY AS HAVING REFLECTED. BECAUSE OUR SERVICE IS LIMITED TO REPORTING ON EASEMENT LOCATIONS WE STRONGLY RECOMMEND LOCAL COUNSEL BE RETAINED TO REPORT ON TITLE PAPERS IN THEIR ENTIRETY.

TITLE REPORT: ... STEWART TITLE OF CALIFORNIA, INC. PRELIMINARY TITLE REPORT NO. 01180-111683 DATED JUNE 19, 2014.

INDICATES TITLE REPORT EXCEPTION NO.

BASES OF BEARINGS: ... THE BEARING OF N12° 00'31" E OF THE CENTERLINE OF 4TH STREET, SHOWN ON TRACT NO. 87247 AS PER MAP FILED IN BOOK 1372 PAGE 84-89, INCLUSIVE, OF MAPS, RECORDS OF LOS ANGELES COUNTY, AS N19° 51'04" WAS TAKEN AS THE BASIS OF BEARING FOR THIS SURVEY.

AREA: ... BASED UPON MEASURED BEARINGS AND DISTANCES AS SHOWN HEREON, THE AREA IS 45,721 SQ. FT. = 1.0486 ACRES.

TOPOGRAPHY: ... BY GROUND SURVEY METHODS AND COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS.

**LEGAL DESCRIPTION:**

LOTS 19 THROUGH 24 INCLUSIVE IN BLOCK "C" OF F.P. HOWARD AND CO'S SUBDIVISION OF THE BLISS TRACT, IN THE CITY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 12, PAGE 42 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

**LEGEND**

---	PROPERTY/BOUNDARY LINE
---	STREET P/W LINE
---	CURB LINE
---	CENTER LINE
---	FLOW LINE
---	LOT LINE/PARCEL LINE
---	EASEMENT LINE (E=WIDTH)
---	CONTOUR LINE
---	BUILDING FOOT PRINT LINE
---	OVERHANG LINE
---	CHAIN LINK FENCE LINE
---	WROUGHT IRON FENCE LINE
---	QUARD RAIL
---	WALL
---	EDGE OF ASPHALT PAVING
---	CATCH BASIN W/ACCESS HOLE
---	MANHOLE (SINK, STORM DRAIN, POWER, TELE)
---	POWER POLE (PP), TELEPHONE POLE (TP)
---	SIGN (ALL KINDS)
---	STREET LIGHT
---	TRAFFIC SIGNAL
---	TRAFFIC SIGNAL W/STREET LIGHT
---	YARD LIGHT
---	FIRE DEPARTMENT CONNECTION
---	FIRE HYDRANT
---	DOWNSPOUT
---	FIRE DEPARTMENT CONNECTION
---	POST INDICATOR VALVE
---	DIRECTION OF WATER DRAINAGE FLOW
---	PARKING METER
---	GAS/WATER METER
---	GAS/WATER VALVE
---	ELEC. STREET LIGHT/TRAFFIC/UNKNOWN FULL BOX
---	TREE IN WELL W/TRUNK DIAMETER
---	PLANTER
---	GUARD POST
---	APPROACH (DRIVEWAY)
---	BACKFLOW PREVENTER
---	CLEAN OUT
---	CHAINLINK (FENCE/GATE)
---	WROUGHT IRON (FENCE/GATE)
---	BENCHMARK
---	TOPOGRAPHIC SPOT ELEVATION, NO LEADER
---	BACK OF WALK ELEVATION
---	EDGE OF CONCRETE ELEVATION
---	EDGE OF GUTTER ELEVATION
---	EDGE OF PAVEMENT ELEVATION
---	FLOW LINE ELEVATION
---	TOP OF CURB ELEVATION
---	TOP OF GRATE ELEVATION
---	TOP OF WALL ELEVATION
---	TOP OF FOOTING ELEVATION
---	MANHOLE RIM ELEVATION
---	ELEC. RISER
---	ELEC. WALK
---	CURB DRAIN
---	DRAIN INLET
---	WATER RISER
---	HOSE BIB
---	GRADE BREAK
---	RECORD LOT/PARCEL NUMBER
---	CITY OF LOS ANGELES CITY ENGINEER FIELD BOOK
---	RECORD DIMENSION OR BEARING IF DIFFERENT THAN MEASURED
---	ADJACENT PROPERTY OWNER
---	SANITARY SEWER (SIZE)
---	STORM DRAIN (SIZE)
---	WATER LINE (SIZE)
---	GAS LINE (SIZE)
---	OL/PETROLEUM LINE (SIZE)
---	ELECTRICAL LINE
---	COMMUNICATION LINE
---	OVERHEAD UTILITY LINE(S)
---	TELEPHONE LINE
---	FIBER OPTIC CABLE LINE
---	CABLE TV LINE
---	STREET LIGHT POWER LINE

**UTILITY INFORMATION**

UTILITY	SERVICE BY	TELEPHONE NO.	ADDRESS
WATER	CITY OF LOS ANGELES, DWP	(213) 977-0500	201 N. FIGUEROA, 4TH FLOOR, L.A., CA
WASTE	CITY OF LOS ANGELES, DWP	(213) 977-0500	201 N. FIGUEROA, 4TH FLOOR, L.A., CA
TELEPHONE	AT&T	(714) 985-7100	2011 BROADWAY, 21ST FLOOR, SUITE 200
TELEPHONE	QWEST	(408) 892-0001	500 IS STREET #100 DENVER, CO, 80202
WIRE	THE BELL COMPANY	(310) 687-2000	701 W. BELLVIEW, COMMERCE, CA
STORM DRAIN	CITY OF LOS ANGELES	(213) 977-0500	201 N. FIGUEROA, 4TH FLOOR, L.A., CA
SEWER	CITY OF LOS ANGELES	(213) 977-0500	201 N. FIGUEROA, 4TH FLOOR, L.A., CA

**SUBSTRUCTURE PLAN INDEX**

CITY OF LOS ANGELES	SUBSTRUCTURE	PLAN NO.	PLAN NO.
	SEWER	22-19	150-48
	STORM DRAIN	22-17	150-29

The utility substructure information made available by public agencies and public utilities is their location within public rights-of-way. Therefore, no on-site substuctures are shown on this map. The location of on-site substuctures should be determined and verified from other sources before beginning any construction.

CALL UNDERGROUND SERVICE ALERT (USA) 1-800-842-2444 USA represents many, but not necessarily all, utilities and companies that have underground lines within the project area. It is the client's responsibility to contact these lines, contact USA the working days prior to digging or excavation. USA will assist in identifying those companies that they represent, which have utility lines in the area and contacting the respective companies they represent to have those lines marked on the ground.

**SURVEYOR'S NOTES**

THIS SURVEY HAS BEEN PREPARED FOR DESIGN PURPOSES

- BEFORE USING THIS MAP FOR DESIGN OR CONSTRUCTION PURPOSES, ALL EASEMENTS OF RECORD AND SETBACK LINES DEFINED IN COVENANTS, CONDITIONS AND RESTRICTIONS OF RECORD AFFECTING THIS PROPERTY SHOULD BE PLOTTED ON THIS MAP FROM A CURRENT TITLE REPORT. IF NO TITLE REPORT WAS FURNISHED, OUR CLIENT IS URGED TO FURNISH A CURRENT TITLE REPORT SO THAT THESE EASEMENT AND SETBACK LINES OF RECORD CAN BE PLOTTED ON THIS MAP.
- THIS MAP SHOULD BE EXPANDED TO MEET ALTA REQUIREMENTS IF FINANCING IS TO BE OBTAINED FOR THE PROJECT, REQUIRING AN EXTENDED COVERAGE POLICY OF TITLE INSURANCE.
- THIS SURVEY DOES NOT INCLUDE EASEMENTS EXCEPT THOSE SPECIFICALLY DELINEATED HEREON.
- IF UNDERGROUND PUBLIC UTILITIES AND OTHER SUBSTRUCTURES, ZONES, SET BACK AND STREET WIDENING DATA ARE SHOWN HEREON, IT IS FOR INFORMATION ONLY, HAVING BEEN OBTAINED FROM A GENERAL REQUEST AT THE LOCAL AGENCY'S PUBLIC COUNCIL AND/OR OTHER SOURCES NOT CONNECTED WITH THIS COMPANY. NO REPRESENTATION IS MADE AS TO THE ACCURACY, CURRENCY OR COMPLETENESS OF SAID INFORMATION AND ANY USERS OF SAID INFORMATION IS URGED TO CONTACT THE UTILITY OR LOCAL AGENCY DIRECTLY.



DESIGNED	DRAWN	CHECKED	DATE	DESCRIPTION	BY	APP'D
JDC	HGO	DRH	11/13/2014			

BENCHMARK: CITY OF LOS ANGELES BENCH MARK NO. 12-03512

WIRE SPK IN S CURB 4TH ST; 116.7FT W OF HEWITT ST;  
1.7FT W OF CONC ASPHON FIRST DRIVEWAY W OF HEWITT ST

ELEVATION 260.784 FEET ADJUSTMENT 2000 (NAVD 88)

DATE/PLANT DATE: Nov 13 2014 - 14:23:23 DWG Name: W:\01002001\01002001\14-000-04.dwg (updated by hobs)

**PSOMAS**

555 South Flower Street, Suite 4300  
Los Angeles, CA 90071  
(213) 223-1400 (213) 223-1444 (FAX)  
www.psomas.com

DESIGN SURVEY FOR:

**ART DISTRICT LOS ANGELES REGIONAL CENTER, LLC**

450-456 S. SEATON ST. & 445-457 S. COLYTON ST.

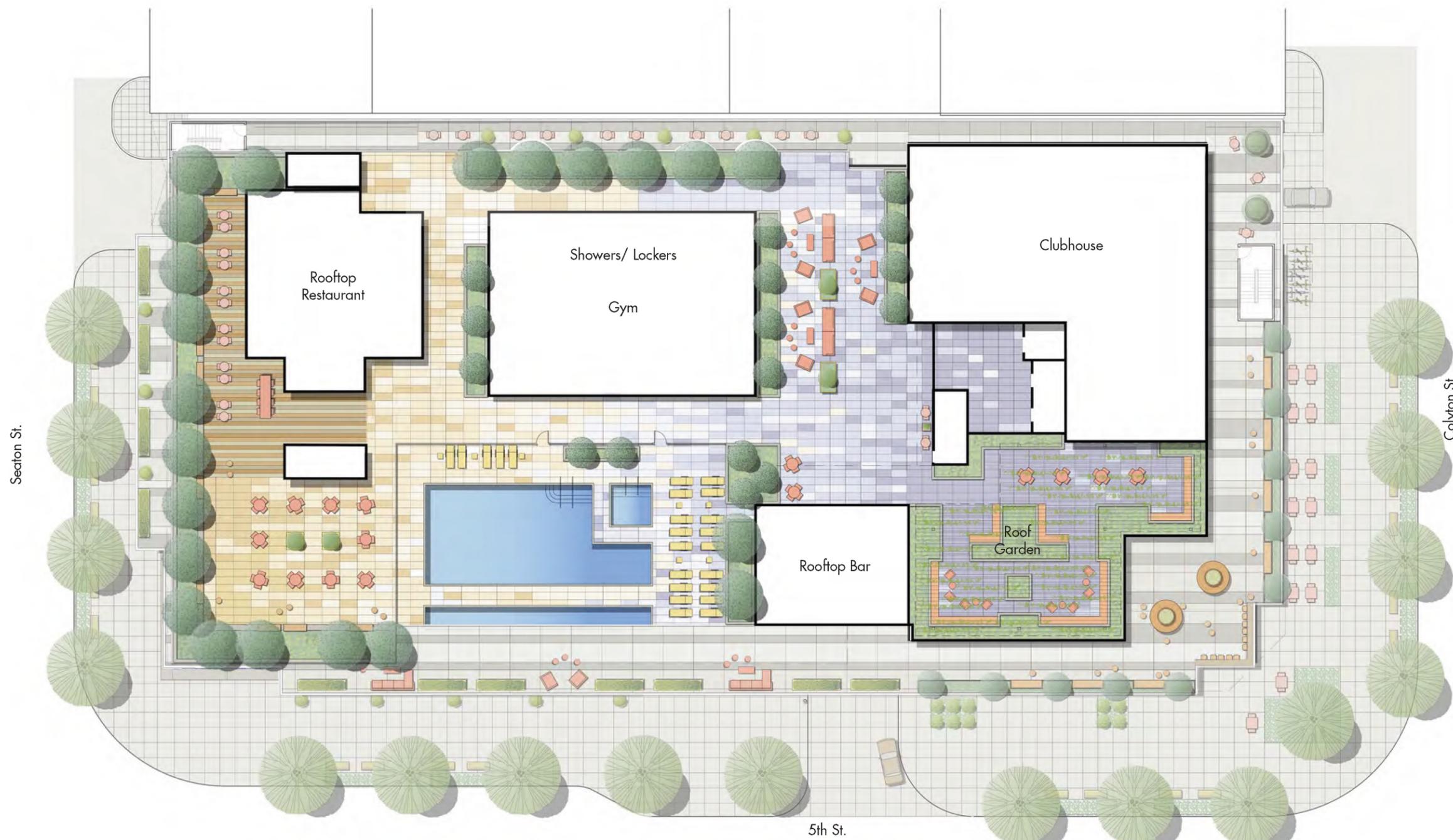
IN THE CITY OF LOS ANGELES COUNTY OF LOS ANGELES STATE OF CALIFORNIA

DATE: NOVEMBER 03, 2014	SHEET: <b>C1</b>
SCALE: 1" = 20'	PROJECT NUMBER: TART020100
	OF: 1

**EXHIBIT A**

**CPC-2016-4475-GPA-VZC-HD-MCUP-CUX-DB-SPR**

November 4, 2019



**OPEN SPACE**

**REQUIRED**

50 Units (<3 habitable rms) x 100 SF = 5,000 sf  
 51 Units (=3 habitable rms) x 125 S = 6,375 sf  
 28 Units (>3 habitable rms) x 175 SF = 4,900 sf  
 Required - 16,275 sf

**PROPOSED**

3rd Level Terrace=9,000 sf  
 Roof Garden, Pool, Terrace= 13,500  
 Total Proposed Common Open Space = 22,500 sf  
 Total Planted Area (25% of Common Open Space) = 5,720 sf

