



DEPARTMENT OF CITY PLANNING RECOMMENDATION REPORT



City Planning Commission

Date: November 19, 2015
Time: After 8:30 A.M.*
Place: Los Angeles City Hall
Board of Public Works Hearing Room
200 North Spring Street, Room 350
Los Angeles, CA 90012

Public Hearing: **Limited Public Hearing Required**
Hearing Officer: September 16, 2015
Appeal Status: General Plan Amendment is not
appealable. Zone and Height District
Changes are appealable only by the
applicant to City Council if
disapproved in whole or in part.
Conditional Uses and Site Plan
Review are appealable to the City
Council by any party.
Expiration Date: December 6, 2015
Multiple Approval: Yes

Case No.: CPC-2015-2030-GPA-ZC-BL-
CU-CUB-SPR
CEQA No.: ENV-2015-2031-MND
Incidental Cases: N/A
Related Cases: N/A
Council No.: 10
Plan Area: Wilshire
Specific Plan: None
Certified NC: Wilshire Center – Koreatown
Neighborhood Council
Neighborhood Office
Commercial, High Medium
Residential
GPLU: C2-1, R3-1
Zone:
Applicant: 4110 West 3rd Street, LLC
Representative: Jonathan Lonner / Burns &
Bouchard, Inc

PROJECT LOCATION: **4110 West 3rd Street**
(300, 308 South Harvard Boulevard, 4120 West 3rd Street, 301 South Kingsley Drive)

Add Areas (No projects are proposed within the Add Area): 4000 – 4020, 4048 – 4056, and
4070 West 3rd Street and 311 South Normandie Avenue

PROPOSED PROJECT: The demolition of existing structures and the construction, use, and maintenance of a six-story hotel with 171 guest rooms, 2,800 square feet of ground floor commercial space, and two levels of subterranean parking with 103 automobile parking spaces and 26 bicycle parking spaces. The hotel will have an incidental “sundry” store with 24 hour operations daily. The ground floor commercial space is proposed as a restaurant with 70 interior seats and 20 exterior seats with proposed hours of operations from 7:00 a.m. to 1:30 a.m. daily. The project proposes to export 19,000 cubic yards of dirt.

REQUESTED ACTION:

- 1) Pursuant to Charter Section 555 and Los Angeles Municipal Code Section 11.5.6, a General Plan Amendment to the Wilshire Community Plan to re-designate the land use of the Project Site and Add Areas from Neighborhood Office Commercial and High Medium Residential to Regional Commercial;
- 2) Pursuant to Los Angeles Municipal Code Section 12.32-F, a Zone Change on the project site from C2-1 and R3-1 to (T)(Q)R5-1;
- 3) Pursuant to Los Angeles Municipal Code Section 12.32-R, the removal of a 15-foot building line along the eastern side of Harvard Boulevard on the project site established pursuant to Ordinance No. 114,147;
- 4) Pursuant to Los Angeles Municipal Code Section 12.24-W,24, a Conditional Use to permit a

hotel within 500 feet of any A or R zone and pursuant to Section 12.24-F:

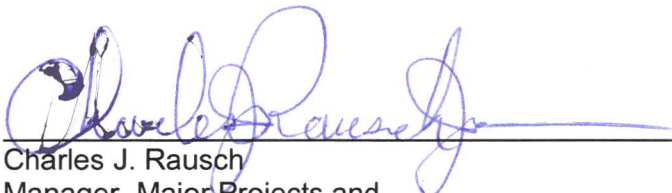
- a) to permit a Floor Area Ratio of 3.4:1 in lieu of the permitted 3:1,
 - b) to permit reduced front, side, and rear yard setbacks of 0-feet in lieu of the required 15-foot front yard, 9-foot side yard, and 18-foot rear yard pursuant to Section 12.12-C;
- 5) Pursuant to Los Angeles Municipal Code Section 12.24-W,15, a Conditional Use on the project site to permit commercial uses on a lot in the R5 Zone;
 - 6) Pursuant to Los Angeles Municipal Code Section 12.24-W,1, a Conditional Use on the project site to permit:
 - a) on- and off-site sales of a full line of alcoholic beverages for an incidental "sundry" store located within the hotel for consumption on the premise;
 - b) on-site sales of beer and wine for on-site consumption in conjunction with the operations of a proposed bona fide restaurant;
 - 7) Pursuant to Los Angeles Municipal Code Section 16.05, Site Plan Review for a project that exceeds 50 guest rooms and/or 50,000 square feet;
 - 8) Pursuant to Section 21082.1(c)(3) of the California Public resources Code, adopt the Mitigated Negative Declaration (ENV-2015-2031-MND) for the above referenced project; and
 - 9) Pursuant to Sections 21081.6 and 15097, the adoption of a Mitigation Monitoring Program for ENV-2015-2031-MND.

RECOMMENDED ACTIONS:


- 1) **Approve a General Plan Amendment** to the Wilshire Community Plan to re-designate the land use of the Project Site and Add Areas from Neighborhood Office Commercial and High Medium Residential to Regional Commercial;
- 2) **Approve and Recommend** that the City Council adopt a **Zone Change** on the project site from C2-1 and R3-1 to (T)(Q)R5-1, consistent with the proposed General Plan Amendment;
- 3) **Approve and Recommend** that the City Council adopt a Building Line Removal of the existing 15-foot building line located on the eastern side of Harvard Boulevard on the project site established by Ordinance No. 114,147;
- 4) **Approve** a Conditional Use to permit the construction, use, and maintenance of a hotel located within 500 feet of the any A or R zone with a maximum Floor Area Ratio of 3.4:1 and reduced front, side, and rear yards of 0 feet in lieu of the required 15-foot front yard, 9-foot side yard, and 18-foot rear yard pursuant to L.A.M.C. Section 12.12-C;
- 5) **Approve** a Conditional Use to permit a commercial use on the project site in the proposed R5 Zone and Regional Commercial;
- 6) **Approve** a Conditional Use to permit a) the on- and off-site sales of a full line of alcoholic beverages for an incidental "sundry" store located within the hotel for consumption on the premise; b) on-site sales of beer and wine for on-site consumption in conjunction with the operations of a proposed bona fide restaurant on the project site;
- 7) **Approve the Site Plan Review** for a project that exceeds 50 guest rooms;
- 8) **Adopt** the attached Findings;

- 9) **Adopt** the Mitigated Negative Declaration No. ENV-2015-2031-MND for the above-referenced project;
- 10) **Adopt** the Mitigation Monitoring Program for Mitigated Negative Declaration No. ENV-2015-2031-MND;
- 11) **Recommend** that the applicant be advised that time limits for effectuation of a zone in the "Q" Qualified Classification and "T" Tentative Classification are specified in L.A.M.C. Section 12.32.G. Conditions must be satisfied prior to the issuance of building permits and that the (T) Tentative classification be removed in the manner indicated on the attached page.
- 12) **Advise** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring; and
- 13) **Advise** the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

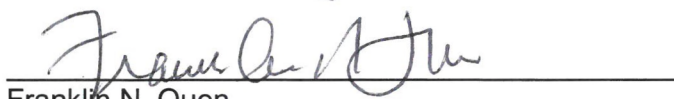
MICHAEL J. LOGRANDE
Director of Planning



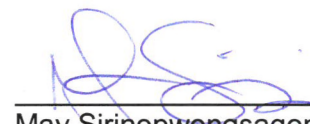
Charles J. Rausch
Manager, Major Projects and
Project Planning Support Division



Jae H. Kim
Associate Zoning Administrator



Franklin N. Quon
City Planner



May Sirinopwongsagon, City Planning Associate
Hearing Officer
(213)978-1372

ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *Commission Secretariat, Room 532, City Hall, 200 North Spring Street, Los Angeles, CA 90012* (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendaized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to these programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1295.

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Exhibits:
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 Exhibit D – Department Letters
 Exhibit E – Environmental CD: MND, Revised MND, MMP, Analysis, Comments
 Exhibit F – Public Comments

PROJECT ANALYSIS

Project Summary

The construction of a new six-story hotel with 171 guest rooms, 2,800 square feet of ground floor commercial, and two levels of subterranean parking. As part of the hotel lobby, there will be an incidental “sundry” store with 24 hour operations. The ground floor commercial space is proposed as a restaurant with 70 interior seats and 20 exterior seats with proposed hours of operations from 7:00 a.m. to 1:30 a.m. daily. As part of the proposed project, the existing buildings will be demolished and approximately 19,000 cubic yards of dirt will be exported.

To construct the proposed hotel and restaurant, the applicant has request a General Plan Amendment to the Wilshire Community Plan to re-designate the land use of the project site from Neighborhood Office Commercial and High Medium Residential to Regional Commercial and an incidental zone change from C2-1 and R3-1 to (T)(Q)R5-1 for the project site. The City has incidentally added adjacent properties to change the land use designation from Neighborhood Office Commercial and High Medium Residential to Regional Commercial. This action does not change the underlying zone of the Add Areas. Additional entitlements include the removal of a 15-foot building line along the eastern side of Harvard Boulevard, a Conditional Use to permit a hotel within 500 feet of residential zones with an increase in floor area and reduced setbacks, a commercial use within the R5 Zone, and for the sale of alcoholic beverages within the hotel and proposed restaurant, and Site Plan Review for a development creating more than 50 guest rooms and/or 50,000 square feet of non-residential floor area.

