

# **CITY PLANNING COMMISSION**

200 N. Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300 www.lacity.org/PLN/index.htm

# Determination Mailing Date: DE

DEC 0 4 2014

CASE NO.: CPC-2013-3834-GPA-ZC-HD-CU-CUB-SPR CEQA: ENV-2013-3835-MND

**Applicant:** Young Sam Chung, CK Hospitality **Representative:** Bill Christopher / Tabitha Lam, Urban Concepts

Council No.: Plan Area: Requests:

Location:

1700, 1710 West Olympic Boulevard, 1001, 1003, 1005, 1007, 1011, 1015, 1019, 1023, 1029 South Beacon Avenue 1 - Cedillo Westlake Community Plan General Plan Amendment, Zone/Height District Change, Conditional Use, Site Plan Review

# At its meeting on November 13, 2014, the following action was taken by the City Planning Commission:

- 1. Adopted the Mitigated Negative Declaration No. ENV-2013-3835-MND and associated Findings, as the project's environmental clearance pursuant to Section 21082.19(c)(3) of the California Public Resources Code.
- Approved a General Plan Amendment to the Westlake Community Plan from Highway Oriented Commercial (1700, 1710 West Olympic Boulevard, and 1001, 1003, 1005, 1007 South Beacon Avenue) and Medium Residential Land Use Designations (1011, 1015, 1019, 1023, 1029 South Beacon Avenue) to the Community Commercial Land Use Designation for all lots.
- Approved a Zone Change / Height District Change from C4-1 (1700, 1710 West Olympic Boulevard, and 1001, 1003, 1005, 1007 South Beacon Avenue) and R3-1 (1011, 1015, 1019, 1023, 1029 South Beacon Avenue) to (T)(Q)C4-2D.
- 4. Approved a Conditional Use for a hotel located within 500 feet of a Residential Zone.
- 5. Denied as Not Necessary a Conditional Use for a Commercial Corner allowing for 1) the hotel to operate 24 hours, 7 days a week, 2) the bar/café and restaurant to operate from 6 a.m. to 10 p.m. daily, 3) tandem parking, 4) variable landscape setback of 3.17 feet to 5.16 feet along the northerly property line in lieu of the five feet required, and 5) no landscape setback along the perimeter of the parking area toward the western and southern portion of the commercial site, in lieu of the five feet required.
- 6. **Approved** a **Conditional Use Permit** for the sales and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a bar/café and a restaurant that includes live entertainment located within a hotel.
- 7. Approved a Site Plan Review for a project which results in an increase of 50 or more guest rooms.
- 8. Adopted the attached modified Conditions of Approval.
- 9. Adopted the attached Findings.
- Advised the applicant that, pursuant to State fish and Game Code Section 711.4, a Fish and Game Fee and / or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

# **RECOMMENDATION TO CITY COUNCIL:**

- Recommend that the City Council adopt a General Plan Amendment to the Westlake Community Plan from Highway Oriented Commercial (1700, 1710 West Olympic Boulevard, and 1001, 1003, 1005, 1007 South Beacon Avenue) and Medium Residential Land Use Designations (1011, 1015, 1019, 1023, 1029 South Beacon Avenue) to the Community Commercial Land Use Designation for all lots.
- Recommend that the City Council adopt a Zone Change / Height District Change from C4-1 (1700, 1710 West Olympic Boulevard, and 1001, 1003, 1005, 1007 South Beacon Avenue) and R3-1 (1011, 1015, 1019, 1023, 1029 South Beacon Avenue) to (T)(Q)C4-2D.
- Recommend that the City Council adopt the Mitigated Negative Declaration No. ENV-2013-3835-MND and associated Findings, as the project's environmental clearance pursuant to Section 21082.19(c)(3) of the California Public Resources Code.

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

This action was taken by the following vote:

Moved:	Ahn
Seconded:	Dake-Wilson
Ayes:	Ambroz, Cabildo, Katz, Perlman, Segura
Absent:	Choe, Mack

Vote:

7 - 0

James K. Williams, Commission Executive Assistant II City Planning Commission

**Effective Date/Appeals:** The Commission's Determination will be final **20 days** from the mailing date of this determination unless an appeal is filed to the City Council within that time. If the Commission has disapproved the Zone Change request, the applicant may appeal that disapproval to the Council within **20 days** after the mailing date of this determination. Any aggrieved party may file an appeal. 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 Public Counters at 201 N. Figueroa Street, Fourth Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys, CA 91401.

FINAL APPEAL	DATE:	DEC, 2 4 2014	

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 **90<sup>th</sup>** 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: Conditions of Approval, Findings, Ordinance, Maps, Resolution City Planner: Blake Lamb Senior Planner: Shana Bonstin

## CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

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

## 1. Dedication Required:

**Olympic Boulevard** (Major Highway – Class II) – A 2-foot wide strip of land along the property frontage shall be required to complete a 52-foot half right-of-way in accordance with Major Highway – Class II standards, including a 20-foot radius property line return at the intersection with Beacon Avenue.

Alley (South of Olympic Boulevard) – A 2.5-foot wide and variable width strip of land along the property frontage to complete a 10-foot wide half right-of-way to alley standards.

## 2. Improvements Required

**Olympic Boulevard** – Construct additional concrete sidewalk in the dedicated area and repair any broken, off-grade or bad order existing concrete sidewalk. Close any unused driveways with standard curb height and concrete sidewalk.

**Beacon Avenue**—Reconstruct the concrete curb and 2-foot gutter along the property frontage. Repair any broken, off-grade or bad order existing concrete sidewalk and landscape the parkway. Install sprinkler system in the parkway.

**Alley** – Construct additional concrete pavement in the dedicated area and upgrade the alley intersection at Olympic Boulevard to City standards.

**Trees** – Install tree wells with root barriers and plant street trees satisfactory to the City Engineer and the Urban Forestry Division of the Bureau of Street Services. The applicant should contact the Urban Forestry Division for further information (213) 847-3077.

**Lights** – Street lighting may be required satisfactory to the Bureau of Street Lighting (213) 847-1551.

- 3. **Roof drainage** and surface run-off from the property shall be collected and treated at the site and drained to the streets through drain pipes constructed under the sidewalk and through curb drains or connections to catch basins.
- 4. **Sewer lines** exist in Beacon Avenue. Facilities Charges and Bonded Sewer Fees shall be paid prior to obtaining a building permit.

- Sewer. An investigation by the Bureau of Engineering Central District Office Sewer Counter may be necessary to determine the capacity of the existing public sewers to accommodate the proposed development. Submit a request to the Central District Office of the Bureau of Engineering at (213) 482-7050.
- Shoring and lateral support plans shall be submitted to the Bureau of Engineering Excavation Counter for review and approval prior to excavating adjacent to the public right-of-way (213) 482-7048.
- Parking/Driveway Plan. Prior to the issuance of any building permit, the applicant shall submit a parking area and driveway plan to the Central District Office of the Bureau of Engineering and the Department of Transportation for review and approval.