**TREES**

Required (1 per 4 Units)= 33  
 Proposed (1 per 4 Units)=34

**Arts District Center**

1101 E 5th Street, Los Angeles, California, 90013  
 APN: 5163025009

Arts District Development, LLC

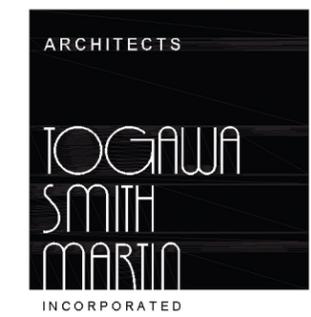


**OVERALL PLAN**

**EXHIBIT A**  
 CPC-2016-4475-GPA-VZC-HD-MCUP-CUX-DB-SPR  
 November 4, 2019

**L1**

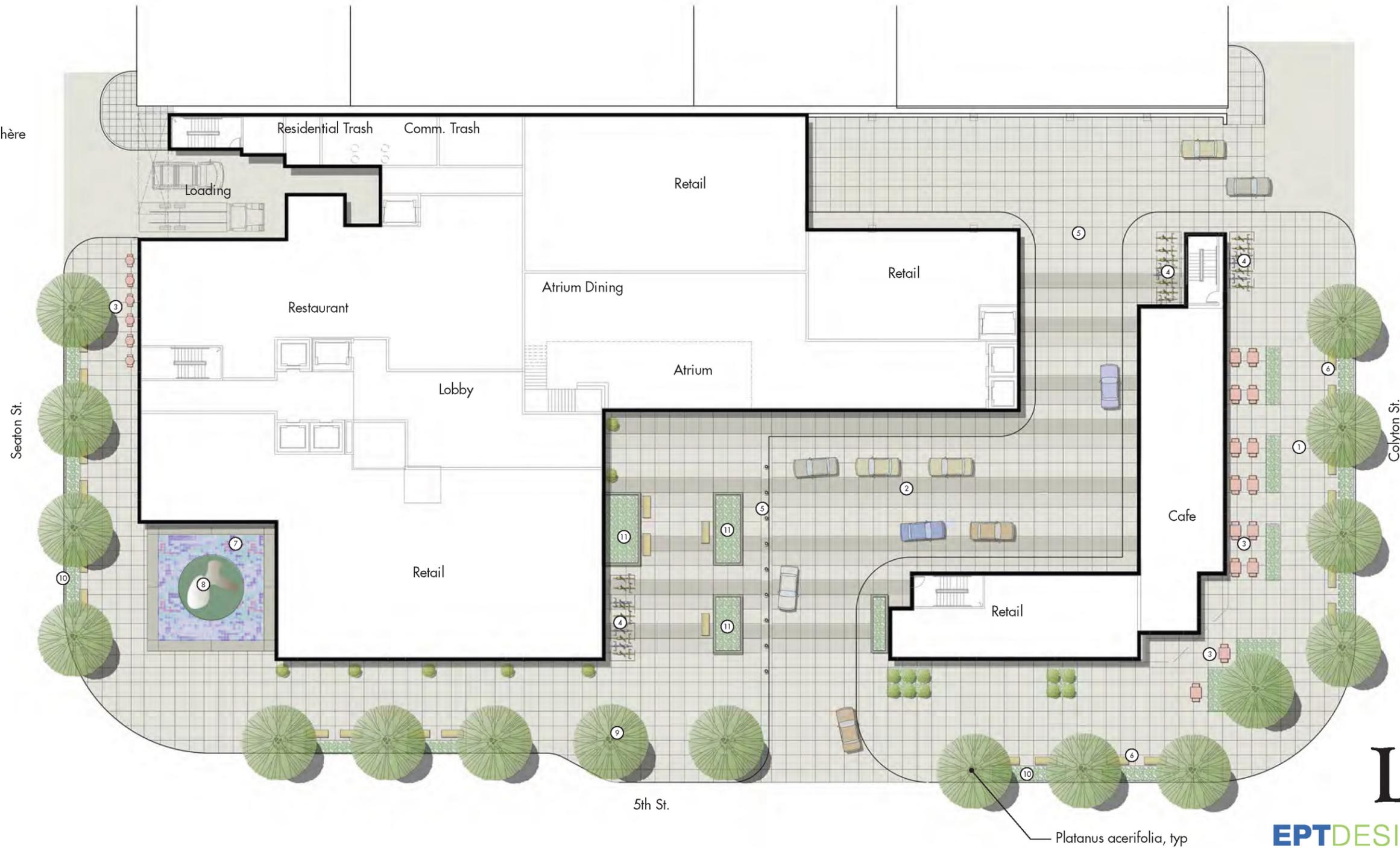
**EPTDESIGN**



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**LEGEND**

- ① Scored Concrete Sidewalk
- ② Integral Colored Concrete Bands at Porte-cochère
- ③ Outdoor Dining Tables along Sidewalk
- ④ Short Term Bicycle Parking
- ⑤ Bollard, typ
- ⑥ Bench, typ
- ⑦ Interactive/Kinetic Paving
- ⑧ Public Art
- ⑨ Street Tree with Metal Grate, Typical
- ⑩ Sidewalk Planter Cutout, Typical
- ⑪ Raised Planter



**L2**

**EPTDESIGN**

ARCHITECTS

**TOGAWA  
SMITH  
MARTIN**

INCORPORATED

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APN: 5163025009  
**Arts District Development, LLC**

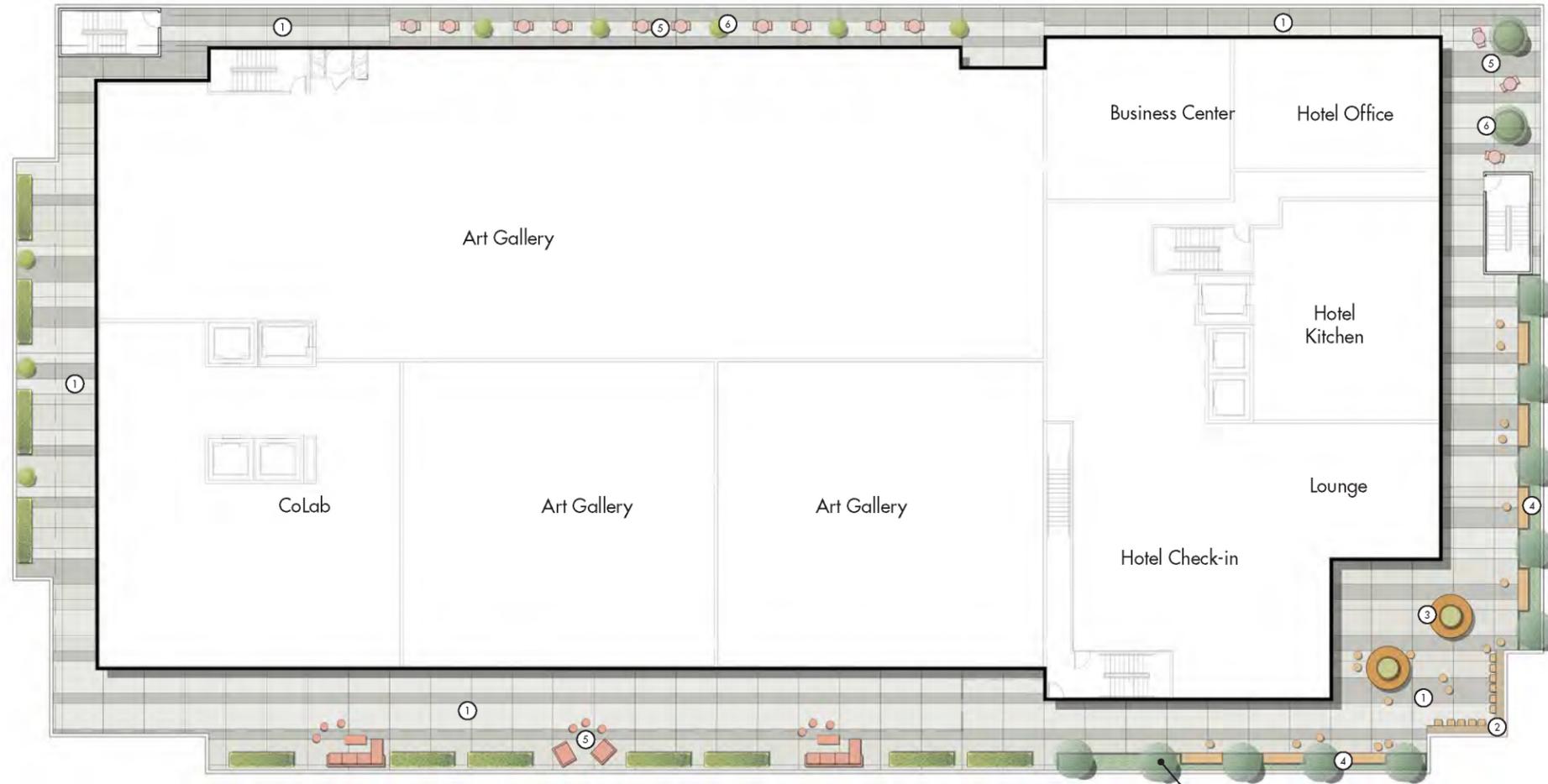


**GROUND LEVEL PLAN**

**EXHIBIT A**  
**CPC-2016-4475-GPA-VZC-HD-MCUP-CUX-DB-SPR**  
**November 4, 2019**

**LEGEND**

- ① Stone Paving Bands
- ② Countertop Seating Overlook
- ③ Custom Seating Pods
- ④ Raised Planter with Built-In Seating
- ⑤ Outdoor Furniture
- ⑥ Raised Planter



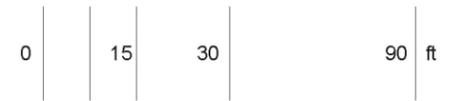
Podocarpus gracilior typ

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**Arts District Development, LLC**

3rd Level Plan



**3RD LEVEL PLAN**

**EXHIBIT A**  
 CPC-2016-4475-GPA-VZC-HD-MCUP-CUX-DB-SPR  
 November 4, 2019

**L3**

**EPTDESIGN**

ARCHITECTS

**TOGAWA  
 SMITH  
 MARTIN**

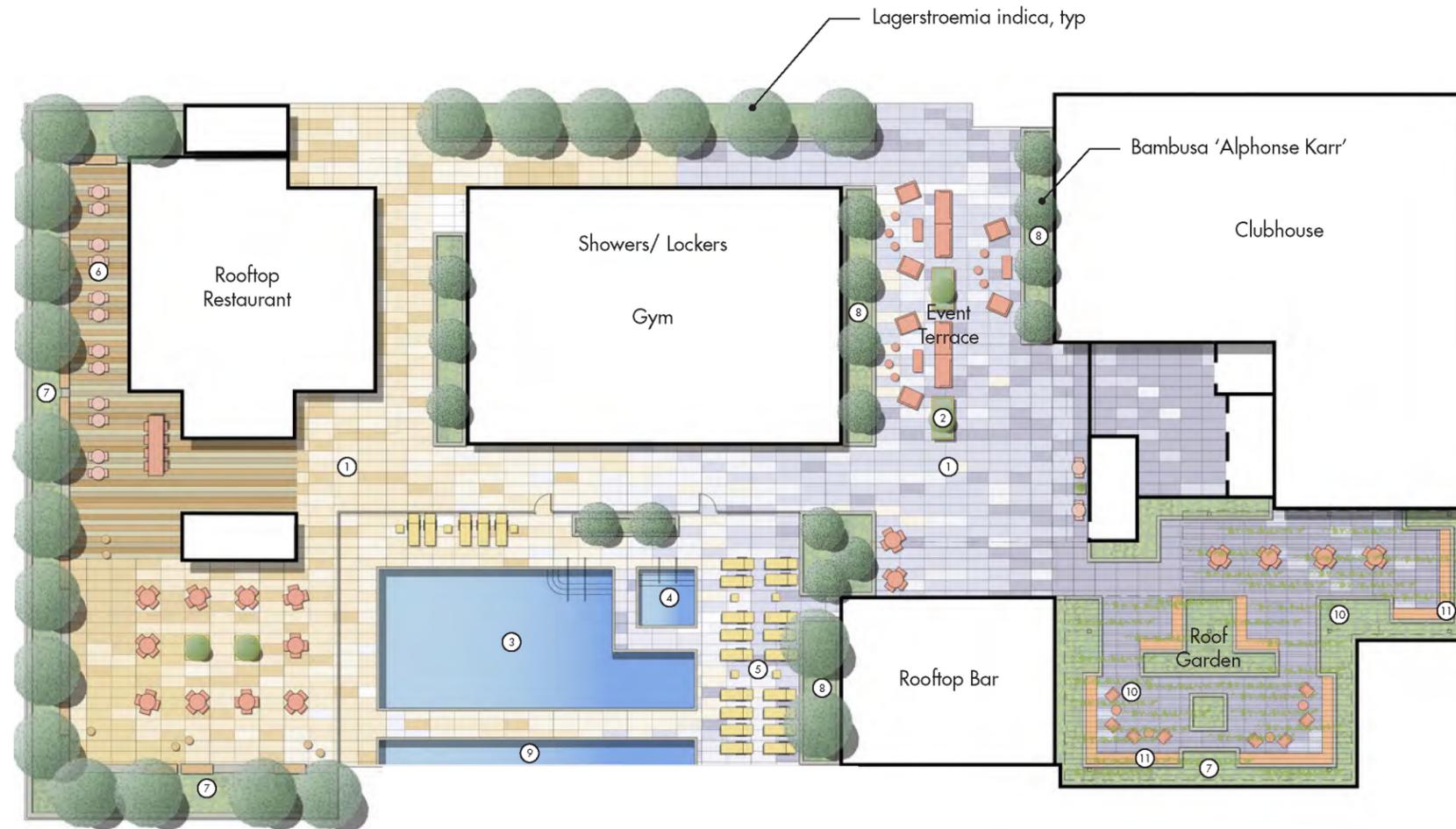
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**LEGEND**