Background

Project Site

The applicant proposes to construct a new six-story hotel with ground floor commercial on the project site, which is an “L-Shaped” site located on 3rd Street, between Harvard Boulevard to the west and Kingsley Drive to the east. The proposed hotel is part of the Hampton Inn brand, which will be the first national hotel brand to be developed within this part of Wilshire Center Regional Commercial Center and Koreatown.

The project site is located within the Wilshire Community Plan and the Wilshire Center Regional Commercial Center (Wilshire Center), as defined by the Community Plan text. Wilshire Center is generally bounded by 3rd Street to the north, 8th Street to the south, Hoover Street to the east, and Wilton Place to the west. While 3rd Street is not located within the Koreatown Regional Commercial Center, it is the northern boundary of Koreatown.

The proposed hotel will have 171 guest rooms with amenities that include a fitness room, outdoor deck, and pool. A separate commercial tenant is proposed to operate a restaurant with outdoor dining on the ground floor of the building. Two levels of subterranean parking will provide 103 automobile parking spaces and 10 long term bicycle parking spaces. The remaining 16 short term parking spaces will be located along 3rd Street and along Kingsley Drive.

The Hampton Inn brand has an established architectural style which is easily identifiable nationwide. However, due the urban nature of the project site, Planning staff requested that the applicants revise the proposed project and to enhance the design of the building to fit with the urban environment of Wilshire Center and Koreatown. The applicants worked with Planning staff year to redesign the project to create a modern design which will establish a new urban identity not only for the hotel, but for the community along 3rd Street as well.

The hotel will be ideally located in an area which lacks amenities to serve visitors despite its proximity to transit, tourist areas, and business centers. The site is serviced by local Metro bus lines, LADOT Dash, and is located approximately 0.7 miles northeast of the Metro Purple/Red Line stop at Wilshire/Western and approximately 0.6 miles northwest of the Metro Purple Line stop at Wilshire/Normandie.

Add Areas - Consists of adjacent properties to be included as part of the General Plan Amendment incidental to the subject property and initiated by the City.

1. 4070 West 3rd Street, 304 and 310 South Kingsley Drive, and 311 South Ardmore Avenue (APN: 5503-008-016, Lots 35, 37, and 38, Norwood Terrace Tract):

The property consists of three lots, two of which are located on the southeast corner of 3rd Street and Kingsley Drive and has a land use designation of Neighborhood Office Commercial. The corner lot is zoned C2-1 and the adjacent lot to the south is zoned CR-1. The third lot is the second interior lot with frontage on Ardmore Avenue and has a land use designation of High Medium Residential and is zoned R1-1. The site is developed with an existing two story office building and surface parking.

2. 4048 – 4056 West 3rd Street (APN: 5503-008-008, Lot 36, Norwood Terrace Tract):

The property is located on the southwest corner of 3rd Street and Ardmore Avenue and has a land use designation of Neighborhood Office Commercial and is zoned C2-1. The site is developed with a one story shopping center that was constructed in 1974 and surface parking.

3. 4012 – 4020 West 3rd Street and 304 South Ardmore Avenue (APN: 5502-001-010 Lot 13, Norwood Terrace Tract):

The property is located on the southeast corner of 3rd Street and Ardmore Avenue and has a land use designation of Neighborhood Office Commercial and is zoned C2-1. The site is developed with a one story coin operated car wash constructed in 1973.

4. 4000 – 4010 West 3rd Street (APN: 5502-001-009, Lot 12, Norwood Terrace Tract):

The property is located on the southwest corner of 3rd Street and Normandie Avenue and has a land use designation of Neighborhood Office Commercial and is zoned C2-1. The site is developed with two detached, one story commercial buildings built in 1926 and 1954.

5. 311 South Normandie Avenue (APN: 5502-001-008, Lot 11, Norwood Terrace Tract):

The property is the second interior lot with frontage along Normandie Avenue with a land use designation of High Medium Residential and is zoned R4-2. The site is developed with a single story building constructed in 1959 and has been utilized as a preschool.

Surrounding Properties

The development located along 3rd Street consists of mostly residential buildings which were constructed in the first half of the 1900s and were converted to the commercial uses that exist today. New development has been primarily limited to tenant improvements and additions to existing buildings.

The properties located on the northern side of 3rd Street are zoned C2-1 and are developed with one- to four story buildings and are used for general commercial uses or office. To the northeast of the site, there is an existing six story hotel with ground floor commercial, which is partially located within the C2-1 and R1-1 Zone.

Properties to the south of the site are designated for multi-family development and vary in zones. While there are some remnant parcels still zoned R1-1, most of the properties are generally zoned R3-1, R4-1, (Q)R4-1, or R4-2. Directly adjacent, on the southwestern side of the site, is an existing single family dwelling in the R3-1 Zone. Existing multi-family development in the area are generally three- to five stories with subterranean parking. The properties to the west are zoned R3-1 and C2-1 and are developed with two- to three-story apartments and commercial uses.

General Plan

The subject property and Add Areas are located within the Wilshire Community Plan area, which designates the site with the following land use designations: Neighborhood Office Commercial and High Medium Residential. The Neighborhood Office Commercial land use designation lists the following corresponding zones: C1, C1.5, C2, C4, P, CR, RAS3, and RAS4. The High Medium Residential land use designation lists R4 as the corresponding zone. The project site is not located within a specific plan, community design overlay, or interim control ordinance.

The requested Regional Commercial land use designation lists the following corresponding zones: CR, C1, C2, C4, P, PB, RAS3, RAS4, R3, R4, and R5.

Streets and Circulation

3rd Street is a designated Avenue II with a varying width of 80 to 83 feet at the project's street frontage, and is improved with sidewalks, curb and gutter, and street trees.

Kingsley Drive is a designated Collector Street and is dedicated to a width of 80 feet and is improved with sidewalks, curb and gutter, and street trees.

Harvard Boulevard is a designated Local Street – Standard and is dedicated to a width of 80 feet and is improved with sidewalks, curb and gutter, and street trees.

Relevant Cases

There are no relevant cases on the subject property.

Surrounding Properties:

Case No. APCC-2010-1884-ZC and AA-2008-2578-PMLA-CC: On April 13, 2011, the Central Area Planning Commission approved and recommended a Zone Change from R1-1 to (T)(Q)R4-1 in conjunction with the conversion of four apartment units to condominiums located at 320 Kingsley Drive.

On March 1, 2013, the Advisory Agency approved AA-2008-2578-PMLA-CC for the conversion of a maximum of four apartment units to condominiums.

Case No. DIR-2014-4378(DB): Pending request for two on-menu incentives in conjunction with the proposed construction, use, and maintenance of a new 30 residential unit apartment building, including five units set aside for affordable housing, with a maximum

height of 81 feet and 8 inches, and 22 parking spaces. Located at 301 South Harvard Boulevard.

Case No. ZA-2012-3336(CUB): On June 5, 2013, the Zoning Administrator approved a Conditional Use to permit the sale of a full line of alcoholic beverages for on-site consumption in conjunction with an existing restaurant located at 4177 West 3rd Street.

Case No. ZA-2012-3253(CUB)(CU): On January 13, 2014, the Zoning Administrator approved a Conditional Use to permit the sale and dispensing of beer and wine for on-site consumption in conjunction with an existing restaurant with hours of operations from 11:00 a.m. to 11:00 p.m. Sunday through Thursday and 11:00 a.m. to midnight on Friday and Saturday located at 4083 West 3rd Street.

Case No. ZA-2012-2883(CUB): On May 10, 2013, the Zoning Administrator approved a Conditional Use to permit the sale and dispensing of beer and wine for on-site consumption in conjunction with an existing restaurant located at 4050 West 3rd Street.

Case No. ZA-2011-866(CUB)(CU): On August 1, 2011, the Zoning Administrator approved a Conditional Use to permit the sale and dispensing of beer and wine for on-site consumption in conjunction with the operation of an existing 2,978 square foot restaurant in the C2-1 Zone with hours of operations beyond 11:00 a.m. for a restaurant located at 4031 West 3rd Street.

Case No. ZA-2011-372(CUB)(CU): On June 14, 2012, the Zoning Administrator approved a Conditional Use to permit the sale of beer and wine for on-site consumption in conjunction with an existing restaurant with hours of operation from 11:00 a.m. to 11:00 p.m. Sunday through Thursday and 11:00 a.m. to midnight on Friday and Saturday located at 300 South Hobart Boulevard #100.

Public Hearing

A public hearing on this matter with the Hearing Officer was held at City Hall on Wednesday, September 16, 2015 (see Public Hearing and Communications, Page P-1).

Issues

General Plan Land Use Designation and Zoning

Incidental to the entitlements requested by the applicant, the City has initiated a General Plan Amendment to re-designate the land use of the project site from Neighborhood Office Commercial and High Medium Residential to Regional Commercial. In conjunction with the amendment, the applicant has requested a Zone Change from C2-1 and R3-1 to (T)(Q)R5-1 to construct a new six-story, 171 guest room hotel with ground floor commercial.

The re-designation of the land use would enable the redevelopment of the project site and encourage future development within the Add Areas, while establishing a Regional Center “pocket” anchor along the northern boundary of Wilshire Center and Koreatown. It will implement the goals and objectives of the Framework Element of the General Plan and the Community Plan, which designates this portion of 3rd Street as a Mixed-Use Boulevard and the northern boundary of Wilshire Center. As defined by the Framework Element, Mixed-Use Boulevards serve as a connection between “the City’s Neighborhood Districts, Community and Regional Centers, and Downtown.” The designation of 3rd Street is unique in that it is also designated by the Community Plan text as the northern boundary of a Regional Center known as Wilshire Center. This portion of 3rd Street is intended to serve not only as a connector to the

City's Regional Centers, but as part of the Regional Center as well. The Regional Commercial land use designation would enable development of the site and Add Areas with a higher intensity that is consistent with the goals and objectives of the General Plan and the Community Plan than the existing land use designation would allow.