Notice: Certificates of Occupancies 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 (Alcoholic Beverages)

The conditional use authorization granted herein for the sale of alcoholic beverages for on-site consumption shall be limited to a total of two (2) licenses to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption in: a) a proposed 2,110 square foot restaurant and b) a 2,440 square foot bar/café accessory to the 149 hotel rooms upon the following additional terms and conditions:

- 1. The use and development of the property shall be in substantial conformance with the plot plan and the floor plan marked Exhibit "A", except as may be revised as a result of this action.
- 2. The authorization granted herein for the on-site sale and dispensing of a full line of alcoholic beverages is for a period of five (5) years from the effective date of this grant. Thereafter, a new authorization to allow the on-site sale and dispensing of alcoholic beverages will be required. The applicant is advised that he/she should allow appropriate time for a new entitlement application to be processed and the application should be approved prior to the expiration date of this grant in order to continue the sale of alcohol at the restaurant and bar/café.
- 3. If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator will have the right to require the petitioner(s) to file for a plan approval application together with the associated fees, to hold a public hearing to review the petitioner's compliance with and the effectiveness of the conditions of the grant. The petitioner(s) shall submit a summary and supporting documentation of how compliance with each condition of the grant has been attained.
- 4. No music, sound or noise shall be emitted from the subject businesses at a level prohibited by the noise regulations of the Los Angeles Municipal Code. Amplified recorded-music shall not be audible beyond the area under control of the applicant, and any sound or noise emitted that is under the control of the petitioner shall constitute a violation of Section 116.01 of the LAMC, including any loud, unnecessary or unusual noise that disturbs the peace or quiet of any neighborhood or that causes discomfort. The establishment shall make an effort to control any unnecessary noise made by restaurant and bar staff or any employees contracted by the restaurant, or any noise associated with the operation of the establishment, or equipment of the restaurant.
- 5. The conditions of this grant, a police permit, a copy of a business license, insurance information and an emergency contact phone number for the operator and valet service(s), if any, shall be retained on the premises at all times and be immediately produced upon request of the Los Angeles Police Department, the Department of City Planning, State Department of Alcoholic Beverage Control or other responsible agencies. The manager and all employees shall be knowledgeable of these Conditions.
- 6. Live entertainment shall be allowed pursuant to valid Café/Entertainment permit issued by the Los Angeles Police Commission, and under the following conditions:
  - a. No promoters for live entertainment venues shall be permitted at the subject premise. Live entertainment and/or amplified music shall be permitted indoors only

at the subject premise. Live entertainment at the establishments approved herein shall be permitted under the operator's management and supervision.

- b. In the event that the premises are used for a private party or special event, the business operator shall be present at all such events.
- 7. Prior to the issuance of any permits, the applicant for each of the two proposed venues shall provide a detailed security plan to the Los Angeles Police Department for review and approval. Prior to the sign off of the plans, the approved security plan shall be submitted to the case file.
- 8. Within six months of the date of this determination and within six months of hire, all personnel acting in the capacity of a manager of the premises and all personnel who serve alcoholic beverages shall attend a Standardized Training for Alcohol Retailers (STAR) session sponsored by the Los Angeles Police Department. All employees who serve alcoholic beverages shall attend follow-up STAR classes every 24 months.
- 9. No employees, while working, shall solicit or accept any alcoholic or non-alcoholic beverage from any customer while on the premises. No employee, while working, shall be engaged for the specific purpose of sitting with or otherwise spending time with customers while on the premises.
- 10. A minimum of one state licensed security officer, under the control of the respective property owner or operator of the establishment, shall be provided. Security personnel shall monitor and patrol the restaurant and bar/cafe area. Security personnel shall be on duty during the hours of operation of the establishment and shall also be on duty thirty minutes after closing of the establishment. The security personnel shall also patrol parking areas serving this establishment to prevent any unusual disturbances within the Project site and to assist and report, as necessary, to proper authorities any loitering, trespassing, or other criminal activities in the general vicinity of the Project site.
- 11. Recommendations of the Fire Department relative to fire safety shall be incorporated into all building plans, to the satisfaction of the Fire Department.
- 12. The Project shall include appropriate security design features for semi-public and private spaces, which may include, but shall not be limited to: access control to buildings; security parking facilities; walls/fences with key security; lobbies, corridors and elevators equipped with electronic surveillance systems; well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment; and location of toilet facilities or building entrances in high foot traffic areas.
- 13. The Project shall include appropriate security design features for semi-public and private spaces, which may include, but shall not be limited to: access control to buildings; security parking facilities; walls/fences with key security; lobbies, corridors and elevators equipped with electronic surveillance systems; well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment; and location of toilet facilities or building entrances in high foot traffic areas.
- 14. All graffiti on the site shall be removed or painted over in the same color as the surface to which it is applied within 24 hours of its occurrence.

- 15. Within <u>30 days of the effective date of this grant</u>, 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 <u>certified</u> copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.
- 16. The Applicant shall monitor the area under its control, in an effort to prevent the loitering of persons about the premises.
- 17. There shall be a full-service kitchen for the restaurant.
- 18. Sales of alcohol for off-site consumption shall be prohibited.
- 19. The applicant shall comply with 6404.5(b) of the Labor Code, which prohibits smoking within any place of employment. The applicant shall not possess ashtrays or other receptacles used for the purpose of collecting trash or cigarettes/cigar butts within the interior of the subject establishment.

## Administrative Conditions of Approval

- 20. Final Plans. Prior to the issuance of any building permits for the Project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
- 21. **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.
- 22. **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.
- 23. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
- 24. 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.

- 25. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
- 26. Utilization of Concurrent Entitlement. The subject Zone/Height District Change requires completion of all applicable Conditions of Approval herein to the satisfaction of the Department of City Planning. The applicant/owner shall have a period of six years from the effective date of the subject Zone/Height District Change to effectuate the terms of the entitlements by complying with all conditions of approval.
- 27. Covenant. Prior to the issuance of any permits relative to this matter, an agreement concerning all of the information contained in these conditions shall be recorded by the property owner in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heir, or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a Certified Copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.
- 28. Indemnification. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

## **General Plan/Charter Findings**

1. General Plan Land Use Designation. The subject site is located within an area covered by the Westlake Community Plan adopted on March 21, 1989. The existing Community Plan designates the southern 2/3 of the property, 1011, 1015, 1019, 1023, 1029 South Beacon Avenue as Medium Residential Land Use with a corresponding zone of R3. The northern 1/3 of the property, 1700, 1710 West Olympic Boulevard, and 1001, 1003, 1005, and 1007 South Beacon Avenue is designated as Highway Oriented Commercial with a corresponding zone of C4. The recommended General Plan Amendment would designate all properties as the Community Commercial Land Use Designation with a corresponding zone of C4-2D. The Zone Change request to C4 for the properties at 1011, 1015, 1019, 1023, 1029 South Beacon Avenue, and the existing C4 zoned properties at 1700, 1710 West Olympic Boulevard, and 1001, 1003, 1005, and 1007 South Beacon Avenue would be consistent with the proposed General Plan Land Use Designation and is in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Community Plan.

## 2. General Plan Text.

## **Framework Element**

The Citywide General Plan Framework Element is a guide for communities to implement growth and development policies by providing a comprehensive long-range view of the City as a whole. The Element establishes categories of land use -- Neighborhood District, Community Center, Regional Center, Downtown Center, and Mixed-Use Boulevard -- that are broadly described by ranges of intensity/density, heights, and lists of typical uses. The definitions reflect a range of land use possibilities found in the City's already diverse urban, suburban, and rural land use patterns.

The subject site is located along a designated Mixed-Use Boulevard. These connect the city's neighborhood districts and community, regional and Downtown centers. Mixed Use development is encouraged along these boulevards, with the scale, density and height of development compatible with the surrounding areas. Generally, different types of Mixed Use Boulevards will fall within a range of floor area ratios from 1.5:1 up to 4.0:1 and be generally characterized by 1- to 2-story commercial structures, up to 3- to 6-story mixed use buildings between centers and higher buildings within centers. Mixed Use Boulevards are served by a variety of transportation facilities.

The Citywide General Plan Framework text defines policies related to growth and includes policies for land use, housing, urban form/neighborhood design, open space/conservation, economic development, transportation, and infrastructure/public services. The proposed project would be in conformance with several goals of the Framework as described below.

A. Land Use Chapter, Framework Element: Issue One: Distribution of Land Use of the Framework Element's Land Use Chapter (Chapter Three) establishes general principles to encourage growth and increase land use intensity around transit nodes, to create a pedestrian oriented environment while promoting an enhanced urban experience and provide for places of employment.

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

Policy 3.4.1: Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram.

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 above objectives seek to concentrate commercial development in existing commercial districts and in areas that are able to support such development which are in close proximity to rail and bus transit stations. As conditioned, the Project will be designed in harmony with the existing neighborhood and minimize impacts on neighboring properties. The Project will incorporate measures to reduce impacts to air quality, geology, hazardous materials, noise, and public services for the surrounding community. The character of the area includes a mix of commercial uses, as well as high density residential uses, and the Project's recommended density and height will be compatible with adjacent land uses.

#### B. Economic Development Chapter, Framework Element

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

Objective 7.3: Maintain and enhance the existing businesses in the city.

Objective 7.6: Maintain a viable retail base in the city to address changing resident and business shopping needs.

