



## PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

<b>CITY PLANNING CASE:</b>	<b>ENVIRONMENTAL DOCUMENT:</b>	<b>COUNCIL DISTRICT:</b>
CPC-2016-1032-GPA-ZC-HD-BL-ZAD-SPR	ENV-2016-1036-MND	9 – CURREN D. PRICE, JR.
<b>PROJECT ADDRESS:</b>		
704-706, 730-740, 800-820 West Martin Luther King, Jr. Boulevard, 703-703 ½ and 705 West 40 <sup>th</sup> Place		
<b>APPLICANT/REPRESENTATIVE:</b>		<b>CONTACT INFORMATION :</b>
APP: Josef Shuster, Celebrity Realty Holdings LLC		
REP.: Edgar Khalatian, Mayer Brown LLP		EKhalatian@mayerbrown.com 213-229-9548
<b>APPELLANT/REPRESENTATIVE:</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
N/A	N/A	N/A
<b>PLANNER CONTACT INFORMATION:</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
COURTNEY SHUM	213-978-1916	courtney.shum@lacity.org
<b>APPROVED PROJECT DESCRIPTION:</b>		
<p>The proposed project involves the demolition of a two-story, 4,175 square-foot commercial building and surface parking lots, and the construction, use, and maintenance of two, five-story structures on the southeast and southwest corners of Martin Luther King, Jr. Boulevard and Hoover Street, containing the new Honda of Downtown Los Angeles automobile dealership, vehicle service facilities, and vehicle storage. The East Structure, at 68 feet in height, comprising approximately 152,477 square feet of space, with a Floor Area Ratio (FAR) of 3.58 to 1, will contain the primary dealership uses and provide 92 automobile parking spaces (exclusive of vehicle storage) and 10 bicycle parking spaces. The West Structure, at 54 feet in height and comprising approximately 105,075 square feet of space with a 3.83 to 1 FAR will be used for vehicle storage.</p>		



**COMMISSION ACTION(S) / ZONING ADMINISTRATOR ACTION(S): (CEA's PLEASE CONFIRM)**

1. **Recommended** that City Council **adopt** the **Mitigated Negative Declaration** (ENV-2016-1036-MND) and the **Mitigation Monitoring Program** as adequate environmental clearance;
2. **Recommended** that City Council **approve** a **General Plan Amendment** to amend the South Los Angeles Community Plan to:
  - a. re-designate the parcels located at 816 and 820 West Martin Luther King, Jr. Boulevard from High Medium Residential to Community Commercial land use; and
  - b. remove Footnote No. 1 for the subject property to allow Height District No. 2 on the site in lieu of the underlying Height District No. 1;
3. **Disapproved** the Zone Change request as filed;
4. **Recommended** that City Council **approve** a **Zone Change** and **Height District Change** from C2-1 and R3-1 to (T)(Q)C2-2, subject to the attached (T) and (Q) Conditions of Approval;
5. **Recommended** that City Council **approve** a **Building Line Removal** to remove a varying five, 10, and 15-foot Building Line along Martin Luther King, Jr. Boulevard, established under Ordinance Nos. 115,573 and 123,519;
6. **Approved** a **Zoning Administrator Determination** to allow deviations from the Transitional Height requirements of LAMC Section 12.21.1-A,10 to allow maximum building heights of 68 feet (East Structure) and 54 feet (West Structure) in lieu of the otherwise permitted 33 feet between 50 and 99 feet of an OS (Open Space) Zone and 61 feet between 100 feet and 199 feet of an OS Zone;
7. **Approved** a **Site Plan Review** for a development which creates, or results in an increase of, 50,000 gross square feet or more of non-residential floor area.
8. **Adopted** the attached **Findings**;
9. **Advised** 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
10. **Advised** the applicant that pursuant to State Fish and Game Code Section 711.4, 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.

**ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION:**

**General Plan Amendment, Zone Change, Height District Change, Building Line Removal**

**FINAL ENTITLEMENTS NOT ADVANCING:**

N/A

**ITEMS APPEALED:**

N/A



ATTACHMENTS:		REVISED:	ENVIRONMENTAL CLEARANCE:	REVISED:
<input checked="" type="checkbox"/> Letter of Determination	<input type="checkbox"/>	<input type="checkbox"/> Categorical Exemption	<input type="checkbox"/>	
<input checked="" type="checkbox"/> Findings of Fact	<input type="checkbox"/>	<input type="checkbox"/> Negative Declaration	<input type="checkbox"/>	
<input checked="" type="checkbox"/> Staff Recommendation Report	<input type="checkbox"/>	<input checked="" type="checkbox"/> Mitigated Negative Declaration	<input type="checkbox"/>	
<input checked="" type="checkbox"/> Conditions of Approval	<input type="checkbox"/>	<input type="checkbox"/> Environmental Impact Report	<input type="checkbox"/>	
<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/>	<input type="checkbox"/> Mitigation Monitoring Program	<input type="checkbox"/>	
<input checked="" type="checkbox"/> Zone Change Map	<input type="checkbox"/>	<input type="checkbox"/> Other	<input type="checkbox"/>	
<input checked="" type="checkbox"/> GPA Resolution	<input type="checkbox"/>			
<input type="checkbox"/> Land Use Map	<input type="checkbox"/>			
<input checked="" type="checkbox"/> Exhibit A - Site Plan	<input type="checkbox"/>			
<input checked="" type="checkbox"/> Mailing List	<input type="checkbox"/>			
<input type="checkbox"/> Land Use	<input type="checkbox"/>			
<input type="checkbox"/> Other	<input type="checkbox"/>			
<b>NOTES / INSTRUCTION(S):</b>				
<b>FISCAL IMPACT STATEMENT:</b>				
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <p style="text-align: center;">*If determination states administrative costs are recovered through fees, indicate "Yes".</p>				
<b>PLANNING COMMISSION:</b>				
<div style="display: flex; justify-content: space-between;"> <div> <input checked="" type="checkbox"/> City Planning Commission (CPC)  <input type="checkbox"/> Cultural Heritage Commission (CHC)  <input type="checkbox"/> Central Area Planning Commission  <input type="checkbox"/> East LA Area Planning Commission  <input type="checkbox"/> Harbor Area Planning Commission </div> <div> <input type="checkbox"/> North Valley Area Planning Commission  <input type="checkbox"/> South LA Area Planning Commission  <input type="checkbox"/> South Valley Area Planning Commission  <input type="checkbox"/> West LA Area Planning Commission </div> </div>				
<b>PLANNING COMMISSION HEARING DATE:</b>		<b>COMMISSION VOTE:</b>		
July 28, 2016		6 - 0		
<b>LAST DAY TO APPEAL:</b>		<b>APPEALED:</b>		
Sept. 6, 2016		No		
<b>TRANSMITTED BY:</b>		<b>TRANSMITTAL DATE:</b>		
James K. Williams		SEP 09 2016		





# LOS ANGELES CITY PLANNING COMMISSION

200 N. Spring Street, Room 532, Los Angeles, California, 90012-4801

(213) 978-1300; [planning.lacity.org](http://planning.lacity.org)

## LETTER OF DETERMINATION

**Mailing Date:** AUG 19 2016

**CASE NO.:**

**CPC-2016-1032-GPA-ZC-HD-BL-ZAD-SPR**

**CEQA:** ENV-2016-1036-MND

Related Case No.: CPC-2016-1036-DA

**Location:** 704-706, 730-740, 800-820 W. Martin Luther King Jr. Blvd, 703-703 ½, 705 W. 40<sup>th</sup> Pl.

**Council District:** 9 – Price

**Plan Area:** South Los Angeles

**Requests:** General Plan Amendment, Zone Change, Height District Change, Building Line Removal, Zoning Administrator's Determination, Site Plan Review

