

PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
CPC-2016-3692-VZC-MCUP-SPR-1A	ENV-2016-3693-MND	10 - Wesson
PROJECT ADDRESS:		
3432 – 3470 West Wilshire Boulevard; 659 – 699 South Mariposa Avenue; 3265 – 3287 West 7 th Street; 666 – 678 South Irolo Street		
APPLICANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
Central Plaza, LLC 3470 Wilshire Boulevard Suite 700 Los Angeles, CA 90010 ☐ New/Changed	(213) 229-9548	ekhalatian@mayerbrown.com
APPLICANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
Edgar Khalatian 350 South Grand Avenue, 25th Floor Los Angeles, CA 90071	(213) 229-9548	ekhalatian@mayerbrown.com
APPELLANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
1. Supporter's Alliance for Environmental Responsibility 4399 Santa Anita Avenue Suite 2005 El Monte, CA 91731		
2. Katelyn Scanlan 715 South Normandie Avenue #426 Los Angeles, CA 90005	(814) 558-8882	katelynsanlan@gmail.com
APPELLANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
1. Richard Drury 1939 Harrison Street Suite 150 Oakland, CA 94612	(510) 836-4200	richard@lozeaudrury.com
PLANNER CONTACT INFORMATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Iris Wan	(213) 978-1397	iris.wan@lacity.org
ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION		
Vesting Zone Change (VZC)		

FINAL ENTITLEMENTS NOT ADVANCING:

N/A

ITEMS APPEALED:

Master Conditional Use Permit (MCUP); Site Plan Review (SPR)

ATTACHMENTS:	REVISED:	ENVIRONMENTAL CLEARANCE:	REVISED:
☒ Letter of Determination	☐	☐ Categorical Exemption	☐
☒ Findings of Fact	☐	☐ Negative Declaration	☐
☒ Staff Recommendation Report	☐	☐ Mitigated Negative Declaration	☐
☒ Conditions of Approval	☐	☐ Environmental Impact Report	☐
☒ Ordinance	☐	☒ Mitigation Monitoring Program	☐
☒ Zone Change Map	☐	☐ Other _____	☐
☐ GPA Resolution	☐		
☐ Land Use Map	☐		
☐ Exhibit A - Site Plan	☐		
☒ Mailing List	☐		
☐ Land Use	☐		
☐ Other _____	☐		

NOTES / INSTRUCTION(S):

Related Case: VTT-74602-2A

FISCAL IMPACT STATEMENT:☒ Yes☐ No

*If determination states administrative costs are recovered through fees, indicate "Yes".

PLANNING COMMISSION:☒ City Planning Commission (CPC)☐ Cultural Heritage Commission (CHC)☐ Central Area Planning Commission☐ East LA Area Planning Commission☐ Harbor Area Planning Commission☐ North Valley Area Planning Commission☐ South LA Area Planning Commission☐ South Valley Area Planning Commission☐ West LA Area Planning Commission

PLANNING COMMISSION HEARING DATE:	COMMISSION VOTE:
May 14, 2020	8 – 0
LAST DAY TO APPEAL:	APPEALED:
July 20, 2020	Yes
TRANSMITTED BY:	TRANSMITTAL DATE:
Cecilia Lamas Commission Executive Assistant	July 21, 2020



LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: JUN 30 2020

Case No. CPC-2016-3692-VZC-MCUP-SPR
CEQA: ENV-2016-3693-MND
Plan Area: Wilshire
Related Case: VTT-74602-1A

Council District: 10 – Wesson

Project Site: 3432 – 3470 West Wilshire Boulevard; 659 – 699 South Mariposa Avenue;
3265 – 3287 West 7th Street; 666 – 678 South Irolo Street

Applicant: Central Plaza, LLC
Representative: Edgar Khalatian, Mayer Brown LLP

At its meeting of **May 14, 2020**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following project:

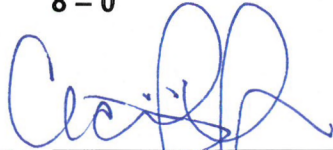
Demolition of the existing three-story parking structure; and the construction, use, and maintenance of a 23-story mixed-use building and a 28-story mixed-use building, on top of a podium that is four stories above grade and two stories subterranean. The mixed-use development will include 640 apartment units, 10,738 square feet of commercial floor area, 1,921 vehicular parking spaces (714 residential and 500 commercial spaces, with 707 existing spaces to remain), 500 residential bicycle parking spaces and 1,340 commercial bicycle parking spaces. The proposed maximum floor area ratio would be 4.65:1. The Project proposes to remove 19 non-protected street trees and 24 non-protected trees on-site. The amount of soils removed or exported is approximately 137,000 cubic yards.

1. **Found**, pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Mitigated Negative Declaration, No. ENV-2016-3693-MND, the Errata to the Mitigated Negative Declaration, dated March 2, 2020 and March 10, 2020, and all comments received, with the imposition of mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment; **Found** the Mitigated Negative Declaration and the Errata to the Mitigated Negative Declaration, dated March 2, 2020 and March 10, 2020, reflect the independent judgment and analysis of the City; **Found** the mitigation measures have been made enforceable conditions on the project; and **Adopted** the Mitigated Negative Declaration, the Errata to the Mitigated Negative Declaration, dated March 2, 2020 and March 10, 2020, and the Mitigation Monitoring Program prepared for the Mitigated Negative Declaration;
2. **Approved and Recommended** that the City Council adopt, pursuant to LAMC Section 12.32.Q, a Vesting Zone Change from P-2 and PB-2 to (T)(Q)C4-2D;
3. **Approved**, pursuant to LAMC Section 12.24 W.1, a Master Conditional Use Permit to allow the sale and dispensing of a full-line of alcoholic beverages for on-site consumption for up to two establishments;
4. **Approved**, pursuant to LAMC Section 16.05, a Site Plan Review for a development project that results in an increase of 50 or more dwelling units;
5. **Adopted** the attached Conditions of Approval; and
6. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Millman
Second: Leung
Ayes: Ambroz, Choe, Khorsand, Mack, Mitchell, Perlman
Absent: Padilla-Campos

Vote: 8 – 0



Cecilia Lamas, Commission Executive Assistant
Los Angeles City Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Effective Date/Appeals: The decision of the Los Angeles City Planning Commission as it relates to the Vesting Zone Change is appealable by the Applicant only, if disapproved in whole or in part by the Commission. The decision of the Los Angeles City Planning Commission, regarding the remaining approvals, is appealable to the Los Angeles City Council within 20 days after the mailing date of this determination letter. Any appeal not filed within the 20-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Development Service Centers located at: 201 North Figueroa Street, Fourth Floor, Los Angeles; 6262 Van Nuys Boulevard, Suite 251, Van Nuys; or 1828 Sawtelle Boulevard, West Los Angeles.

FINAL APPEAL DATE: JUL 20 2020

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable** and the decision is final.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Zone Change Ordinance, Map, Conditions of Approval, Findings, Interim Appeal Procedure

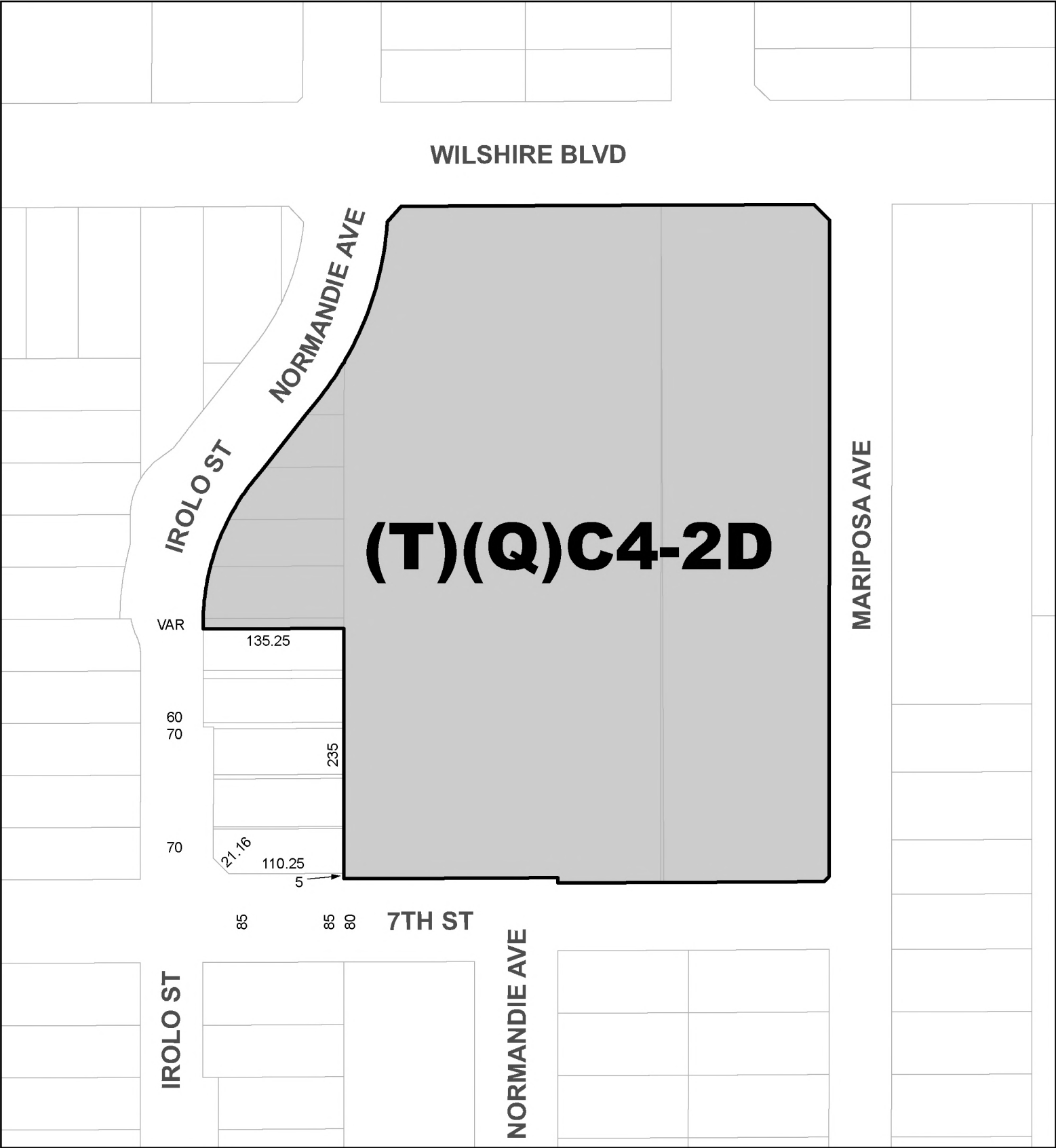
c: Jane Choi, Principal City Planner
Iris Wan, City Planner

ORDINANCE NO. _____

An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zone and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:





0100200
Feet

CPC-2016-3692-VZC-MCUP-SPR

AA/ *Cf*051520

City of Los Angeles



(Q) QUALIFIED CONDITIONS

(As Modified by the City Planning Commission on May 14, 2020)

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 Exhibit A, dated January 28, 2020. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code or the project conditions.
 - a. A mixed-use development containing a maximum of 640 apartment units and 10,738 square feet of commercial uses, with a minimum of 1,921 vehicular parking spaces and 1,840 bicycle parking spaces
2. **Use.** The use and area regulations of the development shall be for uses as permitted in the C4 Zone as defined in LAMC Section 12.16.
3. **Affordable Units.** A minimum of 32 units shall be reserved for rental solely to Low Income Households, and a minimum of 32 units shall be reserved for rental solely to Moderate Income Households, at a rental price determined to be affordable by HCIDLA, for a period of 55 years. Said units shall be comparable in size, number of bedrooms, distribution, and amenities to the non-income-restricted units in the development. The 64 affordable units shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission.
4. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute and record a covenant and agreement running with the land to the satisfaction of HCIDLA. The covenant shall bind the owner to reserve 32 units (5%) available to Low Income Households, and 32 units (5%) available for Moderate Income Households, for 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 shall present a copy of the recorded covenant to the Department of City Planning for inclusion in the case file. The project shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and any monitoring requirements established by the HCIDLA.
5. **Usable Open Space.** The project shall provide open space as follows:
 - a. The project shall provide a minimum of 68,975 square feet of usable open space. At least 50 percent that is 34,487.5 square feet, of the total required usable open space shall be located at the ground level or first habitable room level;
 - b. Common open space areas shall be open to the sky, constitute at least 50 percent of the total required usable open space, and have a minimum dimension of 20 feet and a minimum area of 600 feet;
 - c. Recreation rooms may qualify as common open space but shall not qualify for more than 25 percent, that is 17,243.75 square feet, of the total required usable open space; and
 - d. Balconies shall have a minimum dimension of six (6) feet.

