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June 18, 2015

VIA EMAIL

The Honorable Planning and Land Use Management  
Committee of the Los Angeles City Council  
Room 395 City Hall  
200 N. Spring Street  
Los Angeles, California 90012

Attn: Sharon Gin, Sharon.gin@lacity.org

Re: Academy Museum of Motion Pictures, Council File No. 15-0721  
Case No. CPC-2014-3119-ZC-SN-CDO-MCUP-ZV-ZAI-SPR

Dear Honorable PLUM Committee:

We represent the Academy of Motion Picture Arts and Sciences, the Applicant for the proposed Academy Museum of Motion Pictures (the "Museum Project"). Before you is the appeal filed by James O'Sullivan/Fix The City (the "Appeal") of certain entitlements approved by the City Planning Commission as well as our requests for (1) a zone change from [Q]C2-2-CDO to [Q]C2-2-CDO-SN and (2) a proposed Ordinance to establish a signage district for the Museum Project. The attached Appeal Response Memorandum provides detailed responds to all of the issues raised by the Appeal. As demonstrated therein, the Appeal should be denied. We respectfully urge the PLUM Committee Commission to deny the Appeal and approve the Academy Museum Project, which will benefit the entire City of Los Angeles.

Very truly yours,



William F. Delvac

cc: Hon. Tom LaBonge  
Michael LoGrande, Planning Director  
Luciralia Ibarra, City Planner, Major Projects

Attachments: Appeal Response Memorandum (with attachments)

## Appeal Response Memorandum

Appellant raises eight appeal issues, none of which have merit. The following is a detailed response to each appeal issue. Each Appeal Issue corresponds to the numbered “Basis for Appeal” attached to Appellant’s Master Appeal Form.

**Appeal Issue I:** Appellant incorrectly alleges that CPC abused its discretion when it approved the project design overlay.

The proposed Sign District does not conflict with the Miracle Mile CDO, as discussed in Topical Response TR-3, Signage of the Final EIR. As stated therein, approval of the Project’s signage program would require approval of a supplemental use district for signage, also known as a Sign District, pursuant to Municipal Code Section 13.11. Under Municipal Code Section 13.11.C, a Sign District may be adopted within a supplemental use district, provided that it does not supersede its regulations. The Sign District would not supersede any regulations of the Miracle Mile CDO, as discussed in Section 4.A.1, Aesthetics and Views, and Appendix C-1, Aesthetics Policy Consistency Analysis, of the Draft EIR. As set forth in Appendix C-1, Table 4 of the Draft EIR, and Section 3.0, Corrections and Additions to the Draft EIR, in the Final EIR, the Project’s Sign District generally would be consistent with the Miracle Mile CDO’s Design Guidelines and Standards. Where it would not be consistent, the Sign District may supersede the Design Guidelines and Standards to authorize such variations. Furthermore, the Project would conform with the intent of the Miracle Mile CDO with regard to historic resources as evaluated in Section 4.C.3, Historical Resources and Appendix F-3, Table 6 in the Draft EIR. Additionally, the Project would be consistent with the relevant provisions of the Miracle Mile CDO as analyzed in Section 4.G, Land Use and Appendix J, Table 3 of the Draft EIR and Chapter 3, Corrections and Additions, pages 3-43 through 3-58 of the Final EIR. Furthermore, discussion of the Project’s compliance with the Miracle Mile CDO is provided in the City Planning Commission’s findings adopted for the Project (see pages F-10 through F-18 and F-60 and F-61).

Regarding the current [Q] condition that limits signage, this and other [Q] conditions are proposed for removal because they were established for a different project on Parcel D.

Regarding consistency of the Design Overlay with the Scenic Highway designation of Wilshire Boulevard, Project consistency with the Interim Scenic Highway Guidelines was evaluated Section 4.A, Aesthetics and Appendix C-1, Table 2 of the Draft EIR. The interim guidelines regarding signage provide that a “standard condition for discretionary land use approvals involving parcels zoned for non-residential use located within 500 feet of the centerline of a Scenic Highway shall be in compliance with the sign requirements of the CR zone.” As used in the interim guidelines “standard” means typical, common or usual but does not mean mandatory. The decisionmaker retains the authority not to

impose the condition in cases that are not standard. In this case, the interim guideline is inapplicable, as the adoption of a Sign District provides a unique set of rules specific to the Project Site, which ensures preservation of the Wilshire Boulevard scenic highway. The adoption of the Sign District is in keeping with the Transportation Element's intent to provide guidelines through Corridor Plans that address the individual scenic character of each Scenic Highway corridor. Further, these standard provisions are applicable to quasi-judicial actions. Here the Sign District is a legislative act which is not limited by the interim guidelines. See also Response to Comment 4-32 submitted by the commenter at the Hearing Officer Hearing and on file with the City Planning Department, Environmental Analysis Section, as an attachment to a memorandum dated April 10, 2015 to Luci Ibarra. Project consistency with the Interim Scenic Highway Guidelines is also presented in the City Planning Commission's findings adopted for the Project (see page F-59).

The Museum architecture does not conflict with the Miracle Mile CDO's architectural guidelines. Consistency with the Miracle Mile CDO Design Principles (Section 6 Architecture) was analyzed in Appendix C-1, Table 4 of the Draft EIR and Section 3.0, Corrections and Additions, of the Final EIR. Regarding rooflines, as stated in Table 4 in Section 3.0, of the Final EIR, with respect to Guideline 4 and Standards 4a and 4b, the style and architectural materials of the Sphere would be consistent with the high quality, contemporary architecture represented in adjacent LACMA buildings. The height of the Sphere would exceed the height of the tallest element of the Original Building, but continuity between the two would be provided by above-grade connecting pedestrian bridges. A discussion of Project consistency with the Miracle Mile CDO Guidelines Section 6 Architecture is also presented in the City Planning Commission's findings adopted for the Project (see pages F-12 and F-13).

Regarding the involvement of the Cultural Heritage Commission, as stated in response to a comment from the Los Angeles Conservancy (see Response to Comment E8-6 of the Final EIR), as set forth in the list of anticipated approvals on page 2-33, in Chapter 2.0, Project Description, subsection G, of the Draft EIR, the Cultural Heritage Commission and as appropriate, the Office of Historic Resources will review the Project and approve permits for work on the Original Building. The Mitigation Monitoring and Reporting Program, presented in Chapter 4.0 of the Final EIR, designates the Cultural Heritage Commission as an Enforcement Agency and Monitoring Agency for Project Design Feature PDF-HIST-1, Materials Conservation and Preservation Plan. In addition, as discussed in Topical Response TR-1, Historic Resources in the Final EIR, signage on the Original Building and the plans for the treatment of the Cladding and Tile would be subject to approval by the Cultural Heritage Commission. In addition, the Academy has undertaken a number of meetings and presentations with the Office of Historic Resources

and the Los Angeles Conservancy and the current project design and the Materials Conservation and Presentation Plan reflects their input.

Note that since the Hearing Officer Hearing the banner signs have been eliminated on the Original Building and the number of storefront digital display box signs has been reduced from 12, as presented in the Final EIR, Topical Response TR-3, Signage, down to only 2 small signs on either side of the Wilshire entrance. (See Attachment A, Rendering of the Wilshire Entrance). These reductions are incorporated in the proposed Sign District Ordinance attached to the City Planning Commission determination.

**Appeal Issue II:** Appellant wrongly asserts that the variance for off-site bicycle parking is not needed.

The City Planning Commission made the appropriate findings in support of the requested bicycle parking variance. The Zone Variance Findings to permit Code-required short-term parking greater than 50 feet from a main pedestrian entrance and to permit Code-required long-term bicycle parking within the Original Building are presented on pages F-18 through F-22 of the City Planning Commission's findings adopted for the Project. As presented therein and summarized below, the findings were based on the following criteria:

- a. That the strict application of the provisions of the zoning ordinance would result in the practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.*

The Bicycle Parking and Facilities section of the Municipal Code requires the provision of 14 long-term and 29 short-term bicycle parking spaces in conjunction with the construction of the New Wing, with no bicycle parking being required for the Original Building. The Project is exceeding the 43 required bicycle parking spaces by providing 88 spaces on the site and on the adjacent LACMA Campus. The Bicycle Ordinance requires that short-term bicycle parking spaces be located outside newly constructed buildings at a distance of no more than 50 feet from a main pedestrian entrance and that long-term bicycle parking spaces be placed inside a parking garage. The Project is providing 36 bicycle parking spaces along Fairfax Avenue adjacent to the Piazza and near the New Wing, with an additional 38 spaces along 6th Street, both in excess of 50 feet.

The request for a variance seeks to permit the location of the 14 long-term bicycle parking spaces within the basement of the Original Building and that the short-term spaces be located at a distance greater than 50 feet from the main entrance of the New Wing. The placement of the required short-term bicycle parking is limited by the siting characteristics of the Project, principally the preservation of the May Company Building and generous setbacks between the Original Building and New Wing to preserve views of

the historic May Company Building. Moreover, the main entrance to the Project is located off Wilshire Boulevard in the Original Building which is built to the property line and does not afford sufficient space for the placement of Code-required short-term bicycle parking. As such, the Project is limited in its ability to place the short-term bicycle parking in a manner that is easily accessible and highly visible to visitors. While the Fairfax Avenue entrance to the Piazza and the New Wing is only a secondary entrance to the Museum, the placement of short-term bicycle parking at this location would be highly visible and easily accessible. In addition, the vehicular parking which serves the Project is located in excess of 50 feet from the Project Site. The strict application of the Bicycle Ordinance would require the placement of bicycle parking in a location that is not easily accessible and conveniently located. As proposed, the location of the short-term bicycle parking is closer to the museum than the vehicular parking facilities which serve the site.

The Museum is providing long-term bicycle parking within the Original Building. While the zoning ordinance requires that long-term bicycle parking be provided within the nearest parking garage serving the Museum, LACMA's parking facilities are located more than 100 feet away from the Project. Moreover, the provision of long-term bicycle parking in compliance with the zoning ordinance would require removal of existing vehicular parking spaces that serve LACMA which is not feasible. The Project is proposed as a LEED® Silver development, which requires that showers be provided to serve Project employees. As such, to comply with the provisions of LEED® certification and the Green Building Code, the location of the showers are being provided within the basement level of the Original Building.

*b. That there are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.*

The May Company Building was constructed to the property line with minimal space on the existing sidewalks to accommodate bicycle facilities. Vehicular parking for the Museum is located within LACMA's existing parking structures and providing long-term bicycle parking within the existing parking facilities would necessitate the removal of existing vehicular parking. Nevertheless, the Museum is providing 88 bicycle parking spaces within and adjacent to the LACMA Campus. The placement of bicycle parking within the lease area of the Museum is primarily limited by the preservation of the historic May Company Building and the location of existing shared vehicular parking structures and surface lots. Nevertheless, the placement of bicycle parking within the LACMA Campus is still convenient and accessible for visitors and employees of the Museum and is in closer proximity to the site than the vehicular parking facilities which serve the site. Moreover, the bicycle parking can be used throughout the LACMA Campus, which is presently underserved.

*c. That the variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question.*

Given the unique circumstances of the Project Site, which includes the preservation and reuse of the historic May Company Building, as well as the location of existing parking facilities, which pre-date the Bicycle Ordinance, there are practical difficulties in the application of the Bicycle Ordinance. The Museum is exceeding the provision of bicycle parking spaces, but is otherwise limited by the Project's location within the LACMA Campus and the associated parking facilities. While the Municipal Code permits vehicular parking to be located off-site within 750 feet of the Project Site, no such provision exists for bicycle parking. The Bicycle Ordinance calls for the location of bicycle facilities to be located in a manner comparable to that of vehicular parking facilities, but the property is limited by the preservation of the Original Building and by its distance from the parking facilities which serve the Project. The application of the Bicycle Ordinance within LACMA's parking facilities would require the elimination of Code-required vehicular parking to accommodate bicycle parking, creating an unnecessary hardship, given that the bicycle parking can be provided within the Project area and the adjacent LACMA Campus and in closer proximity than the parking structures which serve the Project.