**Applicant:** Josef Shuster, Celebrity Realty Holdings, LLC

Representative: Edgar Khalatian, Mayer Brown, LLP

**At its meeting of July 28, 2016, the Los Angeles City Planning Commission took the following action:**

1. **Adopted** the Mitigated Negative Declaration (**ENV-2016-1036-MND**) and the Mitigation Monitoring Program as adequate environmental clearance.
2. **Approved** a **General Plan Amendment** to amend the South Los Angeles Community Plan to:
  - a. Re-designate the parcels located at 816 and 820 West Martin Luther King, Jr. Boulevard from High Medium Residential to Community Commercial land use.
  - b. Remove Footnote No. 1 for the subject property to allow Height District No. 2 on the site in lieu of the underlying Height District No. 1.
3. **Disapproved** the Zone Change request as filed.
4. **Approved** a **Zone Change** and **Height District Change** from C2-1 and R3-1 to (T)(Q)C2-2, subject to the attached (T) and (Q) Conditions of Approval.
5. **Approved** a **Building Line Removal** to remove a varying five, 10, and 15-foot Building Line along Martin Luther King, Jr. Boulevard, established under Ordinance Nos. 115,573 and 123,519.
6. **Approved** a **Zoning Administrator's Determination** to allow deviations from the Transitional Height requirements of LAMC Section 12.21.1-A,10 to allow maximum building heights of 68 feet (East Structure) and 54 feet (West Structure) in lieu of the otherwise permitted 33 feet between 50 and 99 feet of an OS (Open Space) Zone and 61 feet between 100 feet and 199 feet of an OS Zone.
7. **Approved** a **Site Plan Review** for a development which creates, or results in an increase of, 50,000 gross square feet or more of non-residential floor area.
8. **Adopted** the attached modified **Conditions of Approval**.
9. **Adopted** the attached **Findings**.
10. **Advised** 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.
11. **Advised** the applicant that pursuant to State Fish and Game Code Section 711.4, 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.



**RECOMMENDATION TO CITY COUNCIL:**

1. **Recommended** that City Council **adopt** the Mitigated Negative Declaration (**ENV-2016-1036-MND**) and the Mitigation Monitoring Program as adequate environmental clearance.
2. **Recommended** that the City Council **approve** a **General Plan Amendment** to amend the South Los Angeles Community Plan to:
  - a. Re-designate the parcels located at 816 and 820 West Martin Luther King, Jr. Boulevard from High Medium Residential to Community Commercial land use.
  - b. Remove Footnote No. 1 for the subject property to allow Height District No. 2 on the site in lieu of the underlying Height District No. 1.
3. **Recommended** that the City Council **adopt** a **Zone Change** and **Height District Change** from C2-1 and R3-1 to (T)(Q)C2-2, subject to the attached (T) and (Q) Conditions of Approval.
4. **Recommended** that City Council **adopt** a **Building Line Removal** to remove a varying five, 10, and 15-foot Building Line along Martin Luther King, Jr. Boulevard, established under Ordinance Nos. 115,573 and 123,519.
5. **Recommended** that the City Council **adopt** the attached **Findings**.

**This action was taken by the following vote:**

**Moved:** Ambroz  
**Seconded:** Katz  
**Ayes:** Ahn, Millman, Padilla-Campos, Dake-Wilson  
**Absent:** Choe, Mack, Perlman

**Vote:** 6 - 0

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**James K. Williams, Commission Executive Assistant II**  
**Los Angeles City Planning Commission**

**Effective Date/Appeals:** The action of the Los Angeles City Planning Commission will be final within **15 days** from the mailing date on this determination unless an appeal is filed within that time to the City Council. All appeals shall be filed on forms provided at the Planning Department's Public Counters at 201 N. Figueroa Street, Fourth Floor, Los Angeles, CA 90012, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys, CA 91401.

**FINAL APPEAL DATE:** **SEP 06 2016**

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

Attachment: Modified Conditions of Approval, Ordinance, Maps, Findings, Resolution  
Hearing Officer: Courtney Shum



## CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

Pursuant to Section 12.32-G of the Municipal Code, the (T) Tentative Classification shall be removed by 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, the following public improvements and dedications for streets and other rights of way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional and federal government agencies, as may be necessary):

### 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 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 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.

1. Martin Luther King, Jr. Boulevard South Side, West of Hoover Street (Avenue I) – None.
2. Martin Luther King, Jr. Boulevard South Side, East of Hoover Street (Avenue I) – A 5-foot wide strip of land along the property frontage adjoining Lot 4, Arb 7 of Tract 2411 to complete a 50-foot half right-of-way in accordance with Avenue I of Mobility Plan 2035.
3. Hoover Street (Avenue II) – A 3-foot wide strip of land along the east and west side of the property frontage to complete a 43-foot wide half right-of-way and 86-foot wide total right-of-way in accordance with Avenue II of Mobility Plan 2035 including 20-foot radius property line returns at the southeast/southwest corners with Martin Luther King Jr. Boulevard and 40<sup>th</sup> Place.
4. 40<sup>th</sup> Place (Local Street) – None.
5. Alley (South of Martin Luther King, Jr. Boulevard) – A 2-foot wide strip of land along the property frontage to complete a 10-foot wide half alley in accordance to Alley standards.



b. Street Improvements.