The proposed building is consistent with the buildings that make up the character of Mixed-Use Boulevards and Regional Centers. The Framework Element characterizes Mixed-Use Boulevards as buildings with a Floor Area Ratio (FAR) ranging between 1.5:1 to 4.0:1 and 3- to 6-stories. Regional Centers are characterized by buildings with FARs ranging between 1.5:1 to 6.0:1 and 6- to 22-stories. The proposed building will have a maximum FAR of 3.4:1 and will be six-stories. The proposed FAR is not only consistent with the character of Mixed-Use Boulevards and Regional Centers, but is compatible with existing development and the permitted FAR in the surrounding area. Existing commercial uses include a four-story office building and a six-story hotel with ground floor commercial to the northeast of the site. The residentially zoned properties to the south of the site and Add Areas are designated for High Medium Residential development and the Community Plan would permit up to a 6:1 FAR for those properties within Height District 2.

Despite the continued growth of Koreatown, 3rd Street has remained largely underdeveloped and underutilized given its designation as a Mixed-Use Boulevard and location within Wilshire Center. The proposed project would provide an opportunity to revitalize development of the site and become a catalyst for new development along 3rd Street. Although no additional projects are proposed, the City has initiated a plan amendment to incorporate seven additional parcels, Add Areas, as part of the re-designation to Regional Commercial. The inclusion of the Add Areas as part of the amendment will create a Regional Center "pocket" anchor along 3rd Street to Normandie Avenue, complementing the much larger Regional Center along Wilshire Boulevard a few blocks to the south, consistent with the intent of the Framework Element and the Community Plan. The amendment will encourage the future development of 3rd Street as a connector to Neighborhood Districts and Commercial Centers, while establishing itself as a new Regional Center "pocket" anchor.

Single Family Dwelling

The adjacent property to the southwestern portion of the site is developed with a single family dwelling constructed in the early 1900s. The property has a land use designation of High Medium Residential and is zoned R3-1. Although the hotel is proposed at a height of 82 feet, no impacts from the shadows of the building are expected due to the single family site's southern location. The project has incorporated design features to reduce the impacts of the hotel on the single family dwelling and the apartment building that is adjacent to the site on the south east as well. Above the second story, the hotel has been designed to front primarily on 3rd Street. Along Harvard Boulevard, the hotel will be stepped back from the adjacent property and windows on the southern elevation closest to the single family dwelling will be limited. A landscaped green screen will be installed along the adjacent property line as well. The project incorporates a landscape buffer along the outer edge of the 2nd floor roof deck, which provides amenities for hotel guests.

Hotel Density

Pursuant to L.A.M.C. Section 12.12-A,2 the R5 Zone permits a hotel use with guest rooms as a matter of right. While the R5 Zone has a minimum requirement of one dwelling unit per 200 square feet of lot area, it is silent on the minimum lot area requirement for guest rooms. In 2009, the Zoning Engineer of the Department of Building and Safety further clarified that under Zoning Code Manual v. April 2015 (Section 12.12C4) the R5 Zone has no lot area regulation for guest

rooms based on the fact that the Code's omission on the density requirement specific to hotels is not in error.

Air Quality and Greenhouse Gases

On September 23, 2015, a letter was submitted from Adams, Broadwell, Joseph, & Cardozo on behalf of CREED LA stating that air quality would be impacted during the construction phase of the project as emissions would exceed SCAQMD thresholds. A Revised MND was prepared and published on October 22, 2015 to incorporate the City initiated Add Areas. The Revised MND addressed comments submitted on behalf of CREED LA stating that the project would be required to comply with existing SCAQMD regulations which would mitigate impacts during construction to a less than significant level.

On November 2, 2015, the Applicants submitted a supplemental technical study addressing the concerns raised on behalf of CREED LA. Submitted as part of the study is a CalEEMod study which analyzes the project with the correct square footages. The analysis finds that emissions during the construction phase of the project would not exceed the SCAQMD thresholds. However, the Applicants have proposed to use new construction equipment that meet the standards of U.S. EPA to further reduce emissions during the construction phase of the project.

Traffic and Parking

Prior to the public hearing, Planning staff received email correspondence raising concerns over the proposed use and lack of parking in the area. At the public hearing, one resident in attendance stated concerns over the proposed use and traffic in the area.

The project site is located within the Los Angeles Enterprise Zone and is required to provide two parking spaces per 1,000 square feet of commercial area. The project proposes to provide 103 parking spaces, which exceeds the required number of parking spaces per the Enterprise Zone and the L.A.M.C. A traffic study was prepared and reviewed by the Department of Transportation, which found the analysis to be adequate in a memo dated December 3, 2014 and August 24, 2015. Conditions from the Department of Transportation have been incorporated in the recommended conditions of approval.

Conclusion

Based on the information submitted, the surrounding uses, input from the public hearing, and good planning and zoning practices, the Department of City Planning recommends that the City Planning Commission approve the requested entitlements. As proposed, the project site will be redeveloped and revitalized with a new hotel and ground floor commercial use. The hotel is a well-known and established brand that will serve as a source of increase employment in the area. It will serve to encourage new development along 3rd Street and become a foundation for establishing and encouraging growth along a new northern Regional Center "pocket" anchor within the Wilshire Center and Koreatown. The project is consistent with a number of goals, objectives and policies of the General Plan and the Wilshire Community Plan. As conditioned, the infill development will be desirable by replacing an underutilized site with a mixed use development that will serve as an amenity for the community and those visiting the City.

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

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

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

Responsibilities/Guarantees.

1. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.
2. Bureau of Engineering. Prior to the issuance of sign-offs for final site plan approval and/or project permits by the Department of City Planning, the applicant/developer shall provide written verification to the Department of City Planning from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to the project design required by a public agency shall be documented in writing and submitted for review by the Department of City Planning.

a. Street Dedications:

3rd Street (Avenue II) – A 3-foot wide strip of land along the property frontage to complete a 43-foot wide half right-of-way in accordance with Avenue II standards of Mobility Plan 2035, together with 20-foot radius property line returns at the intersections with Kingsley Drive and Harvard Boulevard.

Kingsley Drive (Collector) – None

Harvard Boulevard (Local Street – Standard) - None

b. Street Improvements:

3rd Street – Construct additional concrete sidewalk in the newly dedicated area to provide a 10-foot full width concrete sidewalk. Repair all broken, off-grade, or bad order concrete curb and gutter. Close all unused driveways with full height curb, gutter and sidewalk. Repair or replace other existing public improvements that may get damaged during construction of the proposed project. These improvements should suitably transition to join the existing improvements.

Kingsley Drive – Repair all broken, off-grade or bad order concrete curb, gutter, and sidewalk. Close all unused driveways with full height curb, 2-foot gutter, and sidewalk. Upgrade all driveways and the access ramp at the corner with 3rd Street to comply with

ADA requirements. These improvements should suitably transition to join the existing improvements.

Harvard Boulevard - Repair all broken, off-grade, or bad order concrete curb, gutter, and sidewalk. Close all unused driveways with full height curb, 2-foot gutter and sidewalk. Upgrade all driveways and access ramp at the corner with 3rd Street to comply with ADA requirements. These improvements should suitably transition to join the existing improvements.

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

Department of Transportation may have additional requirements offsite for dedication and improvements.

- c. Roof drainage and surface run-off from the project shall be collected and treated at the site and directed to the streets via drain systems constructed under the sidewalk and through the curb drains or connections to the catch basins.
- d. Sewers exist in Kingsley Drive and Harvard Boulevard. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
- e. An investigation by the Bureau of Engineering Central District Office Sewer Counter may be necessary to determine the capacity of the existing public sewers to accommodate the proposed development. Submit a request to the Central District Office of the Bureau of Engineering (213) 482-7050.
- f. Submit shoring and lateral support plans to the Bureau of Engineering Central District Office Excavation Counter for review and approval prior to excavating adjacent to the right-of-way (213) 482-7050.
- g. Submit a parking area and driveway plan to the Central District Office of the Bureau of Engineering and the Department of Transportation for review and approval.
- h. Street Lighting: No street lighting improvements if no street widening per BOE improvement conditions. Otherwise relocated upgrade street lights; three (3) on 3rd St. and one (1) on Kingsley Dr.
- i. Urban Forestry – Street Trees: The developer shall plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Services. All street tree plantings shall be brought up to current standards. The actual number and location of new trees shall be determined at the time of tree planting. The contractor shall notify the Urban Forestry Division at 213-847-3077 five working days prior to constructing the side walk for marking of the tree locations and species.

Note: Removal of parkway trees or Protected Trees requires the Board of Public Works' approval. Contact Urban Forestry Division at 213-847-3077 for tree removal permit information

3. Department of Transportation. Suitable arrangements shall be made with the Department of Transportation to assure that a parking area and driveway plan be submitted to the

Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street Suite 400, Station 3. For an appointment, call (213) 482-7024.

4. Department of Building and Safety, Grading Division. Suitable arrangements shall be made to assure compliance, satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in Inter-Departmental Letter dated February 18, Log No. 87233 and Addendum dated June 2, 2015, Log No. 88584.
5. Fire Department. Prior to the issuance of building permit, a plot plan shall be submitted to the Fire Department for approval.