The construction of a new 149-guest room hotel, with a ground floor restaurant and bar/cafe restaurant can help sustain economic growth and maintain a viable retail base in the city. The site currently contains a church structure and associated parking lot. Mixed-use boulevards typically, provide a significant number of jobs, and the Project will contribute to this. The development of sites and structures integrating mixed use is encouraged in concert with supporting services, recreational uses, open spaces, and amenities. The hotel is consistent with ongoing redevelopment efforts in the community, and is located in an area well suited to visitor-serving uses as it is located less than ½ a mile from LA Live and within 1 mile of the Los Angeles Convention Center. The Project will also add to the Pico-Union area by providing a use that specifically caters to the business community nearby the site. The Project supports revitalization by developing a surface parking lot with a use that will provide an economic and social benefit to the residential, commercial, and other types of businesses located in the area. The proposed project will generate an additional influx of guests to the area who will likely patronize the various retail and restaurant businesses along the Olympic Boulevard mixed-use corridor.

#### Housing Element

Policy 2.1.3: Encourage mixed-use development which provides for activity and natural surveillance after commercial business hours.

Policy 2.1.4: Enhance livability of neighborhoods by upgrading the quality of development and improving the quality of the public realm, including streets, streetscape and landscaping to provide shade and scale.

The Project will provide an increase in the number of hotel guest rooms in an urban setting along with a street level restaurant that is accessible from the street as conditioned. As conditioned, this project will activate the street by generating pedestrian activity during and after normal commercial business hours. The conditioned development will replace a currently under-utilized surface parking area and church structure with a building that improves the quality of the public realm with pedestrian-scale design in an urban setting.

Objective 2.3: Encourage the location of housing, jobs, and services in mutual proximity. Accommodate a diversity of uses that support the needs of the City's existing and future residents.

Policy 2.3.1: Encourage and plan for high-intensity residential and commercial development in centers, districts, and along transit corridors, as designated in the Community Plans and the Transportation Element of the General Plan, and provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled in order to mitigate traffic congestion, air pollution, and urban sprawl.

Policy 2.3.3: Encourage the development of new projects that are accessible to public transportation and services consistent with the community plans. Provide for the development of land use patterns that emphasize pedestrian/bicycle access and use in appropriate locations.

The Project location is well served by a large variety of transit options. The site is located near a major transit Olympic Boulevard, which is served by Metro bus lines and Metro Rapid Bus lines with easy access to Downtown Los Angeles. Its proximity to local and rapid public transit routes will facilitate a reduction of vehicle trips and vehicle miles traveled, thus helping to mitigate traffic congestion, air pollution, and urban sprawl. Also, the Project will provide for the development of land use patterns that emphasize bicycle access and use. The proposed project will include bike racks for the hotel, restaurant and bar/café uses.

## **Transportation Element**

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

The Project will advance numerous policies contained in the Transportation Element. Chief among them are:

Objective 3: Support development in regional centers... major activity areas and along mixeduse boulevards.

Policy 3.12: Promote the enhancement of transit access to neighborhood districts, community and regional centers, and mixed-use boulevards.

Policy 3.13: Enhance pedestrian circulation in ... appropriate locations in regional centers and along mixed use boulevards; promote direct pedestrian linkages between transit portals/platforms and adjacent commercial development through facilities orientation and design.

The Project advances these policies because it will be located within a half mile of Downtown Los Angeles on Olympic Boulevard, a transportation corridor that provides substantial public transit opportunities and facilities and connections to Downtown Los Angeles and beyond. The development of the hotel, restaurant and bar/cafe would promote ground floor pedestrian activity and circulation and would create direct pedestrian connections between the new Project and the street, in express conformity with the Transportation Element's policies and objectives. The proposed development contributes to the General Plan's goal to increase development within commercial districts while enhancing the accessibility of such uses to public transit.

Land Use Element: The Westlake Community Plan text includes the following relevant land use goals, objectives, policies and programs:

Commercial Objective 1: To conserve and strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services. (page III-3)

Commercial Objective 3: To improve the compatibility between commercial and residential uses. (page III-3)

Commercial Objective 4: To encourage all new large scale commercial development to provide adequate parking and access to public transportation. (page III-3)

Commercial Policy 1: That commercial facilities be located on existing traffic arteries and commercial corridors. (page III-3)

Commercial Policy 7: That new commercial development be oriented so as to facilitate pedestrian access by locating parking to the rear of structures. (page III-4)

The entire 11 lot project site is currently improved with a church structure and associated surface parking lot. The site contains two different zones (R3 and C4) and two different General Plan Land Use Designations (Medium Residential and Highway Oriented Commercial). The recommended General Plan Amendment would designate all properties as the Community Commercial Land Use Designation with a corresponding zone of C4-2D in order to permit construction of the proposed hotel.

The General Plan Amendment and Zone Change would create a logical land use pattern adjacent to the R3 zoned lots to the south and east and the C4 zoned parcels to the west and north. The hotel will take advantage of an underutilized site containing a defunct church and will revitalize it with a new viable hotel use. Additionally, the hotel use, while including a restaurant and bar/café, is defined as a residential land use per the LAMC. This hotel is a hybrid between residential and commercial land uses and therefore will make a good transition from the heavily commercial nature of Olympic Boulevard to the multi-family character of the Pico-Union HPOZ to the south. The hotel will locate its commercial component – the restaurant and bar/café – on Olympic Boulevard, and through the conditioned design creates a buffer to the residential building to the south. As conditioned, the hotel will be oriented and designed so as to enhance pedestrian access on Olympic Boulevard and Beacon Avenue.

Currently, the FAR allowed on the R3 zoned lots is 3:1, whereas the FAR allowed on the C4 zoned lots on Olympic Boulevard is 1.5:1. The result of building to the FAR allowed would be a smaller building on Olympic Boulevard and a larger building on the interior of the lot on the R3 zoned lots. By amending the General Plan Land Use Designation to Community Commercial, the property will be able to develop at an even FAR of 2.2:1. Through the design of the hotel building, the architect has shifted more of the floor area and height to the Olympic Boulevard frontage, essentially moving the density away from the remainder of the residentially zoned block.

3. City Charter Sections 556 and 558. Section 556 of the City Charter requires that the City Planning Commission make findings that determine whether the requested General Plan Amendment is either in substantial conformance or is not in substantial conformance with the purposes, intent and provisions of the General Plan. Section 558 of the City Charter establishes the procedures for the adoption, amendment or repeal of ordinances, orders or resolutions proposed by the City Council, City Planning Commission, or Director of Planning or by application of the owner of the affected property if authorized by ordinance. Based on the Findings delineated below the City Planning Commission finds that the requested General Plan Amendment from the Highway Oriented Commercial and Medium Residential Land Use Designation to the Community Commercial Land Use Designation is in substantial conformance with the purposes, intent and provisions of the General Plan.

This General Plan Amendment provides for and strengthens existing opportunities for a viable commercial development and services within an existing commercial corridor. The General Plan Amendment increases the compatibility between a commercial corridor and residential neighborhoods.

- The Transportation Element of the General Plan will be not be affected by the recommended action herein. Dedications and improvements to Olympic Boulevard, Beacon Avenue and the adjacent alley are required as part of this action.
- 5. The **Sewerage Facilities Element** of the General Plan will not be affected by the recommended action.
- Street Lights. Any City required installation or upgrading of street lights is necessary to complete the City street improvement system to as to increase night safety along the street which adjoins the subject property.

## 7. Zone Change / Height District Change Findings.

Pursuant to Section 12.32 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.

The applicant is seeking approvals for a project that involves the demolition of an existing church structure and associated surface parking lot and the construction of a 149 guest room hotel with 8,600 square feet of restaurant, café and banquet space. The building will include a 4,360 square foot banquet room, a restaurant, a café/ bar, a roof garden, swimming pool, and gym facilities for project guests.