1. Martin Luther King, Jr. Boulevard South Side, West of Hoover Street – Construct a new 15-foot concrete sidewalk, integral concrete curb and 2-foot gutter along the property frontage. Close all unused driveways with standard curb height, 2-foot gutter and 15-foot concrete sidewalk and upgrade all driveways to comply with ADA requirements.
  2. Martin Luther King, Jr. Boulevard South Side, East of Hoover Street – Construct a new 15-foot concrete sidewalk, integral concrete curb and 2-foot gutter along the property frontage. Close all unused driveways with standard curb height, 2-foot gutter and 15-foot concrete sidewalk and upgrade all driveways to comply with ADA requirements.
  3. Hoover Street – Construct additional concrete sidewalk in the dedicated area and repair all broken, off-grade or bad order existing concrete sidewalk, curb and gutter. Close all unused driveways with standard curb height, gutter and sidewalk and/or upgrade all driveways to comply with ADA requirements. Upgrade access ramps at the intersections with Martin Luther King, Jr. Boulevard and 40<sup>th</sup> Place to comply with ADA requirements.
  4. 40<sup>th</sup> Place – Construct new concrete sidewalk, integral concrete curb and 2-foot gutter along the property frontage. Close all unused driveways with curb, gutter and sidewalk and upgrade all driveways to comply with ADA requirements.
  5. Alley – Construct additional asphalt pavement in the dedicated area to provide a 10-foot half alley and repair the 2-foot longitudinal concrete gutter. Upgrade the alley intersection with Hoover Street to City Standards.
  6. Install tree wells with root barriers and plant street trees satisfactory to the City Engineer and the Urban Forestry Division of the Bureau of Street Services. The applicant should contact the Urban Forestry Division for further information (213) 847-3077.
  7. Street lighting may be required satisfactory to the Bureau of Street Lighting (213) 847-1551.
  8. Department of Transportation may have additional requirements for dedication and improvements.
- c. Roof drainage and surface run-off from the property shall be collected and treated at the site and drained to the streets through drain pipes constructed under the sidewalk through curb drains or connections to the catch basins.
- d. Sewer lines exist in Hoover Street, 40<sup>th</sup> Place and in the Alley. Extension of the 6-inch house connections laterals to the new property line may be required. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
- e. 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.

### 3. **Street Lighting.**

- a. Prior to recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.
- b. Construct new street lights: one (1) on Hoover Street and two (2) on 40<sup>th</sup> Place. If street widening per BOE improvement conditions, relocate and upgrade street lights; thirteen (13) on Martin Luther King, Jr. Boulevard and two (2) on Hoover Street.

4. **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

5. **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.
6. **Fire Department.** Prior to the issuance of building permit, a plot plan shall be submitted to the Fire Department for approval.



## (Q) QUALIFIED CONDITIONS OF APPROVAL

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

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials stamped "Exhibit A" and dated July 13, 2016, and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, and written approval by the Director of Planning, with each change being identified and justified in writing. Minor deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
2. **Height.** The East Structure shall be limited to a maximum height of 68 feet above grade level. The West Structure shall be limited to a maximum height of 54 feet above grade level. Each building shall be permitted an additional 11 feet to account for elevator shafts, solar panels, and equipment, in substantial conformance with Exhibit A.
3. **Floor Area Ratio (FAR).** The East Structure shall be developed in substantial conformance with Exhibit A, and not exceed an FAR of 3.58 to 1, or 152,477 square feet. The West Structure shall be developed in substantial conformance with Exhibit A, and not exceed an FAR of 3.83 to 1, or 105,075 square feet.
4. **Setbacks.** The setbacks of the proposed structures shall be in conformance with LAMC Section 12.14-C of the LAMC, and shall be in substantial conformance with the site plans stamped "Exhibit A" and dated July 13, 2016.
5. **Automobile Parking.** Automobile parking shall be provided consistent with LAMC Section 12.21-A,4.
6. **Above-Grade Parking.** Above-grade parking levels shall have an external screen integrated into the architecture and be designed to improve the building's appearance and minimize light pollution while meeting code requirements for ventilation.
7. **Bicycle Parking.** Bicycle parking shall be provided consistent with LAMC Sections 12.21-A,4 and 12.21-A,16. All bicycle parking shall have delineated access separate and apart from vehicular activity to promote a safe path of travel.
8. **Development Agreement.** Prior to the issuance of a building permit for this project, the Department of Building and Safety shall confirm that the public benefits, as identified in Case No. CPC-2016-1034-DA, have been satisfied.
9. **On-Site Wall Signs.** On-site wall signs shall be provided in compliance with the Municipal Code and to the satisfaction of the Department of Building and Safety. No variance from the LAMC Section 14.4 (Sign Regulations) has been required or granted herein.
10. **Digital Displays, as defined by LAMC Section 14.4.2.**
  - a. Digital displays with off-site commercial messages shall be prohibited.
  - b. The project shall be permitted up to three on-site digital displays. None may face residential uses or zones.