- ① Integral Colored Concrete Tile Paving
- ② Raised Planter On Casters, Typical
- ③ Pool 25'x60'
- ④ Raised Spa 10'x10'
- ⑤ Poolside Terrace
- ⑥ Outdoor Lounge and Dining
- ⑦ Raised Rooftop Garden with Seating
- ⑧ Raised Planters
- ⑨ Water Feature
- ⑩ Overhead Trellis with Vine Planting
- ⑪ Built-in Seating



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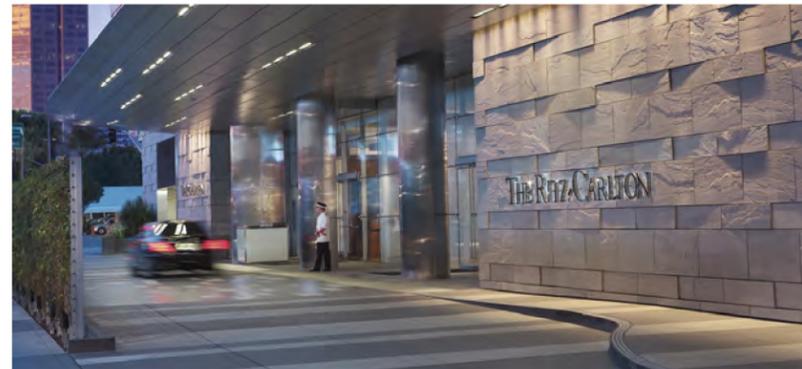
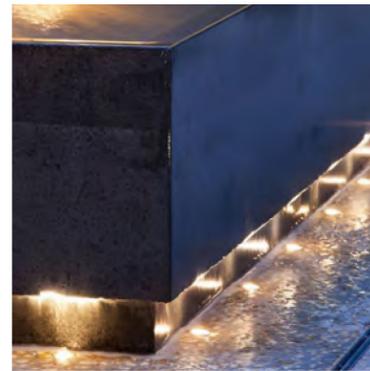
**ROOF LEVEL PLAN**

**EXHIBIT A**  
 CPC-2016-4475-GPA-VZC-HD-MCUP-CUX-DB-SPR  
 November 4, 2019

**L4**  
**EPTDESIGN**

ARCHITECTS  
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 MARTIN**  
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# Arts District Center

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Arts District Development, LLC

GROUND LEVEL | CONCEPT IMAGERY

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CPC-2016-4475-GPA-VZC-HD-MCUP-CUX-DB-SPR  
November 4, 2019

**L5**  
EPTDESIGN

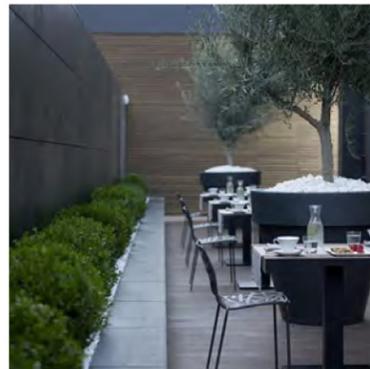
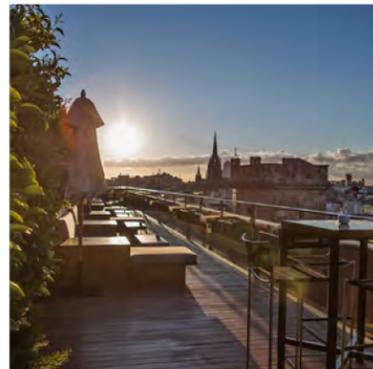
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3RD LEVEL | CONCEPT IMAGERY

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November 4, 2019

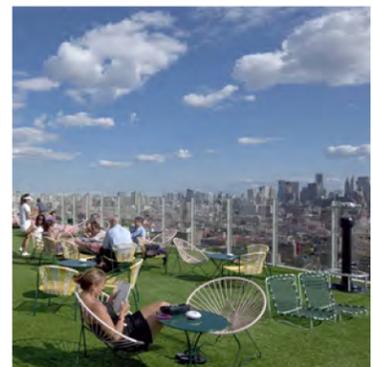
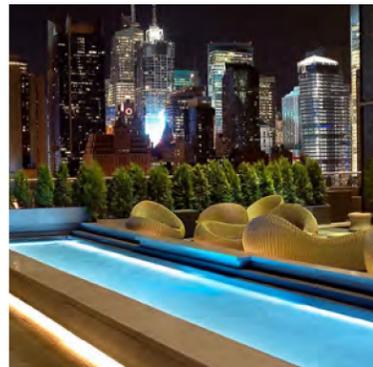
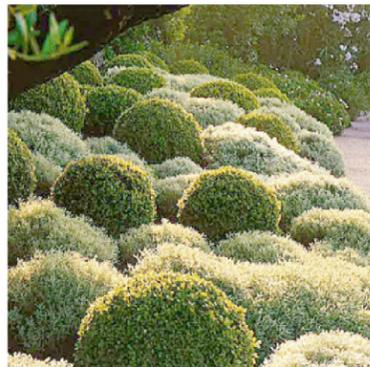
**L6**  
EPTDESIGN

ARCHITECTS  
**TOGAWA  
SMITH  
MARTIN**

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# Arts District Center

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Arts District Development, LLC

ROOF LEVEL | CONCEPT IMAGERY

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CPC-2016-4475-GPA-VZC-HD-MCUP-CUX-DB-SPR  
November 4, 2019

**L7**  
EPTDESIGN

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## IV. Mitigation Monitoring Program

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### 1. Introduction

Section 21081.6 of the Public Resources Code (PRC) requires a Lead Agency to adopt a “reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment” (Mitigation Monitoring Program, Section 15097 of the CEQA Guidelines provides additional direction on mitigation monitoring or reporting). This Mitigation Monitoring Program (MMP) has been prepared in compliance with the requirements of CEQA, specifically PRC Section 21081.6, and Section 15097 of the CEQA Guidelines. The City of Los Angeles (City) is the Lead Agency for Arts District Center Project.

An Environmental Impact Report (EIR) has been prepared to address the potential environmental impacts of the Project. Where appropriate, the EIR applied mitigation measures needed to avoid or reduce potentially significant environmental impacts. In addition, the evaluation of the Project’s impacts takes into account Project Design Features (PDFs), which are measures proposed by the Applicant as a feature of the Project and which are detailed in the EIR. This Mitigation Monitoring Program (MMP) is designed to monitor implementation of the mitigation measures and PDFs identified in the EIR.

The MMP is subject to review and approval by the City, as the Lead Agency, as part of the approval process of the Project and adoption of Project conditions. The required mitigation measures and other PDFs are listed below and categorized by impact area, as identified in the EIR.

### 2. Organization

As shown on the following pages, each identified mitigation measure and PDF for the Project is listed and categorized by environmental issue area, with accompanying discussion of the following:

**Enforcement Agency** – the agency with the power to enforce the mitigation measure and/or PDF.

**Monitoring Agency** – the agency to which reports involving feasibility, compliance, implementation and development are made, or who physically monitors the Project for compliance with mitigation measures and/or PDFs.

**Monitoring Phase** – the phase of the Project during which the mitigation measure and/or PDF shall be monitored. Examples include the following general categories:

- Pre-Construction, including the design phase
- Construction
- Pre-Operation
- Operation (Post-construction)

**Monitoring Frequency** – the frequency of which the mitigation measure and/or PDF shall be monitored.

**Action Indicating Compliance** – the action of which the Enforcement or Monitoring Agency indicates that compliance with the required mitigation measure and/or PDF has been implemented.

The Project Applicant shall be responsible for implementing all mitigation measures and/or PDFs, unless otherwise noted and shall be obligated to provide documentation concerning implementation of the listed mitigation measures and/or PDFs to the appropriate monitoring agency and the appropriate enforcement agency. All departments listed in the MMP are within the City, unless otherwise noted. It is noted that while certain agencies outside of the City are listed as the monitoring/enforcement agencies for individual mitigation measures and/or PDFs listed in this MMP, the City, as Lead Agency for the Project, is responsible for overseeing and enforcing implementation of the MMP as a whole.

### **3. Administrative Procedures and Enforcement**

This MMP shall be enforced throughout all phases of the Project. The Project Applicant shall be responsible for implementing each mitigation measure and/or PDF and shall be obligated to provide certification, as identified below, to the appropriate monitoring agency and the appropriate enforcement agency that each mitigation measure and/or PDF has been implemented. The Project Applicant shall maintain records demonstrating compliance with each mitigation measure and/or PDF. Such records shall be made available to the City upon request.

Further, specifically during the construction phase and prior to the issuance of building permits, the Applicant shall retain an independent Construction Monitor (either via the City or through a third-party consultant), approved by the Department of City Planning, who shall be responsible for monitoring implementation of mitigation measures and/or PDFs during construction activities consistent with the monitoring phase and frequency set forth in this MMP.

The Construction Monitor shall also prepare documentation of the Project Applicant's compliance with the mitigation measures and/or PDFs during construction every 90 days in a form satisfactory to the Department of City Planning. The documentation must be signed by the Project Applicant and Construction Monitor and be included as part of the Project Applicant's Annual Compliance Report. The Construction Monitor shall be obligated to promptly notify the Project Applicant of any non-compliance with the mitigation measures and/or PDFs. If the Project Applicant does not correct the non-compliance within two days from the time of notification, the Construction Monitor shall report such non-compliance to the Enforcement Agency. Any continued non-compliance shall be appropriately addressed by the Enforcement Agency.

## **4. Program Modification**

After review and approval of the final MMP by the Lead Agency, minor changes and modifications to the MMP are permitted, but can only be made subject to City approval. The Lead Agency, in conjunction with any appropriate agencies or departments, will determine the adequacy of any proposed change or modification. This flexibility is necessary in light of the nature of the MMP and the need to protect the environment. No changes will be permitted unless the MMP continues to satisfy the requirements of CEQA, as determined by the Lead Agency.

The Project shall be in substantial conformance with the mitigation measures and/or PDFs contained in this MMP. The enforcing departments or agencies may determine substantial conformance with the mitigation measures and/or PDFs in the MMP in their reasonable discretion. If the department or agency cannot find substantial conformance, a mitigation measure and/or PDF may be modified or deleted, if the enforcing department or agency, or the decision maker for a subsequent discretionary project related approval, finds that the modification or deletion complies with CEQA, including CEQA Guidelines Sections 15162 and 15164, which could include the preparation of an addendum or subsequent environmental clearance, if necessary, to analyze the impacts from the modification to or deletion of mitigation measures and/or PDFs. Any addendum or subsequent CEQA clearance that may be required in connection with the modification or deletion shall explain why the mitigation measure and/or PDF is no longer needed, not feasible, or the other basis for modifying or deleting the mitigation measure and or PDF. Under this process, the modification or deletion of a mitigation measure and/or PDF shall not in and of itself require a modification to any Project discretionary approval unless the Director of Planning also finds that the change to the mitigation measures results in a substantial change to the Project or the non-environmental conditions of approval.

## 5. Mitigation Measures and PDFs

### a) Aesthetics

**AES-PDF-1:** All mechanical and electrical equipment that is located on the rooftops will be screened from public view.

**Enforcement Agency:** City of Los Angeles Department of Building and Safety

**Monitoring Agency:** City of Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction; construction

**Monitoring Frequency:** Once at Project plan check; once during field inspection

**Action Indicating Compliance:** Plan approval and issuance of applicable building permit; issuance of a Certificate of Occupancy

**AES-PDF-2:** Utility equipment will be placed underground, screened from public view, or incorporated into the design of the Project.

**Enforcement Agency:** City of Los Angeles Department of Building and Safety; City of Los Angeles Department of Water and Power

**Monitoring Agency:** City of Los Angeles Department of Building and Safety; City of Los Angeles Department of Water and Power

**Monitoring Phase:** Pre-construction; Construction

**Monitoring Frequency:** Once at Project plan check; once prior to issuance of a Certificate of Occupancy

**Action Indicating Compliance:** Plan approval and issuance of applicable building permit; issuance of a Certificate of Occupancy

**AES-PDF-3:** The Project will include security lighting. Lighting associated with the Project will be directed downward or toward the interior of the Project Site. All exterior residential lighting will be designed with internal and/or external glare control and will be designed, arranged, directed, or shielded to contain direct illumination on-site, thereby preventing excessive illumination and light spillover onto adjacent land uses and/or roadways.

**Enforcement Agency:** City of Los Angeles Department of Building and Safety

**Monitoring Agency:** City of Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Once during field inspection prior to issuance of a Certificate of Occupancy

**Action Indicating Compliance:** Issuance of a Certificate of Occupancy

**AES-PDF-4:** The exterior of the proposed structures will be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films), brick, and metal to minimize glare and reflected heat. The exterior artwork on the residential portion of the Project will not utilize highly reflective materials.

**Enforcement Agency:** City of Los Angeles Department of Building and Safety; City of Los Angeles Department of City Planning

**Monitoring Agency:** City of Los Angeles Department of Building and Safety; City of Los Angeles Department of City Planning

**Monitoring Phase:** Pre-construction; construction

**Monitoring Frequency:** Once at Project plan check; once prior to issuance of a Certificate of Occupancy

**Action Indicating Compliance:** Plan approval and issuance of applicable building permit; Issuance of a Certificate of Occupancy

**AES-PDF-5:** Tenant signs for the ground-floor retail and restaurant uses will not include blinking, flashing, or oscillating lights.

**Enforcement Agency:** City of Los Angeles Department of Building and Safety

**Monitoring Agency:** City of Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction; construction

**Monitoring Frequency:** Once at Project plan check; once prior to issuance of a Certificate of Occupancy

**Action Indicating Compliance:** Plan approval and issuance of applicable building permit; Issuance of a Certificate of Occupancy

No mitigation measures are identified in the EIR for this environmental issue.

## **b) Air Quality**

No mitigation measures or PDFs are identified in the EIR for this environmental issue.

## **c) Cultural Resources**

**CUL-MM-1:** Prior to the issuance of a demolition permit, the project proponent shall retain a qualified archaeologist, defined as an archaeologist who meets the Secretary of the Interior's Standards for professional archaeology, during the excavation phase to carry out and ensure proper implementation of the mitigation measures related to archaeological resources. The qualified archaeologist shall submit a letter of retention to the project proponent no fewer than 15 days before demolition or excavation activities commence. The letter shall include a resume for the qualified archaeologist that demonstrates fulfillment of the Secretary of Interior standards.

**Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety

**Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction

**Monitoring Frequency:** Once prior to issuance of any Grading or Demolition Permit

**Action Indicating Compliance:** Submittal of retention letter prepared by qualified archaeologist

**CUL-MM-2:** Prior to the commencement of demolition and excavation, an Archaeological Resource Monitoring and Mitigation Plan (ARMMP) shall be prepared. The ARMMP shall include, but not be limited to, a construction worker training program (described in CUL-MM-3), monitoring protocol for demolition and excavation activities, discovery and processing protocol for

inadvertent discoveries of archaeological resources, and identification of a curation facility should artifacts be collected. The ARMMP shall identify areas that require monitoring, provide a framework for assessing the geoarchaeological setting to determine whether sediments capable of preserving archaeological remains are present, and include a protocol for identifying the conditions under which additional or reduced levels of monitoring (e.g., spot-checking) may be appropriate. The duration and timing of the monitoring shall be determined based on the rate of excavation, geoarchaeological assessment, and, if present, the quantity, type, and spatial distribution of archaeological resources identified.

The ARMMP shall minimally include a historical context statement, research design, and methodology by which any newly identified archaeological sites shall be evaluated for California Register eligibility and as unique archaeological resources. The ARMMP shall specify the specific types of archaeological sites likely to be encountered, the means by which significance shall be assessed. If any archaeological resources are identified and are found not to be significant or do not retain integrity, then they shall be recorded to a level sufficient to document the contents and condition. The ARMMP shall include a proactive identification and documentation protocol that would facilitate preservation or mitigation of impacts to Zanja No. 2 and any other archaeological sites identified in a cost-effective manner. The ARMMP shall include potential treatment plans to be implemented in the event a newly discovery archaeological resource is determined by the qualified archaeologist to constitute a “historical resource” pursuant to CEQA Guidelines Section 15064.5(a) or a “unique archaeological resource” pursuant to PRC Section 21083.2(g). The ARMMP shall require that if the treatment plans outlined therein are found to be infeasible or other alternatives are proposed, the qualified archaeologist shall coordinate with the project proponent and City Planning to amend the ARMMP with a formal treatment plan that would reduce impacts to the resource(s). The treatment plans stated in the ARMMP or prepared after the discovery of a historical resource, shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and PRC Section 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment and if it is determined avoidance is not feasible, treatment may include but not be limited to any of the following depending on the type of resource and the significance evaluation:

- **Prehistoric archaeological sites.** Data recovery shall be conducted (i.e., excavation, laboratory processing and analysis) to remove the resource(s) and reduce potential impacts to less than significant where significance is determined under California Register Criterion 4 and integrity is retained.
- **Historical archaeological sites.** If a historic-period site, including but not limited to a refuse scatter or building foundation(s), is present and found to retain integrity, data recovery shall be conducted (i.e., excavation, laboratory processing and analysis) to remove the resource(s) and reduce potential impacts to less than significant. In addition to data recovery, specific treatments shall be developed and implemented based on potential California Register or eligibility criteria or as a unique archaeological resource as follows:
  - **Treatment Under Criteria 1 and 2, or as a unique archaeological resource:** Treatment shall include interpretation for the public. Interpretive materials may include, but not be limited to, signage at the project site, relocating preserved materials in a publicly accessible display, or visual representations of recovered materials. The interpretive materials shall be prepared, at the expense of the project applicant, by professionals meeting the Secretary of the Interior standards in history or historical archaeology. The details of the interpretive materials, including the form, content, and timing of their preparation, shall be completed to the satisfaction and subject to the approval of the Department of City Planning. The results of the historical and archaeological studies conducted for the Project shall be made available to the public through repositories such as the local main library branch or identified non-profit historic groups interested in the subject matter.
  - **Treatment Under Criterion 3:** Architectural documentation of exposed zanja segments shall be conducted by producing narrative records, measured drawings, and photographs in conformance with Historic American Engineering Record (HAER) standards prior to any alteration or demolition activity.
  - **Treatment Under Criterion 4:** No additional work; data recovery is sufficient.

- **Zanja No. 2.** If segments of Zanja No. 2 are present and found to retain integrity, architectural documentation of exposed zanja segments shall be conducted by producing narrative records, measured drawings, and photographs in conformance with HAER standards prior to any alteration or demolition activity. In addition to HAER documentation, specific treatments shall be developed and implemented based on potential California Register or eligibility criteria or as a unique archaeological resource as follows:
  - **Treatment Under Criterion 1:** Treatment shall include interpretation of Zanja No. 2 for the public. The interpretive materials may include, but not be limited to, interpretive displays of photographs and drawings produced during the HAER documentation, signage at the Zanja No. 2 alignment, relocating preserved segments in a publicly accessible display, or other visual representations of zanja alignments through appropriate means such as a dedicated internet website other online-based materials. At a minimum, the interpretive materials shall include photographs and drawings produced during the HAER documentation, and signage. These interpretive materials shall be employed as part of Project public outreach efforts that may include various forms of public exhibition and historic image reproduction. Additionally, the results of the historical and archaeological studies conducted for the Project shall be made available to the public through repositories such as the local main library branch or with identified non-profit historic groups interested in the subject matter. The interpretive materials shall be prepared at the expense of the Project applicant, by professionals meeting the Secretary of the Interior standards in history or historical archaeology. The development of the interpretive materials shall consider any such materials already available to the public so that the development of new materials would add to the existing body of work on the historical Los Angeles water system, and to this end, shall be coordinated, to the extent feasible and to the satisfaction of the Department of City Planning, with the content, format and location of any public interpretive materials that may be developed as part of the proximate related projects Nos. 99 and 101. The interpretive materials shall include a consideration of the Zanja No.2 segment located on the

Project Site in relation to the entire Zanja No. 2 and the entire Zanja system as a whole. The details of the interpretive materials, including the content and format, and the timing of their preparation, shall be completed to the satisfaction and subject to the approval of the Department of City Planning.

- **Treatment Under Criterion 2:** No additional work; archival research about important persons directly associated with the construction and use of Zanja No. 2 would be addressed as part of HAER documentation.
- **Treatment Under Criterion 3:** No additional work; HAER documentation is sufficient.
- **Treatment Under Criterion 4:** No additional work; archaeological data recovery and HAER documentation are sufficient.
- **Treatment as a unique archaeological resource:** Same as Criterion 1 treatment.

The ARMMP shall summarize the requirements for tribal coordination in the event of an inadvertent discovery of Native American archaeological resources, including the applicable regulatory compliance measures or conditions of approval for the inadvertent discovery of tribal cultural resources to be carried out in concert. The ARMMP shall be prepared in compliance with PRC Section 5024.1, Title 14 California Code of Regulations, Section 15064.5 of the CEQA Guidelines, and PRC Sections 21083.2 and 21084.1.

**Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety

**Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction; construction

**Monitoring Frequency:** Once prior to issuance of any Grading or Demolition Permit; to be determined by consultation with qualified archaeologist

**Action Indicating Compliance:** Issuance of applicable Grading or Demolition Permit; approval of interpretive materials by Department of City Planning (if applicable); submittal of compliance report prepared by qualified archaeologist

**CUL-MM-3:** Before the commencement of initial demolition or excavation at the Project Site, the retained qualified archaeologist or their designee shall provide a Worker Environmental Awareness Program (WEAP) training to on-site project personnel responsible for supervising demolition and excavation (i.e., foreman or supervisor) and machine operators. The WEAP training shall brief construction crews regarding the regulatory compliance requirements and applicable mitigation measures that must be adhered to during demolition and excavation activities for the protection of archaeological resources. As an element of the WEAP training, the qualified archaeologist or their designee shall advise the construction crews on proper procedures to follow if an unanticipated archaeological resource is discovered during construction. The qualified archaeologist or their designee shall also provide the construction workers with contact information for the qualified archaeologist and their designee(s) and protocols to follow if inadvertent discoveries are made. In addition, workers shall be shown examples of the types of archaeological resources that would require notification of the archaeologist, if encountered. Once the ground disturbances have commenced, the need for additional or supplemental WEAP training shall be determined through consultation with the qualified archaeologist, project proponent or their designated project supervisor. Within five days of completing WEAP training, a list of those in attendance shall be provided by the qualified archaeologist to the project proponent.

**Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety

**Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction; construction

**Monitoring Frequency:** Once prior to the issuance of any Grading or Demolition Permit; to be determined by consultation with qualified archaeologist

**Action Indicating Compliance:** Compliance report prepared by qualified archaeologist

**CUL-MM-4:** Before the commencement of demolition or excavation activities, an archaeological monitor shall be present during ground disturbing activities

as stipulated in the ARMMP. The qualified archaeologist may designate an archaeologist to conduct the monitoring under their direction. The monitor shall have the authority to temporarily halt or redirect construction activities in soils that are likely to contain potentially significant archaeological resources, as determined by the qualified archaeologist. The monitor shall complete a daily log documenting construction activities and observations. The field observations shall include assessment of the geoarchaeological setting and whether sediments are identified that are no longer capable or unlikely to contain archaeological material (i.e., sterile), which could be encountered prior to reaching the total depth of excavation expected for the project. If initial archaeological monitoring identifies low archaeological sensitivity (i.e., sterile soil strata) below a certain depth or within a certain portion of the project site, a corresponding reduction of monitoring coverage would be appropriate. In the event that potentially significant archaeological resources are exposed during construction, work in the immediate vicinity of the find (within 8 meters [25 feet]) shall stop until a qualified archaeologist can evaluate the significance of the find. Construction activities may continue in other areas in coordination with the qualified archaeologist. If the discovery is determined by the qualified archaeologist to constitute a “historical resource” pursuant to CEQA Guidelines Section 15064.5(a) or a “unique archaeological resource” pursuant to PRC Section 21083.2(g), and the treatments proposed in the ARMMP are found to be infeasible or other alternatives are proposed, the qualified archaeologist shall coordinate with the project proponent and the Department of City Planning to amend the ARMMP with a formal treatment plan that would reduce impacts to the resource(s). The treatment plan established for the resource(s) shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and PRC Section 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment and if it is determined avoidance is not feasible, treatment may include architectural documentation and archaeological data recovery (i.e., excavation, laboratory processing and analysis) to remove the resource(s) and reduce potential impacts to less than significant.

Within 30 days of concluding the archaeological monitoring, the qualified archaeologist shall prepare a memo stating that the archaeological monitoring requirement of the mitigation measure has been fulfilled and summarize the results of any archaeological finds. The memo shall be submitted to the project proponent and the Department of City Planning. Following submittal of the memo, the qualified archaeologist shall prepare a technical report documenting the methods and results of all work

completed under the ARMMP, including, if any, treatment of archaeological materials, results of artifact processing, analysis, and research, and evaluation of the resource(s) for the California Register. Once laboratory analysis is complete, any recovered archaeological materials shall be curated at a public, non-profit research institution that would ensure their long-term preservation and allow access to interested scholars, and shall be done at the expense of the project applicant. Should no such institutions accept the materials, they shall be donated to an educational institution or historical society. The format and content of the report shall follow the California Office of Historic Preservation's *Archaeological Resource Management Reports (ARMR): Recommended Contents and Format*. Any archaeological resources identified shall be documented on appropriate California Department of Parks and Recreation 523-Series Forms. The report shall be prepared under the supervision of a qualified archaeologist and submitted to the Department of City Planning within 6 months of completion of the monitoring. The final draft of the report shall be submitted to the South Central Coastal Information Center.

**Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety

**Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction; construction

**Monitoring Frequency:** Once prior to the issuance of any Grading or Demolition Permit; to be determined by consultation with qualified archaeologist

**Action Indicating Compliance:** Compliance report prepared by qualified archaeologist

**CUL-MM-5:** A qualified paleontologist shall be retained to perform periodic inspections of excavation and grading activities at the Project Site. The frequency of inspections shall be based on consultation with the paleontologist and shall depend on the rate of excavation and grading activities and the materials being excavated. If paleontological materials are encountered, the paleontologist shall temporarily divert or redirect grading and excavation activities in the area of the exposed material to facilitate evaluation and, if necessary, salvage. The paleontologist shall then assess the discovered material(s) and prepare a survey, study, or report evaluating the impact. The Project Applicant shall then comply with the recommendations of the

evaluating paleontologist, and a copy of the paleontological survey report shall be submitted to the Los Angeles County Natural History Museum.

**Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety

**Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction; construction

**Monitoring Frequency:** Once prior to the issuance of any Grading or Demolition Permit; to be determined by consultation with qualified paleontologist

**Action Indicating Compliance:** Compliance report prepared by qualified paleontologist

No PDFs are identified in the EIR for this environmental issue.

## **d) Geology and Soils**

No mitigation measures or PDFs are identified in the EIR for this environmental issue.

## **e) Greenhouse Gas Emissions**

**GHG-PDF-1:** The Project will prohibit the use of natural gas-fueled fireplaces in the proposed live/work units.

**Enforcement Agency:** City of Los Angeles Department of Building and Safety; South Coast Air Quality Management District

**Monitoring Agency:** City of Los Angeles Department of Building and Safety; City of Los Angeles Department of City Planning

**Monitoring Phase:** Pre-construction; construction

**Monitoring Frequency:** Once at Project plan check; once during field inspection prior to issuance of Certificate of Occupancy

**Action Indicating Compliance:** Plan approval and issuance of applicable building permit; issuance of Certificate of Occupancy

**GHG-PDF-2:** Twenty percent of the total code-required parking spaces will be capable of supporting future electric vehicle charging equipment. Plans will indicate the proposed type and location(s) of electric vehicle service equipment (EVSE) and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design will be based upon Level 2 or greater EVSE at its maximum operating capacity. Only raceways and related components are required to be installed at the time of construction. When the application of the 20 percent results in a fractional space, the Applicant will round up to the next whole number. A label stating “EV CAPABLE” will be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.