“D” DEVELOPMENT LIMITATIONS

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 “D” Development Limitations.

1. **Floor Area.** The total floor area shall not exceed 1,472,509 square feet and a floor area ratio (FAR) of 4.65:1.
2. **Height.** Building heights shall be limited to a maximum of 282 feet above grade for the 23-story mixed-use building, measured to the top of roof, and 332 feet above grade for the 28-story mixed-use building, measured to the top of roof, as shown in Exhibit “A” stamp dated January 28, 2020.

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.

Dedication(s) and Improvement(s). Prior to the issuance of any building permits, the following public improvements and dedications for streets and other rights of way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional and federal government agencies, as may be necessary). 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:

Responsibilities/Guarantees.

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.
 - a. Street Dedication.
 - i. That a 13-foot and a 3-foot wide strips of land be dedicated along 7th Street adjoining the tract to complete a 43-foot wide half right-of-way in accordance with **Avenue II** of the **LA Mobility Plan** including a 15-foot by 15-foot minimum property line cut corner at the intersection with Mariposa Avenue.
 - ii. That 15-foot by 15-foot minimum property line cut corners be dedicated at the Wilshire Boulevard intersections with Mariposa Avenue and Normandie Avenue adjoining the tract.
 - iii. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.
 - iv. That a set of drawings for airspace lots be submitted to the City Engineer showing the followings:
 - a. Plan view at different elevations.
 - b. Isometric views.
 - c. Elevation views.
 - d. Section cuts at all locations where air space lot boundaries change.
 - v. That the owners of the property record an agreement satisfactory to the City Engineer stating that they will grant the necessary private easements for ingress and

egress purposes to serve proposed airspace lots to use upon the sale of the respective lots and they will maintain the private easements free and clear of obstructions and in safe conditions for use at all times.

- vi. That a Covenant and Agreement be recorded advising all future owners and builders that prior to issuance of a building permit, a Notice of Acknowledgment of Easement must be recorded and an application to do work in any drainage and sewer easements and to construct over the existing drainage facilities must be submitted to the City Engineer for approval.

Any questions regarding this report should be directed to the Land Development Section, located at 201 North Figueroa Street, Suite 290, or by calling (213) 808-8588.

3. Department of Transportation.

- a. A minimum of 60-foot and 40-foot reservoir space(s) be provided between any ingress security gate(s) and the property line when driveway is serving more than 300 and 100 parking spaces respectively. A minimum of 20-foot reservoir space(s) be provided between any ingress security gate(s) and the property line when driveway is serving less than 100 parking spaces or to the satisfaction of the Department of Transportation.
- b. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk. LAMC 12.21 A.
- c. A parking area and driveway plan shall be submitted to the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Final DOT approval should be accomplished by submitting detailed site/driveway plans at a scale of 1"=40' to DOT's Metro Development Review Section located at 201 N. Figueroa Street. RM 550. For an appointment, call (213) 482-7023

4. Bureau of Street Lighting. Street Lighting clearance for this Street Light Maintenance Assessment District condition is conducted at 1149 S. Broadway Suite 200. Street Lighting improvement condition clearance will be conducted at the Bureau of Engineering District office. If new street light(s) are required, then prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

5. Bureau of Sanitation. Satisfactory arrangements shall be made with the Bureau of Sanitation, Wastewater Collection Systems Division for compliance with its sewer system review and requirements. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering.

6. Urban Forestry. Prior to the issuance of a grading permit, the applicant shall submit a tree report and landscape plan prepared by a Municipal Code-designated tree expert as designated by LAMC Ordinance No. 177,404, for approval by the City Planning Department and the Urban Forestry Division of the Bureau of Street Services.

- a. Plant Street trees and remove any existing trees within dedicated streets or proposed dedicated streets are required by the Urban Forestry Division of the Bureau of Street Services.
- b. Parkway tree removals shall be planted at a 2:1 ratio. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the applicant or contractor shall notify the Urban Forestry Division at (213) 847-3077 upon completion of construction to expedite tree planting.

Note: Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: (213) 847-3077 for permit information. CEQA document must address parkway tree removals.

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

CONDITIONS OF APPROVAL

(As Modified by the City Planning Commission on May 14, 2020)

Pursuant to LAMC Sections 12.24 W.1 and 16.05, the following conditions are hereby imposed upon the use of the subject property.

Master Conditional Use Permit for Alcohol Conditions

1. Authorized herein is Master Conditional Use to permit the sale and dispensing of a full-line of alcohol beverages for on-site consumption, in conjunction with the maintenance, use and operation of:
 - a. A 3,700 square-foot ground floor restaurant containing 114 indoor seats, and 24 outdoor seats with a 900 square-foot outdoor patio
 - b. A 1,500 square-foot ground floor restaurant containing 48 indoor seats, and 20 outdoor seats with a 500 square-foot outdoor patio
2. Hours of Operations. Hours of operations shall be limited to between 6:00 am to 2:00 a.m., daily unless further restricted by each Master Plan Approval determination.
3. 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.
4. 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.
5. Notwithstanding approved Exhibit "A" and the Conditions above, this grant recognizes that there may be changes resulting from identified tenants, which may result in smaller or larger restaurants, different locations, and/or a reduced number of restaurants than those originally proposed and identified in Exhibit "A". Such outcome is permitted provided that the other conditions noted herein, specifically those related to the combined maximum interior floor areas, maximum interior and exterior seating numbers, maximum (total) number of establishments authorized under this grant, and the maximum number of establishments approved for each type of grant in the Conditions above are not exceeded. The sale and dispensing of beer and wine may be provided in lieu of a full line of alcoholic beverages at any of the establishments approved for a full line of alcoholic beverages (but not the reverse), provided that the maximum (total) number of establishments authorized for alcoholic beverages is not exceeded, and subject to all other conditions of this grant.
6. 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.

7. The subject property (including any trash storage areas, associated parking facilities, sidewalks, driveways, yard areas, parkways, and exterior walls along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.
8. 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.
9. Coin operated game machines, pool tables or similar game activities or equipment shall not be permitted.
10. 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.
11. Each individual owner/operator of an alcoholic beverage license shall file an application for conditional use plan approval for each alcohol sales use at the facility in order to implement and utilize the permit at each of the proposed alcohol sale sites. The plan approval application must be accompanied by a payment of appropriate fees and must be accepted as complete by the Department of City Planning public counter. Mailing labels and notification of the plan approval applications shall be provided by the applicant and sent to the Council Office, the Neighborhood Council, and the Los Angeles Police Department.
12. 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.
13. After hour use shall be prohibited, except routine clean-up. This prohibition includes but is not limited to private events, promotional events, and special events; but it excludes any activities which are issued film permits by the City.
14. There shall be no Adult Entertainment of any type pursuant to L.A.M.C. Section 12.70, at or within any portion of the subject property.
15. No employee or agent of any of the individual retail sites of the commercial building shall be permitted to accept money or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in the premises, nor shall the applicant(s) or business operators provide, permit, or make available, either gratuitously or for compensation, persons who act as escorts, companions, or guests of and for the customer.
16. **Master Plan Approval (MPA) Requirement.** Each individual venue shall be subject to a Master Plan Approval (MPA) determination pursuant to LAMC Section 12.24 M, or as otherwise provided for in the LAMC for on-site alcohol sales in conjunction with the operation of restaurants, 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 subject to analysis of the venue's individual mode and character of operations 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. These conditions may include additional conditions not included in the Master Conditional Use Conditions of Approval. A Plan Approval without a hearing may be granted by the Chief Zoning Administrator if the operator agrees to the Conditional Use Permit Conditions. 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 adversely affect or detract from the quality of life for adjoining residents, property owners, and businesses.

17. **STAR/LEAD/RBS 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 or the Responsible Beverage Service (RBS) Training Program. Upon completion of such training, the applicant shall request the Police Department or Department of Alcohol Beverage Control to issue a letter identifying which employees completed the training. STAR or LEAD or RBS training shall be conducted for all new hires within three months of their employment.
18. 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 adversely affect or detract from the quality of life for adjoining residents, property owners, and businesses.
19. Loitering is prohibited on or around these 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.
20. **Additional Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Department of City Planning to impose additional corrective conditions, if, it is determined by the Department of City Planning that such conditions are proven necessary for the protection of person in the neighborhood or occupants of adjacent property.
21. **Lease Agreements.** All establishments applying for an Alcoholic Beverage Control license shall be given a copy of these conditions prior to executing a lease and these conditions shall be incorporated into the lease. Furthermore, all vendors of alcoholic beverages shall be made aware that violations of these conditions may result in revocation of the privileges of serving alcoholic beverages on the premises.
22. **Building Plans.** A copy of this grant and all Conditions and/or any subsequent appeal of this grant and resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
23. **Ownership/Operator Change.** Should there be a change in the ownership and/or the operator of the business, the property owner and the business owner or operator shall provide the prospective new property owner and the business owner/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 has been provided to the prospective owner/operator, including the conditions required herewith, shall be submitted to the BEST

(Beverage and Entertainment Streamlined Program) in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to the BESt (Beverage and Entertainment Streamlined Program) within 30 days of the beginning day of his/her new operation of the establishment along with the dimensioned floor plan, seating arrangement and number of seats of the new operation.

24. **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.
25. **Covenant and Agreement.** 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.

Site Plan Review Conditions

26. **Parking.**
 - a. Vehicular parking spaces shall be provided pursuant to LAMC Section 12.21 A.4.
 - b. Bicycle parking spaces shall be provided pursuant to LAMC Section 12.21 A.4 and 16.
 - c. **Electric Vehicle Parking.** All electric vehicle charging spaces (EV Spaces) and electric vehicle charging stations (EVCS) shall comply with the regulations outlined in Sections 99.04.106 and 99.05.106 of Article 9, Chapter IX of the LAMC.
 - d. **Non-required Parking.** Any parking spaces which are provided in excess of the Code required parking requirement shall be capable of supporting EVSE and installed with EV chargers to immediately accommodate electric vehicles within the parking areas. The parking spaces shall be designed and labeled for EV chargers consistent with the requirement for Required Parking.
 - e. **Parking Structure Design.** Parking structures or that portion of a building or structure that is used for parking at grade or above grade shall be designed to minimize vehicle headlight and parking structure interior lighting impacts ("spillover") on adjacent streets and properties.