- c. The operation of the digital display portion of any on-site sign shall be limited to the hours of 6:00 a.m. and 11:00 p.m., daily.
- d. Digital displays with changing messages shall observe a minimum duration of eight seconds for each message. The message shall remain static between transitions.
- e. All digital displays shall be equipped with a sensor or other device that automatically adjusts the brightness of the display according to changes in ambient lighting to comply with a brightness limitation of 0.3 foot-candles above ambient lighting. A test by a Los Angeles City Licensed Testing Agency shall be conducted to verify light intensity not greater than 0.3 foot-candles above ambient lighting and a 300 candela per square meter limit in the nighttime after sunset measuring at the property line of the nearest residential property prior to final inspection approval.

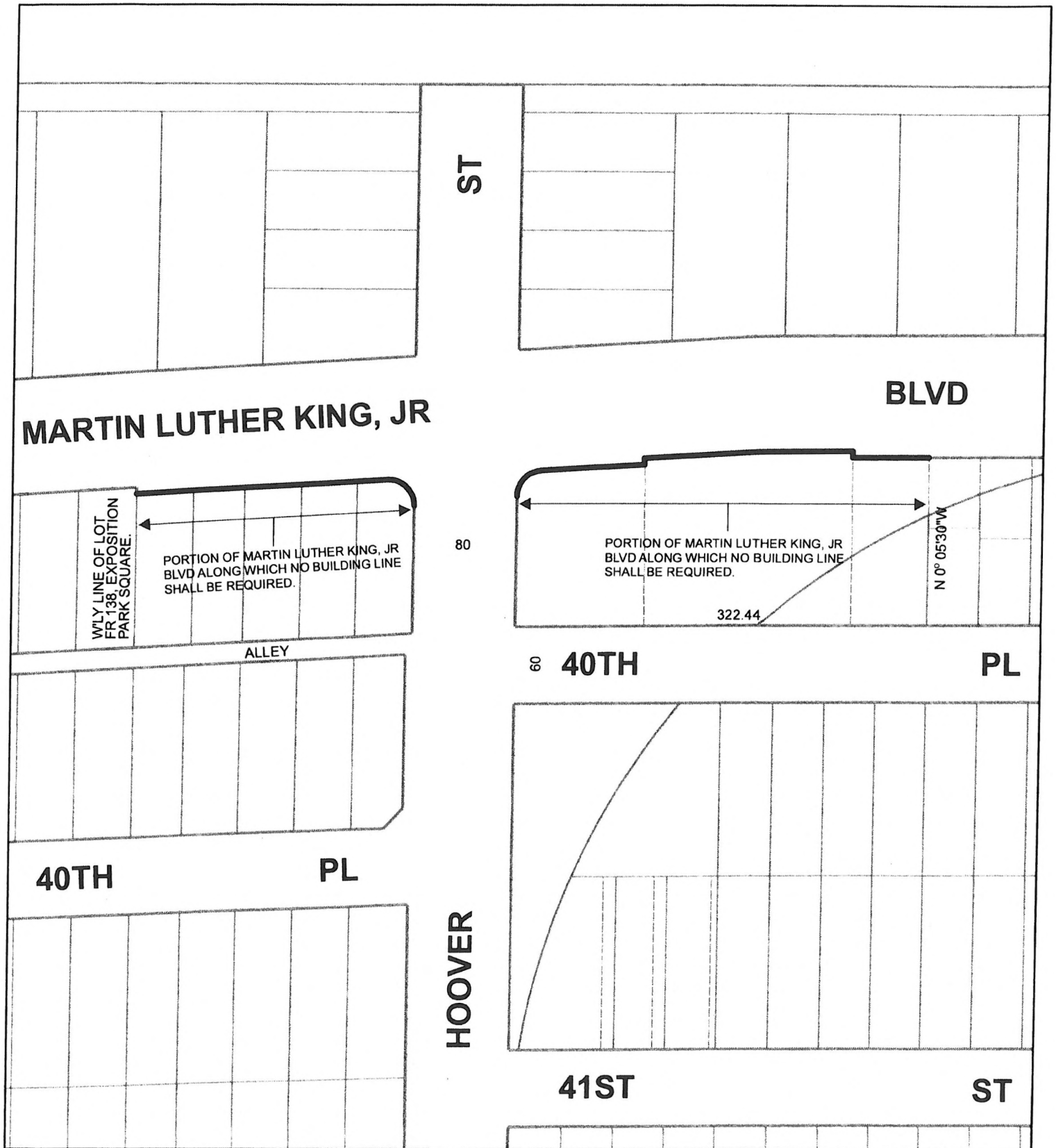


ORDINANCE NO. \_\_\_\_\_