**Enforcement Agency:** City of Los Angeles Department of Building and Safety; City of Los Angeles Department of City Planning

**Monitoring Agency:** City of Los Angeles Department of Building and Safety; City of Los Angeles Department of City Planning

**Monitoring Phase:** Pre-Construction; construction

**Monitoring Frequency:** Once at Project Plan Check; once during field inspection

**Action Indicating Compliance:** Plan approval and issuance of applicable building permit; issuance of Certificate of Occupancy

**GHG-PDF-3:** Water conservation measures shall include:

- High-efficiency toilets (with flush volume of 1.06 gallons of water per flush or less) throughout, including ultra-low-flow urinals in all nonresidential restrooms, as appropriate.
- Residential lavatory faucets with a maximum flow rate of 1.2 gallons per minute and kitchen faucets with a maximum flow rate of 1.5 gallons per minute.
- High-efficiency washers, whether within individual units (with water factor of 6.0 or less) and/or in common laundry rooms (commercial washers with water factor of 7.5 or less). Equipment is required to be Energy Star-certified.

- High-efficiency dishwasher within individual units, using 3.5 gallons per cycle or less. Equipment is required to be Energy Star-certified.
  - No-flush or waterless urinals in all nonresidential restrooms as appropriate.
  - Nonresidential lavatory faucets with a maximum flow rate of 0.4 gallon per minute and of a self-closing design (i.e., that would automatically turn off when not in use).
  - Nonresidential kitchen faucets (except restaurant kitchens) with a maximum flow rate of 1.5 gallons per minute. Restaurant kitchen faucets shall have pre-rinse self-closing spray heads with a maximum flow rate of 1.6 gallons per minute.
  - Installation of tankless and on-demand water heaters in commercial kitchens and restrooms, where appropriate.
  - Water-saving pool filter.
  - Pool/spa recirculating filtration equipment.
  - Pool splash troughs around the perimeter that drain back into the pool.
  - Leak detection system for swimming pools and Jacuzzi.
  - Minimum irrigation system distribution uniformity of 75 percent.
  - Use of proper hydro-zoning, turf minimization, zoned irrigation and use of native/drought-tolerant plant materials.
  - Use of landscape contouring to minimize precipitation runoff.
- **Enforcement Agency:** City of Los Angeles Department of Building and Safety; City of Los Angeles Department of Water and Power
  - **Monitoring Agency:** City of Los Angeles Department of Building and Safety; City of Los Angeles Department of City Planning
  - **Monitoring Phase:** Pre-construction; construction
  - **Monitoring Frequency:** Once at Project Plan Check; once during field inspection
  - **Action Indicating Compliance:** Plan approval and issuance of applicable building permit; issuance of Certificate of Occupancy

No mitigation measures are identified in the EIR for this environmental issue.

## **f) Hazards and Hazardous Materials**

**HAZ-MM-1:** A Soil Management Plan (SMP) shall be prepared and submitted to the Department of Building and Safety prior to issuance of a grading permit to review and address any impacted soil that may be encountered during excavation and grading. The SMP shall provide for the sampling, testing, and timely disposal of such soil and shall specify the testing parameters and sampling frequency. Any impacted soils shall be properly treated and disposed of in accordance with applicable South Coast Air Quality Management District (SCAQMD), Department of Toxic Substances Control (DTSC), and Los Angeles Regional Water Quality Control Board (LARWQCB) requirements.

**Enforcement Agency:** City of Los Angeles Department of Building and Safety

**Monitoring Agency:** City of Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction; construction

**Monitoring Frequency:** Once prior to issuance of Grading Permit; periodic field inspection

**Action Indicating Compliance:** Issuance of Grading Permit; field inspection sign-off

No PDFs are identified in the EIR for this environmental issue.

## **g) Land Use and Planning**

No mitigation measures or PDFs are identified in the EIR for this environmental issue.

## **h) Noise**

**NOI-MM-1:** All diesel-powered construction vehicles shall be equipped with exhaust mufflers or other suitable noise-reduction devices.

**Enforcement Agency:** City of Los Angeles Department of Building and Safety

**Monitoring Agency:** City of Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign-off

**NOI-MM-2:** Temporary sound barriers with a transmission loss value of at least 25 dBA

shall be erected along the Project's eastern boundary. At plan check, building plans shall include documentation prepared by a noise consultant verifying compliance with this measure.

**Enforcement Agency:** City of Los Angeles Department of Building and Safety

**Monitoring Agency:** City of Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction; construction

**Monitoring Frequency:** Once at Project plan check prior to issuance of grading permit; periodic field inspection

**Action Indicating Compliance:** Plan approval and issuance of grading permit; field inspection sign-off

**NOI-MM-3:** No more than 7 haul trucks per hour shall access or exit the Project via Colyton Street. The Project Applicant (or grading or haul contractor) shall maintain logs documenting the hourly and daily number of haul trucks accessing or exiting the site via Colyton Street that shall be provided to the Construction Monitor. The logs shall contain license plate numbers or vehicle identification numbers (VIN) to identify trucks visiting the site. The logs shall be validated every two weeks by the Construction Monitor and maintained on-site and made available to the SCAQMD or the City for inspection upon request.

**Enforcement Agency:** City of Los Angeles Department of Building and Safety; South Coast Air Quality Management District

**Monitoring Agency:** City of Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Daily during hauling phase

**Action Indicating Compliance:** Field inspection sign-off and compliance report

**NOI-MM-4:** Construction activities that produce vibration shall be sequenced so that vibration sources within 80 feet of the 1201 E. 5<sup>th</sup> Street Residence and within 11 feet of 440 Seaton Street and 441 S. Colyton Street do not operate simultaneously.

**Enforcement Agency:** City of Los Angeles Department of Building and Safety

**Monitoring Agency:** City of Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Daily during grading and excavation phase and installation of foundation

**Action Indicating Compliance:** Field inspection sign-off and compliance report

**NOI-MM-5:** Pre-construction surveys shall be performed to document the existing conditions at the boundary of Project Site adjacent to 440 S. Seaton Street and 441 S. Colyton Street properties. A structural monitoring program shall be implemented and recorded during construction to ensure that groundborne vibration levels at the boundary of the Project Site adjacent 440 S. Seaton Street and 441 S. Colyton Street properties do not exceed 0.3 PPV inches/second. The performance standards of the structure monitoring plan shall include the following:

- Documentation, consisting of video and/or photographic documentation of accessible and visible areas on the exterior of the building.
- A registered civil engineer, certified engineering geologist, or vibration control engineer shall review the appropriate vibration criteria for the identified vibration receptors, taking into consideration their age, construction, condition, and other factors related to vibration sensitivity in order to develop additional recommendations for the structure-monitoring program.
- Vibration sensors shall be installed on and/or around the identified vibration receptors to monitor for horizontal and vertical movement.

These sensors shall remain in place for the duration of excavation, shoring, and grading phases.

- The vibration sensors shall be equipped with real-time warning system capabilities that can immediately alert construction supervisors when monitored vibration levels approach or exceed threshold limits.
- Should an exceedance of vibration thresholds occur, work in the vicinity of the affected area shall be halted and the respective vibration receptor shall be inspected for any damage. Results of the inspection shall be logged. In the event that damage occurs, the damage shall be repaired in consultation with a qualified preservation consultant. In the event of an exceedance, feasible steps to reduce vibratory levels shall be undertaken, such as halting/staggering concurrent activities and utilizing lower-vibratory techniques.

**Enforcement Agency:** City of Los Angeles Department of Building and Safety

**Monitoring Agency:** City of Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction; Construction

**Monitoring Frequency:** Once at Project Plan check; periodic field inspection during construction

**Action Indicating Compliance:** Issuance of applicable Grading or Demolition Permit; field inspection sign-off and written compliance report from registered civil engineer, certified engineering geologist, or vibration control engineer

No PDFs are identified in the EIR for this environmental issue.

### **i) Population and Housing**

No mitigation measures or PDFs are identified in the EIR for this environmental issue.

### **j) Public Services – Fire Protection**

No mitigation measures or PDFs are identified in the EIR for this environmental issue.

## **k) Public Services – Police Protection**

**POL-PDF-1:** Emergency access will be maintained to the Project Site during construction through marked emergency access points approved by the Los Angeles Police Department (LAPD).

**Enforcement Agency:** City of Los Angeles Department of Building and Safety, City of Los Angeles Police Department

**Monitoring Agency:** City of Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign-off

**POL-PDF-2:** Temporary construction fencing will be placed along the periphery of the active construction areas to screen as much of the construction activity from view at the local street level and to keep unpermitted persons from entering the construction area.

The perimeter fence will have gates installed to facilitate the ingress and egress of equipment and the work force. Where applicable, the construction fence will be incorporated with a pedestrian walkway. Temporary lighting will be installed and maintained at the pedestrian walkway. Should sections of the site fence have to be removed to facilitate work in progress, barriers and/or K-rail will be utilized to isolate and protect the public from unsafe conditions.

**Enforcement Agency:** City of Los Angeles Department of Building and Safety

**Monitoring Agency:** City of Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign-off

**POL-PDF-3:** As necessary, the Project Applicant will provide for the deployment of a private security guard to monitor and patrol the Project Site, appropriate to the phase of construction throughout the construction period. The patrol will be deployed at times that are typical within the local-area construction industry for a project of this size.

**Enforcement Agency:** City of Los Angeles Department of Building and Safety

**Monitoring Agency:** City of Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign-off

**POL-PDF-4:** The Project Applicant will provide the LAPD with a diagram of each portion of the Project Site, showing access routes and additional access information as requested by the LAPD, to facilitate police response.

**Enforcement Agency:** City of Los Angeles Department of Building and Safety, City of Los Angeles Police Department

**Monitoring Agency:** City of Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Pre-operation

**Action Indicating Compliance:** Submittal of compliance documentation and subsequent issuance of Certificate of Occupancy

**POL-PDF-5:** The Project will provide for on-site security measures and controlled access systems for residents and tenants to minimize the demand for police protection services. These measures include, but are not limited to, the following:

- Perimeter lighting to supplement the street lighting and to provide increased visibility and security;
- On-site security personnel, commensurate to similar/comparable residential and retail projects of its size, as needed;

- Installation of parking garage access control; and
- Installation of residential units access control.

**Enforcement Agency:** City of Los Angeles Department of Building and Safety, City of Los Angeles Police Department

**Monitoring Agency:** City of Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-operation

**Monitoring Frequency:** Once prior to issuance of a Certificate of Occupancy

**Action Indicating Compliance:** Submittal of compliance documentation and subsequent issuance of Certificate of Occupancy

No PDFs are identified in the EIR for this environmental issue.

## **l) Public Services – Schools**

No mitigation measures or PDFs are identified in the EIR for this environmental issue.

## **m) Public Services – Parks**

No mitigation measures or PDFs are identified in the EIR for this environmental issue.

## **n) Public Services – Libraries**

No mitigation measures or PDFs are identified in the EIR for this environmental issue.

## **o) Transportation/Traffic**

**TR-PDF-1:** Site Design – The Project Site perimeter will be designed to encourage walking, biking, and transit usage. Amenities will include:

- New sidewalks and street trees along the perimeter
- Improved street and pedestrian lighting

**EXHIBIT B**

**CPC-2016-4475-GPA-VZC-HD-MCUP-CUX-DB-SPP** Mitigation Monitoring Program

**Enforcement Agency:** City of Los Angeles Department of Building and Safety, Department of City Planning

**Monitoring Agency:** City of Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction

**Monitoring Frequency:** Once at Project Plan check

**Action Indicating Compliance:** Plan approval and issuance of applicable building permit

**TR-PDF-2:** Construction Traffic Management Plan – A Construction Traffic

Management Plan will be developed by the contractor and approved by the City of Los Angeles to alleviate potential construction period impacts. The Plan may include, but is not limited to, the following measures:

- Provide off-site truck staging in a legal area furnished by the construction truck contractor. Anticipated truck access to the Project Site will be off 5<sup>th</sup> Street.
- Schedule deliveries and pick-ups of construction materials during non-peak travel periods to the extent possible and coordinate to reduce the potential of trucks waiting to load or unload for protracted periods.
- As parking lane and/or travel lane closures are anticipated, worksite traffic control plan(s), approved by the City, will be implemented to route vehicular traffic, bicyclists, and pedestrians around any such closures.
- Establish requirements for loading/unloading and storage of materials on the Project Site, where parking spaces would be encumbered, length of time traffic travel lanes can be encumbered, sidewalk closings or pedestrian diversions to ensure the safety of the pedestrian and access to local businesses and residences.
- Ensure that access will remain unobstructed for land uses in proximity to the Project Site during Project construction.
- Coordinate with the City and emergency service providers to ensure adequate access is maintained to the Project Site and neighboring businesses and residences.

**Enforcement Agency:** City of Los Angeles Department of Transportation

**Monitoring Agency:** City of Los Angeles Department of Transportation

**Monitoring Phase:** Pre-Construction; Construction

**Monitoring Frequency:** Once at Project plan check prior to issuance of grading or building permit; once during field inspection

**Action Indicating Compliance:** Plan approval and issuance of grading permit; field inspection sign-off

**TR-PDF-3:** Construction Worker Parking Plan – A Construction Worker Parking Plan will be developed by the contractor and approved by the City to ensure that the parking location requirements for construction workers will be strictly enforced. The Construction Worker Parking Plan could include, but is not limited to, the following measures:

- During construction activities when construction worker parking cannot be accommodated on the Project Site, the Plan shall identify alternate parking location(s) for construction workers and the method of transportation to and from the Project Site (if beyond walking distance) for approval by the City 30 days prior to commencement of construction.
- Provide all construction contractors with written information on where their workers and their subcontractors are permitted to park, and provide clear consequences to violators for failure to follow these regulations. This information will clearly state that no parking is permitted on residential streets.