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

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

(Q) QUALIFIED CONDITIONS

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

1. **Site Plan.** The use and development of the subject property shall be limited to a hotel with a maximum of 171 guest rooms and a 2,800 square foot restaurant in substantial conformance with the site plan labeled Exhibit "A". Prior to the issuance of building permits, detailed development plans including a site plan illustrating elevations, facades, and architectural treatment, and a landscape/irrigation plan shall be submitted for review and approval by the Department of City Planning. The plans shall comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.

CONDITIONS OF APPROVAL

Pursuant to Section 12.24-W,1, 12.24-W,15, 12.24-W,24, and 16.05 of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the subject property:

Entitlement Conditions

1. **Use.** Authorized herein is the operation of a hotel with a maximum of 171 guest rooms and a maximum of 2,800 square feet of ground floor restaurant in the (T)(Q)R5-1 Zone.
2. **Floor Area.** The approved hotel and ground floor restaurant shall be limited to a Floor Area Ratio (FAR) of 3.4:1.
3. **Setbacks.** The approved hotel and ground floor restaurant may observe a zero foot setback along the front, rear, and side yards. The setbacks shall be consistent with those shown in Exhibit A.

The southern portion of the building shall be stepped back, as shown on Exhibit A, above the second floor.

4. **Height.** The building height shall not exceed a maximum height of 82 feet.
5. **Parking.**
 - a. Automobile parking shall be provided in conformance with L.A.M.C. Section 12.21-A,4. Electronic vehicle-ready conduits shall be installed for a minimum of twenty percent of the parking spaces.
 - b. Bicycle parking shall be provided in conformance with L.A.M.C. Section 12.21-A,16. A minimum of six short term bicycle parking spaces shall be provided along 3rd Street and four short term bicycle parking spaces shall be located along Kingsley Drive.
 - c. Vehicular access to the site shall be limited to Harvard Blvd. and/or Kingsley Dr.
6. **Security Gate (Department of Transportation).** A minimum of 40-foot reservoir space be provided between any security gate(s) and the property line.
7. **Amenities.**
 - a. There shall be no live entertainment or amplified music permitted on the rooftop deck.
 - b. Access to the rooftop deck and pool shall be prohibited after midnight, daily.
 - c. A landscaped screen shall be provided along the rooftop deck, as shown on landscape plan of Exhibit A, and shall be a minimum of three feet six inches high.
8. **Signage.** On-site signs shall be limited to the maximum allowable under the Municipal Code and shall be consistent with those shown in Exhibit A.

No signage advertising the incidental “sundry” store located within the hotel lobby shall be permitted on the outside of the building, nor shall signs located in the interior of the building advertising the “sundry” store be visible from outside the building.

9. **Art.** Installation of an art banner may be permitted along 3rd Street. The banner shall comply with applicable regulations of L.A.M.C.
10. **Landscaping.** A landscaped green screen shall be installed adjacent to the southern property line of Lot 62 of Norwood Terrace Tract, as shown on the landscape plan of Exhibit A.
11. **Solar-ready Buildings.** The project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.
12. **Trash/recycling.** Trash and Recycling pick-up and emptying or disposing of trash/recycling into outside containers is permitted to occur only between the hours of 7:00 a.m. and 8:00 p.m., Monday through Friday, and 10 a.m. to 4 p.m., Saturdays and Sundays.
 - a. Trash/recycling containers shall be locked when not in use.
 - b. Trash/recycling containers shall not be placed in or block access to required parking.
13. Use of the incidental “sundry” store shall be available to registered guests at the hotel only.
14. The applicant shall not permit any loitering on the premises or on property adjacent to the premises.
15. The applicant shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control, including the sidewalk in front of the restaurant.
16. No pay phone may be maintained on the exterior of the premises.
17. Prior to the issuance of a demolition, grading, or building permit, the applicant shall contact Metro Bus Operations Control Special Events Coordinator, or Metro’s Stops and Zones for closures longer than six months, and coordinate the maintenance or relocation of the bus stop located at the corner of 3rd Street and Kingsley Drive. Documentation of correspondence with Metro shall be submitted to the Department of City Planning.
18. All off-road construction equipment greater than 50 hp shall meet U.S. EPA Tier 4 emission standards. All construction equipment shall be outfitted with Best Available Control Technology devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
19. Haul trucks (e.g. material delivery trucks and soil import/export) shall be of the 2010 and new diesel model or trucks that meet U.S. EPA 2007 model year NO_x emissions requirements.
20. At the time of mobilization of each applicable unit of equipment, a copy of each unit’s

certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided.

Conditions of Approval Related to Alcohol

21. Approved herein is the following:
 - a. the on- and off-site sale of a full line of alcoholic beverages for an incidental “sundry” store located within the ground floor of the hotel lobby for consumption on the premise; and
 - b. the sale and dispensing of beer and wine for on-site consumption in conjunction with the operations of a proposed 2,800 square foot restaurant located on the ground floor.
22. **Hours of Operations.**
 - a. The incidental “sundry” store may operate 24 hours a day in conjunction with the operations of the hotel.
 - b. The restaurant may operate between the hours of 7:00 a.m. to 1:30 a.m. daily.
23. **Seating.** The bona fide restaurant may have a maximum of 70 interior seats and a maximum of 20 exterior seats within an outdoor patio located along 3rd Street.
24. There shall be no entertainment such as a piano bar, jukebox, dancing, live entertainment, movies, etc. There shall be no karaoke, disc jockey, male or female performers or fashion shows.
25. No music, sound or noise shall be emitted from the subject businesses at a level prohibited by the noise regulations of the Los Angeles Municipal Code. Amplified recorded-music shall not be audible beyond the area under control of the applicant, and any sound or noise emitted that is under the control of the petitioner shall constitute a violation of Section 116.01 of the LAMC, including any loud, unnecessary or unusual noise that disturbs the peace or quiet of any neighborhood or that causes discomfort. The establishment shall make an effort to control any unnecessary noise made by restaurant staff or any employees contracted by the restaurant, or any noise associated with the operation of the establishment, or equipment of the restaurant.
26. No employee or agent shall be permitted to accept money or any other thing of value from a customer for the purpose of sitting with or otherwise spending time with customers while in the premises, nor shall the licensee(s) provided, permit or make available, either gratuitously or for compensation, male or female patrons who act as escorts, companions or guests of any of the customers. No employee or agent shall solicit or accept any alcoholic or non-alcoholic beverage from any customer while in the premises.
27. There shall be no coin-operated game machines or video machines permitted on the premises at any time.
28. The conditions of this grant, a police permit, a copy of a business license, insurance information and an emergency contact phone number for the operator and valet service(s), if any, shall be retained on the premises at all times and be immediately produced upon request of the Los Angeles Police Department, the Department of City Planning, State Department of Alcoholic Beverage Control or other responsible agencies. The manager

and all employees shall be knowledgeable of these Conditions.

29. Within six months of the effective date of this action, all employees involved with the sale of alcoholic beverages shall enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR). Upon completion of such training, the applicant shall request the Police Department to issue a letter identifying which employees completed the training. The applicant shall transmit a copy of the letter from the Police Department to the Zoning Administrator who acted on this case as evidence of compliance. In the event there is a change in the licensee, within one year of such change, this training program shall be required for all new staff. All employees who serve alcoholic beverages shall attend follow-up STAR classes every 24 months. The STAR training shall be conducted for all new hires within 2 months of their employment.
30. An electronic age verification device shall be retained on the premises available for use during operational hours. This device shall be maintained in operational condition and all employees shall be instructed in its use.
31. The applicant/restaurant operator shall identify a contact person and provide a 24-hour "hot line" telephone number for any inquiries or complaints from the community regarding the subject facility. Prior to the utilization of this grant, the phone number shall be posted on the site so that is readily visible to any interested party. The hot line shall be:
 - a. Posted at the entry, and the cashier or customer service desk,
 - b. Provided to the immediate neighbors, schools, and the Neighborhood Council, and
 - c. Responded to within 24-hours of any complains/inquires received on this hotline.
32. The applicant shall document and maintain a log of complaints received, the date and time received and the disposition of the response. The log shall be made available for review by the Los Angeles Police Department and the Zoning Administrator upon request.
33. The applicant shall comply with 6404.5(b) of the Labor Code, which prohibits smoking within any place of employment. The applicant shall not possess ashtrays or other receptacles used for the purpose of collecting trash or cigarettes/cigar butts within the interior of the subject establishment.
34. The applicant shall not maintain or construct any type of enclosed room intended for use by patrons or customers for any purpose, except for the restrooms, within the restaurant.
35. **Prior to the beginning of operations**, the applicant shall notify the Condition Compliance Unit via email or U.S. Mail when operations are scheduled to begin and *shall* submit a copy of the Certificate of Occupancy for the Case File. The notification shall be submitted to planning.ccu@lacity.org, with the subject of the email to include the case number, **"CPC-2015-2030-GPA-ZC-BL-CU-CUB-SPR/Operation Notification"**. The applicant shall also submit (attached or mailed) evidence of compliance with any conditions which require compliance "prior to the beginning of operations" as stated by these conditions.
36. **Prior to the beginning of operations**, the manager of the facility shall be made aware of the conditions and shall inform his/her employees of the same. A statement with the signature, printed name, position and date signed by the manager and his/her employees shall be provided to the Condition Compliance Unit within 30-days of the beginning day of operation of the establishment. The statement shall read as follows,

For the incidental hotel “sundry” store:

We, the undersigned, have read and understand the conditions of approval to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption, in conjunction with the “sundry” store, known as [NAME OF VENUE] within the hotel lobby, and agree to abide and comply with said conditions.