The entire 11 lot project site is currently improved with a church structure and associated surface parking lot. The site contains two different zones (R3 and C4) and two different General Plan Land Use Designations (Medium Residential and Highway Oriented Commercial). The recommended General Plan Amendment would designate all properties

as the Community Commercial Land Use Designation with a corresponding zone of C4-2D in order to permit construction of the proposed hotel. Development in the area is designed in a variety of architectural styles, with diverse uses, building heights, and land use density. Surrounding lots to the north are zoned C4-1. The Curacao Building is across Olympic Boulevard to the north and contains an office building, stores, and a restaurant. It is approximately 10 stories in height and was built in the 1970s. The lot to the south is zoned R3-1 and developed with a 3-story, Non-Contributing multi-family building in the Pico-Union Historic Preservation Overlay Zone (HPOZ). The proposed site is on the northern boundary of the Pico-Union HPOZ. To the west of the Project Site, across an alley, is an approximately six-story commercial building and associated two-level decked parking structure in the C4-1 and [Q]C1.5-1 zone. To the east of the site, across Beacon Avenue, the lots are zoned C4-1 and R3-1. Several lots are developed with a 3- to 4- story office building and associated surface parking lot. Two other lots are developed with residential land uses, and are located in the Pico-Union HPOZ. Of these two lots, one lot contains a Contributing Structure in the Pico-Union HPOZ.

The rezoning of the site to accommodate the conditioned project will be consistent with public necessity as it will increase hotel opportunities in the Westlake Community of Los Angeles, in close proximity to existing jobs, services, and Downtown Los Angeles. The recommended zone change to C4-2D would be consistent with the recommended General Plan Land Use of Community Commercial. The proposed use of the hotel is permitted by the C4 zoning designation which is within the range of corresponding zones for the Community Commercial Land Use Designation. As conditioned, the project will meet objectives of the Westlake Community Plan, the LAMC, the Walkability Checklist, and the Citywide Commercial Design Guidelines. The hotel use, a hybrid between residential and commercial land uses would serve to increase the compatibility between the commercial nature of Olympic boulevard and the multi-family residential uses in the Pico-Union HPOZ to the south. It would locate he proposed restaurant and bar/café along the Olympic Boulevard commercial corridor. The conditioned design of the hotel would be compatible with the neighborhood and would provide residents a sense of place and identity within their neighborhood. The recommended Zone Change preserves and strengthens an existing commercial corridor with a new viable hotel business. The Project represents the creative re-use of an existing, underutilized site, near a transit corridor. The proposed hotel would therefore be advantageous to the general welfare of the community and good zoning practice.

Currently, the FAR allowed on the R3 zoned lots is 3:1, whereas the FAR allowed on the C4 zoned lots on Olympic Boulevard is 1.5:1. Building to the full FAR allowed would result in smaller building on Olympic Boulevard and a larger building on the interior of the lot on the R3 zoned lots. The recommended Height District Change from -1 to -2D will enable the property to develop at a consistent FAR of 2.2:1. Through the design of the hotel building, the architect has shifted more of the floor area and height to the Olympic Boulevard frontage, essentially moving the density away from the remainder of the residentially zoned block. This will ensure that the proposed hotel use serves as a transition from the commercial nature of Olympic Boulevard to the multi-family residential neighborhood of Pico-Union to the south. The recommended Height District change will be conducive to the general welfare of the community and good zoning practice.

The requested Zone/Height District Change from R3-1 and C4-1 to C4-2D is therefore compatible with the existing development of the community, consistent with the Westlake Community Plan and is consistent with public necessity, convenience, general welfare and good zoning practice. The action, as recommended, has been made contingent upon compliance with the "Q" and "T" Conditions imposed herein. Such limitations are necessary

to protect the best interests of and to assure a development more compatible with surrounding properties, 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.

## **Entitlement Findings**

- 8. **Conditional Use Findings Hotel Use –** Pursuant to LAMC Section 12.24 W.24 a Conditional Use is required for a hotel use within 500 feet of a residential zone.
  - A. The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.

The applicant is seeking approvals for a project that involves the demolition of an existing church structure and associated surface parking lot and the construction of a 149 guest room hotel with 8,600 square feet of restaurant, café and banquet space. The building will include a 4,360 square foot banquet room, a restaurant, a café/ bar, a roof garden, swimming pool, and gym facilities for project guests.

The hotel would be appropriate in relation to the adjacent uses and will provide a service that is beneficial to the tourist industry and businesses in the community. Although located within 500 feet of residentially zoned property directly south of the site and to the east across Beacon Avenue, these multi-family residences would be buffered by landscaping along Beacon Avenue and a building setback of 27 feet from the residential building along the southerly property line. Additionally, the proposed hotel would improve the existing property which contains an unpermitted temporary structure and surface parking lot.

The hotel would be in an area consistent with ongoing redevelopment efforts in the community, located in an area well suited to visitor-serving uses as it is within ½ mile of LA Live and less than a mile from the Los Angeles Convention Center. The hotel will capitalize on its adjacency to Downtown Los Angeles and will also create additional business and pedestrian activity in the Pico-Union area.

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

The proposed hotel will be compatible with and will not adversely affect or further degrade adjacent uses or properties because the project will continue to fill the need for hospitality type uses within the region and provide new jobs for the local economy. Moreover, the project is located in a neighborhood that is adjacent to Downtown Los Angeles which contains tourism and entertainment uses.

The Pico-Union area of the Westlake Community Plan contains a variety of high-intensity urban activities in a compact built environment that includes commercial, residential, cultural, recreation, and hotel uses. Accordingly, this area is a proper location for hotel development as it is adjacent to Downtown Los Angeles, in particular LA Live and the Los Angeles Convention Center which is a focal point of regional interests, commercial stores, and other places of regional entertainment, cultural facilities and government uses. These diverse uses support balanced community development and create interest for visitors from all walks of life who come to the area. Therefore, the proposed hotel is compatible with and will not adversely affect or further degrade adjacent uses or improvements. C. The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

The construction of a hotel with associated restaurant and bar/café uses will not be materially detrimental to the character of the development in the immediate area. The hotel use is in keeping with the Westlake Community Plan's intent to "To conserve and strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services." The hotel is compatible with the surrounding neighborhood and will serve to provide a transition between the commercial corridor on Olympic Boulevard and the multi-family residential properties in the Pico-Union HPOZ.

9. Conditional Use Findings – Commercial Corner. Pursuant to LAMC Section 12.24 W.27 the applicant requests a Conditional Use for a Commercial Corner allowing for 1) the hotel to operate 24 hours, 7 days a week, 2) the bar/café and restaurant to operate from 6 a.m. to 10 p.m. daily, 3) tandem parking, 4) variable landscape setback of 3.17 feet to 5.16 feet along the northerly property line in lieu of the five feet required, and 5) no landscape setback along the perimeter of the parking area toward the western and southern portion of the commercial site, in lieu of the five feet required.

A Commercial Corner is defined as any commercially zoned corner lot located in a C or M zone in Height District Nos. 1, 1-L, 1-VL, or 1-XL, the lot line of which is adjacent to residential uses. If a project is proposed which would develop a commercial use in such a zone and adjacent to residential uses, then that development must adhere to a series of specialized development regulations, including landscaping, lighting, height, parking and others. If the project cannot meet the regulations, then they must file a Conditional Use Permit.

The proposed project has requested a Conditional Use Permit as they do not meet several of the development regulations for Commercial Corner developments. However, the proposed project would not be considered a Commercial Corner should the Height District request of 2D be granted, as recommended. Therefore, the Conditional Use for Commercial Corner is recommended to be denied as not necessary.

- Site Plan Review Pursuant to LAMC Section 16.05, a Site Plan Review is required for a project that creates, or results in an increase of 50 or more dwelling units. The proposed project will create a 149 guest room hotel with 8,600 square feet of restaurant, café and banquet space.
  - A. That 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 involves the demolition of an existing church structure and associated surface parking lot and the construction of a 149 guest room hotel with 8,600 square feet of restaurant, café and banquet space. The building will include a 4,360 square foot banquet room, a restaurant, a café/ bar, a roof garden, swimming pool, and gym facilities for project guests.

The site is within the Westlake Community Plan and contains two different zones (R3 and C4) and two different General Plan Land Use Designations (Medium Residential and Highway Oriented Commercial). The recommended General Plan Amendment would designate all properties as the Community Commercial Land Use Designation with a corresponding zone of C4-2D in order to permit construction of the proposed hotel. The requested Zone/Height District Change from R3-1

and C4-1 to C4-2D would be compatible with the existing development of the community, consistent with the Westlake Community Plan purposes, intent and provisions.