*d. That the granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located.*

The variance request proposes to provide the 29 Code-required short-term bicycle parking on the Project Site but in excess of the required 50-foot distance. In addition, the 14 Code-required long-term bicycle and associated locker and shower facilities would be located within the Original Building and not within the vehicular parking facilities, located some distance from the Project Site. Nevertheless, the Project is exceeding the parking requirement by providing 45 additional bicycle parking spaces, but located greater than 50 feet from the main Museum entrance. The proposed location of the short-term bicycle parking would be a shorter distance from the Museum than the location of vehicular parking facilities which serve the site. Similarly, the location of the long-term bicycle parking within the Original Building near the Project Site's long-term locker and shower facilities is more conducive than the off-site parking facilities. As such, the location of both the long-term and short-term bicycle facilities is not only conveniently accessible to visitors and employees but it encourages the reduction of vehicular dependency and encourages bicycle travel to the broader LACMA Campus. In addition, the placement of short-term bicycle parking along Fairfax Avenue facilitates public transit by locating the bicycle parking within an easily accessible distance to the

Wilshire/Fairfax station immediately west of the Project Site. Locating the bicycle parking near the Fairfax Avenue entrance to the Piazza will allow bicyclists to be able to immediately locate and utilize the facilities. Placing the parking within 50 feet of the Museum entrance would render the short-term bicycle parking more difficult to find. As such, the granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the Museum is located.

*e. That the granting of the variance will not adversely affect any element of the General Plan.*

The Museum will provide 88 bicycle parking spaces and associated facilities that exceed bicycle parking requirements set forth in the Bicycle Ordinance. The provision of bicycle parking will not adversely affect any element of the General Plan and would fulfill the intent of the Bicycle Ordinance by providing bicycle amenities that are equally accessible to patrons of the LACMA Campus and comparable to existing vehicular parking facilities. The proposed bicycle parking spaces and parking locations satisfies Policies 3.2.3 and 3.15.6 of the General Plan Framework Element and Goal 12 and Policy 12-1.4 of the Wilshire Community Plan. Wilshire Boulevard and Fairfax Avenue have been designated as future bike lanes in the Bicycle Plan, while Sixth Street has been designated as a future bicycle route. The Museum would support these designations by exceeding the required number of bicycle parking spaces in the Bicycle Ordinance plus providing additional bicycle parking and amenities that meet or exceed Bicycle Ordinance requirements. Moreover, in addition to its location adjacent to the proposed Wilshire/Fairfax station, the Project would locate bicycle parking spaces that would support transit use and visitors to the LACMA Campus. The Project is providing bicycle parking that is far more conveniently located than the vehicular parking serving the site, thereby supporting the goals of the General Plan which emphasize pedestrian and bicycle access.

**Appeal Issue III:** Appellants incorrectly assert that the Zoning Administrator's interpretations were inappropriately applied to the Project.

A. 10 Percent Reduction In Parking For Commercial Uses Applied to Museum uses.

The City Planning Commission made the appropriate findings in support of the ZAI that established that Section 12.24-Y of the Municipal Code also applies to museum and theater uses. The Zoning Administrator's Interpretation Findings are presented on pages F-22 through F-23 of the City Planning Commission's findings adopted for the Project. As presented therein, and discussed in Response to Comment E22-41 through E22-44 of the Final EIR, and summarized below, the findings were based on the following:

Section 12.24.Y of the Municipal Code permits commercial or industrial buildings located no more than 1,500 feet from the street-level entrance of a fixed transit station, bus station, or similar facility, a 10 percent reduction in the Municipal Code-required number of parking spaces. Section 12.24-Y specifies only that the structures be either commercial or industrial and does not qualify the types of commercial or industrial uses. The existing May Company Building is a commercial building in a commercial zone. Similarly, the construction of the New Wing for the operation of theater and event deck, both commercial uses, is also permitted in the underlying commercial C2 zone. The operation of the Museum Café and Museum Store, as well as storage and display uses are permitted in the C2 Zone. Section 12.24-Y is intended to encourage the development of non-residential projects near transit, recognizing that it will promote and encourage employees and visitors to take public transit. The Project is located immediately adjacent to a Metro Rapid Bus stop and the future transit Portal to the Metro Purple Line Extension. The Project's location, being adjacent to both existing and future transit facilities, promotes the use of transit and reduces both parking demand and trips by single-occupant vehicles through the Study Area. The museum and its location on Museum Row also promotes the City's policies and goals, as well as the goals, objectives and policies of the Wilshire Community Plan, that encourage development near major transit facilities to reduce vehicle trips through increased transit ridership and other non-vehicular options, such as bicycling and walking.

The Zoning Administrator has the authority to interpret zoning regulations when the meaning of the regulation is not clear, either in general or as it applies to a specific property or situation. Pursuant to Municipal Code Section 12.24.Y, the Special Permission for Reduction of Off-Street Parking Spaces request to allow for a 10 percent reduction in the required number of parking spaces for institutional (museum) and auditorium (theater) uses, located within 1,500 feet from both existing and planned transit facilities is consistent with the intent of the Code.

**B. Museum Uses Are Appropriate In The C2 Zone.**

The prior ZAI for the Project Site deemed museum uses appropriate for the site in a C2 Zone consistent with the City Use List. As described in Response to Comment 1-8 of the City Planning Commission Hearing, Response to Comment PH-104 of the Hearing Officer Hearing, and Response to Comment E28-6 of the Final EIR, the City's Zoning Code does not specifically permit a museum use in the C2 or other commercial zones such as the C4 zone. However, museum uses are allowed in the C2 zone. Pursuant to authority contained in Section 12.21 A.2 of the Municipal Code, the Chief Zoning Administrator determined and classified, in their proper zone group, other uses permitted in each of the various zones in addition to those specifically listed in the Zoning Code,

and prepared a City Use List. As shown on City Use List No. 2, Page 16, a Museum is a permitted use in the C1.5, C2, C4, C5, M1, M2 and M3 zones. The City has consistently permitted museums by-right in the C2 and other commercial zones as set forth in the ZAI. For example, the Museum of Contemporary Art (“MOCA”) and the Broad Museum currently under construction are in the C2 zones. In addition, the following museums are located in the C4 zones: the Petersen Automotive Museum; the Hammer Museum; the Museum of Tolerance; the Craft and Folk Art Museum; the Japanese American National Museum; and the A+D Architecture and Design Museum at 6032 Wilshire Boulevard. Moreover, the Zoning Administrator in ZA 94-0086(ZAI) (“1994 ZAI”) expressly determined that museum uses were permitted on Parcel D in the C2 Zone. Since the 1994 ZAI applied to a different project on Parcel D (see Response to Comment No. E28-29 of the Final EIR), the Applicant is seeking a new ZAI pursuant to Municipal Code Section 12.21.A.2 to reconfirm that museum uses (for profit and not-for-profit) are permitted in the C2 Zone consistent with the City Use List for the proposed Project. The new ZAI will replace and supersede the 1994 ZAI.

As also stated in Response to Comment 1-8 of the City Planning Commission Hearing, the Zoning Administrator is the proper authority to confirm that museum and related uses (for profit and not-for-profit) are permitted in the C2 Zone. As stated in Section 12.21.A.2 of the Municipal Code, “The Zoning Administrator shall also have authority to interpret zoning regulations when the meaning of the regulation is not clear, either in general or as applies [sic] to a specific property or situation.”

A discussion of the Zoning Administrator’s interpretation of findings that museum and related uses are permitted in the underlying C2 Zone is also presented in the City Planning Commission’s findings adopted for the Project (see pages F-22 and F-23). As stated therein, the City Use List serves as the official use list to be utilized by the Department of City Planning. The City Planning Commission at its meeting on May 14, 2015 approved a Zoning Administrator’s Interpretation confirming that museum and related uses are permitted in the C2 Zone and is consistent with the City Use List.

**Appeal Issue IV: CPC correctly granted Site Plan Review**

The proposed Sign District Ordinance does not conflict with the Miracle Mile CDO. As described above under Response to Issue I, the Project’s Sign District Ordinance would generally be consistent with the Miracle Mile CDO’s Design Guidelines and Standards. Where it would not be consistent, the Sign District may supersede the Design Guidelines and Standards to authorize such variations.

The Museum’s architecture does not conflict with the CDO’s architectural guidelines. As described above under Response to Issue I, the style and architectural materials of the

Sphere would be consistent with the high quality, contemporary architecture represented in the adjacent LACMA buildings.

The proposed Sign District Ordinance does not conflict with General Plan Transportation Element Scenic Highway provisions. As described above under Response to Issue I, the adoption of the Sign District is in keeping with the intent of the Transportation Element to provide guidelines to address the scenic character of each Scenic Highway corridor.

Site Plan Review approval was appropriate as the Museum is compatible with existing development on adjacent and neighboring properties. As described in Topical Response TR-3, Signage of the Final EIR, the Project Site is located along Museum Row in a heavily urbanized setting. Within this setting, the Project's signage program would be compatible with the neighboring museum uses and the surrounding urban form and scale. Furthermore, the Project's signage program would not be incompatible with development west of Fairfax Avenue where development is less cohesive. Moreover, the brightness of the proposed signage is well below the brightness of the "Urban Light" installation. As analyzed in Section 4.A.1, Aesthetics and Views of the Draft EIR, the Project's signage program would not result in significant impacts to the aesthetic character of the area or views. As analyzed in Section 4.A.2, Light and Glare of the Draft EIR, potential nighttime glare and spill light impacts of the Project's signage on nearby sensitive receptors and motorists would be less than significant. Furthermore, since the Hearing Officer Hearing the banner signs have been eliminated on the Original Building and the number of storefront digital display box signs has been reduced from 12, as presented in the Final EIR, Topical Response TR-3, Signage, to only 2 small signs on either side of the Wilshire entrance as shown on Attachment A. These reductions are incorporated in the proposed Sign District Ordinance attached to the City Planning Commission determination. Site Plan Review findings which address conformity with plans, compatibility with adjacent properties, and incorporation of mitigation measures and Project Design Features are presented in the City Planning Commission's findings adopted for the Project (see pages F-23 through F-25).

Regarding emergency medical services, based on the analysis presented in Section 4.I.2, Fire Protection and Emergency Medical Services, of the Draft EIR, no mitigation measures are required with implementation of Project Design Features PDF-TRAF-1, Construction Traffic Management Plan and PDF-TRAF-2, Parking and Traffic Management Plan. See also Response to Comment 1-3 submitted by the commenter for the City Planning Commission Hearing and on file with the City Planning Department, Environmental Analysis Section, as an attachment to a memorandum dated May 13, 2015 to Luci Ibarra, and Response to Comments E22-59 and E22-62 of the Final EIR regarding fire services.

**Appeal Issue V:** The Project will meet code and demand parking requirements; a 10 percent reduction in off-street parking is appropriate given the Project's location near present and future transit facilities.