For the restaurant:

We, the undersigned, have read and understand the conditions of approval to allow the sale and dispensing of a beer and wine for on-site consumption, in conjunction with the restaurant, known as [NAME OF VENUE], and agree to abide and comply with said conditions.

37. Should there be a change in the ownership and/or the operator of the business, the property owner and the business owner or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination has been provided to the prospective owner/operator, including the conditions required herewith, shall be submitted to the Condition Compliance Unit in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to the Condition Compliance Unit within 30-days of the beginning day of his/her new operation of the establishment along with the dimensioned floor plan, seating arrangement and number of seats of the new operation. This condition does not apply to a change of ownership to the overall development known at the time of this determination as The Hampton Inn.
38. Should there be a change in the ownership and/or the operator of the restaurant, the Zoning Administrator reserves the right to require that the new owner or operator file a Plan Approval application if it is determined that the new operation is not in substantial conformance with the approved floor plan, or the operation has changed in mode or character from the original approval, or If at any time during the period of validity of this grant, documented evidence is submitted showing continued violation of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties. The application, in association with the appropriate fees, shall be submitted to the Department of Planning, Condition Compliance Unit within 30 days of the date of legal acquisition by the new owner or operator. The purpose of the plan approval will be to review the operation of the premise and establish conditions applicable to the use as conducted by the new owner or operator, consistent with the intent of the Conditions of this grant. Upon this review, the Zoning Administrator may modify, add or delete conditions, and if warranted, reserves the right to conduct a public hearing, that may also be conducted for nuisance abatement/revocation purposes.

Environmental Conditions

39. **Aesthetics (Light).** Outdoor lighting shall be designed and installed with shielding, such that the light sources cannot be seen from adjacent residential properties, the public right-of-way, nor from above.
40. **Aesthetics (Glare).** The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high- performance and/or non-reflective tinted glass

(no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.

41. Tree Removal (Public Right-of-Way)

- a. Removal of trees in the public right-of-way requires approval by the Board of Public Works.
- b. The required Tree Report shall include the location, size, type, and condition of all existing trees in the public right-of-way and shall be submitted for review and approval by the Urban Forestry Division of Bureau of Street Services, Department of Public Works (213-847-3077)
- c. The plan shall contain measures recommended by the tree expert for the preservation of as many as possible. Measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) trees in the public right-of-way.
- d. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.

42. Greenhouse Gas Emissions. Any new construction shall include 20 percent of parking spaces set aside for EV ready parking.

43. Emergency Evacuation Plan (Building over 75 feet in height) Prior to the issuance of a building permit, the applicant shall develop an emergency response plan in consultation with the Fire Department. The emergency response plan shall include but not be limited to the following: mapping of emergency exits, evacuation routes for vehicles and pedestrians, location of nearest hospitals, and fire departments.

44. Increased Noise Levels (Parking Structure Ramps).

- a. Concrete, not metal, shall be used for construction of parking ramps.
- b. The interior ramps shall be textured to prevent tire squeal at turning areas.
- c. Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to the residential.

45. Public Services (Fire). The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

46. Public Services (Police – Demolition/Construction Sites). Temporary construction fencing shall be placed along the periphery of the active construction areas to screen as

much of the construction activity from view at the local street level and to keep unpermitted persons from entering the construction area.

47. **Public Services (Police).** The plans shall incorporate a design that enhances the security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, and location of toilet facilities or building entrances in high-foot traffic areas. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.
48. **Public Services (Construction Activity Near Schools).**
 - a. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
 - b. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to the school.
 - c. Due to noise impacts on the schools, no construction vehicles or haul trucks shall be staged or idled on these streets during school hours.
 - d. The developer and contractors shall maintain ongoing contact with the administrator of Cahuenga Elementary School. The administrative offices shall be contacted when demolition, grading, and construction activity begin on the project site so that students and their parents will know when such activities are to occur. The developer shall obtain school walk and bus routes to the schools from the administrators or from LAUSD's Transportation Branch (213)580-2950 or (213)250-2900 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.
 - e. The developer and contractors shall maintain ongoing contact with the administrator of Camino Nuevo Charter Academy. The administrative offices shall be contacted when demolition, grading, and construction activity begin on the project site so that students and their parents will know when such activities are to occur. The developer shall obtain school walk and bus routes to the schools from the administrators and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.
49. **Safety Hazards.**
 - a. The developer shall install appropriate traffic signs around the site to ensure pedestrian, bicycle, and vehicle safety.
 - b. The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.

50. **Inadequate Emergency Access.** The applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that provides code-required emergency access.
51. **Transportation/Traffic.** Adjacent sidewalks shall remain open and unobstructed during the demolition and construction phase of the project. Pursuant to LAMC Section 62.45, permits shall be obtained from the Bureau of Street Services prior to the closure of any adjacent sidewalks and/or construction of protection fences or canopies within the public rights-of-way. Protection of pedestrian access shall be provided pursuant to LAMC Section 91.3306.
52. **Utilities (Local Water Supplies – Restaurant, Bar, or Nightclub).**
- a. Install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.
 - b. Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
 - c. Install/retrofit high-efficiency toilets (maximum 1.28 gpf), including dual flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.
 - d. Install/retrofit restroom faucets with a maximum flow rate of 1.5 gallons per minute.
 - e. Install/retrofit and utilize only restroom faucets of a self-closing design.
 - f. Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
 - g. Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to sanitary wastewater systems.)

Administrative Conditions

53. **Approvals, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approval, plans, etc, as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
54. **Code Compliance.** All area, height and use regulations of the zone classification of the subject property shall be complied with, except wherein these conditions explicitly allow otherwise.
55. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on

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

56. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
57. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
58. **Building Plans.** A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
59. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
60. **Expedited Processing Section.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
61. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve

the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

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

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

FINDINGS

General Plan/Charter Findings

1. **General Plan Land Use Designation.** The project site is located within the Wilshire Community Plan, which was adopted by the City Council on September 19, 2001. The project site is comprised of four lots, in an “L-Shape”, bounded by Harvard Boulevard to the west, 3rd Street to the north, and Kingsley Drive to the east. The Community Plan designates the three lots which have frontage on 3rd Street with a land use designation of Neighborhood Office Commercial, with the following corresponding zones: C1, C1.5, C2, C4, P, CR, RAS3, and RAS4. The lots are zoned C2-1, which is consistent with the land use designation. The fourth lot, which has frontage along Harvard Boulevard, is designated as High Medium Residential, which lists R4 as the corresponding zone. The site is zoned R3-1, which is consistent with the land use designation as it is a more restrictive zone.

As recommended, the amendment would re-designate the Project Site and Add Areas to Regional Commercial, which lists the following corresponding zones: CR, C1.5, C2, C4, P, PB, RAS3, RAS4, R3, R4, and R5. The requested zone change to (T)(Q)R5-1 for the project site would be consistent with the adoption of the recommended plan amendment and would be in substantial conformance with the purpose, intent, and provisions of the General Plan as it is reflected within the Wilshire Community Plan.

The project site and Add Areas are located within the boundaries of the Wilshire Center Regional Commercial Center as described the Community Plan text, which is bounded by 3rd Street to the north, 8th Street to the south, Hoover Street to the east, and Wilton Place to the west. The amendment would enable the development of the project site with a hotel that will provide an amenity and service to the community, while encouraging future development along 3rd Street. The project will be a strong foundation in establishing the northern Regional Center “pocket” anchor within Wilshire Center and Koreatown.

2. **General Plan Text.** The Wilshire Community Plan text includes the following relevant provisions, objectives and policies:

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, while preserving 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 2-1.1: New commercial uses should be located in existing established commercial areas or shopping centers.

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.

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

The project proposes to construct a new six-story hotel with ground floor commercial on a site that has been underutilized along 3rd Street, which has remain largely

underdeveloped. The applicant has requested a plan amendment to re-designate the site to Regional Commercial and to change the zone of the project site from C2-1 and R3-1 to (T)(Q)R5-1 in order to develop the site with one land use designation and zone.

In conjunction with the requested Conditional Uses, the plan amendment and zone change would enable the development of the site with a project that will be one of the first new developments along 3rd Street. The hotel is compatible with the existing commercial and residential development in the area and the proposed restaurant is consistent with the existing and permitted commercial uses in the area. The existing commercial development will provide easy access to amenities and services for hotel guests, while the proposed restaurant will provide access to a new amenity for the hotel guests and local residents. With the enhanced architectural design, the project has been designed to create a pedestrian friendly environment that will enhance the streetscape of 3rd Street.

3. **Framework Element.** The Framework Element for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework Element includes the following provisions, objectives and policies relevant to the instant request:

Regional Centers

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

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

The Regional Commercial land use designation would enable future developments to request entitlements that would permit a higher FAR to develop commercial and residential projects, meeting the intent of designating 3rd Street as a Mixed-Use Boulevard and as part of Wilshire Center. The requested General Plan Amendment and the City initiated amendment for the Add Area to Regional Commercial would encourage new development along this portion of 3rd Street and Normandie Avenue, which has remained underutilized and underdeveloped. In conjunction with requested entitlements, the Regional Commercial land use designation would permit up to a 6:1 FAR, where the existing zoning of the Project Site and Add Areas is limited to a 1.5:1 FAR. The establishment of a nationally recognized hotel brand will serve as a mechanism to providing additional job opportunities and accessibility to a part of the City which is highly visited, but is limited in hotel services.