## **Framework Element**

The Framework Element for the General Plan (Framework Element) was adopted by the Los Angeles City Council on December 11, 1996 and re-adopted on August 8, 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the Project site. The subject site is located along a designated Mixed-Use Boulevard. These connect the city's neighborhood districts and community, regional and Downtown centers. Mixed Use development is encouraged along these boulevards, with the scale, density and height of development compatible with the surrounding areas. Generally, different types of Mixed Use Boulevards will fall within a range of floor area ratios from 1.5:1 up to 4.0:1 and be generally characterized by 1- to 2-story commercial structures, up to 3- to 6-story mixed use buildings between centers and higher buildings within centers. Mixed Use Boulevards are served by a variety of transportation facilities.

The Citywide General Plan Framework text defines policies related to growth and includes policies for land use, housing, urban form/neighborhood design, open space/conservation, economic development, transportation, and infrastructure/public services. The proposed project would be in conformance with several goals of the Framework as described below.

1. Land Use Chapter, Framework Element: Issue One: Distribution of Land Use of the Framework Element's Land Use Chapter (Chapter Three) establishes general principles to encourage growth and increase land use intensity around transit nodes, to create a pedestrian oriented environment while promoting an enhanced urban experience and provide for places of employment.

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

**Policy 3.4.1:** Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram.

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 above objectives seek to concentrate commercial development in existing commercial districts and in areas that are able to support such development which are in close proximity to rail and bus transit stations. As conditioned, the Project will be designed in harmony with the existing neighborhood and minimize impacts on neighboring properties. The Project will incorporate measures to reduce impacts to air quality, geology, hazardous materials, noise, and public services for the surrounding community. The character of the

area includes a mix of commercial uses, as well as high density residential uses, and the Project's recommended density and height will be compatible with adjacent land uses.

#### 2. Economic Development Chapter, Framework Element

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

Objective 7.3: Maintain and enhance the existing businesses in the city.

Objective 7.6: Maintain a viable retail base in the city to address changing resident and business shopping needs.

The construction of a new 149-guest room hotel, with a ground floor restaurant and bar/cafe restaurant can help sustain economic growth and maintain a viable retail base in the city. The site currently contains a church structure and associated parking lot. Mixed-use boulevards typically, provide a significant number of jobs, and the Project will contribute to this. The development of sites and structures integrating mixed use is encouraged in concert with supporting services, recreational uses, open spaces, and amenities. The hotel is consistent with ongoing redevelopment efforts in the community, and is located in an area well suited to visitor-serving uses as it is located less than ½ mile from LA Live and within 1 mile of the Los Angeles Convention Center. The Project will also add to the Pico-Union area by providing a use that specifically caters to the business community nearby the site. The Project supports revitalization by developing a surface parking lot with a use that will provide an economic and social benefit to the residential, commercial, and other types of businesses located in the area. The proposed project will generate an additional influx of guests to the area who will likely patronize the various retail and restaurant businesses along the Olympic Boulevard mixed-use corridor.

#### Land Use Element – Westlake Community Plan

The Westlake Community Plan text includes the following relevant land use goals, objectives, policies and programs:

Commercial Objective 1: To conserve and strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services. (page III-3)

Commercial Objective 3: To improve the compatibility between commercial and residential uses. (page III-3)

Commercial Objective 4: To encourage all new large scale commercial development to provide adequate parking and access to public transportation. (page III-3)

Commercial Policy 1: That commercial facilities be located on existing traffic arteries and commercial corridors. (page III-3)

Commercial Policy 7: That new commercial development be oriented so as to facilitate pedestrian access by locating parking to the rear of structures. (page III-4)

The entire 11 lot project site is currently improved with a church structure and associated surface parking lot. The site contains two different zones (R3 and C4) and two different

General Plan Land Use Designations (Medium Residential and Highway Oriented Commercial). The recommended General Plan Amendment would designate all properties as the Community Commercial Land Use Designation with a corresponding zone of C4-2D in order to permit construction of the proposed hotel.

The General Plan Amendment and Zone Change would create a logical land use pattern adjacent to the R3 zoned lots to the south and east and the C4 zoned parcels to the west and north. The hotel will take advantage of an underutilized site containing a defunct hotel and will revitalize it with a new viable hotel use. Additionally, the hotel use, while including a restaurant and bar/café, is defined as a residential land use per the LAMC. Hotels are a hybrid between residential and commercial land uses and therefore will make a good transition from the heavily commercial nature of Olympic Boulevard to the multi-family character of the Pico-Union HPOZ to the south. The hotel will locate its commercial component – the restaurant and bar/café – on Olympic Boulevard, and through the hotel design creates a buffer to the residential building to the south. As conditioned, the hotel will be oriented and designed so as to enhance pedestrian access on Olympic Boulevard and Beacon Avenue.

Currently, the FAR allowed on the R3 zoned lots is 3:1, whereas the FAR allowed on the C4 zoned lots on Olympic Boulevard is 1.5:1. The result of building to the FAR allowed would be a smaller building on Olympic Boulevard and a larger building on the interior of the lot on the R3 zoned lots. By amending the General Plan Land Use Designation to Community Commercial, the property will be able to develop at an even FAR of 2.2:1. Through the design of the hotel building, the architect has shifted more of the floor area and height to the Olympic Boulevard frontage, essentially moving the density away from the remainder of the residentially zoned block.

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

The proposed project involves the demolition of an existing church structure and associated surface parking lot and the construction of a 149 guest room hotel with 8,600 square feet of restaurant, café and banquet space. The building will include a 4,360 square foot banquet room, a restaurant, a café/ bar, a roof garden, swimming pool, and gym facilities for project guests.

The building would comprise approximately 93,890 square feet of floor area and would be approximately 81 feet in height. The building would provide 113 parking spaces within an at-grade level and subterranean parking garage accessed via Beacon Avenue with an exit-only driveway into the alley behind the site. The project proposes a porte-cochere which extends along Beacon Avenue for approximately 73% of the project frontage; the porte-cochere is accessed by a two lane driveway approximately 35 feet in width. A second driveway at the western portion of the site provides an entrance and exit lane and is approximately 40 feet in width. Finally, an exit only driveway is located along the alley, and is approximately 18 feet in width. The ground floor parking area contains 12 short term bicycle parking spaces and 12 long term bicycle parking spaces.

The project proposes the restaurant and bar/café uses to be located along Olympic Boulevard, with pedestrian access into the restaurant available from Olympic Boulevard. The entrance into the hotel lobby is proposed via the porte-cochere.

The project is subject to the Citywide Commercial Design Guidelines. As conditioned, the project complies with the following relevant Guidelines and is therefore compatible with existing and future development on neighboring projects.

Objective 1: Consider Neighborhood Context and Linkages in Building and Site Design

- Create a strong street wall by locating building frontages at the required setback or, where no setback requirement exists, at the front property line. Where additional setback is necessary or a prevailing setback exists, activate the area with a courtyard or "outdoor room" adjacent to the street by incorporating pedestrian amenities such as plazas with seating or water features, for example.
- Provide direct paths of travel for pedestrian destinations within large developments. Especially near transit lines, create primary entrances for pedestrians that are safe, easily accessible, and a short distance from transit stops.
- Place public use areas such as restaurant seating, reception and waiting areas, lobbies, and retail, along street-facing walls where they are visible to passersby.
- Provide a logical sequence of entry and arrival as part of the site's design. Special entry treatments such as stamped or colored concrete and special planting and signage can be used to enhance entries and guide pedestrians.
- Entries should be designed according to simple and harmonious proportions in relationship to the overall size and scale of the building. Ensure that pedestrian entries provide shelter year-round
- In pedestrian-oriented commercial areas with predominantly smaller storefronts (especially when a project is built over two or more lots), apply vertical breaks and pedestrian-scaled storefront bays to prevent monolithic "box-like" buildings and maintain a storefront rhythm consistent with surrounding buildings.