As described in the Topical Response TR-2, Traffic and Responses to Comments E22-27, and E22-41 through E22-46 of the Final EIR, as well as detailed in the Parking Study provided in Appendix M-1 of the Draft EIR, the Project's Municipal Code parking requirement and parking demand and thus, parking impacts were determined to be less than significant. The Municipal Code automobile parking requirement of 482 spaces for the Project would be satisfied by the allocation of 378 spaces within the Pritzker Garage (previously allocated for LACMA West) and 104 spaces within the Spaulding Lot that would be secured through a covenant. The determination of the Code-required automobile parking for the Project included allowable reductions outlined in Section 12.21.A4Y, which allows for a 10 percent reduction in automobile parking due to the proximity to both the existing and future transit facilities, as well as Section 12.21.A4, which states that Code-required automobile parking may be replaced at a ratio of one automobile parking space for every four bicycle spaces. Accordingly, the Project has a total automobile parking requirement of 482 spaces.

As further described in Response to Comment E22-28 of the Final EIR, the parking requirement for the LACMA Transformation Project was provided in the Pritzker Garage (a total of 650 spaces), which included a parking allocation of 378 spaces for LACMA West, and 111 additional off-site parking spaces provided in the Spaulding Lot, which is documented in the building permits issued by the City and further evidenced by an Off-Site Covenant entered into with the City for the off-site parking spaces at the Spaulding Lot. After consideration of the 111 spaces that are covenanted for the LACMA Transformation Project, the Spaulding Lot has approximately 152 spaces that are not otherwise covenanted for other properties (263 spaces total – 111 spaces covenanted for LACMA Transformation Project – 152 spaces), which would accommodate the 104 spaces for the Project. Thus, the Code parking requirements for the LACMA Transformation Project and proposed Project can be accommodated within the Pritzker Garage and Spaulding Lot.

Although the Project would meet Code-required parking within the LACMA facilities, an assessment of parking demand was also provided in the Draft EIR. As described in Response to Comment E22-27 and Topical Response TR-2, Traffic of the Final EIR, parking for the Project would be provided through the use of available parking spaces within the existing LACMA parking facilities, which include the Pritzker Garage and the Spaulding Lot. Attendance levels and parking demands of the Project fluctuate depending on the activities, programs, and events held, as well as by time of the year, day of the week and time of day. Parking demand for several Project operational conditions were evaluated to determine the parking supply needed to accommodate the peak parking

demand for the operation of the Project. The amount of parking spaces that would be available for use by the Project was determined through parking occupancy surveys conducted at the LACMA parking facilities throughout the day on a weekday and weekend, as well as a review of historical parking data. Therefore, contrary to the assertion in the comment, the Draft EIR adequately documented the number of available parking spaces in LACMA facilities and is supported by substantial evidence. The results were summarized in the Parking Study provided in Appendix F of the Traffic Study (Appendix M-1 of the Draft EIR). As further detailed in Responses to Comments E22-27 and E22-30 of the Final EIR, the peak parking demand for the Project is planned to be accommodated within the “available” parking spaces within the LACMA parking facilities (Pritzker Garage and Spaulding Lot, the leased parking spaces within the Petersen Automotive Museum, as well as other available public parking spaces in the surrounding area (i.e., Page Museum, Museum Square, Ratkovich Tower, etc.). Parking surveys were conducted as part of the EIR at these facilities to document the amount of available parking, which showed that there is more than ample number of available spaces within both the LACMA facilities and off-site facilities to satisfy the parking demand. The use of the off-site parking facilities will be managed through the implementation of the Parking and Traffic Management Plan (PDF-TRAF-2, Parking and Traffic Management Plan). See the City Planning Commission Determination, pages Q-14-15 and pages F-189 through F-192 for discussion of the specific findings related to parking.

As described in Response to Comment E22-30 of the Final EIR, it is recognized that parking operations would be managed to meet the needs of both LACMA and the Project. An Event Coordination Plan is part of Project Design Feature PDF-TRAF-2, Parking and Traffic Management Plan. The Event Coordination Plan is fully enforceable to the same degree as the mitigation measures and is included as Attachment A to the Mitigation Monitoring and Reporting Program, presented in Chapter 4.0 of the Final EIR. The Draft Event Coordination Plan is also included in Appendix C of the Final EIR and includes measures to facilitate coordination between LACMA and the Academy to help avoid conflicts, promote a positive visitor experience at the Museum and greater LACMA Campus, and reduce the potential for adverse effects of the surrounding streets and neighborhood.

Regarding the reliance upon the future Metro Purple Line, please see Response to Comment E22-41 through E22-45 of the Final EIR, as well as Response to Appeal Issue III above regarding the reduction in the number of parking spaces due to the Project’s proximity to both existing and future transit facilities. Section 12.21.A4-Y of the Municipal Code allows for the automobile parking requirement to be reduced by 10 percent due to the proximity to a transit facility. The Project is located immediately adjacent to a Metro Rapid Bus stop and the future transit portal to the Metro Purple Line

Extension. The Project's location, being adjacent to both existing and future transit facilities, promotes the use of transit and reduces both parking demand and trips by single-occupant vehicles through the Study Area. The Project includes measures to minimize the time motorists spend searching for available parking. Specifically PDF-TRAF-2 would minimize parking traffic impacts on the surrounding street system by deploying parking attendants to expedite parking circulation and to assist guests in finding open parking spaces, providing valets to assist with parking needs, using signage to direct traffic to specific parking locations, and other measures to minimize the time motorists spend searching for available parking. Furthermore, a detailed analysis of the off-site parking facilities was provided in the Final EIR, which concluded that the use of the off-site parking facilities would not result in significant secondary impacts at any of the intersections adjacent to the off-site parking facilities. Further, as described in Topical Response TR-2, and supplemental traffic analysis provided in Appendix B of the Final EIR, although the Project would result in traffic increases within the Study Area, the incremental increase is not large enough on the residential street segments to be considered significant according to the significant impact criteria established by the City of Los Angeles.

**Appeal Issue VI:** The PLUM Committee can remedy the administrative error the CPC failed to adopt the presented findings for the Master Conditional Use Permit

As stated in Response to Comment E22-35 of the Final EIR, the Applicant filed a Master Conditional Use Permit request to allow the service of alcohol for on-site consumption at the following specific locations in the Project (1) the Museum Café; (2) the Tearoom and Rooftop Terrace; (3) the Event Deck in the Sphere; and (4) a mobile kiosk located within the outdoor Piazza. The Master Conditional Use Permit would grant the right to offer alcohol for consumption at these locations, and the City would require filing an application and approval of a subsequent Plan Approval(s) prior to commencing operations to review the specific operational details at these locations within the Project. As per City practice and procedure, the Applicant submitted draft entitlement findings with its application, which have been available to the public since the time the application was filed and since publication of the Draft EIR. Those draft findings include the details for the Master Conditional Use Permit, including the specific locations where alcohol would be available for consumption. Based on comments received on the Draft EIR and other minor corrections and additions presented in Chapter 3.0 of the Final EIR, Appendix H of the Final EIR includes the Revised Draft Entitlement Findings (pages 69 through 93). See also Responses to Comments 4-52 through 4-55 of the Hearing Officer Hearing regarding the Master Conditional Use Permit entitlement request.

The Master Conditional Use Permit was clearly before the City Planning Commission which intended to act upon it and grant the permit. Our understanding is that there was an administrative error in omitting the findings from the City Planning Commission

determination. We respectfully request the PLUM committee adopt the attached findings (see Attachment B) in support of the Master Conditional Use Permit which the City Planning Commission intended to do, absent the clerical error. No prejudice will come from such a findings adoption because, as noted above, the proposed request for the permit has been present since the filing of the Project application, and the proposed findings have been available to the public for review.

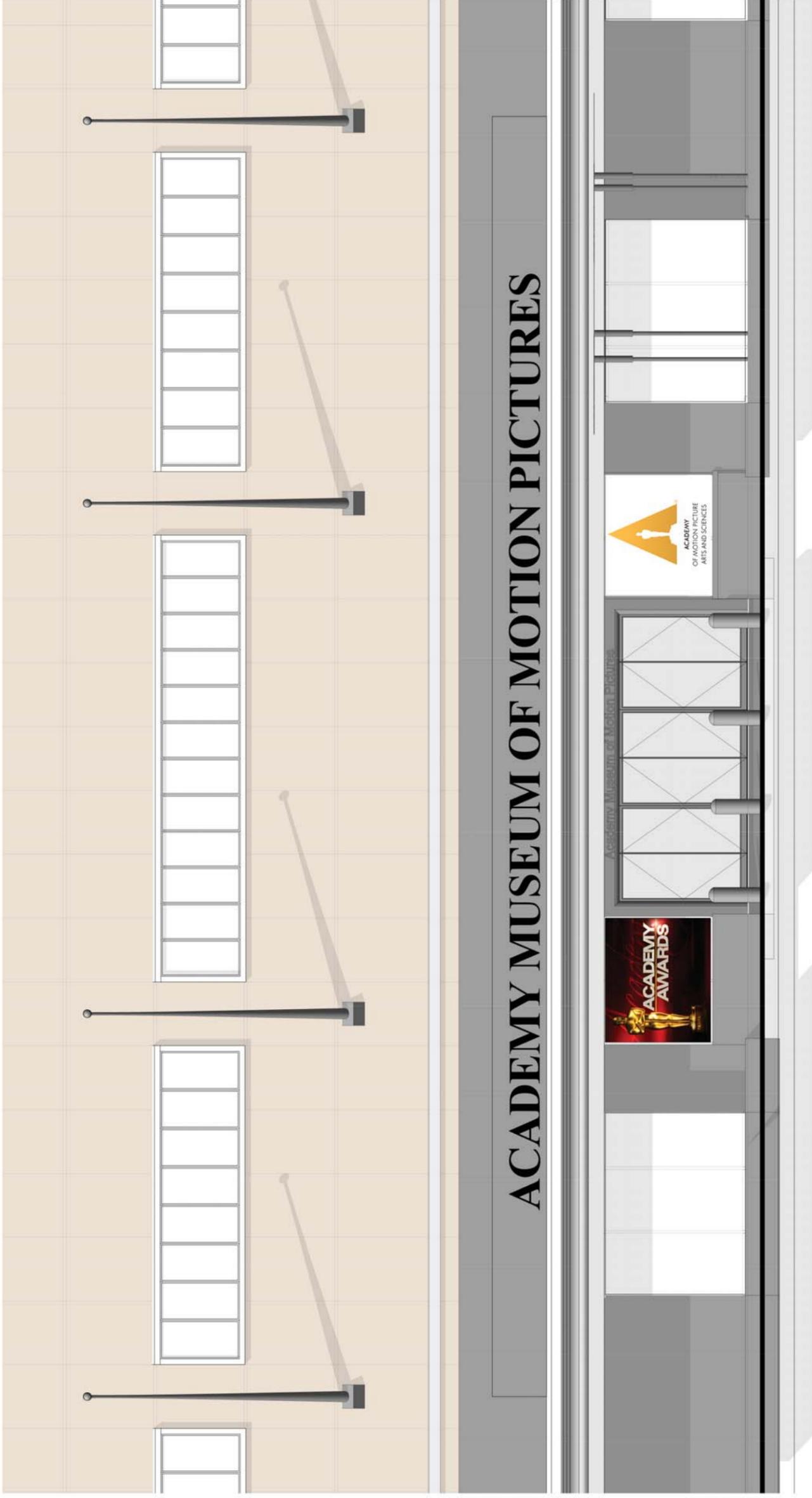
**Appeal Issue VII:** Removal and replacement of the 1993 [Q] conditions which applied to a different project on Parcel D is appropriate.

As previously described in Response to Comment E28-19 of the Final EIR, Section 4.J, Land Use and Appendix J, Table 6 of the Draft EIR, disclosed and analyzed the existing [Q] conditions that apply to Parcel D. The [Q] conditions are proposed for removal because they were established for a different project on Parcel D. These [Q] conditions are not needed to address the Project's significant impacts, as mitigation measures and Project Design Features that would reduce or avoid significant impacts of the Project are included in the Draft and Final EIR, pursuant to CEQA requirements. These mitigation measures and Project Design Features were adopted by the City Planning Commission as new [Q] conditions imposed on the Project (see pages Q-1 through Q-22).