- f. **Parking Podium.** Any above grade parking structure shall be designed to be utilized and easily repurposed to other future uses, including gallery or event spaces. The height of the parking levels shall have sufficient clearance to be adaptable to non-parking uses. Once converted, the building shall permit a minimum floor to ceiling height of nine feet for commercial uses and eight feet for residential uses.
- g. Prior to issuance of building permits, the applicant shall submit plans to the Central Project Planning Division for review to ensure that the parking podium complies with the City Planning Commission's Advisory Notice Relative to Above-Grade Parking.

27. Loading.

- a. Commercial loading/trash pick-up/delivery will be located between the existing office tower and new development, as identified in Exhibit A.
- b. Hours of operation for loading shall be limited to Monday thru Friday, 7:00 a.m.-8:00 p.m., and Saturday and Sunday from 10 a.m.-4:00 p.m.

28. Landscaping/Hardscape. 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.** The minimum depth of tree wells located on a podium or rooftop shall be as follows:
 - i. Minimum depth for trees shall be 42 inches
 - ii. Minimum depth for shrubs shall be 30 inches.
 - iii. Minimum depth for herbaceous plantings and ground cover shall be 18 inches.
 - iv. Minimum depth for an extensive green roof shall be 3 inches.
- b. The minimum amount of soil volume for tree wells on a podium or rooftop shall be based on the size of the tree at maturity:
 - i. 220 cubic feet for a tree with a canopy diameter of 15' - 19'
 - ii. 400 cubic feet for a tree with a canopy diameter of 20' - 24'
 - iii. 620 cubic feet for a tree with a canopy diameter of 25' - 29'
 - iv. 900 cubic feet for a tree with a canopy diameter of 30' - 34'
- c. New trees planted within the public right-of-way shall be spaced not more than an average of 30 feet on center, unless otherwise required by the Urban Forestry Division, Bureau of Public Works.

29. Tree Removal (Non-Protected Trees)

- a. Prior to the issuance of any permit for the Project, a plot plan shall be prepared indicating the location, size, type and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.
- b. All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the Project site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree. Net new trees, located within the parkway of the adjacent public right(s)-of-way of the Project site, may be counted toward replacement tree requirements.
- c. Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. All trees in the public right-of-way shall conform to the current standards of the Department of Public Works, Urban Forestry Division, Bureau of Street Services.

30. **Tree Removal (Public Right-of-Way)**

- a. Removal of trees in the public right-of-way requires approval by the Board of Public Works.
- b. The required Tree Report shall include the location, size, type, and condition of all existing trees in the adjacent public right-of-way and shall be submitted for review and approval by the Urban Forestry Division of the Bureau of Street Services, Department of Public Works (213-847-3077). The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 2:1 basis, shall be required for the unavoidable loss of trees in the public right-of-way.
- c. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.

31. **Solar Ready.** 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.
32. **Construction Generators.** The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices. On-site power generators shall either be plug-in electric or solar powered.
33. **Rooftop Equipment.** Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from the public right-of-way. All screening shall be setback at least five feet from the edge of the building.
34. **Utilities.** All utilities shall be placed underground within the subterranean parking levels, indoors or on the roof behind parapets.
35. **Lighting.** 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).

36. **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.
37. **Signage.** Any signage shall comply with the Municipal Code or other applicable laws. No sign rights are granted with this case.

Environmental Conditions

38. Project Design Features

- a. A Construction Traffic Management Plan will be developed by the contractor and approved by the City of Los Angeles to alleviate construction period impacts, which may include but is not limited to the following measures:
- i. 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 Mariposa Avenue and 7th Street.
 - ii. 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.
 - iii. As parking lane and/or sidewalk closures are anticipated along 7th Street, worksite traffic control plan(s), approved by the City of Los Angeles, should be implemented to route vehicular traffic, bicyclists, and pedestrians around any such closures.
 - iv. 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.
 - v. Ensure that access will remain unobstructed for land uses in proximity to the project site during project construction.
 - vi. Coordinate with the City and emergency service providers to ensure adequate access is maintained to the project site and neighboring businesses and residences.
- b. A Construction Worker Parking Plan will also be developed by the contractor and approved by the City of Los Angeles to ensure that the parking location requirements for construction workers will be strictly enforced. These could include but are not limited to the following measures:
- i. 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.

- ii. 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.

39. Transportation/Traffic

- a. The developer shall maintain ongoing contact with administrators of RFK Community Schools. The administrators shall be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur. The developer shall obtain school walk and bus routes to the schools from either the administrators or from LAUSD's Transportation Branch (323) 342-1400 and guarantee that safe and convenient pedestrian and bus routes to the school are maintained.
- b. The developer shall install appropriate construction related traffic signs around the project site to ensure pedestrian and vehicle safety.
- c. The Applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the applicant to maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding) from work space and vehicular traffic, and overhead protection, due to sidewalk closure or blockage, at all times.
- d. Temporary pedestrian facilities shall be adjacent to the project site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.
- e. Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.
- f. Applicant shall keep sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction and/or construction staging. Sidewalk shall be reopened as soon as reasonably feasible taking construction and construction staging into account.

Administrative Conditions

40. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Plans Approved." A copy of the Plans Approved, supplied by the applicant, shall be retained in the subject case file.

41. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
42. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
43. **Code Compliance.** Area, height, use, and yard regulations of the (T)(Q)C4-2D zone classification of the subject property shall be complied with, except where granted conditions differ herein.
44. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
45. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
46. **Expiration.** In the event that this grant is not utilized within six years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
47. **Covenant.** Prior to the issuance of any permits relative to this matter, 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 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 at the time of Condition Clearance for attachment to the subject case file.
48. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

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.

CONDITIONS IDENTIFIED FOR CONSIDERATION BY THE STATE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL RELATIVE TO THE SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES

In approving the instant grant, the City Planning Commission has not imposed Conditions specific to the sale or distribution of alcoholic beverages, even if such Conditions have been volunteered or negotiated by the applicant, in that the City Planning Commission has no direct authority to regulate or enforce Conditions assigned to alcohol sales or distribution. The City Planning Commission has identified a set of Conditions related to alcohol sales and distribution for further consideration by the State of California Department of Alcoholic Beverage Control (ABC). In identifying these conditions, the City Planning Commission acknowledges the ABC as the responsible agency for establishing and enforcing Conditions specific to alcohol sales and distribution. The Conditions identified below are based on testimony and/or other evidence established in the administrative record, and provide the ABC an opportunity to address the specific conduct of alcohol sales and distribution in association with the Conditional Use granted herein by the City Planning Commission.

- No “Happy Hour” type of reduced-price alcoholic beverage or “2 for 1” promotion shall be allowed at any time. Discounted food promotions are encouraged.
- No alcohol shall be allowed to be consumed on any adjacent property under the control of the applicant.
- There shall be no exterior advertising of any kind or type, including advertising directly to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of this condition.
- The sale of alcoholic beverages for consumption off the premises is prohibited.
- The business operator shall maintain records which reflect these numbers and make them available to the Police Department upon request.
- The off-site sale of alcoholic beverages as a secondary use (i.e., “take out”) is not permitted.
- Electronic age verification device(s) which can be used to determine the age of any individual attempting to purchase alcoholic beverages and shall be installed on the premises at each point-of-sale location. The device(s) shall be maintained in an operational condition and all employees shall be instructed in their use prior to the sale of any alcoholic beverages.
- The alcoholic beverage license shall not be exchanged for a public premises type license nor operated as a public premises.

FINDINGS

General Plan/Charter Section 556 Findings

1. General Plan.

a. General Plan Land Use Designation.

The subject property is located within the Wilshire Community Plan, adopted by City Council on September 19, 2001. The project site has an underlying General Plan land use designation of Regional Center Commercial, which has corresponding zones of CR, C1.5, C2, C4, P, PB, RAS3, RAS4, R3, R4, and R5. The project site is zoned P-2, PB-2 and C4-2, which is consistent with the land use designation. The project site is currently located within Height District No. 2 and permits a 6:1 Floor Area Ratio (FAR). Height District 2 provides for unlimited height for the development in commercial zones.

The recommended Vesting Zone Change from P-2 and PB-2 to (T)(Q)C4-2D, will result in a uniform C4-2 Zone across the project site, in addition to a new “D” Limitation that would limit the FAR to 4.65:1 across the project site, with a maximum building height of 282 feet for the 23-story mixed-use tower, and 332 feet for the 28-story mixed-use tower. This density is lower than the 6:1 FAR otherwise permitted in Height District 2. The recommended Vesting Zone Change would permit commercial and residential uses that are consistent with the established district and encourage the future growth of the Wilshire Center/Koreatown area.

b. 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, including the Citywide Design Guidelines, Housing Element, Mobility Element, Health and Wellness Element and the Land Use Element – Wilshire 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 goals, objectives and policies relevant to the instant request:

Chapter 3: 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 3.2: *Provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled, and air pollution.*

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.*

Goal 3F: *Mixed-use centers that provide jobs, entertainment, culture, and serve the region.*

Objective 3.10: *Reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that serve, provide job opportunities, and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles.*

The Framework Element describes Regional Centers as having a range of FARs from 1:5:1 to 6:1, with buildings characterized by 6- to 20-stories (or higher), and are usually major transportation hubs. Regional Centers typically provide a significant number of jobs and many non-work destinations and function as transit hubs. The project proposes to develop the site with a 23-story and 28-story mixed-use towers located above a podium that is four stories above grade and two stories subterranean, maintain the existing five-story parking structure, and demolish the existing three-story parking structure. The project would add 701,315 square feet of new residential floor area and 10,738 square feet of commercial floor area. The total floor area would be 1,472,509 square feet with a maximum FAR of 4.65:1. As proposed, the project is consistent with the anticipated development of Regional Centers.

The proposed 640 residential apartment units would help address the housing shortage in the City. As an infill development, the residential towers would replace an underutilized three-story parking garage. The project would locate new quality housing near employment centers such as Downtown Los Angeles, Hollywood, and Miracle Mile. The proposed restaurants and retail uses would provide additional service and amenity to the existing office buildings, nearby school, and multi-family residential neighborhoods.

The site is located on the southeast corner of Wilshire Boulevard and Irolo Street, an intersection serviced by Metro Local lines 20 and 206, Metro Rapid line 720, and the Metro Purple Line Wilshire/Normandie Station. The site is also located approximately 0.4 miles west from the station located at Wilshire Boulevard and Vermont Avenue, serviced by Metro Local lines 51, 52, 201, 204, 351, Metro Rapid line 754, and DASH line Wilshire Center/Koreatown). The site is located approximately 0.48 miles east from the station located at Wilshire Boulevard and Western Avenue, serviced by Metro Local lines 20 and 209, Metro Rapid lines 710 and 720, and Big Blue Bus R7. The project's location in a transit rich corridor and in close proximity to employment, retail, and

restaurants will promote the use of transit and pedestrian trips in lieu of vehicular trips. In addition, the proximity to public transit would provide alternative transportation options for residents and their guests to visit other regions, thereby contributing to the goal of reducing traffic congestion and improving air quality.