**Enforcement Agency:** City of Los Angeles Department of Transportation

**Monitoring Agency:** City of Los Angeles Department of Transportation

**Monitoring Phase:** Pre-Construction; Construction

**Monitoring Frequency:** Once at Project plan check prior to issuance of grading or building permit; once during field inspection

**Action Indicating Compliance:** Plan approval and issuance of grading permit; field inspection sign-off

**TR-MM-1:** A preliminary Transportation Demand Management (TDM) program shall be prepared as part of the Project and provided for Los Angeles Department of Transportation (LADOT) review prior to the issuance of the first building permit for the Project. A final TDM program approved by LADOT shall be required prior to the issuance of the first certificate of occupancy for the Project. The TDM program should include, but not be limited to, the following strategies:

- An on-site Transportation Information Center;
- Preferential rideshare loading/unloading or parking location;
- Convenient parking and facilities for bicycle riders;
- Guaranteed ride home programs for employees;
- Allowance for flexible and alternative work schedules;
- Administrative support for the formation of carpools/vanpools;
- Promotion of transit, walk, or bike to work events;
- Project design elements to ensure a bicycle, transit, and pedestrian-friendly environment;
- Unbundled parking from housing cost;
- Parking cash-out programs for Project and uses as appropriate;
- A Covenant and Agreement to ensure that the TDM program will be maintained;
- Make a one-time financial contribution of \$50,000 to LADOT to be used in the implementation of the Mobility Hub in the general area of the Project; and
- Make a one-time fixed-fee financial contribution of \$50,000 to the City's Bicycle Plan Trust Fund to implement bicycle improvements in the general Downtown Los Angeles area of the Project.

**Enforcement Agency:** City of Los Angeles Department of Transportation

**Monitoring Agency:** City of Los Angeles Department of Transportation

**Monitoring Phase:** Pre-Construction; Construction

**Monitoring Frequency:** Once at Project plan check prior to issuance of first grading or building permit; once prior to issuance of first Certificate of Occupancy

**Action Indicating Compliance:** Preliminary TDM Program submitted to LADOT, and issuance of grading or building permit; LADOT approval of Final TDM Program, and issuance of first Certificate of Occupancy

**TR-MM-2:** The Project shall contribute up to \$175,000 toward Transportation Systems Management (TSM) improvements within the Central District that may be considered to better accommodate intersection operations and increase intersection capacity throughout the study area. LADOT's Automated Traffic Surveillance and Control (ATSAC) System Section has identified the need of new system upgrades from Alameda Street & 4<sup>th</sup> Place/3<sup>rd</sup> Street to Alameda Street & 7<sup>th</sup> Street, and from Alameda Street & 7<sup>th</sup> Street to 7<sup>th</sup> Street & Mateo Street. The system upgrades would provide and improve the network capacity for additional closed-circuit television (CCTV) cameras to real-time video monitoring of intersection, corridor, transit, and pedestrian operations in Downtown Los Angeles. Collectively, these TSM improvements provide a system wide benefit by reducing delays experienced by motorists at study intersections.

**Enforcement Agency:** City of Los Angeles Department of Transportation

**Monitoring Agency:** City of Los Angeles Department of Transportation

**Monitoring Phase:** Construction

**Monitoring Frequency:** Prior to issuance of a Certificate of Occupancy

**Action Indicating Compliance:** Issuance of a Certificate of Occupancy

## **p) Utilities and Service Systems - Wastewater**

No mitigation measures or PDFs are identified in the EIR for this environmental issue.

## **q) Utilities and Service Systems - Water**

No mitigation measures or PDFs are identified in the EIR for this environmental issue.

**r) Utilities and Service Systems – Solid Waste**

No mitigation measures or PDFs are identified in the EIR for this environmental issue.

**s) Utilities and Service Systems – Energy Conservation**

No mitigation measures or PDFs are identified in the EIR for this environmental issue.

**t) Tribal Cultural Resources**

No mitigation measures or PDFs are identified in the EIR for this environmental issue.



Exhibit C

CPC-2016-4475-GPA-VZC-HD-MCUP-CUX-DB-SPR

William Lamborn &lt;william.lamborn@lacity.org&gt;

## Arts District Center - Revised Trip Generation

2 messages

**William Lamborn** <william.lamborn@lacity.org>  
To: Wes Pringle <wes.pringle@lacity.org>

Tue, Aug 13, 2019 at 8:58 AM

Hi Wes,

We are reviewing the Final EIR for the Arts District Center project, and the applicant has proposed some minor reallocations of project square footages. A revised trip generation table has been prepared (see attached). As submitted, the revised trip generation would result in fewer daily and peak hour trips.

Could you review the attached trip generation table, and confirm if it looks OK and would not change the conclusions of the Draft EIR?

I've attached LADOT's original assessment letter for reference.

Thanks so much,

-

**William Lamborn**

Major Projects

Department of City Planning

221 N. Figueroa, Suite 1350

Ph: 213.847.3637

Please note that I am out of the office every other Friday.



### 2 attachments

 **B. Revised Trip Gen Table.pdf**  
300K

 **Appendix I-2\_LADOT Assessment Letter.pdf**  
564K

**Wes Pringle** <wes.pringle@lacity.org>  
To: William Lamborn <william.lamborn@lacity.org>

Mon, Aug 19, 2019 at 10:48 AM

Hi Will,

I reviewed the revised trip generation table for the project. The difference in trips is negligible and would not change the conclusions in the DEIR.

Wes

[Quoted text hidden]

--

**Wes Pringle, P.E.**

Transportation Engineer

Metro Development Review

8/19/2019

City of Los Angeles Mail - Arts District Center - Revised Trip Generation

100 S. Main St, 9th Floor

Los Angeles, CA 90012

**EXHIBIT C**

**CPC-2016-4475-GPA-VZC-HD-MCUP-CUX-DB-SPR**

Los Angeles Department of Transportation

213.972.8482    



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**EXHIBIT C**

**CPC-2016-4475-GRA-VZC-HD-MCUP-CUX-DB-SPR**

**TABLE B  
THE ARTS DISTRICT CENTER - REVISED PROJECT  
TRIP GENERATION**

Land Use	ITE Land Use Code	Size	Trip Generation Rates [a]						Estimated Trip Generation															
			Daily	AM Peak Hour			PM Peak Hour			Daily	AM Peak Hour Trips			PM Peak Hour Trips										
				Rate	In%	Out%	Rate	In%	Out%		In	Out	Total	In	Out	Total								
<b>PROPOSED PROJECT</b>																								
Shopping Center	820	27,888 ksf	42.7	0.96	62%	38%	3.71	48%	52%	1,191	17	10	27	49	54	103								
Less: Internal Capture [b]			18%		14%	12%				(214)	(2)	(1)	(3)	(31)	(33)	(64)								
Total Driveway Trips										977	15	9	24	18	21	39								
Less: Pass-by [c]			50%	50%			50%			(488)	(7)	(4)	(11)	(9)	(10)	(19)								
Net External Vehicle Trips										489	8	5	13	9	11	20								
Quality Restaurant	931	18,120 ksf	89.95	0.81	50%	50%	7.49	67%	33%	1,630	8	7	15	91	45	136								
Less: Internal Capture [b]			7%		7%	2%				(114)	(1)	0	(1)	(14)	(14)	(28)								
Total Driveway Trips										1,516	7	7	14	77	31	108								
Less: Pass-by [c]			10%	10%			10%			(151)	0	0	0	(7)	(3)	(10)								
Net External Vehicle Trips										1,365	7	7	14	70	28	98								
Fast-Food Restaurant	933	2,600 ksf	716	43.87	60%	40%	26.15	51%	49%	1,862	68	46	114	35	33	68								
Less: Internal Capture [b]			7%		7%	2%				(130)	(5)	(1)	(6)	(5)	(10)	(15)								
Total Driveway Trips										1,732	63	45	108	30	23	53								
Less: Pass-by [c]			50%	50%			50%			(866)	(31)	(22)	(53)	(15)	(11)	(26)								
Net External Vehicle Trips										866	32	23	55	15	12	27								
High-Turnover Restaurant	932	11,563 ksf	127.15	10.81	55%	45%	9.85	60%	40%	1,470	69	56	125	68	46	114								
Less: Internal Capture [b]			7%		7%	2%				(103)	(5)	(1)	(6)	(11)	(15)	(26)								
Total Driveway Trips										1,367	64	55	119	57	31	88								
Less: Pass-by [c]			20%	20%			20%			(273)	(12)	(11)	(23)	(11)	(6)	(17)								
Net External Vehicle Trips										1,094	52	44	96	46	25	71								
Hotel	310	113 rooms	8.17	0.53	59%	41%	0.6	51%	49%	923	35	25	60	35	33	68								
Less: Internal Capture [b]			16%		3%	12%				(148)	(1)	(3)	(4)	(21)	(19)	(40)								
Total Driveway Trips										775	34	22	56	14	14	28								
Residential	230	129 DU	5.81	0.44	17%	83%	0.52	67%	33%	749	10	47	57	45	22	67								
Less: Internal Capture [b]			18%		7%	21%				(135)	(1)	(10)	(11)	(24)	(11)	(35)								
Total Driveway Trips										614	9	37	46	21	11	32								
Design Incubator [d]	540	3,400 ksf	27.49	2.99	74%	26%	2.54	58%	42%	93	7	3	10	5	4	9								
Total Driveway Trips										93	7	3	10	5	4	9								
Art Gallery [e]	580	17,755 ksf	1.8	0.28	86%	14%	0.18	16%	84%	32	4	1	5	0	3	3								
Total Driveway Trips										32	4	1	5	0	3	3								
<b>TOTAL DRIVEWAY TRIPS</b>										7,106	203	179	382	222	138	360								
<b>TOTAL PROJECT EXTERNAL VEHICLE TRIPS</b>										5,328	153	142	295	180	108	288								
<b>EXISTING USE CREDIT</b>																								
Shopping Center	820	22 ksf	42.7	0.96	62%	38%	3.71	48%	52%	939	13	8	21	39	43	82								
Less: Internal Capture [b]			4%		5%	7%				(38)	(1)	(1)	(2)	(3)	(2)	(5)								
Total Driveway Trips										901	12	7	19	36	41	77								
Less: Pass-by [c]			50%	50%			50%			(450)	(6)	(3)	(9)	(18)	(20)	(38)								
Net External Vehicle Trips										451	6	4	10	18	21	39								
Creative Office	710	16 ksf	11.03	1.56	88%	12%	1.49	17%	83%	176	22	3	25	4	20	24								
Less: Internal Capture [b]			7%		4%	33%				(12)	(1)	(1)	(2)	(1)	(4)	(5)								
Net External Vehicle Trips										164	21	2	23	3	16	19								
Warehousing	150	7 ksf	3.56	0.3	79%	21%	0.32	25%	75%	25	2	0	2	1	1	2								
Net External Vehicle Trips										25	2	0	2	1	1	2								
Residential	220	10 DU	6.65	0.51	20%	80%	0.62	65%	35%	67	1	4	5	4	2	6								
Less: Internal Capture [b]			13%		0%	0%				(9)	0	0	0	(2)	(1)	(3)								
Net External Vehicle Trips										58	1	4	5	2	1	3								
<b>TOTAL EXISTING USE CREDIT</b>										698	30	10	40	24	39	63								
<b>NET INCREMENTAL EXTERNAL TRIPS</b>										4,630	123	132	255	156	69	225								

**Notes:**  
 [a] Source: Institute of Transportation Engineers (ITE), *Trip Generation*, 9th Edition, 2012.  
 [b] Internal capture represents the percentage of trips between land uses that occur within the site. Transportation Research Board (TRB) National Cooperative Highway Research Program (NCHRP) Report 684: Enhancing Internal Trip Capture Estimation for Mixed-Use Developments, 2011.  
 [c] The pass-by credit is based on Attachment I of LADOT's *Traffic Study Policies and Procedures*, December, 2016.  
 [d] Trip generation rates for community college used for arts school  
 [e] Trip generation rates for museum used for Art Gallery. Since ITE does not provide a daily trip rate for this use, the peak hour rate was multiplied by 10 to develop a daily trip estimate.

**EXHIBIT C**  
**CPC-2016-4475-GPA-VZC-HD-MCUP-CUX-DB-SPR**

FORM GEN. 160A (Rev. 1/82)

**CITY OF LOS ANGELES**  
**INTER-DEPARTMENTAL CORRESPONDENCE**

1129 E 5<sup>th</sup> St  
DOT Case No. CEN 15-43414

Date: May 3, 2018

To: Luciralia Ibarra, Senior City Planner  
Department of City Planning

From:   
Wes Pringle, Transportation Engineer  
Department of Transportation

Subject: **TRANSPORTATION IMPACT ANALYSIS FOR THE PROPOSED ARTS DISTRICT CENTER DEVELOPMENT LOCATED AT 1129 E 5<sup>th</sup> STREET**

The Department of Transportation (DOT) has reviewed the transportation impact analysis dated January 2018, prepared by Fehr & Peers, for the proposed mixed-use development located at 1129 East 5<sup>th</sup> Street. In order to evaluate the effects of the project's traffic on the available transportation infrastructure, the significance of the project's traffic impacts is measured in terms of change to the volume-to-capacity (V/C) ratio between the "future no project" and the "future with project" scenarios. This change in the V/C ratio is compared to DOT's established threshold standards to assess the project-related traffic impacts. The transportation impact analysis included the detailed analysis of 21 signalized intersections. Based on DOT's current traffic impact criteria<sup>1</sup>, six of these signalized intersections would be significantly impacted by project-related traffic prior to mitigation. The results of the transportation impact analysis, which accounted for other known development projects in evaluating potential cumulative impacts, adequately evaluated the project's traffic impacts on the surrounding community and is summarized in **Attachment 1**. The transportation analysis identifies the transportation mitigation measures designed to reduce the project's potential traffic impacts to a less than significant level, although the impacts at one intersection remains significant and unavoidable.

## **DISCUSSION AND FINDINGS**

### A. Project Description

The proposed project will replace the current mix of retail, creative office space, warehousing, and residential space with 129 residential units, 113 hotel rooms, 26,979 square feet of retail, 31,719 square feet of restaurant, 3,430 square feet of design incubator, and 10,341 square feet of art gallery space. The project will provide 321 vehicle parking spaces and 220 bicycle parking spaces. Vehicular access to the project site will be provided via two driveways, one on 5<sup>th</sup> Street and one on Colyton Street. A loading entrance for truck deliveries will be located on Seaton Street. The project is expected to be completed by 2021.

---

<sup>1</sup> Per the DOT Transportation Impact Analysis Policies and Procedures, a significant impact is identified as an increase in the Critical Movement Analysis (CMA) value, due to project related traffic, of 0.01 or more when the final ("with project") Level of Service (LOS) is LOS E or F; an increase of 0.020 or more when the final LOS is LOS D; or an increase of 0.040 or more when the final LOS is LOS C.