**Appeal Issue VIII:** The City's Use List confirms that museum uses are permitted in the C2 Zone

See Response to Appeal Issue III, section B above.

ATTACHMENT "A"



**ATTACHMENT "B"**

Academy Museum of Motion Pictures

**Findings for Master Conditional Use Permit** to allow for the onsite sale and consumption of alcoholic beverages

**Pursuant to LAMC Section 12.24.W.51, a Master Conditional Use Permit to allow for the onsite sale and consumption of alcoholic beverages.**

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

The Project requests approval of a Master Conditional Use Permit to allow for the sale of alcoholic beverages for onsite consumption in the proposed Academy Museum of Motion Pictures. The Project would create an iconic Museum that reflects the importance of the motion picture industry in Los Angeles and provides a gathering place with significant cultural, educational, entertainment, and social opportunities for the local community and Los Angeles region. The Project would involve rehabilitation and adaptive reuse of the historical May Company building and construction of the New Wing and Piazza located at the northeast corner of Wilshire Boulevard and Fairfax Avenue. The Museum would be dedicated to films and filmmaking and would include permanent and changing exhibition space; three theaters with a combined seating capacity of up to approximately 1,350; banquet and conference space with a maximum occupancy of approximately 1,200; a Museum Café with seating for up to approximately 150 patrons; an approximately 5,000-square-foot Museum Store; and ancillary spaces including administrative offices, educational spaces, open Museum collection storage, exhibit preparation, a conservation laboratory, and maintenance and receiving areas. In addition, the Project proposes the sale of alcoholic beverages at four locations within the Museum as follows:

- The first floor Museum Café would offer a variety of food and beverages options, including alcoholic beverages;
- The Tearoom located on fifth floor of the Original Building would contain a special event dining room and a rooftop terrace, along with space for catering and other support services. Alcoholic beverages may be available during special events in the Tearoom;
- The Event Deck located within the Sphere atop the Main Theater may offer alcoholic beverages during special events;
- A mobile kiosk within the outdoor Piazza that would offer alcoholic beverages during special events.

The sale of alcoholic beverages at institutional venues such as museums is a common amenity as demonstrated by the number of establishments that offer alcohol at LACMA, including C&M Café, the Plaza Café, and Ray's Restaurant and Stark Bar. The diversity of food service, entertainment and the selling of alcoholic beverages provide a desired amenity for patrons. Moreover, the sale alcoholic beverages in the Museum will be a part of a carefully controlled

first-class development and appropriate security measures will be taken.

2. That 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; and

The Project Site is located at the western edge of the LACMA Campus. LACMA serves as the anchor and western edge of Museum Row, a stretch of Wilshire Boulevard between Fairfax Avenue and La Brea Boulevard. Museum Row includes five museums: LACMA, Page Museum, the Petersen Automotive Museum, the A+D Architecture and Design Museum, and the Craft and Folk Art Museum. The LACMA Campus has eight buildings including the May Company Building; Broad Contemporary Art Museum and Resnick Exhibition Pavilion; Ahmanson, Hammer, and Art of the Americas buildings; Pavilion for Japanese Art; and Bing Center. The Page Museum, occupies a separate but contiguous campus immediately adjacent to the LACMA Campus on the east. Surrounding off-site land uses include the 160-acre Park La Brea residential neighborhood to the north across Sixth Street; a mix of museums, galleries, cultural institutions, and commercial business along Wilshire Boulevard to the south, including the Petersen Automotive Museum and A+D Architecture and Design Museum; commercial uses to the west across Fairfax Avenue; and commercial uses to the east across Curson Avenue.

The proposed sale of alcoholic beverages for onsite consumption is compatible with the surrounding neighborhood and will be carefully controlled with limited hours and ample security. The Museum Café would serve Museum patrons and also be open to the general public with anticipated hours of operation from 8:00 A.M. to 11:00 P.M. Movie screening and special events would typically have a 7:30 P.M. start time and end by 12:30 A.M. The Project would include Outdoor Programming, including Museum and Academy events. Outdoor Museum Programming may include, but would not be limited to, exhibitions, hands-on student activities, and lectures. Outdoor Academy Programming may include outdoor screenings, concerts, exhibits, or other events during May through October. Outdoor Programming events would take place on the Rooftop Terrace or on the Piazza. The use of amplified sound in conjunction with all Outdoor Programming would conclude by 10:00pm and Outdoor Programming without amplified sound would conclude by 12:30am.

The Museum would be staffed with 24-hour private security personnel patrolling the Project Site perimeter and Museum, including entry and exit points to ensure the safe consumption of alcohol and to prevent any adverse impacts in the neighborhood. Approximately 30 security personnel would serve the Project, covering three shifts. Security personnel would be trained on all security equipment and related devices, in addition to specialized training related to sensitive collections. Member and Premiere Screenings would include additional security. Duties of the security personnel would include, but would not be limited to, monitoring exhibits, entrances and exits; managing and monitoring fire and life safety systems; patrolling the Project Site; and coordinating with the Police Department in the event outside assistance is needed.

In addition to the services provided by the Police Department, LACMA has its own on-site private security personnel and extensive security features and procedures in place in light of its valuable collections. The duties of LACMA security personnel include guarding permanent and special exhibits at the LACMA Campus museums; routine patrol of buildings and the LACMA Campus grounds; reporting of suspicious activity, criminal actions and emergencies to the

Police Department; and responses to non-violent crimes. LACMA's on site security provisions serve to reduce crime on the LACMA Campus and the need for Police Department services.

Security systems within the Project Site would include closed-circuit televisions to provide surveillance of buildings, grounds, points of entrance/egress, the loading dock, and Project Site perimeter. Access control provisions would also be in place through use of keycards or touch screens to restrict movement of visitors to non-public areas, as well as use of intruder alarms (motion sensors, door contacts, etc.) strategically located throughout the Museum to identify unauthorized access during and outside of business hours. There would be a main security control room located in the basement that would support communication and coordination. The Project would also include features to enhance site security including high visibility of the Project Site and interiors of the Sphere from Fairfax Avenue and Sixth Street, fencing around the perimeter of the Project Site, and lighting of entry-ways and public areas. The Project would also incorporate crime prevention features into the design of the building and public spaces, such as lighting of entryways and public areas.

At the appropriate time in advance of opening operations, the Museum will be required to obtain a Plan Approval which will review the details and operations for consistency with City polices and the terms of this Master CUB to ensure the safe and responsible sale of alcoholic beverages at the Museum.

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

The General Plan does not specifically designate uses permitted by conditional use. Los Angeles Municipal Code Section 12.24-W.1 conditionally permits the requested use within the C2 zone. Alcohol service is ancillary and a normal complement to an institutional museum use.

The Project is in conformance with the following purposes, intent and provisions of the City of Los Angeles General Plan.

## **A. General Plan Framework**

### **Land Use**

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

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

**Policy 3.1.1:** Identify areas on the Long-Range Land Use Diagram and in the community plans sufficient for the development of a diversity of uses that serve the needs of existing and future residents (housing, employment, retail, entertainment,

cultural/institutional, educational, health, services, recreation, and similar uses), provide job opportunities, and support visitors and tourism.

The Project Site is located in an area of Miracle Mile designated as a Regional Center, which are defined as focal points of regional commerce, identity, and activity which are expected to contain a diversity of uses, including major cultural facilities. The Project would enliven the western end of the LACMA Campus and Museum Row and contribute to the Regional Center's identity by adding diversity to the existing concentration of museum uses along Museum Row that serve nearby residents, the larger metropolitan region, and tourists.

**Policy 3.1.2:** Allow for the provision of sufficient public infrastructure and services to support the projected needs of the City's population and businesses within the patterns of use established in the community plans as guided by the Framework Citywide Long-Range Land Use Diagram.

The Project Site is on the LACMA Campus in an area already well-served by public infrastructure, including existing transit, as well as the future Metro Westside Purple Line Extension. The proposed Museum and ancillary uses are consistent with the Project Site's designation as a Regional Center.

**Policy 3.1.4:** Accommodate new development in accordance with land use and density provisions of the General Plan Framework Long-Range Land Use Diagram (Figures 3-1 to 3-4) and Table 3-1.

The proposed Museum and ancillary uses are consistent with the Project Site's designation as a Regional Center.

**Policy 3.1.7:** Allow for development in accordance with the policies, standards, and programs of specific plans in areas in which they have been adopted. In accordance with Policy 3.1.6, consider amending these plans when new transit routes and stations are confirmed and funding is secured.

The proposed Museum and ancillary uses are consistent with the Project Site's designation as a Regional Center. The Project Site is well-served by existing public transit, including regional and local bus lines, as well as the future Wilshire Bus Rapid Transit Project (completion of the Western-San Vicente segment scheduled for 2014) and future Metro Westside Purple Line Extension (completion scheduled for 2024).

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

**Policy 3.2.1:** Provide a pattern of development consisting of distinct districts, centers, boulevards, and neighborhoods that are differentiated by their functional role, scale, and character. This shall be accomplished by considering factors such as the existing concentrations of use, community-oriented activity centers that currently or potentially service adjacent neighborhoods, and existing or potential public transit corridors and stations.

The Project would increase the concentration of museums and related amenities on Museum Row, and the proposed uses are consistent with the Project Site's designation as a Regional Center. The Project Site is well-served by existing public transit and will be served by the future Wilshire Bus Rapid Transit Project and Metro Westside Purple Line Extension. The Project would also provide bicycle parking spaces in compliance with the Bicycle Parking Ordinance, together with additional bicycle parking and amenities that meet or exceed requirements of the Bicycle Ordinance. Residents throughout the larger metropolitan region would have access to the Project without need of an automobile.

**Policy 3.2.3:** Provide for the development of land use patterns that emphasize pedestrian/bicycle access and use in appropriate locations.

Miracle Mile was originally conceived as a mixed automobile- and pedestrian-oriented commercial district along Wilshire Boulevard. The Project Site is currently served by a network of pedestrian walkways that provide access for visitors arriving on foot. Wilshire Boulevard and Fairfax Avenue have been designated as future bike lanes in the Bicycle Plan, and Sixth Street has been designated as a future bicycle route. The Project would provide bicycle parking spaces in compliance with the Bicycle Parking Ordinance, plus additional bicycle parking and amenities that meet or exceed requirements of the Bicycle Ordinance. The planned Museum entrance on Wilshire Boulevard would support the pedestrian-friendly character of Wilshire Boulevard, as well as increase Project accessibility for pedestrians approaching the Project from the south. The Project would include a Museum entrance in the New Wing, accessed from the publicly accessible Piazza, which would support pedestrian access from Fairfax Avenue and neighborhoods west and north of the Project Site, and enliven the pedestrian environment along Fairfax Avenue.

**Policy 3.2.4:** Provide for the siting and design of new development that maintains the prevailing scale and character of the City's stable residential neighborhoods and enhance the character of commercial and industrial districts.

The Project would represent infill development that would adaptively reuse an existing building and introduce new development to house a new Museum, which would be consistent with scale and character of adjacent LACMA, Page Museum, and other museum uses in the Project area and would not displace or destabilize the surrounding neighborhoods. The residential Park La Brea development would be buffered from the Project Site by the Resnick North Lawn and set back farther from Sixth Street than LACMA's existing Resnick Pavilion. New construction would be of compatible, contemporary design intended to complement the Original Building and the varied architectural styles of LACMA buildings, while still constituting a unique and iconic building in its own right. The nearest residential development is the six-story condominium building at 637 N. Fairfax Avenue, bordered on three sides by commercial uses. Otherwise, low-density residential neighborhoods, west of Fairfax, north of Park La Brea, and south of Eighth Street, are buffered from the Project Site by distance and intervening commercial and multifamily residential development. New Project construction north of the Original Building would be compatible with the existing LACMA Campus setting and Museum Row, and would not substantially alter existing land use relationships in the Project vicinity.