Furthermore, the proposed ground floor restaurants, and pedestrian promenade with retail uses will provide additional amenities for visitors to the area as well as residents of the residential towers. Redeveloping the parking garage into a mixed-use project will also contribute to the City's long-term goal of economic vitality as well as the revitalization of Koreatown, as the restaurant, retail, and related uses will provide additional job opportunities. As such, the project would meet the goals and objectives of the Framework Element to encourage the future development of the designated regional center and enhancement of the urban lifestyle.

Citywide Design Guidelines

The Citywide Design Guidelines were created to carry out common design objectives that maintain neighborhood form and character while promoting design excellence and creative infill development solutions. The Design Guidelines are intended to address some of the most common, overarching challenges in planning developments, such as: considering neighborhood context and linkages in building and site design; employ distinguishable and attractive building design; provide pedestrian connections within and around the project; minimize the appearance of driveways and parking areas; utilize open areas and landscape opportunities to their full potential; and improve the streetscape experience by reducing visual clutter.

The proposed project complies with the Citywide Design Guidelines in that it promotes a pedestrian-friendly environment and incorporates articulation of the pedestrian access entries from Irolo Street and Mariposa Avenue. The project revitalizes the site by redeveloping a parking garage to include new residential and commercial uses, and promotes pedestrian connectivity and links neighborhood context and public transportation along the Wilshire Corridor. The pedestrian promenade can be accessed from Irolo Street to the west, with visual connections to the Wilshire/Normandie Metro Station. The residential lobby to the residential towers is located along Mariposa Avenue, as it is a quieter street and transitions into a residential neighborhood to the south. Open spaces are provided at different levels. Ground level retail with outdoor dining areas, water features, seating areas, shade trees and planters will enhance the pedestrian streetscape and shopping experience. Landscaped roof decks with a range of amenities will be provided for the residential towers. The proposed project improves the existing streetscape experience and reduces visual clutter by creating a more unified site with greater opportunities for pedestrian, as well as enhanced lighting, signage and landscape.

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 is consistent with the following goals, objectives and policies of the Housing Element as described below.

Goal 2: Safe, Livable, and Sustainable Neighborhoods

Objective 2.1: Promote safety and health within neighborhoods.

Objective 2.2: Promote sustainable neighborhoods that have mixed-income housing, jobs, amenities, services and transit.

Policy 2.2.4: Promote and facilitate a jobs/housing balance at a citywide level.

As proposed, the project would redevelop an existing parking garage with a mixed-use development that includes 640 residential units, comprised of studio and two-bedroom units. Of the 640 residential units proposed, 32 units (5 percent) would be reserved for Low Income Households and 32 units (5 percent) would be reserved for Moderate Income Households. As mentioned above, the project site is located within close proximity to transit, and will be redeveloping an existing infill site with residential and ground floor commercial uses, which will revitalize and activate the street frontage, thereby promoting jobs, safety and health within the existing neighborhood and surrounding areas. As a mixed-use development, the project provides for activity and natural surveillance during and after commercial business hours. The residential units are oriented outward, providing eyes on the street during all hours of the day to create a safer environment for residents, workers, and visitors to the area. As such, the project would meet the goals and objectives of the Housing Element to provide safe, livable and sustainable neighborhoods.

Mobility Element

The Mobility Element 2035 (Mobility Element), adopted in September 2016, guides development of a citywide transportation system with the goal of ensuring the efficient movement of people and goods and recognizes that primary emphasis must be placed on maximizing the efficiency of existing and proposed transportation infrastructure through advanced transportation technology, reduction of vehicle trips, and focused growth in proximity to public transit. The Mobility Plan 2035 includes goals that define the City's high-level mobility priorities and sets forth objectives and policies to establish a citywide strategy to achieve long-term mobility and accessibility within the City of Los Angeles. The proposed project would be in conformance with following objectives and policies of the Mobility Element as described below.

Chapter 3: Access for All Angelenos

Policy 3.1: Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes - including goods movement - as integral components of the City's transportation system.

Policy 3.3: Promote Equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.

Policy 3.5: Support "first-mile, last-mile solutions" such as multi-modal transportation services, organizations, and activities in the areas around transit stations and major bus stops (transit stops) to maximize multi-modal connectivity and access for transit riders.

Policy 3.8: Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.

The project would provide access for all modes of travel, including pedestrians and cyclists. Pedestrian entrances are featured at along Mariposa Avenue and Irolo Street,

with access to the pedestrian promenade between the existing office buildings and new mixed-use development. Short-term and long-term bicycle parking spaces and storage facilities are located directly off Mariposa Avenue. The project will provide a minimum of 1,840 bicycle parking spaces located at grade. The residential lobby for the towers is also located along Mariposa Avenue. As mentioned before, the site is located on the southeast corner of Wilshire Boulevard and Irolo Street, an intersection serviced by Metro Local lines 20 and 206, Metro Rapid line 720, and the Metro Purple Line Wilshire/Normandie Station. The site is also located approximately 0.4 miles west from the station located at Wilshire Boulevard and Vermont Avenue, serviced by Metro Local lines 51, 52, 201, 204, 351, Metro Rapid line 754, and DASH line Wilshire Center/Koreatown). The site is located approximately 0.48 miles east from the station located at Wilshire Boulevard and Western Avenue, serviced by Metro Local lines 20 and 209, Metro Rapid lines 710 and 720, and Big Blue Bus R7. Thus, the project's location, and pedestrian and bicyclist orientation, will promote alternative forms of travel, and support first-mile, last-mile solutions.

c. **Land Use Element – Wilshire Community Plan**

The Wilshire Community Plan was adopted by the City Council on September 19, 2001. The Community Plan's purpose is to "promote an arrangement of land uses, streets and services which will encourage and contribute to the economic, social and physical health, safety, welfare and convenience of the people who live and work in the community." The proposed project is consistent with following objectives and policy of the Land Use Element as described below.

Goal 1: *Provide a safe, secure, and high quality residential environment for all economic, age, and ethic segments of the Wilshire Community.*

Policy 1-1.3: *Provide for adequate Multiple Family residential development.*

Objective 1-2: *Reduce vehicular trips and congestion by developing new housing in close proximity to regional and community commercial centers, subway stations and existing bus route stops.*

Policy 1-2.1: *Encourage higher density residential uses near major public transportation centers.*

Policy 1-4.3: *Encourage multiple family residential and mixed-use development in commercial zones.*

Objective 2-1: *Preserve and strengthen viable commercial development and provide additional opportunities for new commercial development and services within existing commercial areas.*

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

Policy 2-1.2: *Protect existing and planned commercially zoned areas, especially in Regional Commercial Centers, from encroachment by standalone residential development by adhering to the community plan land use designations.*

Objective 2-2: *Promote distinctive commercial districts and pedestrian-oriented areas.*

Policy 2-2.1: Encourage pedestrian-oriented design in designated areas and in new development.

Objective 2-3: Enhance the visual appearance and appeal of commercial districts.

Policy 11-1.4: Support the provision of bicycle facilities in all new development.

Objective 11-2: Promote pedestrian mobility, safety, amenities, and access between employment centers, residential areas, recreational areas, schools, and transit centers.

Policy 15-1.2: Develop off-street parking resources, including parking structures and underground parking in accordance with design standards.

The project will involve the demolition of an existing three-story parking garage, the construction, use, and maintenance of a 23-story mixed-use building and a 28-story mixed-use building, on top of a podium that is four stories above grade and two stories subterranean. The mixed-use development will include 640 apartment units and 10,738 square feet of commercial uses. The project will provide 1,921 vehicular parking spaces (714 residential and 500 commercial spaces, with 707 existing spaces to remain), 500 residential bicycle parking spaces and 1,340 commercial bicycle parking spaces. The proposed maximum floor area ratio would be 4.65:1. The project provides residential units in close proximity to existing jobs, service, and schools. The site is located directly adjacent to an existing Metro subway station and south of Wilshire Boulevard, a major transportation corridor, which provides substantial public transit opportunities and facilities.

The site is located within the Wilshire Center Regional Commercial Center. It includes a dense collection of high-rise office buildings, large hotels, regional shopping complexes, churches, entertainment centers, and both high-rise and low-rise apartment buildings. The Regional Center Commercial land use designation allows for the construction of commercial, parking, and high-density multi-family residential uses. The area contains a variety of high-intensity urban activities in a compact built environment that includes commercial, residential, cultural, recreational, and institutional uses.

The Vesting Zone Change to (T)(Q)C4-2D is appropriate given the context of this area, in that it provides for a mixed-use project that complements the commercial and residential character of this area. The maximum FAR of 4.65:1 is an appropriate density, given that the site is located within the Regional Center Commercial land use classification. Immediately adjacent properties to the north, east, and west, are designated Regional Center Commercial land uses. Properties to the south are designated Regional Center Commercial and High Medium Residential land uses. In 2001, when the Wilshire Community Plan was adopted, Regional Center Commercial land uses were located along the Wilshire Boulevard corridor and 7th Street. Currently, there has been an interest in expanding the Regional Center Commercial land use further south specifically down to 8th Street. The proposed mixed-use project along Mariposa Avenue and 7th Street is appropriate for development with increased FAR and density. In this instance, the project will observe an FAR of 4.65:1 which is less than the 6:1 FAR allowed within the Regional Center Commercial land use. The scale and nature of the proposed development would be consistent with the pattern of development that has taken place in the surrounding area. Therefore, the site's location is appropriate for the proposed mixed-use development, because it is adjacent to site which serve as focal points of regional interest, commercial stores, hotels, schools, cultural facilities and offices. As such, the proposed mixed-use project is appropriate for this area.

The Wilshire Community Plan encourages mixed-use developments in Regional Commercial Centers, which are uses designated for the project site. The Wilshire Community Plan Objective 2-1 encourages the City to preserve and strengthen viable commercial development and provide additional opportunities for new commercial development and services within existing commercial areas. The area contains a variety of high-intensity urban activities in a compact built environment that includes commercial, residential, cultural, hotel, recreational, and institutional uses. These diverse uses support balanced community development and create increased interest for a variety of visitors who come to the area.

Health and Wellness Element

Adopted in March 2015, the Plan for a Healthy Los Angeles lays the foundation to create healthier communities for all Angelenos. As the Health and Wellness Element of the General Plan, it provides high-level policy vision, along with measurable objectives and implementation programs, to elevate health as a priority for the City's future growth and development. Through a new focus on public health from the perspective of the built environment and City services, the City of Los Angeles will strive to achieve better health and social equity through its programs, policies, plans, budgeting, and community engagement. The proposed project is consistent with the following goals, objectives and policies:

Chapter 2: A City Built for Health

Policy 2.2. Healthy Building design and construction. Promote a healthy built environment by encouraging the design and rehabilitation of buildings and sites for healthy living and working conditions, including promoting enhanced pedestrian-oriented circulation, lighting, attractive and open stairs, healthy building materials and universal accessibility using existing tools, practices, and programs.