Objective 2: Building Façade and Form

- Integrate varied roof lines through the use of sloping roofs, modulated building heights, stepbacks, or innovative architectural solutions.
- Reinforce existing facade rhythm along the street where it exists by using architectural elements such as trim, material changes, paved walkways, and other design treatments consistent with surrounding buildings.
- Fences should incorporate changes in materials, texture, and/or landscaping to avoid solid, uninterrupted walls. Avoid materials such as chain link, wrought iron spears, and cyclone.

Only as conditioned, the project will conform to the above Guidelines. As proposed the project provides a pedestrian entrance to the restaurant on Olympic Boulevard; however, the entrance to the lobby of the hotel is via the porte-cochere along Beacon Avenue. As the Guidelines emphasize designing the primary entrance into the building to be visible and directly accessible from the street and sidewalk, the project is conditioned to include a lobby entrance that is of an appropriate proportion and scale on Olympic Boulevard in addition to the entrance into the restaurant.

The incorporation of a porte-cochere is important to this hotel project for vehicle drop-off and circulation. However, as designed, the porte-cochere does not meet several of the Guidelines. The porte-cochere does not help create or provide continuity of a "strong street wall" along Beacon Avenue. Access points into and out of the porte-cochere are very wide, which reduces pedestrian orientation and increases vehicular / pedestrian conflicts. As conditioned, the porte-cochere will be redesigned to utilize architectural features to provide continuity at the street wall. The conditions require the driveway widths to be reduced, with one lane into the site and one lane exiting the site. The landscaped buffer strip along the edge of the porte-cochere will be enhanced with planting and landscape that is tall enough to screen headlights and to better differentiate the public pedestrian zone from the private porte-cochere. With a redesigned porte-cochere, the project's building elements will enhance the comfort and security of pedestrians and will create compatibility between the building, street, and neighborhood.

The upper floors of the building are designed with architectural elements that provide a compatible façade rhythm and creates a visual interest. The upper floors incorporate different textures, colors, and materials. However, that façade rhythm and architectural vocabulary is interrupted at the ground floor. The Olympic Boulevard ground floor is almost entirely fenestration. While this provides excellent transparency, it does not present a façade that provides a sense of scale. As conditioned, the ground floor of the façade which abuts Olympic Boulevard and Beacon Avenue will be designed to incorporate the architectural rhythm and elements of the upper floors to better define the façade and maintain a consistent rhythm at the ground floor. With the incorporation of the conditions described above, the proposed hotel will meet the objectives of the Guidelines.

The project proposes a fence along the southerly property line, abutting an adjacent multifamily residential building. As noted on the plans this is to be an ivy-covered CMU wall. As conditioned, the fence is also to incorporate a change in materials and texture every 20 feet.

## **Objective 4: Minimize the Appearance of Driveways and Parking Areas**

 Use architectural features, such as decorative gates and fences, in combination with landscaping to provide continuity at the street where openings occur due to driveways or other breaks in the sidewalk or building wall.

The project proposes a decorative wall along the porte-cochere on Beacon Avenue. The decorative wall is shown to have landscaping along the top. As conditioned the driveway entrances into the porte-cochere are to be reduced in width, and the landscaped buffer strip along the edge of the porte-cochere will be enhanced with planting and landscape that is tall enough to screen headlights and to better differentiate the public pedestrian zone from the private porte-cochere.

C. Any project containing residential uses provides its residents with appropriate type and placement of recreational facilities and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties where appropriate.

The Project provides recreational and service amenities to improve habitability for its hotel guests. The Project is designed and conditioned to provide a pedestrian-friendly experience along Olympic Boulevard and Beacon Avenue as well as provide for open space amenities for hotel guests and residents. The Project incorporates new open space,

including a second level garden and pool area. The Project also includes a 580 squarefoot fitness center to provide recreational and service amenities that improve habitability for guests.

- 11. **Conditional Use for Alcohol Permit Findings -** Pursuant to 12.24. W.1 of the Municipal Code. The Applicant requests a Conditional Use to permit the sales and consumption of alcoholic beverages in conjunction with a 2,110 square foot restaurant and a 2,440 square foot bar/café in a 149 room hotel.
  - A. The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.

The applicant is seeking approvals for a project that involves the demolition of an existing church structure and associated surface parking lot and the construction of a 149 guest room hotel with 8,600 square feet of restaurant, café and banquet space. The building will include a 4,360 square foot banquet room, a restaurant, a café/ bar, a roof garden, swimming pool, and gym facilities for project guests.

Section 12.24.W.1 of the LAMC allows a Conditional Use permit to be granted for the sale and dispensing of alcoholic beverages in the City's commercial and industrial zones. The proposed establishment would be located on property classified in the C4 Zone as recommended, which allow restaurant use, retail use, and hotel uses as a matter of right. The project requests the sale and dispensing of alcoholic beverages in a 2,110 square foot restaurant and a 2,440 square foot bar/café.

As recommended, the Project would be located in a Community Commercial Land Use Designation, in an urbanized setting with a diverse mix of residential, commercial, and entertainment uses. The site is less than a mile from LA Live and the Staples Center. The service of alcoholic beverages in such settings has come to be accepted as a normal and desirable (a) complement to food service in quality restaurants, (b) component of quality retail and specialty retail establishments, and (c) complement to ancillary hotel uses, which typically include various types of alcohol sales such as restaurants, cocktail lounges, catering, and boutique shops.

Since alcoholic beverage service is a common amenity with meal service, and an expected amenity for many patrons, approval of the alcohol sales for the Project will be desirable to the public convenience and welfare. The proposed hotel is in close proximity to major public transit, and the Project intends to provide a hotel in a vibrant area for street life and entertainment within a redeveloped, safe, and secure environment. Therefore, public convenience and welfare will be served by providing alcohol sales within a carefully controlled, mixed-use development and appropriate security measures will be taken.

Project guests and residents will have less need to travel outside the area to accomplish their dining needs, thus aiding in the relief of traffic congestion issues, as well as traffic safety. Of course, those traveling to the location will benefit from the transit service in close proximity.

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

Requesting a Community Commercial Land Use Designation in the Westlake Community Plan, the Project Site would be rezoned to C4 as recommended. The proposed project of a new 149-room hotel with associated banquet room, restaurant and bar/café would be located within ½ mile of LA Live and within 1 mile of the Los Angeles Convention Center. It would be developed on Olympic Boulevard which is a commercial corridor that contains a variety of land uses, densities, and architectural styles including the 10-story Curacao building, across the street.

The project requests the sale and dispensing of alcoholic beverages in a 2,110 square foot restaurant and a 2,440 square foot bar/café. The proposed restaurant and bar/café that would serve alcohol is suitable for the location and will be in proper relation to the immediate area surrounding the Project Site, which is a mix of office buildings, retail and residential uses. The request for on-site alcohol sales and consumption will be compatible not only with the surrounding uses, but also the Project. It will provide a place for hotel guests and visitors, residents, general area shoppers and visitors, and office workers to eat and drink, contributing to the continued and increasing vitality of the neighborhood. Alcohol sales are complementary to these various uses, have come to be expected, and contribute to the popularity of the establishments and locations.

The proposed zone change from R3 to C4 for the southern 2/3 of the site would provide a more cohesive pattern of zoning that already exists along this portion of Olympic Boulevard. Currently, a church structure and associated surface parking lot are located on all 11 lots. The change to a hotel use is appropriate in relation to the adjacent uses and will provide a service that is beneficial to the tourist industry and businesses in the community. The proposed hotel would be located within the Community Commercial Land Use Designation which provides for a building height and floor area allowance that is consistent with the surrounding development as defined in the General Plan Framework Element. The hotel would be located within ½ mile of LA Live and within 1 mile of the Los Angeles Convention Center, is an appropriate location. As the Project is located on Olympic Boulevard, a designated Major Highway, the proposed use is in accordance with the Westlake Community Plan goals to increase development that encourages pedestrian-oriented activity within established commercial centers that is accessible by public transit.

While there are incompatible uses, such as schools, churches and parks, within 1,000 feet of the Project, the alcohol sales are incidental to the food service provided by the hotel restaurant and bar/ café and permitting alcohol sales on the Project Site will not be detrimental to the development of the community. Vehicular access into the parking structure will be provided via a driveway off Beacon Avenue (with a valet pick-up and dropoff) and with self-parking. As conditioned, pedestrian access will be provided via a lobby entrance on Olympic Boulevard and Beacon Avenue. The restaurant will have an entrance off Olympic Boulevard. The bar/café will be accessed via the lobby. Further, the Project Site is easily accessible for various forms of public transit.