**Goal 3E:** Pedestrian-oriented, high activity, multi- and mixed-use centers that support and provide identity for Los Angeles' communities.

**Objective 3.9:** Reinforce existing and encourage new community centers, which accommodate a broad range of uses that serve the needs of adjacent residents, promote neighborhood and community activity, are compatible with adjacent neighborhoods, and are developed to be desirable places in which to live, work and visit, both in daytime and nighttime.

**Policy 3.9.5:** Promote pedestrian activity by the design and siting of structures in accordance with Pedestrian-Oriented District Policies 3.16.1 through 3.16.3.

Wilshire Boulevard is a linear, mixed-use activity center designed to accommodate pedestrians as well as automobiles. The Project would contribute to the concentration of cultural institutions on Museum Row, which serves as an important City and regional resource, and in so doing would support the identity of the Project area as a Regional Center. Project implementation would enhance the pedestrian environment in the Project area by providing a Museum entrance on Wilshire Boulevard, improving access between Fairfax Avenue, the Project Site, and the LACMA Campus, and providing an attractive, publicly accessible gathering place with creation of the Piazza.

**Policy 3.9.7:** Provide for the development of public streetscape improvements, where appropriate.

The Applicant would retain or replace street trees along the Project frontages on Wilshire Boulevard and Fairfax Avenue, and retain or replant the parkway planter on Wilshire Boulevard in front of the Original Building. The Project would provide pedestrian access from Fairfax Avenue to the Project Site and LACMA's Campus, with the Project's publicly accessible Piazza serving as an attractive gathering space off Fairfax Avenue.

**Policy 3.9.8:** Support the development of public and private recreation and small parks by incorporating pedestrian-oriented plazas, benches, other streetscape amenities and, where appropriate, landscaped play areas.

The Piazza would serve as an attractive, publicly accessible gathering space off Fairfax Avenue and at anchoring the western end of LACMA's Campus. Amenities are proposed to include bench seating, café seating in conjunction with the Museum Café, one or more water features, and landscaping.

**Policy 3.9.9:** Require that outdoor areas of developments, parks, and plazas located in community centers be lighted for night use, safety, and comfort commensurate with their intended nighttime use, where appropriate.

The New Wing and Piazza would be lighted at night, which would create an attractive, safe pedestrian environment.

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

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

**Policy 3.10.1:** Accommodate land uses that serve a regional market in areas designated as "Regional Center" in accordance with Tables 3-1 and 3-6. Retail uses and services that support and are integrated with the primary uses shall be permitted. The range and densities/intensities of uses permitted in any area shall be identified in the community plans.

The proposed Museum and ancillary uses, which would be located on LACMA's Campus within Museum Row, are consistent with the Project Site's designation as a Regional Center. The ancillary uses, which would include the Main Theater, Museum Café, and Museum Store, as well as the Piazza, would support and be well-integrated with the proposed Museum and with LACMA.

**Policy 3.10.2:** Accommodate and encourage the development of multi-modal transportation centers, where appropriate.

The Project Site is well-served by existing public transit as well as the future Wilshire Bus Rapid Transit Project (completion of the Western-San Vicente segment scheduled for 2014), and is located at a future stop on the Metro Westside Purple Line Extension. The Project would maintain and enhance an existing cultural center located along the Miracle Mile transit corridor that also serves as a center of activity for the surrounding neighborhoods, the community, and the region at a future stop on the Metro Westside Purple Line Extension.

**Policy 3.10.3:** Promote the development of high-activity areas in appropriate locations that are designed to induce pedestrian activity, in accordance with Pedestrian-Oriented District Policies 3.16.1 through 3.16.3, and provide adequate transitions with adjacent residential uses at the edges of the centers.

Wilshire Boulevard is a linear, mixed-use activity center designed to accommodate pedestrians as well as automobiles. The Project would contribute to the concentration of cultural institutions on Museum Row and in so doing would support the identity of the Project area as a Regional Center. Project implementation would enhance the pedestrian environment in the Project area by providing a Museum entrance on Wilshire Boulevard, improving access between Fairfax Avenue and residential neighborhood to the west and north, the Project Site, and the LACMA Campus, and providing an attractive, publicly accessible gathering place with creation of the Piazza.

**Policy 3.10.5:** Support the development of small parks incorporating pedestrian-oriented plazas, benches, other streetscape amenities and, where appropriate, landscaped play areas.

The Piazza would serve as an attractive, publicly accessible gathering space off Fairfax Avenue, anchoring the western end of LACMA's Campus. Amenities are proposed to include bench seating, café seating in conjunction with the Museum Café, one or more water features, and landscaping.

**Goal 3I:** A network of boulevards that balance community needs and economic objectives with transportation functions and complement adjacent residential neighborhoods.

**Objective 3.13:** Provide opportunities for the development of mixed-use boulevards where existing or planned major transit facilities are located and which are characterized by low-intensity or marginally viable commercial uses with commercial development and structures that integrate commercial, housing, and/or public service uses.

**Policy 3.13.1:** Encourage the development of commercial uses and structures that integrate housing units with commercial uses in areas designated as "Boulevard-Mixed Use." The range and density/intensity of uses permitted in any area shall be identified in the community plans.

The Project is consistent with the Project Site's designation as a Regional Center. The Project represents a major cultural institution and would also introduce retail uses on the Project Site in the form of a Museum Store and Museum Café. The Project would redevelop the underutilized northern half of the Project Site, which currently supports a gravel area and service roads accessing LACMA museum loading docks. Project implementation would enliven the western edge of the LACMA Campus and improve pedestrian access from Fairfax Avenue, as well as from the south, through the reuse of the historical Wilshire Boulevard "front doors" of the Original Building.

**Policy 3.13.3:** Encourage the inclusion of public service uses (e.g., day and elder care, community meeting rooms, and recreational facilities), school classrooms, cultural facilities (museums and libraries), and similar uses in mixed-use structures.

The Project would create a new cultural institution, including a Museum and theaters, on LACMA's Campus and would increase the concentration of cultural institutions on Museum Row. The Piazza would serve as an attractive, publicly accessible gathering space off Fairfax Avenue.

**Policy 3.13.4:** Provide adequate transitions where commercial and residential uses are located adjacent to one another.

The Project would improve pedestrian access from Fairfax Avenue to the Project Site and LACMA through the creation of the Piazza, north of the Original Building. The major components of the New Wing would be set back from the western Project Site boundary approximately 70 feet, with the Piazza, on-site visitor pick-up/drop-off area, a landscape planter along Fairfax Avenue, and the Resnick North Lawn to the north serving as buffers between new buildings and the nearest residential uses.

**Goal 3K:** Transit stations to function as a primary focal point of the City's development.

**Objective 3.15:** Focus mixed commercial/residential uses, neighborhood-oriented retail, employment opportunities, and civic and quasi-public uses around urban transit stations, while protecting and preserving surrounding low-density neighborhoods from the encroachment of incompatible land uses.

**Policy 3.15.1:** Prepare detailed plans for land use and development of transit-oriented districts consistent with the provisions of the General Plan Framework Element and the Land Use/Transportation Policy.

The Project represents a quasi-public amenity, with publicly accessible ancillary uses such as the Piazza, at a stop on the future Metro Westside Purple Line Extension (completion scheduled for 2024). The Project Site is on Museum Row and Miracle Mile, which are already characterized by a range of retail, cultural, and residential uses. Surrounding low-density residential neighborhoods would be buffered from the Project by distance and intervening development and the Project would not adversely affect existing museum uses on the LACMA Campus, the Page Museum, or other museum, cultural, or commercial uses.

**Policy 3.15.2:** Work with developers and the Metropolitan Transportation Authority to incorporate public- and neighborhood-serving uses and services in structures located in proximity to transit stations, as appropriate.

The Project proposes a Museum, theaters, a Museum Store and Museum Café, and publicly accessible Piazza, which would constitute public and neighborhood-serving uses. The Project Site is well-served by existing public transit and would be served by the future Wilshire Bus Rapid Transit Project and Metro Westside Purple Line Extension.

**Policy 3.15.3:** Increase the density generally within one quarter mile of transit stations, determining appropriate locations based on consideration of the surrounding land use characteristics to improve their viability as new transit routes and stations are funded in accordance with Policy 3.1.6.

The Project Site is on the LACMA Campus and located at a stop on the future Metro Westside Purple Line Extension (completion scheduled for 2024).

**Policy 3.15.4:** Design and site new development to promote pedestrian activity and provide adequate transitions with adjacent residential uses.

The Project would provide pedestrian access from Fairfax Avenue to the Project Site and LACMA's Campus, with the Project's publicly accessible Piazza providing an attractive publicly accessible gathering space off Fairfax Avenue. Surrounding low-density residential neighborhoods would be buffered from the Project by distance and intervening development. The New Wing's setbacks from the western Project Site boundary would create some buffer between the Project Site and the closest residential use, the condominium building to the west at 637 S. Fairfax Avenue. The Sphere would be set back approximately 70 feet, within the Piazza (approximately 175 feet from the condominium building).

**Policy 3.15.5:** Provide for the development of public streetscape improvements, where appropriate.

The Project would provide pedestrian access from Fairfax Avenue to the Project Site and LACMA's Campus, with the Project's publicly accessible Piazza providing an attractive publicly accessible gathering space off Fairfax Avenue. The Applicant would retain or replace street trees along the Project frontages on Wilshire Boulevard and Fairfax Avenue in compliance with Municipal Code requirements, and retain or replant the parkway planter on Wilshire Boulevard in front of the Original Building.

**Policy 3.15.6:** Establish standards for the inclusion of bicycle and vehicular parking at and in the vicinity of transit stations; differentiating these to reflect the intended uses and

character of the area in which they are located (e.g., stations in some urban areas and "kiss-and-ride" facilities may have limited parking, while those in suburban locations may contain extensive parking).

The Project would provide bicycle parking spaces in compliance with the Bicycle Parking Ordinance, together with additional bicycle parking and bicycle-friendly amenities that meet or exceed requirements of the Bicycle Ordinance.

**Goal 3L:** Districts that promote pedestrian activity and provide a quality experience for the City's residents.

**Objective 3.16:** Accommodate land uses, locate and design buildings, and implement streetscape amenities that enhance pedestrian activity.

**Policy 3.16.1:** Enhance pedestrian activity in areas designated as a Pedestrian-Oriented District ("-PD") by the design and siting of buildings in accordance with the policies contained in Chapter 5: Urban Form and Neighborhood Design.

Project implementation would enhance the pedestrian environment in the Project area, which already supports considerable pedestrian activity, by improving access between Fairfax Avenue, the Project Site, and the LACMA Campus, and by providing an attractive, publicly accessible gathering place with creation of the Piazza. Project implementation would also serve to enliven the western edge of the LACMA Campus.

### **Urban Form and Neighborhood Design**

**Goal 5A:** A livable City for existing and future residents and one that is attractive to future investment. A City of interconnected, diverse neighborhoods that builds on the strengths of those neighborhoods and functions at both the neighborhood and Citywide scales.

**Objective 5.2:** Encourage future development in centers and in nodes along corridors that are served by transit and are already functioning as centers for the surrounding neighborhoods, the community, or the region.

**Policy 5.2.1:** Designate centers and districts in locations where activity is already concentrated and/or where good transit service is, or will be provided.