**EXHIBIT C****CPC-2016-4475-GPA-VZC-HD-MCUP-CUX-DB-SPR****B. Trip Generation**

The project is estimated to generate 4,713 daily trips, a net increase of 273 trips in the a.m. peak hour, and a net increase of 229 trips in the p.m. peak. The trip generation estimates are based on formulas published by the Institute of Transportation Engineers (ITE) Trip Generation, 9<sup>th</sup> Edition, 2012. A copy of the trip generation table can be found in **Attachment 2**.

**C. Freeway Analysis**

The traffic study included a freeway impact analysis that was prepared in accordance with the State-mandated Congestion Management Program (CMP) administered by the Los Angeles County Metropolitan Transportation Authority (MTA). According to this analysis, the project would not result in significant traffic impacts on any of the evaluated freeway mainline segments. To comply with the Freeway Analysis Agreement executed between Caltrans and DOT in December 2015, the study also included a screening analysis to determine if additional evaluation of freeway mainline and ramp segments was necessary beyond the CMP requirements. The project did not meet or exceed any of the four thresholds defined in the latest agreement, updated in December 2015. Exceeding one of the four screening criteria would require the applicant to work directly with Caltrans to prepare more detailed freeway analyses; therefore, no additional freeway analysis was required.

**D. Traffic Impacts**

The study determined that the project would result in significant traffic impacts (pre-mitigation) at the following intersections:

1. Alameda Street & 4<sup>th</sup> Place/3<sup>rd</sup> Street (A.M. and P.M. Peak Hours)
2. Alameda Street & 4<sup>th</sup> Street (P.M. Peak Hour)
3. Alameda Street & 6<sup>th</sup> Street (A.M. Peak Hour)
4. Alameda Street & 7<sup>th</sup> Street (A.M. and P.M. Peak Hours)
5. Mateo Street & 6<sup>th</sup> Street (A.M. Peak Hour)
6. Mateo Street & 7<sup>th</sup> Street (P.M. Peak Hour)

In consideration of the City's goals to reduce greenhouse gas emissions, the transportation study proposed a transportation mitigation program designed to reduce project-related trips and promote other travel modes. The transportation mitigation program (described below) would partially but not fully mitigate the project's significant traffic impacts during the peak commute hours at the above intersections (see **Attachment 3**). Physical traffic mitigation improvement options at these impacted intersections were evaluated in an attempt to fully mitigate the impacts; however, no feasible mitigations were identified due to the constraints of the existing physical conditions and recent adoption of Vision Zero, Mobility Plan 2035 and Complete Streets Design Guide. Due to these new standards and geometric design constraints, no feasible and effective physical improvements proposed would fully mitigate the project-related traffic impact to a level below significance at the following intersection:

1. Alameda Street & 6<sup>th</sup> Street (A.M. Peak Hour)

**PROJECT REQUIREMENTS****A. Traffic Mitigation Program**

Consistent with City policies on sustainability and smart growth and with DOT's trip

reduction and multi-modal transportation goals, the project's mitigation first focuses on developing a trip reduction program and on solutions that promote other modes of travel. The traffic mitigation program includes the following improvements:

1. **Transportation Demand Management (TDM)**

The purpose of a TDM plan is to reduce the use of single occupant vehicles (SOV) by increasing the number of trips by walking, bicycle, carpool, vanpool and transit. A TDM plan should include design features, transportation services, education, and incentives intended to reduce the amount of SOV during commute hours. Through strategic building design and orientation, this project can facilitate access to transit, can provide a pedestrian-friendly environment, can promote non-automobile travel and can support the goals of a trip-reduction program.

A preliminary TDM program shall be prepared and provided for DOT review prior to the issuance of the first building permit for this project and a final TDM program approved by DOT is required prior to the issuance of the first certificate of occupancy for the project. The TDM program should include, but not be limited to, the following strategies:

- An on-site Transportation Information Center;
- Preferential rideshare loading/unloading or parking location;
- Convenient parking and facilities for bicycle riders;
- Guaranteed ride home programs for employees;
- Allowance for flexible and alternative work schedules;
- Administrative support for the formation of carpools/vanpools;
- Promotion of transit, walk, or bike to work events;
- Project design elements to ensure a bicycle, transit, and pedestrian friendly environment;
- Unbundled parking from housing cost;
- Parking cash-out programs for Project and uses as appropriate;
- A Covenant and Agreement to ensure that the TDM program will be maintained;
- Make a one-time financial contribution of **\$50,000** to the City of Los Angeles Department of Transportation to be used in the implementation of the Mobility Hub in the general area of the Project;
- Make a one-time fixed-fee financial contribution of **\$50,000** to the City's Bicycle Plan Trust Fund to implement bicycle improvements in the general Downtown Los Angeles area of the Project.

2. **Transportation Systems Management (TSM) Improvements**

The project would contribute up to **\$175,000** toward TSM improvements within the Central District that may be considered to better accommodate intersection operations and increase intersection capacity throughout the study area. LADOT's ATSAC Section has identified the need of new system upgrades from Alameda Street & 4<sup>th</sup> Place/3<sup>rd</sup> Street to Alameda Street & 7<sup>th</sup> Street, and from Alameda Street & 7<sup>th</sup> Street to 7<sup>th</sup> Street & Mateo Street. The system upgrades would provide and improve the network capacity for additional (CCTV) cameras to real-time video monitoring of intersection, corridor, transit, and pedestrian operations in Downtown Los Angeles. Collectively, these TSM improvements provide a system wide benefit by reducing delays experienced by motorists at study intersections.

Should the project be approved, then a final determination on how to implement these system upgrades will be made by DOT prior to the issuance of the first building permit. These installations will be implemented **either** by the applicant through the B-Permit process of the Bureau of Engineering (BOE), **or** through payment of a one-time fixed fee of **\$175,000** to DOT to fund the cost of the upgrades. If DOT selects the payment option, then the applicant would be required to pay **\$175,000** to DOT, and DOT shall design and construct the upgrades.

If the installations are implemented by the applicant through the B-Permit process, then these improvements must be guaranteed prior to the issuance of any building permit and completed prior to the issuance of any certificate of occupancy. Temporary certificates of occupancy may be granted in the events of any delay through no fault of the applicant, provided that, in each case, the applicant has demonstrated reasonable efforts and due diligence to the satisfaction of DOT.

B. Implementation of Improvements and Mitigation Measures

For all of the proposed intersection improvements, the final determination on the feasibility of street widening shall be made by BOE. The applicant should be responsible for the cost and implementation of any necessary traffic signal equipment modifications, bus stop relocations and lost parking meter revenues associated with the proposed transportation improvements described above. All proposed street improvements and associated traffic signal work within the City of Los Angeles must be guaranteed through BOE's B-Permit process, prior to the issuance of any building permit and completed prior to the issuance of any certificate of occupancy. Prior to setting the bond amount, BOE shall require that the developer's engineer or contractor contact DOT's B-Permit Coordinator, at (213) 972-8687, to arrange a pre-design meeting to finalize the proposed design. Costs related to any relocation of bus zones and shelters, and to modifying or upgrading traffic signal equipment and that are necessary to implement the proposed mitigations shall be incurred by the applicant.

If a proposed traffic mitigation measure does not receive the required approval during plan review, a substitute mitigation measure may be provided subject to the approval of LADOT or other governing agency with jurisdiction over the mitigation location, upon demonstration that the substitute measure is environmentally equivalent or superior to the original measure in mitigating the project's significant traffic impact. To the extent that a mitigation measure proves to be infeasible and no substitute mitigation is available, then a significant traffic impact would remain.

D. Highway Dedication and Street Widening Requirements

On January 20, 2016, the City Council adopted the Mobility Plan 2035 which is the new Mobility Element of the General Plan. A key feature of the updated plan is to revise street standards in an effort to provide a more enhanced balance between traffic flow and other important street functions including transit routes and stops, pedestrian environments, bicycle routes, building design and site access, etc. Per the new Mobility Element, **East 5<sup>th</sup> Street, Seaton Street, and Colyton Street** have all been designated as a Collector, which would require a 20-foot half-width roadway within a 33-foot half-width right-of-way. The applicant should check with BOE's Land Development Group to determine the specific highway dedication, street widening and/or sidewalk requirements for this project.

E. Construction Impacts

DOT recommends that a construction work site traffic control plan be submitted to

DOT for review and approval prior to the start of any construction work. The plan should show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. DOT also recommends that all construction related traffic be restricted to off-peak hours, to the extent feasible.

F. Parking Requirements

The project will provide 321 vehicle parking spaces and 220 bicycle parking spaces. Vehicular access to the project site will be provided via two driveways, one on 5<sup>th</sup> Street and one on Colyton Street. A loading entrance for truck deliveries will be located on Seaton Street. The applicant should also check with the Department of Building and Safety on the number of Code-required parking spaces needed for the project.

G. Driveway Access and Circulation

The proposed site plan illustrated in **Attachment 4** is acceptable to DOT; however, review of the study does not constitute approval of internal circulation schemes and driveway dimensions. Those require separate review and approval and should be coordinated with DOT's Citywide Planning Coordination Section 201 N. Figueroa Street, 5th Floor, Room 550, at (213) 482-7024. Any changes to the project's site access, circulation scheme, or loading/unloading area after issuance of this report would require separate review and approval and should be coordinated as well. In order to minimize potential building design changes, the applicant should contact DOT for driveway width and internal circulation requirements so that such traffic flow considerations are designed and incorporated early into the building and parking layout plans.

H. Development Review Fees

An ordinance adding Section 19.15 to the Los Angeles Municipal Code relative to application fees paid to DOT for permit issuance activities was adopted by the Los Angeles City Council in 2009 and updated in 2014. This ordinance identifies specific fees for transportation impact analysis review, condition clearance, and permit issuance. The applicant shall comply with any applicable fees per this ordinance.

If you have any questions, please contact Johnathan Yu of my staff at (213) 972-4993.

Attachments

*K:\Letters\2018\CEN 16-44536\_222 W 2nd St\_LA Times Tribune.1.docx*

- c: Shawn Kuk, Council District No. 14  
Mehrdad Moshksar, Central, DOT  
Taimour Tanavoli, Case Management Office, DOT  
Carl Mills, Central District, BOE  
Amanda Heinke, Fehr & Peers

## ATTACHMENT 1

## Summary of Volume to Capacity Ratios (V/C) and Level of Service (LOS)

TABLE 6 ARTS DISTRICT CENTER PROJECT BASELINE PLUS PROJECT INTERSECTION LEVELS OF SERVICE AND IMPACT ANALYSIS								
NO.	INTERSECTION	PEAK HOUR	BASELINE		BASELINE + PROJECT		V/C INCREASE	SIGNIFICANT IMPACT?
			V/C	LOS	V/C	LOS		
1	San Pedro St & E 4th St	AM	0.274	A	0.275	A	0.001	No
		PM	0.759	C	0.761	C	0.002	No
2	San Pedro St & E 6th St	AM	0.235	A	0.236	A	0.001	No
		PM	0.407	A	0.408	A	0.001	No
3	Central Ave & E 4th St	AM	0.176	A	0.176	A	0.000	No
		PM	0.598	A	0.603	B	0.005	No
4	Central Ave & E 6th St	AM	0.440	A	0.457	A	0.017	No
		PM	0.701	C	0.712	C	0.011	No
5	N Alameda St & Arcadia St	AM	0.474	A	0.595	A	0.121	No
		PM	0.659	B	0.661	B	0.002	No
6	N Alameda St & E Commercial St	AM	0.378	A	0.381	A	0.003	No
		PM	0.648	B	0.649	B	0.001	No
7	N Alameda St & E 1st St	AM	0.561	A	0.565	A	0.004	No
		PM	0.574	A	0.579	A	0.005	No
8	S Alameda St & E 4th Pl/3rd St	AM	0.703	C	0.719	C	0.016	No
		PM	0.420	A	0.433	A	0.013	No
9	S Alameda St & E 4th St	AM	0.308	A	0.321	A	0.013	No
		PM	0.623	B	0.633	B	0.010	No
10	S Alameda St & E 6th St	AM	0.591	A	0.618	B	0.027	No
		PM	0.624	B	0.633	B	0.009	No
11	S Alameda St & E 7th St	AM	0.658	B	0.670	B	0.012	No
		PM	0.631	B	0.638	B	0.007	No
12	S Alameda St & E 8th St	AM	0.458	A	0.464	A	0.006	No
		PM	0.457	A	0.461	A	0.004	No
13	S Alameda St & Olympic Blvd	AM	0.603	B	0.611	B	0.008	No
		PM	0.747	C	0.749	C	0.002	No
14	S Alameda St & I-10 EB On-Ramp	AM	0.652	B	0.656	B	0.004	No
		PM	0.694	B	0.699	B	0.005	No
15	Merrick St/Molino St & E 4th St	AM	0.551	A	0.554	A	0.003	No
		PM	0.562	A	0.565	A	0.003	No
16	Mateo St & E 6th St	AM	0.367	A	0.379	A	0.012	No
		PM	0.368	A	0.384	A	0.016	No
17	Mateo St & E 7th St	AM	0.366	A	0.375	A	0.009	No
		PM	0.357	A	0.368	A	0.011	No
18	Pecan St & E 4th St	AM	0.553	A	0.555	A	0.002	No
		PM	0.490	A	0.490	A	0.000	No
19	US-101 SB Ramp & E 4th St	AM	0.542	A	0.545	A	0.003	No
		PM	0.345	A	0.349	A	0.004	No
20	US-101 NB Ramp & E 4th St	AM	0.737	C	0.739	C	0.002	No
		PM	0.323	A	0.325	A	0.002	No
21	I-5 NB Ramp & E 4th St	AM	0.579	A	0.586	A	0.007	No
		PM	0.633	B	0.638	B	0.005	No

**TABLE 7**  
**ARTS DISTRICT CENTER PROJECT**  
**FUTURE YEAR (2021) PLUS PROJECT INTERSECTION LEVELS OF SERVICE AND IMPACT ANALYSIS**