4. **The Mobility Element.** The Mobility Element of the General Plan is not likely to be affected by the recommended action herein. The proposed project, with its general plan amendment and zone change, proposes to construct a new six-story hotel with ground floor restaurant. 3rd Street is designated as an Avenue II and is currently dedicated to a varying width of 80 to 83 feet at the project's street frontage. The project will be required to provide a 3-foot dedication along 3rd Street. Harvard Boulevard is designated as Local Street – Standard and is dedicated to a width of 80 feet, dedication is not required.

Kingsley Drive is a designated Collector Street and is dedicated to a width of 80 feet, dedication is not required. The project will be required to improve the public right-of-ways to the satisfaction of the Bureau of Engineering.

5. Charter Findings - City Charter Sections 556 and 558 (General Plan Amendment).

The proposed General Plan Amendment complies with Sections 556 and 558 in that the plan amendment is consistent with numerous goals, objectives and policies of the Framework Element of the General Plan and the Wilshire Community Plan. The re-designation of the land use to Regional Commercial will enable the development of the site with a six-story hotel with ground floor commercial, which mirrors an existing legal, non-conforming use located on the northern side of 3rd Street. The Regional Commercial land use designation would implement the goals, objectives, and policies of the Framework Element and the Wilshire Community Plan, which designates this portion of 3rd Street as a Mixed-Use Boulevard and as the northern boundary of the Wilshire Center Regional Commercial Center. The amendment would enable the development of the southern side of 3rd Street, which abuts the High Medium Residential land use designation, to be developed as the northern Regional Center “pocket” anchor within Wilshire Center and Koreatown.

The project will redevelop an underutilized site with a use that is compatible with the existing buildings and surrounding uses in the area. On the north side of 3rd Street is a six-story hotel with ground floor commercial uses. Additional, there is a four-story office building located directly across from the project site. Multi-family development located to the south of the project site range from one to five stories. The High Medium Residential land use designation of the multi-family zoned properties would allow up to a 6:1 FAR for properties located within Height District 2. As proposed, the six-story hotel will not only be consistent with the existing physical development, but will further aesthetically improve the physical identity of 3rd Street.

The proposed hotel and ground floor restaurant will meet the objectives of the Community Plan, which seeks to “provide additional opportunities for new commercial development and services within the existing commercial areas.” Additionally, the Community Plan seeks to “encourage the incorporation of retail, restaurant, and other neighborhood serving uses in the first floor frontage of structures...” The project site is located along an established commercial corridor on 3rd Street, where commercial development has been limited to additions or improvements to existing buildings. The project will establish a nationally recognized hotel brand on 3rd Street, bringing a much needed amenity and service to Koreatown and will serve to encourage future commercial development along the street. The hotel will become an additional source of employment in the community, while providing a service to those who are visiting the City. The restaurant is proposed as an independent operation from the hotel and will be open to the public. The restaurant proposes to provide outdoor dining along 3rd Street, which will improve pedestrian activity and safety. As proposed, the project will enhance and encourage the future social and economic development of the community.

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

Entitlement Findings

7. Zone Change Findings.

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

The project site is comprised of four lots configured in an “L-Shape” with three lots fronting on 3rd Street and the fourth lot fronting on Harvard Boulevard. Three of the lots have a land use designation of Neighborhood Office Commercial and are zoned C2-1, while the fourth lot has a land use designation of High Medium Residential and is zoned R3-1. The requested zone change to (T)(Q)R5-1 will allow for the entire project site to have one zone in conjunction with the recommended amendment to the land use designation.

As recommended, the amendment would re-designate the Project Site and Add Areas to Regional Commercial, which lists the following corresponding zones: CR, C1.5, C2, C4, P, PB, RAS3, RAS4, R3, R4, and R5. The requested zone change to (T)(Q)R5-1 for the project site would be consistent with the adoption of the recommended plan amendment and would be in substantial conformance with the purpose, intent, and provisions of the General Plan as it is reflected within the Wilshire Community Plan.

The project site is located within the Wilshire Center Regional Commercial Center, which is generally bounded by 3rd Street to the north, 8th Street on the south, Hoover Street on the east, and Wilton Place on the west. The Framework Element of the General Plan identifies this portion of 3rd Street, between Western Avenue and Vermont Avenue, as a Mixed-Use Boulevard. The recommended R5 Zone would permit a hotel use that is consistent with uses permitted in the adjacent R4 and C2 Zones, while also encouraging a higher density along 3rd Street. In conjunction with the approval of the Conditional Use, the project site will be able to incorporate a commercial component that would allow for a mixed use development that will provide a service to hotel guests and the local community.

Public Necessity, Convenience, and General Welfare. The zone change to (T)(Q)R5-1 would enable the construction of a new hotel with a ground floor commercial component along 3rd Street, which has not experienced the same growth in new development as other portions of Koreatown. While new development has not occurred along this corridor, 3rd Street is a well-traveled corridor and is the northern boundary of Wilshire Center and Koreatown. The proposed hotel will provide a more advantageous use of the site, which is currently underdeveloped and underutilized given the designation of 3rd Street as a Mixed-Use Boulevard. The proposed project will not only generate an increase in employment opportunities for the area, but will attract visitors to stay in an area where hotel choices were previously limited. The development of the site with a nationally recognized hotel brand will serve as a strong foundation for future development in the area.

Good Zoning Practice. One of the issues identified within the Wilshire Community Plan is that new commercial development should be compatible with existing buildings in terms of architectural design, bulk and building heights. The Community Plan, consistent with the Framework Element, identifies 3rd Street for potential mixed-use development. The Community Plan includes the following objectives:

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

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

In conjunction with the approval of the requested Conditional uses, the project will develop the site with a hotel and ground floor restaurant. The (T)(Q)R5-1 would allow the site to be developed at a higher density than the existing zone would permit within a building envelope that is consistent with existing development in the area. The R5 Zone provides a unique opportunity to establish a commercial use that is compatible with the existing residential uses, while enhancing the commercial activity and growth in the area. The use of the ground floor commercial space as a restaurant will ensure that the project site is an active site for the community and not just hotel guests.

The proposed project will require the demolition of existing buildings that were constructed between 1909 and 1925. While the buildings have remained in use with various commercial tenants, there has been little physical improvements completed. The project would replace the deteriorating buildings with a new hotel that will be built to meet current building regulations, as well as establishing an aesthetically appealing development that will become an anchor for the commercial development along 3rd Street.

- b. The current action, as recommended, has been made contingent upon compliance with new "T" and "Q" conditions of approval imposed herein for the proposed project. Such limitations are necessary to protect the best interests of and to assure a development more compatible with surrounding properties and the overall pattern of development in the community, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

- 8. **Building Line Removal Findings.** Pursuant to Section 12.32-R of the Municipal Code, and based on these findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.

The requested building line removal is in conformity with the public necessity, convenience, general welfare and good zoning practice in that its retention on the subject property is no longer necessary for the purpose of reserving a portion of the property for future dedication and improvement. In addition, building lines are no longer utilized as a mechanism to establish a minimum, uniform alignment and setback along the street.

Ordinance 114,147 established a 15-foot building line along the eastern portion of Harvard Boulevard. The building line begins on the second interior lot from 3rd Street, which is a part of the project site. In order to develop the project on one unified project site, the applicant has requested the removal of the building line and will maintain a reduced setback of approximately zero feet. As proposed, that portion of the site will be developed as the driveway apron leading to the vehicular turnaround for drop off/pick up and to the two levels of subterranean parking levels. While the building will maintain an approximate zero foot setback, that portion of the building will be open and partially screened with landscaping. In the event that the proposed project is not developed, the recommended R5 Zone and existing R3 Zone would require a 15-foot setback. Removal of the building line would bring the subject site to current planning practices.

9. Conditional Use Findings.

- a. **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 proposed project will develop an "L-shaped" site with a six-story hotel and ground floor commercial space. The site is located within the Wilshire Community Plan and is located within the boundaries of the Wilshire Center Regional Commercial Center, as designated by the Community Plan, and Koreatown.

The site is bounded by Harvard Boulevard to the west, 3rd Street to the north, and Kingsley Drive to the east. The Metro Purple/Red Line stop at Wilshire/Western is located approximately 0.7 miles southwest of the site and the Metro Purple Line stop at Wilshire/Normandie is located 0.6 miles southeast of the site.

Hotel within 500 feet of the A or R Zone and Commercial Use within the R5 Zone

The applicant has requested a Conditional Use to permit the construction, use, and maintenance of a hotel within 500 feet of the A or R Zone and to permit a commercial use within the R5 Zone. The properties located to the south of the site are zoned for multi-family development, while properties located behind the commercially zoned properties on the northern side of 3rd Street are zoned for multi- and single family development.

The proposed hotel will have 171 guest rooms within a six story building with 2,800 square feet of ground floor commercial square footage. While the site is in close proximity of residential zones, the project site is located along 3rd Street, which has been designated as a Mixed-Use Boulevard by the Framework Element of the General Plan. The proposed hotel is part of a nationally recognized hotel brand that focuses primarily on the lodging of guests. Recreational amenities will be located on the second floor, with proposed screening from the adjacent residential uses. While the hotel does have a breakfast lounge and meeting room, no banquet room is proposed as part of the operations. The hotel will serve the needs of those who visit the area, whether as tourists or business travelers, where lodging options have been fairly limited.