The Project Site is designated as a Regional Center and is in an area that serves as a center of activity for the surrounding neighborhoods, the community, and the region. The Project Site is also located at a future stop on the Metro Westside Purple Line Extension.

**Policy 5.2.2:** Encourage the development of centers, districts, and selected corridor/boulevard nodes such that the land uses, scale, and built form allowed and/or encouraged within these areas allow them to function as centers and support transit use, both in daytime and nighttime (see Chapter 3: Land Use). Additionally, develop these areas so that they are compatible with surrounding neighborhoods, as defined generally by the following building characteristics.

The proposed Museum and ancillary uses are consistent with the Project Site's designation as a Regional Center. The Project Site is well-served by existing public transit and would be served by the future Wilshire Bus Rapid Transit Project and Metro Westside Purple Line Extension. Surrounding low-density residential neighborhoods would be buffered from the Project by distance and intervening development. The New Wing's setbacks from the western Project Site boundary would create some buffer between the Project Site and the closest residential use, the condominium building to the west at 637 S. Fairfax Avenue.

**Policy 5.2.2.c:** Regional Centers should contain pedestrian-oriented areas and incorporate the pedestrian-oriented design elements defined in Policy 5.8.1.

The Project Site is designated as a Regional Center and is located in an area that serves as a center of activity for the surrounding neighborhoods, the community, and the region, and is also located at a future stop on the Metro Westside Purple Line Extension. Project implementation would enliven the western edge of the LACMA Campus and improve pedestrian access from Fairfax Avenue.

**Objective 5.4:** Encourage the development of community facilities and improvements that are based on need within the centers and reinforce or define those centers and the neighborhoods they serve.

**Policy 5.4.2:** Locate libraries, cultural facilities, police substations and other community facilities on the ground floors of mixed-use buildings, where feasible.

**Policy 5.4.3:** Locate community facilities in or near community and regional centers.

The Project Site is designated as a Regional Center and Project implementation would increase the concentration of cultural institutions on Museum Row. The Project proposes a Museum, theaters, a Museum Store and Museum Café, and publicly accessible Piazza, which would constitute public and neighborhood-serving uses, as well as a regional and tourist destination.

**Policy 5.4.4:** Encourage the use of community facilities for nighttime activity through the use of appropriate roadway and pedestrian area lighting.

The Project Site would support regular evening programs, including some evening Museum hours, evening theater programming, and access to the Piazza during the evening. The New Wing and Piazza would be lighted at night, which would contribute to an attractive, safe pedestrian environment and enliven the western edge of the LACMA Campus.

**Objective 5.5:** Enhance the liveability of all neighborhoods by upgrading the quality of development and improving the quality of the public realm.

The May Company Building is currently used by LACMA for limited purposes and by Academy staff on a temporary basis. The building's proposed reuse would ensure rehabilitation of the Original Building and introduce high quality new architecture to the Project Site that would enhance the public realm. During Museum hours, the Piazza would provide publicly accessible open space and enliven the western edge of the LACMA Campus.

**Objective 5.8:** Reinforce or encourage the establishment of a strong pedestrian orientation in designated neighborhood districts, community centers, and pedestrian-oriented subareas within regional centers, so that these districts and centers can serve as a focus of activity for the surrounding community and a focus for investment in the community.

**Policy 5.8.1:** Buildings in pedestrian-oriented districts and centers should have the following general characteristics:

- a. An exterior building wall high enough to define the street, create a sense of enclosure, and typically located along the sidewalk.
- b. A building wall more-or-less continuous along the street frontage.
- c. Ground floor building frontage designed to accommodate commercial uses, community facilities, or display cases.
- d. Shops with entrances directly accessible from the sidewalk and located at frequent intervals.
- e. Well lit exteriors fronting on the sidewalk that provide safety and comfort commensurate with the intended nighttime use, when appropriate.
- f. Ground floor building walls devoted to display windows or display cases.
- g. Parking located behind the commercial frontage and screened from view and driveways located on side streets where feasible.
- h. Inclusion of bicycle parking areas and facilities to reduce the need for vehicular use.
- i. The area within 15 feet of the sidewalk may be an arcade that is substantially open to the sidewalk to accommodate outdoor dining or other activities.

Project implementation would enhance the pedestrian environment in the Project area, which already supports considerable pedestrian activity, by improving access between Fairfax Avenue, the Project Site, and the LACMA Campus, and by providing an attractive, publicly accessible gathering place with creation of the Piazza. The Original Building already creates a building wall that is flush with the surrounding sidewalks. The New Wing would be set back from Fairfax Avenue to allow the Original Building to remain visually prominent, and to accommodate the Piazza.

The Project would adaptively reuse the Original Building, which already creates a street wall flush with the sidewalk along Wilshire Boulevard. The display windows that wrap around the building's ground-floor street frontages would remain and would be rehabilitated for use for Museum displays related to exhibitions, programs, and special events. The Project proposes reuse of the Original Building's historical Wilshire Boulevard "front doors" as a Museum entrance. This entrance, as well as the New Wing entrance on the north side of the Museum, would allow public access to the Museum Store and Museum Café. The Project would rehabilitate the lighted cantilevered awning that extends over the Wilshire Boulevard and Fairfax Avenue sidewalks. The New Wing and Piazza would be lighted at night, which would contribute to the creation of an attractive, safe pedestrian environment on a portion of the LACMA Campus that is currently generally unused or lightly used at night.

To the rear of the Original Building, the New Wing would be set back from Fairfax Avenue and the Sphere would be elevated above grade, in part to accommodate the Piazza. The Piazza would provide space for outdoor café tables associated with the Museum Café, as well as other seating amenities and accommodations for a range of activities from Museum programs to special events to public use. No parking is proposed on the Project Site; adequate parking to

accommodate Project operation would be provided through shared use of LACMA facilities, together with potential use of other off-site parking facilities in the immediate vicinity. The Applicant would provide bicycle parking spaces in compliance with the Bicycle Parking Ordinance, together with additional bicycle parking and amenities that meet or exceed requirements of the Bicycle Ordinance.

### **Open Space and Conservation**

**Policies 6.4.8.a and b:** Encourage the improvement of open space, both on public and private property, as opportunities arise. Such places may include the dedication of “unbuildable” areas or sites that may serve as green space, or pathways and connections that may be improved to serve as neighborhood landscape and recreation amenities.

The Piazza would provide an inviting public open space with landscaping, benches, water features, and other amenities that would serve as a visual amenity from points north, east and west of the Project Site. The Piazza would also improve connections to Fairfax Avenue and residential neighborhoods to the west and north. The Piazza would complement the existing open space represented by LACMA’s Resnick North Lawn, which fronts on Sixth Street, and in so doing would extend the park-like setting of the LACMA Campus as seen from that roadway. The Project would also provide bicycle parking spaces in compliance with the Bicycle Parking Ordinance, together with additional bicycle parking and bicycle-friendly amenities that meet or exceed requirements of the Bicycle Ordinance.

### **Economic Development**

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

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

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

The proposed Museum and ancillary uses are consistent with the Project Site’s designation as a Regional Center. Surrounding low-density residential neighborhoods would be buffered from the Project by distance and intervening development. The New Wing’s setbacks from the western Project Site boundary would create some buffer between the Project Site and the closest residential use, the condominium building to the west at 637 S. Fairfax Avenue. This building is, however, already surrounded on three sides by commercial development.

**Policy 7.2.3:** Encourage new commercial development in proximity to rail and bus transit corridors and stations.

The Project Site is well-served by existing public transit, including regional and local bus lines, as well as the future Wilshire Bus Rapid Transit Project (completion of the Western-San Vicente segment scheduled for 2014) and future Metro Westside Purple Line Extension (completion scheduled for 2024).

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

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

The Project proposes a Museum, theaters, a Museum Store and Museum Café, and a publicly accessible Piazza, which would constitute public and neighborhood-serving uses, as well as a regional and tourist destination. The Project Site is within walking distance of nearby residential neighborhoods west of Fairfax Avenue, north of Sixth Street, and south of Wilshire Boulevard.

### **Transportation**

**Objective A.4 (from the General Plan Transportation Element):** Preserve the existing character of lower density residential areas and maintain pedestrian-oriented environments where appropriate.

The low-density residential neighborhoods in the Project vicinity would be buffered from the Project by distance and intervening development. The New Wing's setbacks from the western Project Site boundary would create some buffer between the Project Site and the closest residential use, the condominium building to the west at 637 S. Fairfax Avenue. The Project would improve the pedestrian environment along Wilshire Boulevard and Fairfax Avenue; the Museum entrance on Wilshire Boulevard would maintain the historical role of Wilshire Boulevard as a pedestrian thoroughfare and provide access for pedestrians approaching the Project Site from the south, and the publicly accessible Piazza would provide a pedestrian-friendly Museum entrance off of Fairfax Avenue.

## **B. Wilshire Community Plan**

### **Land Use Plan Policies**

#### **Mixed-Use Boulevards**

**Goal 2:** Encourage strong and competitive commercial sectors which promote economic vitality and serve the needs of the Wilshire Community through well-designed, safe and accessible areas, which preserve historic and cultural character.

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

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

The Project would contribute to the Regional Center's fabric by adding diversity to the existing concentration of museum uses enhancing Museum Row's importance as a cultural center. In addition to preserving and rehabilitating the Original Building and enhancing its prominence as an iconic building at the western edge of Museum Row, the design of new Project construction would be compatible with and complement the Original Building and the varied architectural styles of existing LACMA museums, while constituting a unique and iconic building in its own right. As such, the Project would be consistent with and contribute to the Regional Center designation, and would serve as an additional draw to LACMA and this segment of Miracle Mile, increasing visitation and tourism for other nearby cultural and commercial establishments.

**Policy 2-1.3:** Enhance the viability of existing neighborhood stores and businesses which support the needs of local residents and are compatible with the neighborhood.

As noted for Goal 2, the Project would serve as an additional draw to LACMA and this segment of Miracle Mile, increasing visitation and tourism for other nearby cultural and commercial establishments. Further, the Project would be consistent with existing LACMA uses, which serve the adjacent neighbors as well as the larger region.

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

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

The Project would maintain the Original Building, which would be rehabilitated and adaptively reused, maintaining its Wilshire Boulevard and Fairfax Avenue façades. In so doing, the Project would maintain and enhance the Art Deco architectural character and integrity of the Miracle Mile as a distinctive commercial district. The Museum entrance on Wilshire Boulevard would maintain the historical role of Wilshire Boulevard as a pedestrian thoroughfare and provide access for pedestrians approaching the Project from the south, and the northern Museum entrance in the New Wing, together with the new publicly accessible Piazza off Fairfax Avenue, would allow pedestrian access from Fairfax Avenue and neighborhoods to the north and south.

**Policy 2-2.2:** Encourage large mixed use projects to incorporate facilities beneficial to the community such as libraries, child care facilities, community meeting rooms, senior centers, police sub-stations, and/or other appropriate human service facilities as part of the project.

While technically not a mixed-use development, the Project would provide a variety of uses and programs accessible to the public and beneficial to the community at large, including permanent and changing Museum exhibits, cultural programming, film screenings, and a Museum Store and Museum Café that can be accessed by the general public without having to pay for admission to the Museum, as well as a publicly accessible Piazza.

**Policy 2-2.3:** Encourage the incorporation of retail, restaurant, and other neighborhood serving uses in the first floor street frontage of structures, including mixed use projects located in Neighborhood Districts.

The Project would include a Museum Store and Museum Café that would have pedestrian access from Wilshire Boulevard and, indirectly, from Fairfax Avenue via the publicly accessible

Piazza and northern Museum entrance. These facilities would thus serve the local neighborhood as well as visitors from throughout the larger Los Angeles metropolitan region.