An Ordinance amending Ordinance Nos. 115,573 and 123,519 amending Ordinance No. 65,419 establishing a building line.

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

Section \_\_. Ordinance Nos. 115,573 and 123,519 amending Ordinance No. 65,419; entitled . . . An Ordinance ordering the establishment of a building line on both sides of MARTIN LUTHER KING JR. BOULEVARD (formerly, Santa Barbara Avenue) between Figueroa Street and Vermont Avenue . . . was passed by the Council of the City of Los Angeles at its meeting of November 21, 1929, . . . is hereby amended by repealing the provisions establishing the building line on that portion of MARTIN LUTHER KING JR. BOULEVARD (formerly, Santa Barbara Avenue), as depicted on the following diagram:



100 50 0 100 Feet

C.M. 114 B 197, 115.5 A 201

CPC-2016-1032-GPA-ZC-HD-BL-ZAD-SPR

CF/qe

6/30/16

City of Los Angeles



South L.A.

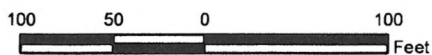
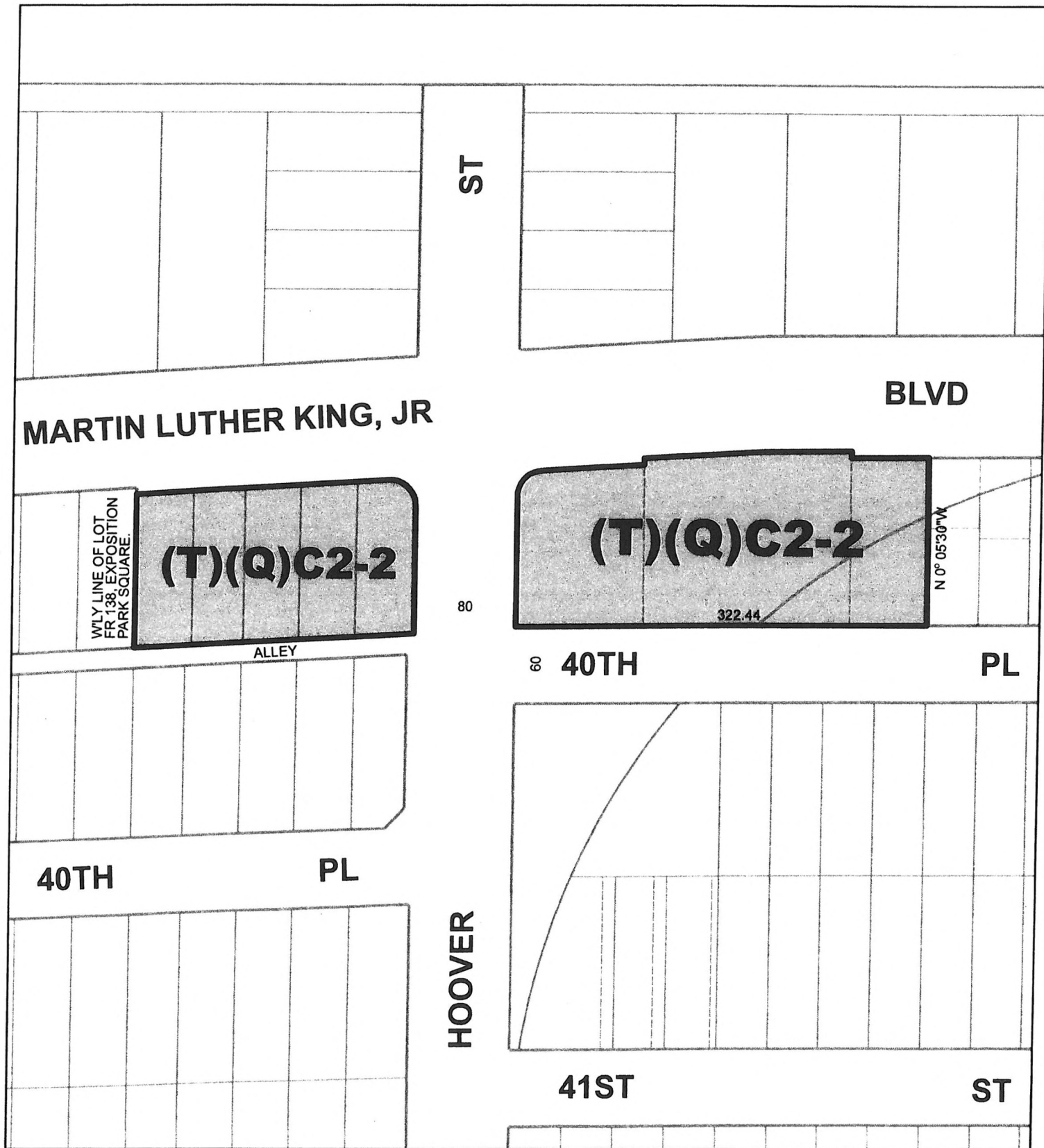