As previously mentioned, the project incorporates several pedestrian-oriented design elements, including concentrating commercial uses along the perimeter of the site; providing opportunities for neighborhood-serving uses; increasing the amount of pedestrian activity and safety by introducing more permanent eyes on the street; and providing ground floor commercial uses and a pedestrian paseo that will provide outdoor dining areas oriented toward the street to enhance the pedestrian experience. The ground level would provide transparent uses of retail, lobby, and bicycle parking. The project also offers substantial common open space to enhance recreation and open space opportunities, and create a healthful environment for the residents. Furthermore, the project will provide new shade trees, water features, and amenities along the pedestrian promenade at grade. All of these amenities will help to achieve the vision for a more livable city, which also include a variety of planters and trees. In addition, as conditioned, all electric vehicle charging spaces and electric charging stations will need to comply with the regulations in LAMC. As such, the proposed project promotes a healthy built environment.

Sewerage Facilities Element

The Sewerage Facilities Element of the General Plan will not be affected by the recommended action. While the sewer system 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.

Entitlement Findings

Vesting Zone Change Findings; “T” and “Q” Classification

2. Pursuant to Section 12.32 C of the Municipal Code, and based on these findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.

- a. Public Necessity. The recommended Zone Change to (T)(Q)C4-2D would create a unified zone over the entire project site, which is presently zoned P-2, PB-2, and C4-2. As the site has multiple zones and is subject to different zoning regulations, including allowable Floor Area Ratio. Approval of a unified zone over the entire project site would encourage development of the site consistent with the Regional Center Commercial land use designation, as designated by the Wilshire Community Plan. As a result, the proposed project optimizes the use of the subject property, introduces new housing and employment opportunities and will generate increased retail tax revenues thus providing a public necessity.
- b. Convenience. The project site’s central location to transit services would provide access to new housing and employment opportunities, as well as to commercial services and amenities. The project site is located within a designated transit-priority area as the site is located within 1,500 feet from the Wilshire/Normandie Metro Station served by Metro Purple Line. The Purple Line Extension is currently under construction and would eventually extend west to major employment and destination centers such as Miracle Mile, Beverly Hills, Century City, West Los Angeles, and Westwood. The Wilshire Bus Rapid Transit also has stops located at the intersection of Wilshire Boulevard and Normandie Avenue. The bus stops for Metro Local Line 20 and Metro Rapid Line 720 are located adjacent to the site at Wilshire Boulevard and Normandie Avenue. The project would develop the site with 640 dwelling units within walking distance of regional transit services and access to employment centers. Additionally, it would develop the site with 10,738 square feet of new commercial area, providing additional employment opportunities within established commercial corridors and providing services and amenities to existing and future residents. The proposed project would encourage use of the site and the surrounding areas during the day and nighttime and would enhance the urban environment by redeveloping the project site, which has not been redeveloped since the construction of the three-story parking structure in 1955.
- c. General Welfare. Granting the Zone Change from P-2 and PB-2 to (T)(Q)C4-2D will support the Koreatown community by providing additional residential units, dining and retail opportunities as well as enhancing the urban environment, encouraging daytime and nighttime activity through the redevelopment of an underdeveloped site. Furthermore, the project’s proximity to transit, specifically Wilshire/Normandie Metro Subway Station and other transit connections enable it to function at both the neighborhood and community scale. Furthermore, conditions have been imposed which will ensure that the proposed project is limited in size and intensity, reflective of the surrounding community.
- d. Good Zoning Practice. Approval of the Zone Change from P-2 and PB-2 to (T)(Q)C4-2D for the site removes the multiple zoning and allows the site to be developed as a unified development that is consistent with the goals and objectives of the General Plan Framework Element and the Wilshire Community Plan as outlined above. Granting the

Zone Change will support the Wilshire community by providing additional residential units, dining and retail opportunities, as well as enhancing the urban environment near transit. Furthermore, conditions have been imposed which will ensure that the proposed development is limited in floor area, scale and intensity, and is reflective of the surrounding community.

- e. Pursuant to Section 12.32 G and Q of the Municipal Code “T” and “Q” Classification and “D” Development Limitation Findings. Per LAMC Section 12.32 G.1, -G.2, and -G.4, 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 limit the type, 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. The recommended “D” Limitation would ensure that the proposed development is physically compatible with the surrounding properties and consistent with other mixed-use development in the project area. The proposed limitations would allow the development of the project, which as described above, would promote the objectives of the General Plan and Wilshire Community Plan. As such, the “D” Limitations would protect the best interest of and assure a development that is compatible with the surrounding property or neighborhood and secure an appropriate development in harmony with the objectives of the General Plan.

For the reasons stated above, the Vesting Zone Change requests are beneficial in terms of public necessity, convenience, general welfare, and good zoning practice, and are consistent with the General Plan.

Master Conditional Use Findings (Alcohol)

- 3. 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 applicant is requesting a Master Conditional Use to permit the sale of a full line of alcoholic beverages for on-site consumption at up to two establishments located in the commercial portion of the proposed mixed-use development. The authorization allows the on-site sales of a full line of alcoholic beverages within two restaurant spaces. Hours of operation are limited to between 6 a.m. to 2 a.m., daily for the two establishments.

As the proposed project has not been constructed each individual tenant space is required to file an application for a Plan Approval to utilize the entitlement. The establishments, with alcohol sales, will perform a function and provide a service that is beneficial to the community. The project site is located within a Regional Center Commercial land use designation and is expected to contain a diversity of uses that complement one another. The tenants would provide the surrounding residential and commercial uses with additional dining options and is located near a transit-rich corridor.

The operation of up to two establishments offering the sale of alcoholic beverages for on-consumption is within the range of uses contemplated by the C4-2 Zone. Approval of the

MCUP request in conjunction with the other entitlement requests will help activate the site and will provide employees, visitors, and patrons of nearby businesses as well as local residents the convenience of new restaurants, thereby contributing to the development of a viable economic environment. Further, each individual tenant will have to file for a Master Plan Approval, which will give an additional opportunity to consider more specific operational characteristics for each tenant space. Therefore, the Master Conditional Use authorization for up to two venues to sell a full line of alcoholic beverages for on-site consumption will perform a function that is beneficial for the surrounding community.

4. The project's location, size, height, operation 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 site includes six lots and a non-subdivided remainder, with a combined area of 316,438 square feet after dedications. The site is bound by Wilshire Boulevard to the north, Mariposa Avenue to the east, Irolo Street to the west, and 7th Street to the south. The Regional Center Commercial corresponds to the CR, C1.5, C2, C4, P, PB, RAS3, RAS4, R3, R4, and R5 Zones. The project site is zoned P-2, PB-2, and C4-2. The site also located in the Transit Priority Area and the Wilshire Center/Koreatown Redevelopment Project Area. The proposed project includes the construction of 640 units and approximately 10,738 square feet of commercial area. The proposed Master Conditional Use for the on-site sale of alcohol at a maximum of two establishments will not adversely affect or further degrade adjacent properties. Approval of the proposed Master Conditional Use permit for the sale of alcoholic beverages project will not adversely affect the community's welfare. The establishments serving alcohol will be carefully controlled and monitored, while being compatible with immediately surrounding uses which are multi-family apartments and commercial uses. The venues will occupy the ground floor commercial portion of the proposed mixed-use building and will provide places for residents and visitors to eat, drink, socialize, and shop; as such, the sale of alcoholic beverages is a normal part of restaurant and market operations and is an expected amenity.

Conditions have been imposed to limit the overall size and operating hours of the venues. In addition, each individual tenant is required to file a Plan Approval application to allow the Zoning Administrator to review the specific mode and character of each venue and tailor conditions for each tenant space that may be more restrictive if deemed necessary. Given the conditions of approval, and the fact that each individual tenant will have to file for a Plan Approval, which will give an opportunity to consider more specific operational characteristics for each tenant space, the Master Conditional Use authorization for up to two venues will not adversely affect the surrounding neighborhood.

5. The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable Community Plan, and any applicable Specific Plan.

The proposed project complies with applicable provisions of the Los Angeles Municipal Code and the Wilshire Community Plan. There are twelve elements of the General Plan. Each of these elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of Code requirements of the Los Angeles Municipal Code.

The project site is located within the Wilshire Community Plan, which was adopted by the City Council on September 19, 2001. The project site includes six lots and a non-subdivided remainder, with a combined area of 316,438 square feet after dedications. The site is bound by Wilshire Boulevard to the north, Mariposa Avenue to the east, Irolo Street to the west,

and 7th Street to the south. The Regional Center Commercial corresponds to the CR, C1.5, C2, C4, P, PB, RAS3, RAS4, R3, R4, and R5 Zones. The project site is zoned P-2, PB-2, and C4-2. As recommended, the Zone Change to (T)(Q)C4-2D would establish a unified zone over the entire site and would be consistent with the existing land use designation of the site.

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 applicable Elements of the General Plan: Framework Element, Land Use, and Mobility Element.

Framework Element. The General Plan Framework, last adopted in August 2001, establishes the City's long-range comprehensive growth strategy and provides guidance on citywide land use and planning policies, objectives, and goals. The Framework defines Citywide policies for land use, housing, urban form and urban design, open space and conservation, transportation, infrastructure and public spaces. The Framework Element includes the following relevant provisions:

***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.*

***Goal 3F:** Mixed-use centers that provide jobs, entertainment, culture, and serve the region.*

***Objective 3.10:** Reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that serve, provide job opportunities, and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles.*

The Framework Element describes Regional Centers as having a range of FARs from 1:5:1 to 6:1, with buildings characterized by 6- to 20-stories (or higher), and are usually major transportation hubs. Regional Centers typically provide a significant number of jobs and many non-work destinations and function as transit hubs. The project proposes to develop the site with a 23-story and 28-story mixed-use towers on top of a podium that is four stories above grade and two stories subterranean, maintain the existing five-story parking structure, and demolish the existing three-story parking structure. The project would add 701,315 square feet of new residential floor area and 10,738 square feet of commercial floor area. The total floor area would be 1,472,509 square feet with a maximum FAR of 4.65:1. As proposed, the project is consistent with the anticipated development of Regional Centers.

The site is located on the southeast corner of Wilshire Boulevard and Irolo Street, an intersection serviced by Metro Local lines 20 and 206, Metro Rapid line 720, and the Metro Purple Line Wilshire/Normandie Station. The site is also located approximately 0.4 miles

west from the station located at Wilshire Boulevard and Vermont Avenue, serviced by Metro Local lines 51, 52, 201, 204, 351, Metro Rapid line 754, and DASH line Wilshire Center/Koreatown). The site is located approximately 0.48 miles east from the station located at Wilshire Boulevard and Western Avenue, serviced by Metro Local lines 20 and 209, Metro Rapid lines 710 and 720, and Big Blue Bus R7. The project's location in a transit rich corridor and in close proximity to employment, retail, and restaurants will promote the use of transit and pedestrian trips in lieu of vehicular trips. In addition, the proximity to public transit would provide alternative transportation options for residents and their guests to visit other regions, thereby contributing to the goal of reducing traffic congestion and improving air quality.

The project is requesting a Master Conditional Use to permit on-site alcohol sales at up to two restaurant establishments. The request to serve and sell alcohol at the site will be consistent with these objectives and policies through the creation of a mix of retail and restaurants uses that would attract a variety of consumers and tenants, actively promoting the area as a key economic center of the community.

The Master Conditional authorization for the sale of alcoholic beverages is allowed through the approval of the City Planning Commission subject to certain findings. The required findings in support have been made herein. Given the conditions of approval, and the fact that each individual tenant will have to file for a Master Plan Approval, which will give an opportunity to consider more specific operational characteristics of each tenant space, the Master Conditional Use authorization can be deemed to be in harmony with the General Plan as it will strengthen viable commercial development at the site.