The ground floor commercial space is proposed as a 2,800 square foot sit down restaurant. The restaurant proposes to have 70 interior seats and 20 exterior seats within an outdoor patio located along 3rd Street. As proposed, the restaurant would operate between the hours of 7:00 a.m. to 1:30 a.m. and does not propose to have live entertainment or dancing. While the site is located within proximity to residential uses, the restaurant is proposed as neighborhood-friendly and would provide an alternative option for nightlife in Koreatown.

The approval of the Conditional Use will enable the development of the hotel and ground floor restaurant on a site which has remained underdeveloped. The use of the hotel and ground floor restaurant is compatible with the surrounding development and will serve as a source for increased employment. The hotel and restaurant will provide an additional amenity and service for those who are visiting the area and local residents. As conditioned herein, the project will enhance the built environment in the surrounding neighborhood and will provide an amenity and service that will be beneficial to the community.

Alcohol

The applicant is requesting a Conditional Use to permit the sale of a full line of alcoholic beverages in conjunction with the operation an incidental "sundry" store within the hotel lobby and the sale of beer and wine for on-site consumption within the 2,800 square foot restaurant. The request to sell alcohol within an incidental "sundry" store within the hotel lobby is intended to be an ancillary service to guests of the hotel and to be consumed on-site. Consistent with Section 12.12-A,2 no advertising of the incidental market is permitted on the outside of the building or advertising located within the hotel be visible from the outside. The sale of alcoholic beverages will serve as an additional amenity for hotel guest. The request to sell beer and wine within the proposed ground floor restaurant will be ancillary to the food service of the restaurant. In addition, there is only one other on-sale license located along 3rd Street. The sale of beer and wine would provide an additional option for those who live in the area and for guests of the hotel as well. As such, the project will perform a beneficial function and serve the community.

- b. 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.**

Hotel within 500 feet of the A or R Zone and Commercial Use within the R5 Zone

The project will demolish four existing detached buildings and will construct a new six story hotel with ground floor commercial. The building will be approximately 93,984 square feet, or a 3.4:1 FAR. The additional floor area is inclusive of the vehicular turnaround pick up/drop off located on the ground floor of the hotel. Although it is not enclosed it is counted towards floor area as it is covered. In conjunction with the zone change to (T)(Q)R5-1, Height District 1 would permit a maximum 3:1 FAR, which is consistent with maximum permitted FAR in the surrounding areas. The multi-family zoned properties to the south would be permitted a maximum 3:1 FAR; however, the Wilshire Community Plan designates the area for High Medium Residential and would allowed up to a 6:1 FAR for those properties in Height District 2. Existing developments within the C2-1 Zone located on the northern side of 3rd Street include a four story office building and a six story hotel with ground floor commercial uses. As proposed, the project will be compatible with the surrounding neighborhood and will not further degrade adjacent properties, the surrounding neighborhood or the public health, welfare, and safety.

Alcohol

The proposed use of the hotel and restaurant have been conditioned so that the project's location, size, height, and operations will not adversely affect or further degrade the adjacent properties or the surrounding neighborhood. The sale of alcoholic beverages in conjunction with the incidental "sundry" store and the restaurant is anticipated to be an ancillary service and amenity to the guests and residents in the area. As such, the sale of alcoholic beverages will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

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

Hotel within 500 feet of the A or R Zone and Commercial Use within the R5 Zone

The project site is comprised of four lots configured in an “L-Shape” with three lots fronting on 3rd Street and the fourth lot fronting on Harvard Boulevard. The applicant has request a plan amendment to re-designate the land use of the project site from Neighborhood Office Commercial and High Medium Residential to Regional Commercial in conjunction with a zone change from C2-1 and R3-1 to (T)(Q)R5-1. The Wilshire Community Plan contains the following text:

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, while preserving 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 2-1.1: New commercial uses should be located in existing established commercial areas or shopping centers.

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.

Hotel Density

The project proposes to construct a six-story hotel with 171 guest rooms in the R5 Zone. Within the R5 Zone, it is a use that is allowed as a matter of right. While the R5 Zone has a minimum requirement of one dwelling unit per 200 square feet of lot area, it is silent on the minimum lot area requirement for guest rooms. In 2009, the Zoning Engineer of the Department of Building and Safety further clarified that under Zoning Code Manual v. April 2015 (Section 12.12C4) the R5 Zone has no lot area regulation for guest rooms based on the fact that the Code’s omission on the density requirement specific to hotels is not in error. As proposed, the project is consistent with the intent of the R5 Zone and Regional Commercial land use.

The project site is located within the boundaries of the Wilshire Center Regional Commercial Center and Koreatown. Additionally, the Framework Element and the Community Plan identifies this portion of 3rd Street as an opportunity to establish mixed-use development. As proposed, the project will redevelop an underutilized and underdeveloped site with a six-story hotel that is compatible in use and scale with the surrounding community. In addition, the hotel is part of an established nation brand and will serve as an anchor development along 3rd Street and encourage future development along the corridor. The hotel will provide a service that has been limited in the area and the restaurant will serve as an amenity to the hotel guests and local residents. As proposed, the project will create a mixed use development that is consistent with the purpose, intent and provisions of the General Plan and the Community Plan.

Alcohol

The proposed sale of a full line of alcoholic beverages within the incidental “sundry” store located within the hotel lobby will be for consumption on the premise. The proposed sale and dispensing of beer and wine will be for on-site consumption within the proposed 2,800 square foot restaurant located on the ground floor of the building. In both instances, the proposed sale and consumption will occur on-site within the proposed building and will be ancillary to the main use of the hotel and restaurant. In conjunction with the approval of the Conditional Use, the use of the hotel and restaurant are consistent with the requested plan amendment and zone change. The Wilshire Community Plan is otherwise silent in regards to the sale of alcohol. As such, the project substantially conforms with the purpose, intent and provisions of the General Plan and the Community Plan.

d. Additional required findings for the sale of alcoholic beverages:**i. The proposed use will not adversely affect the welfare of the pertinent community.**

The approval of the Conditional Use to permit the sale of a full line of alcoholic beverages and the sale of beer and wine for on-site consumption will not adversely affect the welfare of the community. The proposed sale of a full line of alcoholic beverages within the “sundry” store located within the lobby of the hotel will be a service provided to guests of the hotel for consumption on the premise. The hotel will not serve alcoholic beverages elsewhere in the hotel, such as in the breakfast lounge or within minibars located within the rooms. The operations of the hotel focuses primarily on providing lodging for guests and not the sale of alcoholic beverages. The ground floor commercial space is proposed to operate as a neighborhood friendly restaurant, with the sale of beer and wine offered as an ancillary amenity for diners. The restaurant does propose to operate between the hours of 7:00 a.m. and 1:30 a.m.; however, it does not propose to have live entertainment or dancing. Furthermore, there have been no correspondences from either LAPD or ABC indicating opposition to the sale of alcoholic beverages in conjunction with either operation. The sale of alcoholic beverages for both establishments are anticipated to be ancillary to the main services that will be provided by the hotel and restaurant. Therefore, as conditioned, the proposed use will not adversely affect the welfare of the pertinent community.

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

According to the California State Department of Alcoholic Beverage Control (ABC) licensing criteria, there are 3 on-site and 2 off-site licenses allocated to the subject Census Tract Number 2118.03, based on a population of 3,529. Presently, there

are 3 active licenses within this census tract. The active licenses include: 1 for off-sale general, 1 for on-sale general for a bona fide public eating place, and 1 for on-sale general public premises. There are 6 active establishments within 1,000 feet of the subject site with on-site and/or off-site alcohol licenses.

Currently, there is not an over-concentration of licenses within the census tract. The approval of the Conditional Use will allow for two licenses to be issued on the site. While this will allow for one additional license to be issued over the allocated on-site licenses, the overall number of licenses within the census tract will not exceed the allocated number. In addition, over-concentration can be undue when the addition of a license will negatively impact a neighborhood. However, over-concentration is not undue when the approval of a license does not negatively impact an area, but rather such license benefits the public welfare and convenience. The approval of the Conditional Use would allow the hotel and the restaurant to provide an amenity and ancillary service that is not readily available along this portion of 3rd Street and Koreatown. It will provide an alternative location for visitors and diners in Wilshire Center and Koreatown.

Statistics from the Los Angeles Police Department reveal that the Crime Reporting District No. 2023, which has jurisdiction over the subject property, a total of 184 crimes were reported in 2014, compared to the citywide average of approximately 163 crimes and the high crime reporting district average of approximately 196 crimes for the same period. Part I Crimes reported by LAPD include: Rape (3), Robbery (12), Aggravated Assault (11), Burglary (17), Auto Theft (18), and Larceny (46). Part II Crimes include: Other Assaults (6), Forgery/Counterfeit (2), Weapons Violence (2), Prostitution Related (3), Sexual Offences (1), Offense against Family (1), Narcotic (9), Liquor laws (3), Drunk (7), DWI Related (18), and Other Offenses (23).

The above statistics indicate that the crime rate in the census tract where the subject site is located is higher than the city average. However, there has been no evidence submitted for the record indicating the subject site has been the subject of any nuisance or criminal activity. No comments have been submitted by the Los Angeles Police Department as to their concerns for the proposed project. As conditioned herein, the use is not expected to negatively impact the surrounding uses and is not expected to increase or contribute to the area's crime rate.