### Transportation

**Objective 10-2:** Increase work trips and non-work trips made on public transit.

**Policy 10-2.1:** Develop coordinated intermodal public transit plans to implement linkages to future public transit services.

**Policy 10-2.2:** Implement Transit Priority Treatments (such as signal coordination or replacement, public transit signal priority, queue jumpers, signing and striping placement and color modification).

The Project Site is well-served by existing public transit, including regional and local bus lines, as well as the future Wilshire Bus Rapid Transit Project and future Metro Westside Purple Line Extension. In addition, the Applicant would develop and implement a Parking and Traffic Management Plan with strategies that may include encouraging alternate travel options (ridesharing, carpooling, transit) in event-related marketing/media information, as well as Transportation Demand Management strategies such as transit incentives (e.g., discounted transit passes). The Project would also provide bicycle parking spaces in compliance with the Bicycle Parking Ordinance, together with additional bicycle parking and bicycle-friendly amenities that meet or exceed requirements of the Bicycle Ordinance.

**Goal 11:** Encourage a system of safe, efficient and attractive bicycle and pedestrian routes.

**Objective 11-1:** Promote an adequate system of Bikeways for commuter, school and recreational use.

**Policy 11-4:** Support the provision of bicycle facilities in all new development.

Project implementation would enhance the pedestrian environment in the Project area, which already supports considerable pedestrian activity. The Project would improve the pedestrian environment along Wilshire Boulevard and Fairfax Avenue. The Museum entrance on Wilshire Boulevard would maintain the historical role of Wilshire Boulevard as a pedestrian thoroughfare and provide access for pedestrians approaching the Project Site from the south. The publicly accessible Piazza would provide an additional pedestrian-friendly Museum entrance off of Fairfax Avenue and points north and west of the Project Site.

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

**Policy 11-2.3:** Protect and improve existing pedestrian oriented street segments.

Project implementation would enhance the pedestrian environment in the Project area, which already supports considerable pedestrian activity. The Project Site is also well-served by existing public transit and would be served by the future Wilshire Bus Rapid Transit Project and Metro Westside Purple Line Extension.

**Goal 12:** Encourage alternative modes of transportation to reduce single-occupancy vehicular trips.

**Objective 12-1:** Pursue Transportation Demand Management Strategies that maximize vehicle occupancy, minimize average trip length, and reduce the number of vehicle trips.

**Policy 12-1.1:** Encourage non-residential developments to provide employee incentives for using alternatives to the automobile (car pools, van pools, buses, shuttles, subways, bicycles, walking) and provide flexible work schedules.

**Policy 12-1.3:** Require that proposals for major non-residential development projects include submission of a TDM Plan to the City.

**Policy 12-1.4:** Promote the development of transportation facilities and services that encourage higher transit ridership, increased vehicle occupancy, and improved pedestrian and bicycle access.

The Applicant would develop and implement a Parking and Traffic Management Plan with strategies that may include encouraging alternate travel options (ridesharing, carpooling, transit) in event-related marketing/media information, as well as Transportation Demand Management strategies that may include rideshares and carpools promotional and support; flexible or alternative work schedules and programs; transit incentives (e.g., discounted transit passes); parking incentives for carpools and vanpools; and funding for bikeway improvements The Project would also provide bicycle parking spaces in compliance with the Bicycle Parking Ordinance, together with additional bicycle parking and bicycle-friendly amenities that meet or exceed requirements of the Bicycle ordinance.

## **Chapter V, Urban Design**

### **Design Policies for Individual Projects**

#### **A. Commercial**

1. **Site Planning:** Structures shall be oriented toward the main commercial street where a parcel is located and avoid pedestrian vehicular conflicts by:
  - a. Locating parking areas between commercial and residential uses, to provide a buffer. Parking must be separated from adjacent residential uses by a solid wall and/or landscaped setback.
  - b. Minimize the number of driveways/curb cuts which provide access from Major and Secondary Highways.
  - c. Maximize pedestrian-oriented retail and commercial service uses along street grade level frontages along commercial boulevards.
  - d. Provide front pedestrian entrances for businesses which front on main commercial streets, with building façades and uses designed to promote customer interest, such as outdoor restaurants, and inviting public way extensions.
  - e. Prohibit driveway openings, or garage or parking lot entries in exterior frontage walls of buildings, or between frontage buildings, unless the Los Angeles Department of Transportation determines that driveways cannot be practically placed elsewhere.

- f. Encourage pedestrian-only walkway openings, or entries (require at least one ground floor pedestrian entry), in exterior frontage walls of buildings, or between frontage buildings to plazas or courtyards with outdoor dining, seating, water features, kiosks, paseos, open air vending, or craft display areas.
- g. Provide fully landscaped and maintained unused building setback areas, and stripes between driveways and walkways which allow safe and inviting pedestrian access to the rear of properties.
- h. Provide speed bumps for driveways which parallel walkways or which are longer than 50 linear feet.
- i. Provide underground new utility service, including Internet services.

The Project would accommodate parking through shared use of existing LACMA facilities, including Pritzker Garage and Spaulding Lot, and, potentially, other off-site parking facilities in the immediate vicinity. No new parking would be sited on-site or near residential uses in the Project area. The Resnick North Lawn serves as a buffer between the Project Site and Park La Brea residential uses to the north. There are currently two curb cuts along the Project Site's Fairfax Boulevard frontage, which provide access to LACMA loading docks. The southernmost curb cut would be removed and a replacement curb cut to the north would provide ingress for an on-site visitor pick-up/drop-off area. Egress would share the existing service driveway and curb cut near the northern Project Site boundary, which would remain. The number of curb cuts along Fairfax Avenue would remain the same as under existing conditions and no new on-site driveways are proposed Project.

The Project would improve the pedestrian environment along Wilshire Boulevard and Fairfax Avenue. The Wilshire Boulevard Museum entrance would provide access for pedestrians approaching from the south. The northern Museum entrance within the New Wing and the publicly accessible Piazza would improve pedestrian access from Fairfax Avenue and neighborhoods west and north of the Project Site. The Project would rehabilitate and adaptively reuse the Original Building in accordance with Project Design Feature PDF-HIST-1, the Preservation Plan, including but not limited to restoration of the Wilshire Boulevard and Fairfax Avenue façades, creates a street wall flush with the sidewalk along Wilshire Boulevard. The display windows that wrap around the building's ground-floor street frontages would remain and would be rehabilitated for use for Museum displays related to exhibitions, programs, and special events. The Project would also rehabilitate the lighted cantilevered awning that extends over the Wilshire Boulevard and Fairfax Avenue sidewalks, and the New Wing and Piazza would be lighted at night, which would contribute to the creation of an attractive, safe pedestrian environment on a portion of the LACMA Campus that is currently generally unused or lightly used at night.

The Project would include a Museum Store and Museum Café accessible directly from Wilshire Boulevard and from Fairfax Avenue via the Piazza. Both would be accessible to the general public without having to pay for admission to the Museum. The Piazza would accommodate outdoor seating for the café, as well as informal seating, landscaping, and other amenities for visitors.

The Project would trench and bury new utilities underground, including electricity, natural gas, telecommunications, and other infrastructure needed to support Project operation.

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

The Project would involve rehabilitation and adaptive reuse of the historical May Company Building, construction of the New Wing and an at-grade Piazza located at the northeast corner of Wilshire Boulevard and Fairfax Avenue. The Museum would be dedicated to films and filmmaking and would include permanent and changing exhibition space; three theaters with a combined seating capacity of up to approximately 1,350; banquet and conference space with a maximum occupancy of approximately 1,200; a Museum Café with seating for up to approximately 150 patrons; an approximately 5,000-square-foot Museum Store; and ancillary spaces including administrative offices, educational spaces, open Museum collection storage, exhibit preparation, a conservation laboratory, and maintenance and receiving areas.

The design concept would retain important historic features of the Original Building, including rehabilitation of its primary façades and seismic reinforcement, while retrofitting the building interior to accommodate Museum uses. The approximately 42,300-square-foot New Wing would be constructed at the north side of the Original Building; the 1946 Addition would be demolished to allow construction of the New Wing and Piazza. The New Wing would include a Museum entrance; a spherical structure housing a state-of-the-art theater with seating for up to 1,000 patrons; and an approximately 10,000-square-foot enclosed view deck that would also be used for receptions and special events .

The New Wing would be of a compatible, contemporary design that would complement but remain visually distinct from the Original Building. The New Wing design reflects a contemporary architectural style, as the Original Building epitomizes trends in commercial architecture of the late 1930s. The New Wing would also be in keeping with the varied collection of buildings that currently comprise the LACMA Campus. The New Wing's shape and the planned use of a variety of façade treatments, including glass and metal, are intended to reduce its perceived mass and visual impact, and ensure the Original Building remains visually predominant along the Wilshire and Fairfax corridors.

The Sphere would be elevated a minimum of 12 feet above grade to accommodate the Museum entrance and a Piazza linking the Museum entrance with LACMA's Dwight M. Kendall Concourse to the east and accommodating street-level pedestrian access from Fairfax Avenue to the west. The Sphere would be approximately 140 feet in width and up to approximately 130 feet in height above adjacent grade. In comparison, the roof parapet of the Original Building is 87 feet above adjacent grade, and the heights of the fifth level, the mechanical room atop the fifth level, and the ventilation stack along Fairfax Avenue are 94 feet, 111 feet, and 117 feet above adjacent grade, respectively.

The outdoor Piazza would be constructed beneath and north of the New Wing's Sphere, adjacent to the Museum's northern entrance, and would replace the service driveway and gravel area north of the Original Building. The Piazza is normally intended to provide public access to the Museum and LACMA Campus during the day, and may provide Museum Café and other seating; it would also accommodate Museum and Academy programs and special events held during the day or evening.

The Original Building would remain unchanged in terms of setbacks (i.e., it would continue to have zero setbacks) and would be consistent with the placement of other buildings housing commercial and cultural institutional uses in the Project vicinity. While no setbacks are required for new buildings along Fairfax Avenue under the current and proposed zoning, the New Wing, which includes the Sphere, would have a substantial setback from Fairfax Avenue, and the Sphere would also be elevated over the Piazza to allow construction of the open-air Piazza to extend underneath it. Therefore, the Project would be consistent with the current standard zoning provisions.

The major components of the New Wing, including the Sphere, would be setback from the western Project Site boundary approximately 70 feet, with the Piazza, on-site visitor pick-up/drop-off area, a landscape planter along Fairfax Avenue, and the Resnick North Lawn to the north serving as buffers between new buildings and the nearest residential uses.

#### Parking, Vehicular Access and Bicycle Parking

Vehicular access to LACMA's Pritzker Garage and Spaulding Lot parking facilities, which would be shared with the Museum, would be maintained. The Pritzker Garage is accessed via the existing signalized intersection at Sixth Street and LACMA Way. The driveway entrance forms the south leg of this signalized intersection, providing direct access into the Pritzker Garage. The Spaulding Lot is accessed via an existing driveway on Spaulding Avenue, south of Wilshire Boulevard.

Primary visitor vehicular access would be provided via the Pritzker Garage. For special event and Theater Programming (e.g., Premiere or Member Screenings), accommodations for a supplemental valet or patron pick-up/drop-off would be provided north of the Museum within a designated pick-up/drop-off area accessed by service driveways on Fairfax Avenue. Specific measures to address circulation and access during certain special events would be set forth in a parking and traffic management plan ("Parking and Traffic Management Plan"). Access to the existing LACMA loading dock area would be maintained from Fairfax Avenue and this access would also serve the Museum loading dock area.