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

The approval of the conditional use to permit alcohol sales, in conjunction with a proposed mixed-use development for on-site consumption will not adversely affect the welfare of the community. The proposed venues will enhance the neighborhood by activating the ground floor of a new mixed-use development and providing an additional amenity and service that many customers often expect in restaurants and markets. The project will enhance the viability of the area by creating a walkable, convenient destination for the surrounding residential community and businesses. Diversity amongst uses is common in the immediate surrounding area, and while there are residential dwelling units and other sensitive uses located in close proximity to the subject site, the establishments open to the public serving alcoholic beverages will be part of a controlled and monitored development.

As a part of the Approval of Plans process, each individual venue will have additional conditions imposed and tailored towards the specific use. Such imposition of conditions will make the use a more compatible and accountable neighbor to the surrounding uses. Conditions are intended to integrate the use into the community as well as protect community members from potential adverse impacts associated with alcohol sales. Additional conditions have been 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. Therefore, the granting of the request will not adversely impact the welfare of the pertinent community.

7. 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.

The project is located within a Regional Center where a variety of uses is permitted and encouraged and an increased concentration of licenses is anticipated. In addition, the census tract in which the project is located is in an active commercial area that is a destination point for many and where there is a demand and expectation for increase alcohol license issuances. According to the California Department of Alcoholic Beverage Control (ABC) licensing criteria, one on-sale and one off-sale licenses are allocated to the subject census tract Census Tract 2123.04). There are currently seven active licenses found within this census tract: one type 48 license for on-site sale of beer, wine, and liquor; two type 47 licenses for on-site sale of beer, wine, and liquor; three type 41 for on-site sale of beer and wine only; and one type 58 license for catering alcoholic beverages off-site. There are no off-site licenses found within this census tract, with the exception of the one type 58 caterer's license (operating under same license number as one other type 41 on-site license).

The project site is within a highly developed commercial corridor along Wilshire Boulevard which has a variety of restaurants, which have resulted in the existing on-site alcohol licenses to exceed the maximum number allocated. In active commercial areas where there is a demand for licenses beyond the allocated number, the Department of Alcoholic Beverage Control (ABC) has recognized that high-activity retail and commercial centers are supported by a significant and growing employee, visitor, and resident population in the area. The ABC has discretion to approve an application if there is evidence that normal operations will not be contrary to public welfare and will not interfere with the quiet enjoyment of property by residents. As proposed by the submitted application and conditioned herein by the City, the requested application will be implemented with conditions intended to prevent public drinking, driving under the influence, and public drunkenness. 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. These conditions will safeguard the welfare of the community. As conditioned, allowing the sale of a full line of alcohol for on-site consumption is not undue or anticipated to create a law enforcement issue.

According to statistics provided by the Los Angeles Police Department's Olympic Division Vice Unit, within Crime Reporting District No. 2035, which has jurisdiction over the subject property, a total of 116 crimes and arrests were reported in 2019 (94 Part I Crimes and 22 Part II Arrests), compared to the Citywide average of 170 crimes for the same reporting period. The 116 total crimes and arrests reported for the census tract include Narcotics (1), Weapon (2), Drunkenness (1), Driving under Influence (5), Miscellaneous Violations (10), Rape (1), Robbery (11), Aggravated Assault (10), Burglary (12), Vehicle Theft (6), Larceny (54), and Other Assaults (3).

The above statistics indicate that the crime rate in the census tract where the subject site is located is lower than the total area average for the same reporting period. Negative impacts commonly associated with the sale of alcohol, such as criminal activity and public drunkenness are mitigated by the imposition of conditions requiring surveillance and responsible management as required by the subject grant. The conditions will safeguard the welfare of the community. As conditioned, allowing the sale of a full line of alcohol for on-site consumption at the subject location will benefit the public welfare and convenience because it would add an amenity to nearby residences.

8. **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 project site is located within the Wilshire Center Regional Commercial Center area within the Wilshire Community Plan area. The area is characterized by a dense collection of high-rise office buildings, large hotels, regional shopping complexes, churches, entertainment centers, and both high-rise and low-rise apartment buildings. The project site is also within close proximity to Koreatown, a cultural meeting place nucleus of Korean American businesses, restaurants, and shops in addition to a wide range of community serving commercial uses and large shopping centers. Given the diversity of uses permitted and encouraged, a variety of land uses which serve alcohol are to be expected. The following sensitive uses are located within a 1,000- foot radius of the site:

Multi-Family Residential Uses

Oasis Church	634 Normandie Avenue
St. Basil's Catholic Church	3611 Wilshire Boulevard
Robert F. Kennedy Community Schools	701 South Catalina Street
God's Hands Academy Corporation	727 Irolo Street

While there are residential dwelling units and other sensitive uses located in close proximity to the project site, the project has been conditioned to be compatible with the surrounding community. Further, as a part of the Approval of Plans process, each individual venue will have additional conditions imposed and tailored towards the specific use. Such imposition of conditions will make the venues a more compatible and accountable neighbor to the surrounding uses. As conditioned, the granting of the Master Conditional Use to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption at up to two venues at the mixed-use development will not detrimentally affect nearby uses.

Site Plan Review Findings

9. **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 proposed project complies with applicable provisions of the Los Angeles Municipal Code and the Wilshire Community Plan. There are twelve elements of the General Plan. Each of these elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of Code requirements of the Los Angeles Municipal Code.

The project site is located within the Wilshire Community Plan, which was adopted by the City Council on September 19, 2001. The subject site is an irregular shaped lot, consisting of 6 subdivided lots and a non-subdivided remainder, with approximately 320,534 square feet (7.3 acres) of lot area. The site is bound by Wilshire Boulevard to the north, Mariposa Avenue to the east, Irolo Street to the west, and 7th Street to the south. The site is located within the Wilshire Community Plan area, zoned C4-2, PB-2, and P-2, with a land use designation of Regional Center Commercial uses. The land use designation lists the CR, C1.5, C2, C4, P, PB, RAS3, RAS4, R3, R4, and R5 Zones as the corresponding zones. As

recommended, the Zone Change to (T)(Q)C4-2D would establish a unified zone over the entire site and would be consistent with the existing land use designation of the site.

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 applicable Elements of the General Plan: Framework Element, Land Use, and Mobility Element.

Framework Element. The General Plan Framework, last adopted in August 2001, establishes the City's long-range comprehensive growth strategy and provides guidance on citywide land use and planning policies, objectives, and goals. The Framework defines Citywide policies for land use, housing, urban form and urban design, open space and conservation, transportation, infrastructure and public spaces. The Framework Element includes the following relevant provisions:

***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.*

***Goal 3F:** Mixed-use centers that provide jobs, entertainment, culture, and serve the region.*

***Objective 3.10:** Reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that serve, provide job opportunities, and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles.*

The Framework Element describes Regional Centers as having a range of FARs from 1:5:1 to 6:1, with buildings characterized by 6- to 20-stories (or higher), and are usually major transportation hubs. Regional Centers typically provide a significant number of jobs and many non-work destinations and function as transit hubs. The project proposes to develop the site with a 23-story and 28-story mixed-use towers on top of a podium that is four stories above grade and two stories subterranean, maintain the existing five-story parking structure, and demolish the existing three-story parking structure. The project would add 701,315 square feet of new residential floor area and 10,738 square feet of commercial floor area. The total floor area would be 1,472,509 square feet with a maximum FAR of 4.65:1. As proposed, the project is consistent with the anticipated development of Regional Centers.

The site is located on the southeast corner of Wilshire Boulevard and Irolo Street, an intersection serviced by Metro Local lines 20 and 206, Metro Rapid line 720, and the Metro Purple Line Wilshire/Normandie Station. The site is also located approximately 0.4 miles west from the station located at Wilshire Boulevard and Vermont Avenue, serviced by Metro Local lines 51, 52, 201, 204, 351, Metro Rapid line 754, and DASH line Wilshire Center/Koreatown). The site is located approximately 0.48 miles east from the station

located at Wilshire Boulevard and Western Avenue, serviced by Metro Local lines 20 and 209, Metro Rapid lines 710 and 720, and Big Blue Bus R7. The project's location in a transit rich corridor and in close proximity to employment, retail, and restaurants will promote the use of transit and pedestrian trips in lieu of vehicular trips. In addition, the proximity to public transit would provide alternative transportation options for residents and their guests to visit other regions, thereby contributing to the goal of reducing traffic congestion and improving air quality. The site is presently zoned C4-2, PB-2, and P-2. As recommended, the Zone Change to (T)(Q)C4-2D would establish a unified zone over the entire site and would be consistent with the existing land use designation of the site.

Housing Element. The Housing Element of the General Plan will be implemented by the recommended action herein. The Housing Element is the City's blueprint for meeting housing and growth challenges. It identifies the City's housing conditions and needs, reiterates goals, objectives, and policies that are the foundation of the City's housing and growth strategy, and provides the array of programs the City has committed to implement to create sustainable, mixed-income neighborhoods across the City. The Housing Element contains the following goals and objectives:

Goal 2: Safe, Livable, and Sustainable Neighborhoods

Objective 2.1: Promote safety and health within neighborhoods.

Objective 2.2: Promote sustainable neighborhoods that have mixed-income housing, jobs, amenities, services and transit.

Policy 2.2.4: Promote and facilitate a jobs/housing balance at a citywide level.

The recommended Zone Change to (T)(Q)C4-2D, would establish a uniform zone over the entire project site, which is currently zoned P-2, PB-2, and C4-2. The uniform zone would permit the construction of a mixed-use development along established commercial corridors, Wilshire Boulevard and Irolo Street within the Koreatown area. The project proposes to provide new ground floor commercial spaces along Mariposa Avenue while maintaining existing commercial uses along Wilshire Boulevard. The project proposes to develop 640 dwelling units and will consist of a variety of unit types, allowing for a mix of housing types and opportunities near public transit. As proposed, the project is consistent with the goal, objective, and policy of the Housing Element.

The **Air Quality, Mobility Element** and the **Health and Wellness Element** of the General Plan will be implemented by the recommended action herein. The project has been designed with enhanced pedestrian points of access from Wilshire Boulevard, Mariposa Avenue, 7th Street, and Irolo Street. Additionally, the development will improve sidewalks along the project's street frontages by reconstructing them and including new street tree wells. These design features will encourage pedestrian activity by providing pedestrians with a safe and comfortable walking environment. The project will also provide code required vehicular and bicycle parking spaces and will provide a direct pedestrian connection to the nearest Metro bus stops and Metro Subway Station on Wilshire Boulevard and Normandie Avenue. Vehicular ingress/egress will be provided via five vehicular driveways.

As conditioned, all electric vehicle charging spaces (EV Spaces) and electric vehicle charging stations (EVCS) shall comply with the regulations outlined in Chapter IX of the LAMC. Loading areas are also provided on-site, thereby minimizing delivery traffic impacts on public streets. As conditioned, the project shall also comply with the Los Angeles Municipal Green Building Code to make the project solar ready. Taken together, these conditions 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 City in response to General Plan Health and Wellness Element Policies 5.1 (reduce air pollution), 5.7 (reduce greenhouse gas emissions); Air Quality Element policy 4.2.3 (ensuring new development is compatible with alternative fuel vehicles), 5.1.2 (shift to non-polluting sources of energy in buildings and operations); Mobility Element Policy 4.1 (expand access to transportation choices) and 5.4 (encourage adoption of low emission fuel sources, new mobility technology and supporting infrastructure). The solar and EV conditions are also good zoning practice because they provide a convenient service amenity to the occupants or visitors who use electric vehicles and utilize electricity on site for other functions. As such, the project provides recreational and service amenities to improve habitability for the residents and to minimize impacts on neighboring properties.