The conditional use would permit alcohol sales in the a) proposed ground-floor restaurant of 2,110 square feet; and b) a café / bar of 2,440 square feet accessory to the 149 hotel rooms. Alcohol sales will not be detrimental to the character of development in the immediate neighborhood. The hotel and the opening of the restaurant with alcohol sales will add an additional sit down, low turnover restaurant and bar/cafe to the area.

The Project is envisioned to provide convenient access to goods and services for visitors, as well as people who live and work in the area. The hotel and restaurant will add vitality to a currently underutilized property. The permits for alcohol will enhance the character of

development in the surrounding neighborhood by providing a high-quality, hotel development with incidental alcohol sales located near many public transit opportunities.

A number of Conditions of Approval are included in this report, to ensure that the establishment will not adversely affect or further degrade the surrounding neighborhood, or the public health, welfare and safety. To ensure that the establishment is evaluated based on character and circumstances so as to not be materially detrimental to the immediate neighborhood, a number of conditions of approval are imposed. Security plans, floor plans, seating limitations, and other recommended conditions, as well as the mode and character of the operation, are addressed and assured through the imposition of establishment-specific conditions.

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

The proposed project will consist of the construction of a 149 guest room hotel with 8,600 square feet of restaurant, café and banquet space. The building will include a 4,360 square foot banquet room, a restaurant, a café/ bar, a roof garden, swimming pool, and gym facilities for project guests. The applicant seeks a Conditional Use in order to serve alcoholic beverages for on-site consumption in a 2,110 square foot restaurant and a 2,440 square foot bar/café. Alcohol sales at this location will be harmony with the various elements and objectives of the General Plan. Located within the Westlake Community Plan area, the Project Site is recommended to be designated as Community Commercial Land Use Designation, with recommended corresponding zoning classification of C4. The proposed alcohol sales establishment is permitted in the Commercial zone with Conditional Use permits, as requested.

The Westlake Community Plan recognizes the importance of commercial development to the Westlake Community. The proposed project will be consistent with a number of specific objectives and policies contained in the Community Plan:

Commercial Objective 1: To conserve and strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services. (page III-3)

Commercial Policy 1: That commercial facilities be located on existing traffic arteries and commercial corridors. (page III-3)

The request to serve and sell alcohol at the Project Site will be consistent with these objectives and policies through the creation of a mix of hotel, restaurant and bar/cafe uses that would attract a variety of users and actively promote the area as a key economic center of the community. Alcohol sales are a component of the project's success and its ability to economically enhance the region. In addition, the mixed use development will create synergies with the adjacent development in LA Live and the Los Angeles Convention Center, less than a mile away. The mix of commercial uses will bring even more pedestrian activity to the area. Most sit-down restaurants in the neighborhood include alcohol on their menus.

The Westlake Community Plan supports the Olympic Boulevard commercial corridor and aims to encourage well planned and integrated mixed use developments in designated commercial areas which have the potential to benefit from pedestrian oriented development. In addition, the proposed Conditional Uses will be consistent with a number of specific objectives and policies contained in the Community Plan.

The Framework Element of the General Plan encourages development that "accommodate[s] a broad range of uses that serve the needs of adjacent residents, promote[s] neighborhood and community activity...and are...desirable places in which to...work and visit, both in daytime and nighttime." Alcohol consumption can simply offer another option for a wide range of activities on the site and as a leisure pursuit can cultivate community activity.

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

Objective 7.3: Maintain and enhance the existing businesses in the city.

Objective 7.6: Maintain a viable retail base in the city to address changing resident and business shopping needs.

The above objectives seek to concentrate commercial development in existing commercial corridors and in areas that are able to support such development which are in close proximity to rail and bus transit stations. The construction of a new 149-guest room hotel, a ground floor restaurant and bar/café can help sustain economic growth and maintain a viable economic base in the city, on a site that currently contains a church structure and associated parking lot. The development of sites and structures integrating housing with commercial uses is encouraged in concert with supporting services, recreational uses, open spaces, and amenities.

## Additional Findings for Alcohol Permits.

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

The sale of alcoholic beverages will not adversely affect the economic welfare of the community. The establishments serving alcoholic beverages will be a part of a carefully controlled hotel development. Security plans, floor plans, seating limitations, and other recommended conditions, as well as the mode and character of the operation, are addressed and assured through the imposition the Conditions required as part of this grant. This will allow for further evaluation and measures to ensure that the establishment will not adversely affect the welfare of the community.

The area surrounding the Project Site is a mix of office, commercial, retail and residential uses. The request for on-site alcohol sales will be compatible with the surrounding uses, providing a place for residents, hotel guests and visitors, general Westlake visitors, shoppers, and office workers to eat, drink, socialize, and shop, contributing to the continued economic vitality of the neighborhood. Alcoholic beverage service is an expected amenity with high-end meal service for many patrons, as is the availability of room service in hotel guest rooms. Approval of the Conditional Use will contribute to the success and vitality of the proposed Project, and reinvigoration of the site and vicinity. Approval of alcohol sales will increase the availability of desirable dining for hotel patrons. The Project location is easily accessible on an existing commercial corridor less than a mile from LA Live and the Los Angeles Convention Center. Finally, the establishment will benefit the City through generation of additional sales tax revenue, and business license

and other fees, and by providing additional short-term and long-term employment opportunities.

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

The proposed project will consist of the construction of a 149 guest room hotel with 8,600 square feet of restaurant, café and banquet space. The building will include a 4,360 square foot banquet room, a restaurant, a café/ bar, a roof garden, swimming pool, and gym facilities for project guests. The applicant seeks a Conditional Use in order to serve alcoholic beverages for on-site consumption in a 2,110 square foot restaurant and a 2,440 square foot bar/café. The proposed project is located on Olympic Boulevard in the Pico-Union neighborhood of the Westlake Community Plan, which is recognized as a commercial corridor. The Community Plan encourages the development of substantial, community benefitting commercial projects.

According to the local Department of Alcoholic Beverage Control office, in Census Tract No. 2095.20, within which the project is located, the maximum number of on-site licenses permitted is 2, with 5 existing, and a maximum number of off-site licenses permitted is 1, with 4 existing. Therefore, the proposed alcohol-serving establishments will result in an overconcentration of alcohol establishments in the area. However, the subject site is within the Westlake Community Plan area, less than ½ mile from the Central City Community Plan, where a concentration of licenses is anticipated given the range and density of uses permitted. The establishment will be located within one self-contained complex and monitored as part of the project's security and operational oversight.

While this may appear to be an overconcentration of licenses due to the raw numbers, it should be pointed out that the ABC criteria do not take into account that this is in within a dense area of the city in which restaurants with alcohol service are an expected amenity as part of mixed-use projects containing restaurants. The ABC also recognizes that high activity entertainment, retail, government and commercial centers are supported by a significant visitor/employee population in addition to the resident population base. 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. This is reflected in the licensing statistics noted above. Within this urban context, the proposed establishments, permitted to sell and dispense a full line of alcoholic beverages, will be consistent with the character of development in the area. Therefore, it can be reasonably assured that the economic welfare of the community will not be adversely impacted.

A review of the alcohol establishments within 1,000 feet of the Project Site shows that there are 14 establishments. According to statistics provided by the Los Angeles Police Department, within Crime Reporting District No. 275, which has jurisdiction over the subject property, a total of 428 crimes were reported in 2013, compared to the citywide average of 180 crimes and the high crime reporting district average of 216 crimes for the

same period. These numbers are not adjusted to represent crimes per capita. This reporting district is located in the Rampart Division, which is high-density and a hub of employment, business, and residential concentration. Therefore, it is expected that the crime statistics will be higher in this location.

In 2013, there were 35 Narcotics, 7 Liquor Law, 92 Public Drunkenness, 0 Disturbing the Peace, 7 Disorderly Conduct, and 7 DWI related arrests. These numbers do not reflect the total number of arrests in the subject reporting district over the accountable year. Arrests for this calendar year may reflect crimes reported in previous years.