The Museum would be accessed through entrances in the New Wing and the Original Building. The New Wing entrance would be at grade through the Piazza beneath the elevated Sphere. This entrance to the New Wing would accommodate visitors from the adjacent neighborhoods to the north and west as well as visitors approaching from the Pritzker Garage and the Dwight M. Kendall Concourse east of the Museum. The Original Building entrance would use the former department store entrance on Wilshire Boulevard and would provide access from the south that would accommodate pedestrians approaching from the Spaulding Lot, as well as from adjacent parking facilities and other destinations along Wilshire Boulevard.

Visitors arriving by bicycle would have similar access opportunities as pedestrian visitors. The Project would provide bicycle parking spaces and associated facilities on the Project Site that would meet or exceed requirements set forth in the City Bicycle Ordinance (Ordinance No. 182,386).

Parking to accommodate Museum operations and cultural programs, member screenings, and premiere screenings would be provided through shared use of existing LACMA facilities, which include the Pritzker Garage and Spaulding Lot. In addition to the existing parking facilities,

there is the potential for use of other off-site parking facilities in the immediate vicinity, especially in connection with Museum special events.

### Loading Areas

Bus staging, loading, and circulation are planned to be accommodated in a similar manner as the LACMA Campus, and may include use of the existing designated pick-up/drop-off area along the north side of Wilshire Boulevard between Spaulding Avenue and Ogden Drive, among other suitable areas. It is anticipated that there would be coordination by LACMA and the Academy regarding scheduling of special events.

### Lighting

The Project would introduce new exterior light sources including architectural and façade lighting on the Original Building and New Wing; lighting of the Piazza to the north of the Original Building (including the area beneath the elevated Sphere), including lighting for Outdoor Programming and special events held in the evening; rehabilitation of the original lighting concept for the Corner Tower and the cove lighting within the Original Building's cantilevered awning that extends over the Wilshire Boulevard and Fairfax Avenue sidewalks; lighting of the display windows that wrap around the Original Building's ground floor; and illuminated signage. Lighting of the Piazza may be supplemented with landscape lighting to highlight plantings or architectural feature. Lighting infrastructure would be installed within the Piazza to provide power for evening events.

### Open Space and Landscaping

The Piazza would serve as publicly accessible open space on the Project Site and would provide access to the Museum, Main Theater, and LACMA Campus from Fairfax Avenue and neighborhoods to the north and west. Landscaping provided as part of the Project would include ornamental plantings on the Piazza and possible installation of new or replacement street trees along the Project Site's Wilshire Boulevard and Fairfax Avenue frontages. Landscaping would comply with applicable Municipal Code requirements.

### 3. That the proposed use will not adversely affect the welfare of the pertinent community;

The Museum will not adversely affect the welfare of the community. The Project would create an iconic Museum that reflects the importance of the motion picture industry in Los Angeles and provides a gathering place with significant cultural, educational, entertainment, and social opportunities for the local community and Los Angeles. The Museum's main theater would host film premieres and cultural screenings and accommodate member and public screenings, including for families, of movies. The New Wing would house the Academy's existing collections and future acquisitions for public viewing, including educational, administrative, and support amenities such as a Museum Café and Museum Store. Indoor and outdoor event spaces would be provided that take advantage of the mild local climate and panoramic City views, including a Museum Café and Piazza open to the community and Museum visitors. In addition, the Project would reserve and rehabilitate the Original Building in a manner that conforms to the Secretary of the Interior's Standards for Rehabilitation, and enhance its prominence as an iconic historic building at a gateway to Museum Row.

Development of the Museum would provide opportunities for a range of visitors while meeting the Academy's administrative and programming needs. Such opportunities include developing a robust K-12 educational program that brings Los Angeles Unified School District and other public and private school students into the Museum campus for workshops and other activities tied to curricular standards.

The Project would further enhance the Miracle Mile District and Museum Row's western gateway and increase patronage and enhance local tourism by synergistically building upon existing related venues on Museum Row, including the LACMA Campus, Page Museum, and Peterson Automotive Museum, as well as other museums, galleries, and cultural institutions. The location of the Museum would also take maximum advantage of mass transit infrastructure, including the planned Metro Westside Purple Line Extension and Wilshire/Fairfax Station and the Project would implement a Parking and Traffic Management Plan to reduce impacts on surrounding streets and neighborhoods. The Project would create an inviting, safe pedestrian environment, including strengthening the Original Building's Wilshire Boulevard frontage and enlivening the western end of the LACMA Campus and providing a Piazza that will enliven the Fairfax Avenue street frontage and facilitate pedestrian access to the Project Site and the broader LACMA Campus from the neighborhoods west of Fairfax Avenue.

The sale of alcoholic beverages at the Museum will be carefully controlled. The Museum would be staffed with 24-hour private security personnel patrolling the Project Site perimeter and Museum, including entry and exit points. Approximately 30 security personnel would serve the Project, covering three shifts. Security personnel would be trained on all security equipment and related devices, in addition to specialized training related to sensitive collections. Member and premiere screenings would include additional security. Duties of the security personnel would include, but would not be limited to, monitoring exhibits, entrances and exits; managing and monitoring fire and life safety systems; patrolling the Project Site; and coordinating with the Police Department in the event outside assistance is needed.

Security systems within the Project Site would include closed-circuit televisions to provide surveillance of buildings, grounds, points of entrance/egress, the loading dock, and Project Site perimeter. Access control provisions would also be in place through use of keycards or touch screens to restrict movement of visitors to non-public areas, as well as use of intruder alarms (motion sensors, door contacts, etc.) strategically located throughout the Museum to identify unauthorized access during and outside of business hours. There would be a main security control room located in the basement that would support communication and coordination. The Project would also include features to enhance site security, including high visibility of the Project Site and interiors of the Sphere and from Fairfax Avenue and Sixth Street, fencing around the perimeter of the Project Site, and lighting of entry-ways and public areas.

In addition to the services provided by the Police Department, LACMA has its own on-site private security personnel and extensive security features and procedures in place in light of its valuable collections. The duties of LACMA security personnel include guarding permanent and special exhibits at the LACMA Campus museums; routine patrol of buildings and the LACMA Campus grounds; reporting of suspicious activity, criminal actions and emergencies to the Police Department; and responses to non-violent crimes. LACMA's on-site security provisions serve to reduce crime on the LACMA Campus and the need for Police Department services.

Although the Project would be distinct from the adjacent LACMA Campus and would have its own security personnel and security systems, a high level of security on the LACMA Campus would be supported through existing LACMA security personnel and security systems located in proximity to the Project Site.

The Project would incorporate crime prevention features into the design of the building and public spaces, such as lighting of entryways and public areas. Furthermore, the Piazza would be visible through the fencing from Fairfax Avenue, Wilshire Boulevard, and Sixth Street. Additional crime prevention features may be included in the Project design based on consultation with the Police Department Community Relations Section, Crime Prevention Unit.

4. That 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; and

Overconcentration is determined by a census tract's existing population compared to the total number of alcohol licenses within the same census tract. Overconcentration can be undue when the addition of a license will negatively impact a neighborhood. Overconcentration is not undue, however, when approval of a license does not negatively impact the area and such license benefits the public welfare and convenience. The Museum is within Census Tract No. 2151.01. According to the California Department of Alcoholic Beverage Control, two licenses for on-site consumption are allowed in the Census Tract. Currently, there are seven licenses for on-site consumption in the Census Tract that include the Plaza Café, Ray's Restaurant and Stark Bar, and C&M Café located within the LACMA Campus on the Project Site.

Although the Census Tract has an existing overconcentration of licenses, approval of the Conditional Use Permit will not contribute to the area's undue overconcentration because sale of alcoholic beverages is ancillary to the primary function of the Museum and is a desirable attraction and located in a unique setting for visitors and attendees of special events that is socially necessary and convenient. Moreover, the Applicant's proposal is intended to benefit the public welfare and convenience by creating a social gathering location that will promote social interaction for the visitors to the Museum and at special events.

Although there is an over-concentration of alcohol uses in the Census Tract as defined by the Department, the licensing criteria do not take into consideration that the Project's location is in a regional center area. Because of the high concentration of commercial and similar institutional uses in the area, there tends to be a high concentration of establishments that offer alcohol, many of which typically also sell/dispense alcoholic beverages as an important adjunct to the economic viability of their businesses. As noted, the sale of alcoholic beverages is not the primary focus of the Project, which is intended as a world class institution showcasing the art, science, and history of movie making. Alcohol service would be limited to only within the Museum Café and for special events and would be carefully controlled by Museum staff.

Statistics from the Los Angeles Police Department reveal that in the subject Crime Reporting District No. 733 which has jurisdiction over the subject property, a total of 107 crimes were reported in 2012, compared to the citywide average of 146 crimes and the high-crime reporting district average of 176 crimes for the same period. The statistics for Drunkenness, Drugs, and Narcotics are quite low, indicating that alcohol-related crimes have not been a significant issue in the neighborhood, and the granting of this request will not result in detrimental impact to the crime rate in the community.

As noted, the Project Site is not located in an area with high crime, nor would issuance of a license for the Project create law enforcement problems. With respect to crime statistics, as the information from the Department of Alcoholic Beverage Control demonstrates, this is a relatively low crime area. It is not anticipated that the character of the proposed uses would exacerbate existing levels of crime or be a magnet for criminal activity. These uses will be located within an upscale, carefully controlled development. The Museum will insure appropriate security measures when an application is made under a future Plan Approval. Under this application, a variety of premises-specific characteristics can be determined, including hours of operation, occupancy loads, entertainment, the precise type of alcoholic beverages permitted, and security measures. Thus, based on the foregoing analysis, approval of the requested conditional use at this location will not result in or contribute to an undue concentration of establishments for the sale and dispensing of alcohol.

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

The Project has been designed and located to be consistent with scale and character of adjacent LACMA, Page Museum, and other museum uses in the Project area and would minimize impacts on surrounding neighborhoods. The nearest residential development is the six-story condominium building at 637 N. Fairfax Avenue, bordered on three sides by commercial uses. Otherwise, low-density residential neighborhoods, west of Fairfax, north of Park La Brea, and south of Eighth Street, are buffered from the Project Site by distance and intervening commercial and multifamily residential development. The residential Park La Brea development would be buffered from the Project Site by the Resnick North Lawn and set back farther from Sixth Street than LACMA's existing Resnick Pavilion. There are no churches, schools, hospitals, or public playgrounds within 1,000 feet of the Project Site.

The sale of alcoholic beverages at the Museum will be carefully controlled, restricted to certain hours and is ancillary to the primary Museum. As noted, the Museum will implement a comprehensive security plan that would minimize impacts on nearby residential uses. The Museum would be staffed with 24-hour private security personnel patrolling the Project Site perimeter and Museum, including entry and exit points. Approximately 30 security personnel would serve the Project, covering three shifts. Security personnel would be trained on all security equipment and related devices, in addition to specialized training related to sensitive collections. Member and premiere screenings would include additional security. Duties of the security personnel would include but would not be limited to monitoring exhibits, entrances and

exits; managing and monitoring fire and life safety systems; patrolling the Project Site; and coordinating with the Police Department in the event outside assistance is needed.

Security systems within the Project Site would include closed-circuit televisions to provide surveillance of buildings, grounds, points of entrance/egress, the loading dock, and Project Site perimeter. Access control provisions would also be in place through use of keycards or touch screens to restrict movement of visitors to non-public areas, as well as use of intruder alarms (motion sensors, door contacts, etc.) strategically located throughout the Museum to identify unauthorized access during and outside of business hours. There would be a main security control room located in the basement that would support communication and coordination. The Project would also include features to enhance site security including high visibility of the Project Site and interiors of the Sphere from Fairfax Avenue and Sixth Street, fencing around the perimeter of the Project Site, and lighting of entry-ways and public areas.