Sewerage Facilities Element. The Sewerage Facilities Element of the General Plan will not be affected by the recommended action. While the sewer system 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.

The project is consistent with the objectives of the Wilshire Community Plan in that it will continue to allocate viable commercial development in the area. The development will provide additional employment opportunities within an underdeveloped site. The project include residential, retail, and restaurant uses. The proposed pedestrian promenade will create a pedestrian friendly environment outside and within the development by providing dedicated walkways and by separating vehicular and pedestrian access points to the site. The project will improve and provide street trees, close extraneous curb cuts, and provide appropriate drought tolerate landscaping. As proposed, the project will be in substantial conformance with the provisions of the General Plan and the Wilshire Community Plan.

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

Capability with Existing and Future Development

The proposed structures are consistent with the visual character of the area. The project site located within a highly urbanized area with a mix of land uses, including commercial, retail, and residential. The site is bound by Wilshire Boulevard to the north, Mariposa Avenue to the east, Irolo Street to the west, and 7th Street to the south. The existing office buildings on-site at 3440 Wilshire has three 12-story buildings and one 11-story building. Approximately 100 feet east of the site is a 13-story office building located at 3424 Wilshire Boulevard. A 28-story office building is located approximately 450 feet north to the site, located at 3435 Wilshire Boulevard. Approximately 45 feet west of the proposed new development is a 21-story residential building, located at 691 Irolo Street. Structures directly west of the project site includes the seven-story Picadilly Apartments and a two-story shopping center. Structures on the west side of Irolo Street include the 18- and 12-story office building located along Wilshire Boulevard and Irolo Street.

The site is currently developed with four commercial office buildings with ground floor retail components. The existing office buildings contain approximately 760,456 square feet of commercial floor area. Three of these office buildings front Wilshire Boulevard and one fronts Irolo Street. The site is also maintained by two parking structure: a five-story parking structure with vehicular access off 7th Street and a three-story parking structure with vehicular access of Mariposa Avenue. The five-story parking structure contains 707 vehicular parking spaces and the three-story parking structure contains 1,191 vehicular parking spaces. The four existing office buildings and five-story parking structure would remain as part of the project.

The proposed project includes the demolition of the existing three-story parking structure, for the construction, use, and maintenance of a 23-story mixed-use building and a 28-story mixed-use building, on top of a podium that is four stories above grade and two stories subterranean. The mixed-use development will include 640 apartment units, 10,738 square feet of commercial floor area, 1,921 vehicular parking spaces (714 residential and 500 commercial spaces, with 707 existing spaces to remain), 500 residential bicycle parking spaces and 1,340 commercial bicycle parking spaces. The proposed maximum floor area ratio would be 4.65:1.

The ground floor commercial component is well articulated with much of the retail and restaurant spaces located along the property line. It also offers breaks between the retail spaces for pedestrian entryways, which are visually interesting and inviting pedestrian-oriented characteristics. The grand entry plaza to the commercial component would be inviting and visually interesting, oriented toward Mariposa Avenue and Irolo Street.

Arrangement of Buildings (Height, Bulk, Setbacks)

The project will involve the construction of a 23-story mixed-use building (Tower 1) at 282 feet in height, and a 28-story (Tower 2) mixed-use building at 332 feet in height. Tower 1 and Tower 2 will share a podium with amenity space and four stories of above-grade (65 feet in height) and two stories of below-grade parking garage. While the project is taller than some buildings in the immediate vicinity, the buildings have been designed with material and color changes that are intended to treat this increased height and increase the building's compatibility with the area.

The project site is a through lot, with frontages along Wilshire Boulevard and 7th Street. Pursuant to LAMC Section 12.16 (C4 Zone), no front yard setback is required. Pursuant to LAMC Section 12.22 A.18, no yard requirements shall apply to the residential portions of buildings, including the residential use, located on lots in the CR, C1, C1.5, C2, C4 and C5 Zones used for combined commercial and residential uses, if such portions abut a street. Accordingly, no setbacks are provided along the southern property line fronting 7th Street and the eastern property line along Mariposa Avenue.

At the ground floor, the project has been designed to provide commercial uses that enhance the pedestrian experience along Mariposa Avenue. Entrances to the building are provided via street level as well as from the parking garage. The project design is intended to activate the street frontages and conceal the project's internal parking. At the ground level, the internal parking is screened by the building lobby, retail uses, and bicycle storage facilities. Above the ground floor uses, the applicant is proposing a screening system of metal panels and varying opaque glass features to blend the podium levels into Towers 1 and 2. Materials of the proposed glass include frosted glazing and shadow box glazing, which will minimize the appearance of the parking garage.

Therefore, the proposed bulk, height, and setbacks of the development are similar to nearby structures, and the proposed landscaping will make the site more attractive and well integrated with the surrounding neighborhood.

Parking, Loading Areas, Trash Collection

The design of the project's off-street parking facilities and trash collecting and loading areas have been appropriately planned to reduce negative impacts created by vehicles and will be compatible with existing and future development on adjacent and neighboring properties. Off-street parking for vehicles and bicycles are designed to be compatible with surrounding development. All required off-street parking will be provided on-site. A total of 1,214 vehicular parking spaces within two levels of subterranean, at-grade, and four levels of above grade parking garage. In addition, 707 vehicular spaces will remain in the existing five-story parking garage. The above level of parking will be screened so that garage lights and headlights will not be seen from the adjoining streets. Additionally, the project would provide 1,840 bicycle parking spaces. The project will also support future electric vehicle ("EV") supply equipment, with EV ready parking spaces and chargers to immediately accommodate EVs within the garage. The project proposes to remove one existing driveway located near the intersection of Mariposa Avenue and 7th Street, add two new driveways, with five vehicular driveways to service the property. The commercial loading area is accessible from Irolo Street. The project will locate trash and recycling collection within the building. These collection areas will be enclosed within the project's parking structure in order to minimize any impacts on existing or future surrounding uses.

Landscaping

The project will provide 8,622 square feet of landscaping including trees, groundcover, and shrubs. Landscaping will be provided within the fifth floor residential level, the roof level, as well as areas of the ground floor. The primary landscape features at grade includes a landscaped pedestrian paseo with courtyards at the center of the property lined with retail and restaurants. The landscape programming would enhance the surrounding streetscape by incorporating outdoor seating areas, drought resistant planting, new shade trees, landscaped trellises, and water features. The project is proposing to plant three canopy trees and eight street trees at grade, seven canopy trees and 84 screening trees on the fifth level, and 58 screening trees at the roof deck.

Lighting

The proposed project's lighting scheme will be compatible with surrounding development. Exterior lighting will illuminate on-site facilities in order to provide sufficient lighting for circulation and security, while minimizing impacts on adjacent properties. Ground level lighting for the commercial center will activate and enhance the pedestrian environment at night.

In conclusion, the project has been designed with attention to building orientation, massing, parking, and other improvements that create a compatible development. The building is designed to provide a presence along all street frontages and is articulated on all sides to provide architectural interest which help reduce the massing of the building, thereby making it more interesting to the surrounding area. The project will redevelop an underutilized site, located immediately adjacent to a major commercial corridor. The project will be appropriately located and designed to complement existing and future development.

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

The project proposes a total of 640 units and provide a variety of unit types which include 441 studio units and 199 two-bedroom units. The project will provide 68,975 square feet of open space. The landscaped open space will be allocated on the ground floor, fifth residential level, and roof level. Approximately 17,882 square feet of outdoor open space is provided on the amenity deck on the fifth floor, and 8,000 square feet will be provided on the roof level, for a total of 25,882 square feet of common outdoor open space. The project will also provide 25,850 square feet in private balconies. The outdoor open space areas will be landscaped with both drought tolerant and shade giving species. The project will also support future electric vehicle ("EV") supply equipment, with EV ready parking spaces and chargers to immediately accommodate EVs within the garage. As conditioned, the project shall also comply with the Los Angeles Municipal Green Building Code to make the project solar ready. As such, the project provides recreational and service amenities to improve habitability for the residents and to minimize impacts on neighboring properties.

12. CEQA Finding

A Mitigated Negative Declaration (ENV-2016-3693-MND), corresponding Mitigation Monitoring Program (MMP) and Errata dated March 2, 2020 and March 10, 2020 were prepared for the proposed project. The Mitigation Monitoring Program (MMP) is a document that is separate from the MND and is prepared and adopted as part of the project's approval. Section 21081.6 of the Public Resources Code 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." In addition to the mitigation measures required of the project and any proposed project design features, the applicant is required to adhere to applicable RCMs required by law.

The Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Central Project Planning Division in Room 621, 201 North Spring Street. The Department found that potential negative impact could occur from the project's implementation due to: Transportation/Traffic. The MND was circulated for public review on February 6, 2020 through March 9, 2020. The Planning Department received five (5) comment letters during the comment period. Following the comment period, staff received an additional 6 comment letters pertaining to both CEQA and non-CEQA related items. The environmental consultant retained for the project prepared responses to these comments. The City concurs with the responses prepared by the consultant. Therefore, on the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND, there is no substantial evidence that the proposed project will have a significant effect on the environment.

PUBLIC HEARING AND COMMUNICATIONS

Public Hearing

A joint public hearing conducted by the Hearing Officer and the Deputy Advisory Agency on this matter, in conjunction with Case No. VTT-74602, was held in Room 1070, City Hall on Wednesday, March 11, 2020 at 9:30 AM. In attendance were the project representative, and several stakeholders and members of the general public.

Summary of Public Hearing and Communications

1. Present: Ten (10) people signed in at the hearing.
2. Public Speakers: 16 people spoke at the hearing, not inclusive of the applicant team; ten (10) people spoke in support of the project; five (5) people spoke in opposition to the project; and one (1) person provided general comments.
3. Council District: A representative from Council District 10 provided comments and stated that the project received a support letter from the Wilshire Center – Koreatown Neighborhood Council, which requested that the housing component include 5 percent Moderate Income Housing based on Area Medium Income. The Council Office further requests that at least 10 percent be provided for Moderate Income Housing based on Area Medium Income.
4. The applicant's representative described the site location, project description, and requested entitlements.
 - The area of Wilshire is very walkable and made up of various vibrant commercial corridors, with a number of public transit options nearby, including the Red and Purple Line Station, the Wilshire Boulevard Rapid Transit, and various local and regional bus lines
 - There are no existing residential units on the project site
 - The project site is consistent with the Mayor's vision in eliminating underutilized parking structures and replacing them with residential housing to meet the City's housing goals and housing obligations
 - The project was designed to be pedestrian friendly and activate the area. The ground floor design would encourage daytime and nighttime pedestrian activity
 - The applicant team worked with City Planning to refine the design of the podium parking. The podium parking design now fully integrates parking into the building design and the form of the project.
 - The parking reflects the overall design of the project and would not be recognizable as a separate parking use.
 - Parking podium is concealed with visually opaque materials and treatments
 - To facilitate the future adaptive reuse of the parking garage, the parking podium incorporates flat four levels
 - Applicant has reviewed all agency comments and is in full concurrence and accepts all proposed conditions of approval
 - Applicant has received comments letters received to date and there is no evidence requiring the preparation of an EIR or any additional analysis
 - Applicant concurs with staff and requests that the record be kept open until 5 PM on March 13, 2020 for any additional evidence to be submitted to the City