To ensure the project will not create detrimental impacts on the surrounding area, Conditions of Approval are included in this report. Security plans, floor plans, seating limitations and other recommended conditions, as well as the mode and character of the operation, will ensure that no adverse impacts could result due to alcohol sales and consumption. Thus, 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.

F. The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration of 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 proposed use will not detrimentally affect nearby residentially zoned properties. The proposed project would be located on property classified in the C4 Zone, which allows restaurant and hotel uses. The proposed project is located in the Pico-Union neighborhood of the Westlake Community Plan area which is recognized as a mixed-use community with a significant concentration of high density housing. The Community Plan encourages the development of substantial, community benefitting commercial projects.

While the sale of alcoholic beverages is important to the restaurants or retailers that will be located within the proposed hotel restaurant and bar/café, their sale and service will be incidental to primary operation of the hotel. No detrimental effects should be expected from the proposed project.

## Uses within a 600-foot Radius

- 1. Residential Uses
  - a. Single family 21
  - b. Multi-family 69
  - c. Hotels 2
- 2. Churches
  - a. La Iglesia En El Camino Church
  - b. Iglesia Evangelica Church
  - c. Zion Mission Chapel
  - d. Salvation Army
  - e. Lamp Presbyterian Church
  - f. Nam Ga Ju Asia Church

3. Schools and Child Care Facilities

- a. Tenth Street Elementary School
- b. Pacific College
- 4. Recreational Areas Salvation Army Youth and Community Center

Sensitive uses between 600 ft - 1,000 ft

- 1. Hope and Peace Park
- 2. Manhee Sungrown Church
- 3. Lighthouse Mission Church

The sale of alcoholic beverages is of importance to operators of restaurants to attract and cater to their clientele. The establishment will be part of a high-quality, hotel development and all alcohol service will be within a carefully controlled environment served by responsible operators.

# Additional Information Required by Planning Department Form CP-7773

• What are the proposed hours of operation and which days of the week will the establishment be open? What are the proposed hours of alcohol sales?

The hotel will be open 24 hours a day, seven days a week. The hours of operation for the restaurant and bar/café will be from 6 a.m. to 10 p.m. with alcohol sales from 5 p.m. to 10 p.m.

• What is the occupancy load as determined by the Fire Department (number of patrons)? What is the proposed seating in all areas?

The total number of seats for the restaurant and bar/café will be 230, with 80 seats at the restaurant and 50 seats at the bar/café. Furthermore, the establishment seeking approval to sell and dispense alcoholic beverages will not exceed the maximum occupancy loads as determined by the Department of Building and Safety and the Fire Department.

• Is parking available on the site? If so, how many spaces? If spaces are not available on the site, have arrangements been made for off-site parking by lease or covenant? Where? How many off-site spaces?

The Project will be constructed over one level of ground level parking and one level of subterranean parking containing approximately 113 parking spaces. Further, the Project is in close proximity to public transit, which will encourage patrons to visit the Project Site without the use of their vehicles.

• Is there to be entertainment such as a piano bar, juke box, dancing, live entertainment, movies, etc? (Specify?) (On-site only).

There will be live entertainment.

Is a full line of alcoholic beverages to be served or just beer and wine?

The sale and dispensing of a full line of alcoholic beverages is requested at the establishment that would be permitted under the Conditional Use.

• Will cups, glasses, or other similar containers be sold which might be used for the consumption of liquor on the premises?

According to the information provided by the applicant, cups, glasses, or other containers will be sold for the consumption of alcohol on the premises.

• If a cocktail lounge is to be maintained incidental to a restaurant, the required floor plans must show details of the cocktail lounge and the separation between the dining and lounge facilities. (On-site only).

No cocktail lounge is proposed for the restaurant use.

 Has the owner or lessee of the subject property been suspended from the sale of alcoholic beverages on the subject property or fined by the Alcoholic Beverage Control Department (ABC) in the last 365 days and if so, for what reasons?

No.

• Will video game machines be available for use on the subject property and if so, how many such machines will be in use?

No.

• Will you have signs visible on the outside which advertise the availability of alcohol?

No.

• Will alcohol be sold without a food order? Will there be a kitchen on the site as defined in Section 12.03 of the Los Angeles Municipal Code?

Alcohol will be served in conjunction with a food order in the restaurant. The restaurant will have a kitchen on site.

• Will beer or wine coolers be sold in single cans or will wine be sold in containers less than 1 liter (750 ml)?

Beer and wine coolers will be sold in single cans/ bottles. Wine will be sold in a glass or by bottle.

• Will "fortified" wine (greater than 16% alcohol) be sold?

The restaurant will sell wine products with greater than 16 percent alcohol, such as dessert wines, cognacs, and brandies.

• Will off-site sales of alcohol as a secondary use to on-site sales occur (i.e., take out)?

No.

• Will discount alcoholic drinks or a "Happy Hour" be offered at any time?

No.

• Will security guards be provided and if so, when and how many?

Yes, one security guard will be provided on site between the hours of 7 p.m. and 5 a.m.

• Will alcohol be allowed to be consumed on any adjacent property under the control of the applicant?

No.

• Will the gross sale of alcohol exceed the gross sale of food items on a quarterly basis?

It is not anticipated that the restaurant will have alcohol sales that will exceed the sale of food items.

Provide a copy of the proposed menu if food is to be served.

A menu is not yet available.

• How many employees will you have on the site at any given time?

The hotel will have 16 employees at the peak hours. The bar/café will have 8 employees at the peak hours. The restaurant will have 14 employees at the peak hours.

 What security measures will be taken including: (a) posting of rules and regulations on the premises; (b) to prevent such problems as gambling, loitering, theft, vandalism, and truancy; (c) will security guards be provided and if so, when and how many?; (d) other measures.

The Project will post rules and regulations on the premises as may be required by the Los Angeles Police Department, the Los Angeles Fire Department, the California Department of Alcoholic Beverage Control, and/or as a result of the Conditional Use requests. The individual restaurant operator will have an operation plan to address these concerns, as well as have employees trained in alcohol awareness issues.

• Will there be minimum age requirements for patrons? If so, how will this be enforced?

For the restaurant and bar/café use, there are no minimum age requirements. As conditioned, hotel staff will ask for identification in the situation of suspected underage and unsupervised patrons. Signs will be posted and employees will be trained to check identification consistent with State law.

• Are there any schools (public or private and including nursery schools), churches, or parks within 1,000 feet of your proposed business? Where?

There are schools, churches and parks located within 1,000 feet of the proposed project. They are listed above.

• For massage parlor or sexual encounter establishment applicants: are there any other adult entertainment businesses within 1,000 feet of your proposed establishment (i.e., adult arcade, adult bookstore, adult cabaret, adult motel, adult motion picture theatre, adult theatre)?

• For off-site sales, where will the alcohol be stored and displayed (indicate on floor plan)?

This request does not involve off-site sales of alcohol.

 Issuance of a new license to sell alcoholic beverages would serve the public convenience and necessity (as required by California Business and Professions Code Sections 23958 and 23958.4).

The service of alcoholic beverages is an essential component to establishing a vibrant, energized, pedestrian-friendly atmosphere, consistent with the Project Site's location on a commercial corridor, approximately ½ mile from Central City. Allowing the sale of alcohol at the Project Site will advance the public convenience and necessity by servicing the demand for alcoholic sales consistent with the Project.

Alcohol sales are not expected to create law enforcement problems at the Project Site. As part of the Project's security plan, a security officer will be stationed at key locations within the Project Site to preserve the safety of the Project's guests and visitors. Therefore, the sale of alcoholic beverages at the Site is not expected to create the type of crime problem California Business & Professions Code Sections 23958 and 23598.4 seek to prevent.

11. CEQA Findings. A Mitigated Negative Declaration (ENV-2013-3835-MND) was prepared for the proposed project. 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. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street. I hereby adopt that the Mitigated Negative Declaration, imposed the conditions shown in that document on this approval. DETERMINATION LETTER CPC-2013-3834-GPA-ZC-HD-CU-CUB-SPR MAILING DATE: 12/04/14

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