- iii. **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 following sensitive uses are located within 1000 feet of the project site:

- Cahuenga Elementary School (220 South Hobart Boulevard)
- The Rock United Mission Church and Daycare (354 South Kingsley Drive)
- Kinder Schule (315 South Hobart Boulevard)
- Future Star's Preschool Center (177 South Kingsley Drive)
- Come & See Preschool & After (184 South Harvard Boulevard)
- KT Tutors (4254 West 3rd Street)
- Pinetree Preschool (311 South Normandie Avenue)

- LA First Montessori School (213 South Hobart Boulevard)
- Korean First Presbyterian Church (213 South Hobart Boulevard)
- Manna Church (433 South Normandie Avenue)

The project site is located within close proximity of residential uses, as the properties located to the south of the site are designated and zoned for multi-family uses. On the northern side of 3rd Street, properties are zoned for and developed with single family dwellings. While they are located within 500 feet of the project site, they are physically buffered from the proposed project. The single family dwellings are located behind existing commercial developments that front on 3rd Street, which is dedicated to a width of at least 80 feet.

While the project site is located within 1,000 feet of sensitive uses and is located directly adjacent to residential uses, the proposed hotel and ground floor restaurant are compatible uses in the community. Live entertainment and dancing are not proposed as part of the operations of the hotel or the restaurant. As such, noise is not anticipated to disrupt sensitive uses in the area. The sale of a full line of alcoholic beverages is anticipated to be ancillary to the main use of the hotel and to serve hotel guests. The sale of beer and wine is anticipated to be an ancillary service for the proposed restaurant, which may serve hotel guests and local residents. As conditioned herein, the sale of alcoholic beverages in conjunction with the proposed hotel and restaurant is not anticipated to detrimentally affect nearby residentially zoned communities or sensitive uses in the area.

10. Site Plan Review Findings. In order for the site plan review to be granted, all three of the legally mandated findings delineated in Section 16.05-F of the Los Angeles Municipal Code must be made in the affirmative:

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

The proposed project involves the demolition of the existing buildings and the construction, use, and maintenance of a new six-story, 171 guest room hotel and 2,800 square feet of ground floor commercial that is proposed as a restaurant. The requested entitlement includes a General Plan Amendment from Neighborhood Office Commercial and High Medium Residential to Regional Commercial and a zone change from C2-1 and R3-1 to (T)(Q)R5-1. The General Plan Amendment and Zone Change are consistent with the overall goals, objectives, policies programs of the Framework of the General Plan and the Wilshire Community Plan. The Framework Element and the Community Plan designates and encourages mixed use development along this portion of 3rd Street. As designated by the Community Plan, the project site is located within the boundaries of the Wilshire Center Regional Commercial Center and is located within Koreatown.

The project is consistent with the objectives of the Community Plan in that it will strengthen viable commercial development in the area. The project will be one of the first new developments along 3rd Street and will establish a hotel that is part of a nationally recognizable brand. In conjunction with the plan amendment, the project will help to establish and secure a Regional Center "pocket" anchor along the northern boundaries of Wilshire Center and Koreatown. The development will serve as a mechanism to help create and encourage new development and provide additional employment opportunities along an underdeveloped commercial corridor.

The Community Plan contains the following text:

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

Policy 2-3.1: Improve streetscape identity and character through appropriate controls of signs, landscaping, and streetscape improvements; and require that new development be compatible with the scale of adjacent neighborhoods.

As part of the proposed project, the existing buildings which were constructed between 1909 and 1925 will be demolished. The project will construct a new six-story hotel that has been redesigned to create a pedestrian friendly environment through the separation of vehicular and pedestrian access points and the incorporation of an outdoor dining area as part of the proposed restaurant. Currently there is minimal landscaping on the site and within the public rights-of-way and there are no trees on the site. The project will improve and provide street trees, as well as utilize landscaping as a screening mechanism along 3rd Street and Harvard Boulevard. In addition, landscaped green screens will be installed along the property line adjoining the single family dwelling and additional landscaping will be provided along the 2nd story roof. The restaurant proposes to have an outdoor dining area, which will enhance the pedestrian experience along 3rd Street. As proposed, the project will be in substantial conformance with the provisions of the General Plan and the Wilshire Community Plan. The project is not in any specific plan area.

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

The project will unify four independently developed lots with one development, which will eliminate the need for multiple driveway aprons, and will create a pedestrian friendly environment along 3rd Street. The project has been designed to carefully consider the circulation of pedestrians and vehicles, by focusing pedestrian access along Kingsley Drive and vehicular access along Harvard Boulevard. While there is a driveway proposed along Kingsley Drive, it is intended for loading purposes only. Pedestrian access to the restaurant will be located along Kingsley Drive and 3rd Street. The entrance to the hotel lobby is accessible through a pedestrian pathway located on 3rd Street. The main driveway is located along Harvard Boulevard, where there is an existing driveway apron which will be improved to meet new standards. The driveway will provide access to the subterranean parking levels and to the turnaround for the drop off/pick up points.

Although the project has requested zero foot setbacks, there will be minimal impacts to the residential use located to the south of the site. Along Harvard Boulevard, the ground floor will be designed as an open vehicular access point and landscaping will be provided to screen and buffer the turnaround. Along Kingsley Drive, the building will have a varying setback along the southern property line to accommodate the loading area.

The proposed building will be six stories, with a maximum height of 82 feet. As proposed, the building has been stepped back above the second floor on the southern side of the building, which is where the site directly abuts residential uses. While roof top amenities are proposed on the second floor, a landscaped green screen is proposed to provide a

buffer and to screen the rooftop amenities. The proposed scale and floor area of the building is consistent with existing commercial buildings located on the northern side of 3rd Street and is consistent with the existing multi-family development located to the southern side of 3rd Street.

c. Any residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.

The hotel use is defined as a residential use due to the habitable rooms; however, it is not required to provide open space pursuant to LAMC Section 12.21-G as there are no dwelling units proposed. Although recreational and service amenities are not required, the hotel will provide an indoor fitness area and an outdoor deck with a pool. In addition three rooms on the second floor will have private balconies facing 3rd Street. Although the ground floor restaurant will operate independently of the hotel, hotel guests and residences in the neighborhood will have access to an additional amenity. As conditioned herein, impacts will be minimized on neighboring properties.

Environmental Findings

- 11. Environmental Finding.** A Mitigated Negative Declaration (ENV-2015-2031-MND) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND and the Revisions and Additional Analysis dated October 22, 2015, there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Department of City Planning in Room 750, 200 North Spring Street.
- 12. Flood Insurance.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.

PUBLIC HEARING AND COMMUNICATIONS

A public hearing was conducted on September 16, 2015 2:30 p.m., at City Hall, 10th Floor, Room 1020 in Downtown Los Angeles.

1. Attendees

The hearing was attended by the applicant, the applicant's representatives, and two members of the public who are interested parties to the project.

2. Testimony

a. Ms. Tina Choi and Mr. Jonathan Lonner, the applicant's representatives on the project, described the project and stated the following:

- (1) It is the first project within LA for the applicant.
- (2) Working with planning staff for over a year to improve the project.
- (3) Project is located along a neglected portion of 3rd Street and they are working with the neighborhood, Council District, and the Los Angeles Police Department to improve the design of the project.
- (4) Committed to living and fair wages, as well as local hiring
- (5) Minimal landscaping on the site, the project will provide additional landscaping and will revitalize the site.
- (6) The project will help to revitalize and be catalytic for the neighborhood.

b. Mr. Bill Roschen, design consultant for the project, described the overall design of the project and stated the following:

- (1) Project is designed for vehicular access to occur along Harvard Boulevard and Pedestrian access along Kingsley Drive.
- (2) Providing low energy, LED lighting
- (3) Provide landscaping and stepping back of the building along the southern side of the building.

c. Two members from the public spoke, stating the following:

- (1) One spoke in support of the project stating that there has not been any change or development in the area and that the project would be an excellent start to redeveloping the area, the use and design was advance and thoughtful, and that it would bring some nightlife to the area.
- (2) One spoke in opposition to the project stating that the building was too high and the use was inappropriate for this area.

d. Mr. Jordan Beroukhim, representative of Council District 10 spoke in support of the project and that the hotel would provide a service to the business community in the area, that the scale and density was appropriate, and additional landscaping was an additional benefit.

e. The Hearing Officer raised the following concerns and issues, which were responded to by the representatives:

- (1) Metro submitted a letter requesting consideration of improving the bus shelter located in front of the hotel and for notification prior to construction.

1. Ms. Choi stated that they would contact and work with Metro in regards to the construction notification and bus shelter.
- (2) Letter of opposition and public testimony included concerns about traffic and loss of parking
 1. Mr. Lonner stated that a traffic study had been prepared and reviewed by LADOT and was found to be adequate and that there were no impacts. The hotel use is unique in that it does not necessarily necessitate the use of cars for guests, and the project is providing additional parking than required.

In addition to the public testimony, one email correspondence was received prior to the public hearing stating concerns about the loss of parking, the amount of parking being provided, and the additional traffic.

A letter of support was received on behalf of Abundant Housing LA, who have concerns about the use of short term rentals and its impacts on existing housing stock and the additional hotel can help to address this issue.

A letter of support, dated August 25, 2015, was received from the Wilshire Center/Koreatown Neighborhood Council stating that the Planning and Land Use Committee supports the project and the numerous benefits of the project and that it will be catalytic for 3rd Street. Additionally, the project will encourage tourism in the area as there is currently a lack of hotels and will provide additional job opportunities.