NO.	INTERSECTION	PEAK HOUR	FUTURE (2021)		FUTURE (2021) + PROJECT		V/C INCREASE	SIGNIFICANT IMPACT?
			V/C	LOS	V/C	LOS		
1	San Pedro St & E 4th St	AM	0.485	A	0.486	A	0.001	No
		PM	1.023	F	1.025	F	0.002	No
2	San Pedro St & E 6th St	AM	0.348	A	0.349	A	0.001	No
		PM	0.537	A	0.537	A	0.000	No
3	Central Ave & E 4th St	AM	0.299	A	0.303	A	0.004	No
		PM	0.765	C	0.771	C	0.006	No
4	Central Ave & E 6th St	AM	0.757	C	0.765	C	0.008	No
		PM	1.130	F	1.138	F	0.008	No
5	N Alameda St & Arcadia St	AM	0.907	E	0.911	E	0.004	No
		PM	1.101	F	1.103	F	0.002	No
6	N Alameda St & E Commercial St	AM	0.647	B	0.650	B	0.003	No
		PM	1.079	F	1.080	F	0.001	No
7	N Alameda St & E 1st St	AM	1.171	F	1.175	F	0.004	No
		PM	1.190	F	1.195	F	0.005	No
8	S Alameda St & E 4th Pl/3rd St	AM	1.151	F	1.167	F	0.016	Yes
		PM	0.932	E	0.942	E	0.010	Yes
9	S Alameda St & E 4th St	AM	0.673	B	0.687	B	0.014	No
		PM	1.066	F	1.077	F	0.011	Yes
10	S Alameda St & E 6th St	AM	1.054	F	1.075	F	0.021	Yes
		PM	1.215	F	1.224	F	0.009	No
11	S Alameda St & E 7th St	AM	1.254	F	1.266	F	0.012	Yes
		PM	1.344	F	1.355	F	0.011	Yes
12	S Alameda St & E 8th St	AM	0.651	B	0.656	B	0.005	No
		PM	0.655	B	0.657	B	0.002	No
13	S Alameda St & Olympic Blvd	AM	0.836	D	0.842	D	0.006	No
		PM	1.049	F	1.051	F	0.002	No
14	S Alameda St & I-10 EB On-Ramp	AM	0.885	D	0.889	D	0.004	No
		PM	0.950	E	0.955	E	0.005	No
15	Merrick St/Molino St & E 4th St	AM	0.828	D	0.831	D	0.003	No
		PM	1.073	F	1.075	F	0.002	No
16	Mateo St E 6th St	AM	0.941	E	0.954	E	0.013	Yes
		PM	0.985	E	0.990	E	0.005	No
17	Mateo St E 7th St	AM	0.807	D	0.819	D	0.012	No
		PM	0.897	D	0.909	E	0.012	Yes
18	Pecan St E 4th St	AM	0.641	B	0.644	B	0.003	No
		PM	0.556	A	0.556	A	0.000	No
19	US-101 SB Ramp & E 4th St	AM	0.633	B	0.635	B	0.002	No
		PM	0.449	A	0.454	A	0.005	No
20	US-101 NB Ramp & E 4th St	AM	0.861	D	0.863	D	0.002	No
		PM	0.437	A	0.439	A	0.002	No
21	I-5 NB Ramp & E 4th St	AM	0.711	C	0.718	C	0.007	No
		PM	0.787	C	0.791	C	0.004	No

**ATTACHMENT 2  
Project Trip Generation Estimates**

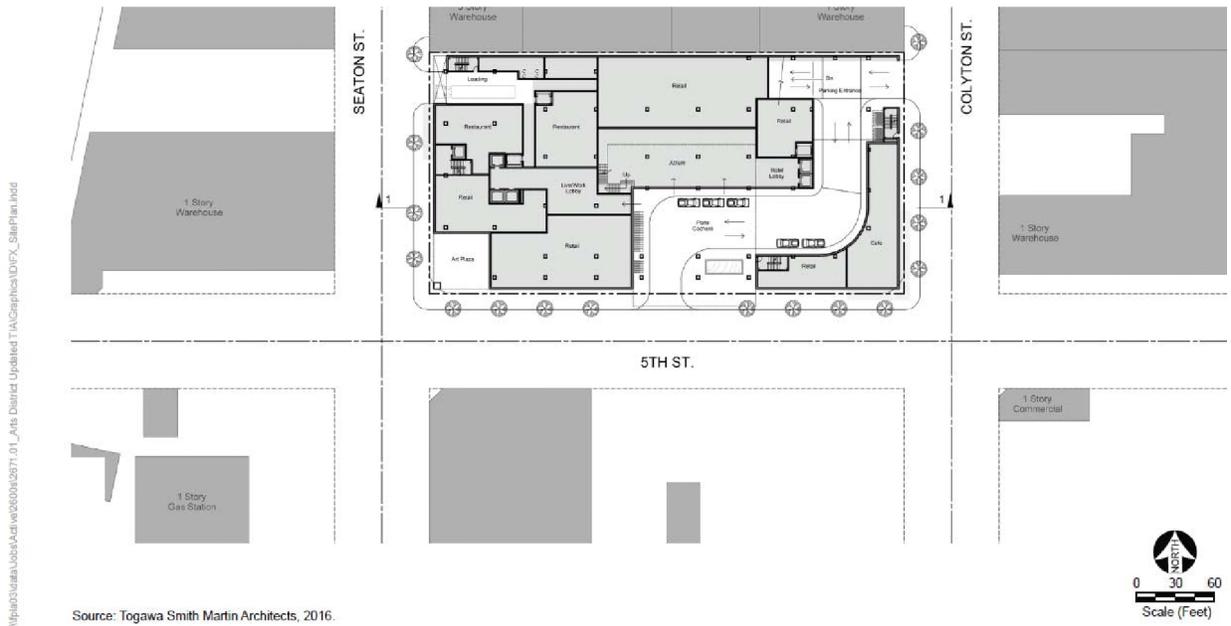
Land Use	ITE Land Use Code	Size	Trip Generation Rates [a]									Estimated Trip Generation					
			AM Peak Hour			PM Peak Hour			Daily	AM Peak Hour Trips			PM Peak Hour Trips				
			Rate	In%	Out%	Rate	In%	Out%		In	Out	Total	In	Out	Total		
<b>PROPOSED PROJECT</b>																	
Shopping Center	820	26,979 ksf	42.7	0.96	62%	38%	3.71	48%	52%	1,152	16	10	26	48	52	100	
Less: Internal Capture [b]			18%		15%	12%			62%	60%	(207)	(2)	(1)	(3)	(30)	(31)	(61)
Total Driveway Trips										945	14	9	23	18	21	39	
Less: Pass-by [c]			50%	50%			50%			(472)	(7)	(4)	(11)	(9)	(10)	(19)	
Net External Vehicle Trips										473	7	5	12	9	11	20	
Quality Restaurant	931	15,197 ksf	89.95	0.81	50%	50%	7.49	67%	33%	1,367	6	6	12	76	38	114	
Less: Internal Capture [b]			5%		6%	2%			15%	30%	(68)	0	0	0	(11)	(11)	(22)
Total Driveway Trips										1,299	6	6	12	65	27	92	
Less: Pass-by [c]			10%	10%			10%			(129)	0	0	0	(6)	(2)	(8)	
Net External Vehicle Trips										1,170	6	6	12	59	25	84	
Fast-Food Restaurant	933	2,888 ksf	716	43.87	60%	40%	26.15	51%	49%	2,068	76	51	127	39	37	76	
Less: Internal Capture [b]			7%		6%	2%			15%	30%	(145)	(5)	(1)	(6)	(6)	(11)	(17)
Total Driveway Trips										1,923	71	50	121	33	26	59	
Less: Pass-by [c]			50%	50%			50%			(961)	(35)	(25)	(60)	(16)	(13)	(29)	
Net External Vehicle Trips										962	36	25	61	17	13	30	
High-Turnover Restaurant	932	13,634 ksf	127.15	10.81	55%	45%	9.85	60%	40%	1,734	81	66	147	80	54	134	
Less: Internal Capture [b]			6%		6%	2%			75%	30%	(104)	(5)	(1)	(6)	(12)	(16)	(28)
Total Driveway Trips										1,630	76	65	141	68	38	106	
Less: Pass-by [c]			20%	20%			20%			(326)	(15)	(13)	(28)	(13)	(7)	(20)	
Net External Vehicle Trips										1,304	61	52	113	55	31	86	
Hotel	310	113 rooms	8.17	0.53	59%	41%	0.6	51%	49%	923	35	25	60	35	33	68	
Less: Internal Capture [b]			16%		3%	12%			57%	58%	(148)	(1)	(3)	(4)	(20)	(19)	(39)
Total Driveway Trips										775	34	22	56	15	14	29	
Residential	230	129 DU	5.81	0.44	17%	83%	0.52	67%	33%	749	10	47	57	45	22	67	
Less: Internal Capture [b]			18%		7%	21%			52%	52%	(135)	(1)	(10)	(11)	(24)	(11)	(35)
Total Driveway Trips										614	9	37	46	21	11	32	
Design Incubator [d]	540	3,430 ksf	27.49	2.99	74%	26%	2.54	58%	42%	94	7	3	10	5	4	9	
Total Driveway Trips										94	7	3	10	5	4	9	
Art Gallery [e]	580	10,341 ksf	1.8	0.28	86%	14%	0.18	16%	84%	19	3	0	3	0	2	2	
Total Driveway Trips										19	3	0	3	0	2	2	
<b>TOTAL DRIVEWAY TRIPS</b>										<b>7,299</b>	<b>220</b>	<b>192</b>	<b>412</b>	<b>225</b>	<b>143</b>	<b>368</b>	
<b>TOTAL PROJECT EXTERNAL VEHICLE TRIPS</b>										<b>5,411</b>	<b>163</b>	<b>150</b>	<b>313</b>	<b>181</b>	<b>111</b>	<b>292</b>	
<b>EXISTING USE CREDIT</b>																	
Shopping Center	820	22 ksf	42.7	0.96	62%	38%	3.71	48%	52%	939	13	8	21	39	43	82	
Less: Internal Capture [b]			4%		5%	7%			8%	5%	(38)	(1)	(1)	(2)	(3)	(2)	(5)
Total Driveway Trips										901	12	7	19	36	41	77	
Less: Pass-by [c]			50%	50%			50%			(450)	(6)	(3)	(9)	(18)	(20)	(38)	
Net External Vehicle Trips										451	6	4	10	18	21	39	
Creative Office	710	16 ksf	11.03	1.56	88%	12%	1.49	17%	83%	176	22	3	25	4	20	24	
Less: Internal Capture [b]			7%		4%	33%			25%	18%	(72)	(1)	(1)	(2)	(1)	(4)	(5)
Net External Vehicle Trips										104	21	2	23	3	16	19	
Warehousing	150	7 ksf	3.56	0.3	79%	21%	0.32	25%	75%	25	2	0	2	1	1	2	
Net External Vehicle Trips										25	2	0	2	1	1	2	
Residential	220	10 DU	6.65	0.51	20%	80%	0.62	65%	35%	67	1	4	5	4	2	6	
Less: Internal Capture [b]			13%		0%	0%			50%	33%	(9)	0	0	0	(2)	(1)	(3)
Net External Vehicle Trips										58	1	4	5	2	1	3	
<b>TOTAL EXISTING USE CREDIT</b>										<b>698</b>	<b>30</b>	<b>10</b>	<b>40</b>	<b>24</b>	<b>39</b>	<b>63</b>	
<b>NET INCREMENTAL EXTERNAL TRIPS</b>										<b>4,713</b>	<b>133</b>	<b>140</b>	<b>273</b>	<b>157</b>	<b>72</b>	<b>229</b>	

Notes:  
 [a] Source: Institute of Transportation Engineers (ITE), Trip Generation, 9th Edition, 2012  
 [b] Internal capture represents the percentage of trips between land uses that occur within the site. Transportation Research Board (TRB) National Cooperative Highway Research Program (NCHRP) Report 684: Enhancing Internal Trip Capture Estimation for Mixed-Use Developments, 2011.  
 [c] The pass-by credit is based on Attachment I of LADOT's Traffic Study Policies and Procedures, December, 2016.  
 [d] Trip generation rates for community college used for design incubator.  
 [e] Trip generation rates for museum used for Art Gallery. Since ITE does not provide a daily trip rate for this use, the peak hour rate was multiplied by 10 to develop a daily trip estimate.

**ATTACHMENT 3**  
**Volume to Capacity Ratios (V/C) and Level of Service (LOS) after Mitigation**

TABLE 9 ARTS DISTRICT CENTER PROJECT FUTURE YEAR (2021) PLUS PROJECT MITIGATIONS												
NO.	INTERSECTION	PEAK HOUR	FUTURE (2021)		FUTURE (2021) + PROJECT		V/C INCREASE	SIGNIFICANT IMPACT?	FUTURE + PROJECT WITH MITIGATION		V/C INCREASE	RESIDUAL IMPACT?
			V/C	LOS	V/C	LOS			V/C	LOS		
8	S Alameda St & E 4th Pl/3rd St	AM	1.151	F	1.167	F	0.016	Yes	1.157	F	0.006	No
		PM	0.932	E	0.942	E	0.010	Yes	0.932	E	0.000	No
9	S Alameda St & E 4th St	AM	0.673	B	0.687	B	0.014	No	--	--	--	--
		PM	1.066	F	1.077	F	0.011	Yes	1.067	F	0.001	No
10	S Alameda St & E 6th St	AM	1.054	F	1.075	F	0.021	Yes	1.065	F	0.011	Yes
		PM	1.215	F	1.224	F	0.009	No	--	--	--	--
11	S Alameda St & E 7th St	AM	1.254	F	1.266	F	0.012	Yes	1.256	F	0.002	No
		PM	1.344	F	1.355	F	0.011	Yes	1.345	F	0.001	No
16	Mateo St & E 6th St	AM	0.941	E	0.954	E	0.013	Yes	0.944	E	0.003	No
		PM	0.985	E	0.990	E	0.005	No	--	--	--	--
17	Mateo St & E 7th St	AM	0.807	D	0.819	D	0.012	No	--	--	--	--
		PM	0.897	D	0.909	E	0.012	Yes	0.899	E	0.002	No

**ATTACHMENT 4**  
**Project Site plan**



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Source: Togawa Smith Martin Architects, 2016.



Figure 2  
 Site Plan

# Exhibit I: Arts District Center street improvements diagram

Exhibit D  
CPC-2016-4475-GPA-VZC-HD-MCUP-CUX-DB-SR