5. Public Hearing Testimony

Speaker Comments Supporting the Project

- Applicant has submitted to support local workforce and local hire
- Applicant has worked closely with the community
- The project will increase the housing stock
- The project will improve the local economy
- The project will support local businesses
- MND is adequate and an environmentally friendly project
- The area needs housing and job for local residents
- The project will provide housing in the City near transit

Speaker Comments in Opposition to the Project

- City has lots of empty homes and the project lacks affordable units
- Proposed units are not affordable
- Construction activities will be detrimental to nearby high school
- Construction impacts related to noise, dust, and air quality
- Loss of physical and mental health in the nearby residential community
- Nearby landlords and tenants cannot afford to retrofit
- Project will create heating loads to nearby buildings
- Existing parking garage is heavily utilized and neighborhood needs parking
- Change of zoning designation will raise the rent prices in the neighborhood
- Construction activities will impact pedestrian and vehicular access

General Comments

- A representative on behalf of Service Employees International United Service Workers West raised concerns for the proposed project regarding the following:
 - Lack of compliance with the LAMC and CEQA
 - Lack of explanation on the long delay of the project
 - Lack of compliance with updated housing laws
 - Project should have been terminated
 - Project did not compare Green House Gas emission against SCAQMD significance thresholds
 - MND lacks VMT analysis

6. The applicant's representative responded to the public comments.

- No evidence was submitted challenging the adequacy of the MND
- The Neighborhood Council submitted its letter of support requesting 5 percent Moderate Income Housing units
- The project does include 5 percent of the units set aside for Moderate Income Household
- There will likely be excess parking in the parking structure and the applicant will allow others to use
- All housing is needed in all income levels

- Project replaces a parking structure with over 600 housing units to help the City meet its obligations
7. The Bureau of Engineering and Bureau of Street Lighting had no additional comments pertaining to VTT-74602 as the applicant concurs with all conditions of approval.
 8. Planning staff clarified that even the entitlements were filed in September of 2016, the entitlements were deemed complete prior to 2017, thus not subject to Measure JJJ.
 9. The Deputy Advisory Agency held the VTT and MND entitlements under advisement until the applicant provided responses to the comments received from Caltrans.

Communications

On March 8, 2019, the Wilshire Center - Koreatown Neighborhood Council submitted a letter in support of the project, with the following condition:

- Provision of a 5 percent unit set aside for tenants earning Moderate Area Medium Income (80-120 percent AMI)

On February 14, 2020, an electronic mail was submitted by Emily Keough opposing the project due to the following issues:

- Severe residential parking crisis in Koreatown
- Existing parking structure serve as a buffer between the residential block of South Normandie and the Wilshire Center business district
- Area does not need another luxury high rise apartment building
- Area needs more public spaces and parks to serve residents and families

On February 18, 2020, an electronic mail was submitted by Anastasiia Ponomarova opposing the project due to the following issues:

- Opposes removal of existing parking structure
- Opposes construction near historic Langham building
- Lack of residential parking spaces in the neighborhood
- Proposed apartment complex will impact historic nature of existing neighborhood
- Impacts from construction related to noise and dust

On March 2, 2020, a letter was submitted by Lozeau Drury LLP on behalf of Supporters Alliance for Environmental Responsibility and stated that the MND prepared for the project failed to account for the cumulative impacts of the existing and/or proposed projects within the vicinity of the site, and requests an Environmental Impact Report be prepared.

On March 2, 2020, the California Department of Transportation (Caltrans) submitted comments on the Mitigated Negative Declaration (MND). After reviewing the MND, Caltrans requests more information about how the trip distribution percentage of 7.5 percent to the US-101 at Normandie Avenue was determined. In the letter, Caltrans stated that it concurs with the statements in the Transportation Impact Analysis, and encourages the Lead Agency to integrate transportation and land use in a way that reduce VMT and GHG emissions, as well as facilitates a high level of non-

motorized travel and transit use. Caltrans supports the infill nature of the project and the Transit Demand Model (TDM) strategies it has incorporated, such as providing 1,840 bicycle spaces. In addition, Caltrans suggested the following TDM strategies to be integrated into the project:

- Decrease the amount of single occupancy vehicle parking by replacing those spaces with more carpool and bicycle parking
- Ensure that the provided short term bicycle parking is secure
- Confirm that the parking structure entrances/exits are pedestrian-friendly by setting them back from the sidewalk to increase pedestrian visibility
- Provide bicycle facilities to connect the bicycle facilities on 7th Street and Oxford Avenue
- Create a transit shelter at the Normandie/Wilshire Metro stop located on the west side of Irolo Street
- Increase the visibility of crosswalks and install ADA compliant curb ramps at the Wilshire Boulevard and Mariposa Avenue intersection, as well as the 7th Street and Mariposa Avenue intersection

On March 9, 2020, the Los Angeles Unified School District (LAUSD) Office of Environmental Health and Safety submitted a comment on the Mitigated Negative Declaration. The project is located adjacent to the Robert F. Kennedy Community Schools. LAUSD is concerned about the potential adverse traffic and pedestrian safety impacts of the project on students and staff at the campus. The Letter recommend the following measures be taken to address potential impacts to the school:

Transportation/Traffic

To ensure that effective conditions are employed to reduce construction and operation related transportation impacts on District sites, we ask that the following language be included in the Construction Traffic Management Plan (TRAN-PDF-1):

- Construction trucks and other vehicles are required to stop when encountering school buses using red-flashing-lights must-stop-indicators per the California Vehicle Code.
- Contractors must install and maintain appropriate traffic controls (signs and signals) to ensure vehicular safety.
- School buses must have unrestricted access to schools.
- During and after construction changed traffic patterns, lane adjustment, traffic light patterns, and altered bus stops may not affect school bus performance and passenger safety.
- Contractors must maintain ongoing communication with LAUSD school administrators, providing sufficient notice to forewarn children and parents when existing vehicle routes to school may be impacted.
- Parents dropping off their children must have access to the passenger loading areas.

Pedestrian Safety

Construction activities that include street closures, the presence of heavy equipment and increased truck trips to haul materials on and off the Project site can lead to safety hazards for people walking in the vicinity of the construction site. To ensure that effective conditions are employed to reduce construction related pedestrian safety impacts on District sites, we ask that the following language be included in the recommended conditions for pedestrian safety impacts:

- Contractors must maintain ongoing communication with LAUSD school administrators, providing sufficient notice to forewarn children and parents when existing pedestrian routes to school may be impacted.
- Contractors must maintain safe and convenient pedestrian routes to Robert F. Kennedy Community Schools. The Safe Routes to School map for Robert F. Kennedy Community Schools is available at: <https://achieve.lausd.net/Page/3990>.
- Contractors must install and maintain appropriate traffic controls (signs and signals) to ensure pedestrian and vehicular safety.
- To the extent feasible, haul routes are to be routed away from the campus, except when school is not in session.
- Funding for crossing guards at the contractor's expense is required when safety of children may be compromised at impacted school crossings by construction-related activities.
- Barriers and/or fencing must be installed to secure construction equipment and to minimize trespassing, vandalism, short-cut attractions, and attractive nuisances.

On March 11, 2020, a letter was submitted by Gideon Kracov on behalf of Service Employees International Union – United Service Workers West and its members who live and work in the City. The letter outlined the following concerns, which were verbally presented in part during the public hearing on March 11, 2020:

- No explanation how the project's delayed processing avoids requirements of new housing laws (Measure JJJ)
- MND fails to compare project's GHG emissions against SCAQMD significance thresholds
- MND lacks required VMT transportation analysis
- Incomplete Noise significance analysis

On March 30, 2020, an electronic mail was submitted by Karrie Melendrez and requested that the public hearing for the project be postponed until after Neighborhood Council meetings have resumed.

On March 31, 2020, an electronic mail was submitted by Angie Brown opposing the proposed project and requested that the public hearing for the project be postponed until after Neighborhood Council meetings have resumed.

- Area does not need luxury towers
- Lack of green space in the City
- Construction impacts related to noise pollution

On March 31, 2020, an electronic mail was submitted by Katelyn Scanlan and requested that the public hearing for the project be postponed until after Neighborhood Council meetings have resumed.

On April 1, 2020, an electronic mail was submitted by Jennifer Wong and requested that the public hearing for the project be postponed until after Neighborhood Council meetings have resumed.

On April 5, 2020, an electronic mail was submitted by Karrie Melendrez opposing the project due to the following issues:

- Area does not need luxury towers
- Construction for the project will diminish quality of life for nearby residents
- Construction impacts related to noise and air pollution

COVID-19 UPDATE

Interim Appeal Filing Procedures

April 17, 2020



Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, City Planning has implemented new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction. There are three options for filing appeals, described below.

OPTION 1: NON-APPLICANT ONLINE APPEAL PORTAL

(planning.lacity.org/development-services/appeal-application-online)

Non-applicant appeals of entitlements can now be submitted online and payment can be made by credit card. The online appeal portal allows non-applicants to fill out and submit the appeal application directly to the Development Services Center. Once the appeal is accepted, the portal allows for appellants to submit a credit card payment, enabling the appeal and payment to be submitted entirely electronically. *Note: a 2.7% credit card processing service fee will be charged. CEQA appeals, Building and Safety appeals (LAMC Section 12.26K), and Applicant appeals can only be filed using Option 2 or 3 below.*

OPTION 2: EMAIL PLUS US MAIL

This is a two-step process including pre-clearance by email of the appeal application followed by application and payment submittal via US Mail.

STEP 1:

Email planning.figcounter@lacity.org with the subject line: **"Request to File Appeal."** In the email body provide:

- The case number
- Appellant contact information (name, email, telephone number)

Include as individual attachments to the email:

- Copy of Signed Appeal Application
- Justification
- Letter of Determination

City Planning staff will contact the appellant to confirm whether the appeal is complete and meets the applicable provisions of the Los Angeles Municipal Code (LAMC). The appellant will then be instructed to move forward with Step 2.

STEP 2:

Send appeal application via US Mail, postmarked no later than the last day of the appeal period. The package shall include:

- Original Appeal Application (wet signatures),
- Copy of email correspondence with City Planning staff (from Step 1)
- Appeal fee, check payable to the City of Los Angeles (\$109.47 for an aggrieved party, not the Project Applicant.)
- **Mail the appeal application to:**
Department City Planning - Metro DSC
201 N. Figueroa St., 4th Floor
Los Angeles, CA 90012

City Planning staff will email and mail the appellant with a receipt for payment. Note: only the original application, email, and check need to be sent via US Mail. This ensures a standard envelope with standard postage is sufficient, and no trip to the Post Office is necessary. **Steps 1 and 2 must both be completed. An email alone is not sufficient to satisfy appeal requirements.**

OPTION 3: DROP OFF AT DSC

An appellant may continue to submit an appeal application and payment at any of the three Development Services Center (DSC) locations. City Planning established drop off areas at the DSCs with physical boxes where appellants can drop off appeal applications and payment. **Drop off areas are monitored in secure locations outside the three DSCs (Metro/ Downtown, Van Nuys, and West Los Angeles) and are available during regular business hours.**

City Planning staff will follow up with the appellant via email and phone to:

- Confirm that the appeal package is complete and meets the applicable provisions of the LAMC
- Provide a receipt for payment