**ORDINANCE NO. \_\_\_\_\_**

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

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

Section \_\_\_\_\_. Section 12.04 of the Los Angeles municipal Code is hereby amended by changing the zone classifications of property shown upon a portion of the Zoning Map incorporated therein and made a part of Article 2, Chapter 1 of the LAMC, so that such portion of the Zoning Map shall conform to the zoning on the map attached hereto and incorporated herein by this reference.



C.M. 114 B 197, 115.5 A 201	CPC-2016-1032-GPA-ZC-HD-BL-ZAD-SPR
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CF/aε

6/30/16

City of Los Angeles





## CONDITIONS OF APPROVAL

### Entitlement Conditions

1. **Use.** Authorized herein are two, five-story structures containing automobile dealership, vehicle service facility, and vehicle storage uses, including the 152,477 square-foot East Structure and 105,075 square-foot West Structure.
2. **Electric Vehicle Parking.** The project shall include at least 20 percent of the total code-required parking spaces capable of supporting future electric vehicle supply equipment (EVSE). Plans shall indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating ampacity. Of the twenty percent EV Ready parking, five percent of the total code required parking spaces shall be further provided with EV chargers to immediately accommodate electric vehicles within the parking areas. When the application of either the required 20 percent or five percent results in a fractional space, round up to the next whole number. A label stating "EVCAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point. None of the required EV Ready parking shall apply to parking spaces used for dealership vehicle storage.
3. **Solar Panels.** Solar panels shall be installed on the project's rooftop space to be connected to the building's electrical system, in substantial conformance with the plans stamped "Exhibit A" and dated July 13, 2016.
4. **Landscaping.** All open areas not used for buildings, driveways, parking areas, or walkways shall be attractively landscaped and maintained in accordance with a landscape plan and an automatic irrigation plan, prepared by a licensed Landscape Architect and to the satisfaction of the decision maker.
  - a. Vines grown on the masonry surface of the buildings shall be of a non-deciduous species.
5. **Lighting.** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.
6. **Mechanical Equipment.** All mechanical equipment on the roof shall be fully screened from view of any abutting properties and the public right-of-way.
7. **Art Mural.** The project shall be permitted up to two art murals, one fronting 40<sup>th</sup> Place on the East Structure and one fronting the alley on the West Structure. Any art mural installed on the building façade shall be in compliance with all applicable City regulations, pursuant to Section 22.119 of the Los Angeles Administrative Code and including approval from the Department of Cultural Affairs.
8. **Pedestrian Path of Travel.** The ground level parking area of the East Structure shall have a path of travel demarcated for pedestrians for wayfinding purposes and to promote safety, in substantial conformance with the circulation plan stamped "Exhibit A" and dated July 13, 2016.
9. **Graffiti.** All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.

10. **Trash/Storage.** All trash collection and storage areas shall be located on-site and not visible from the public right-of-way.
  - a. Trash receptacles shall be stored in a fully enclosed building or structure, constructed with a solid roof, at all times.
  - b. Trash/recycling containers shall be locked when not in use.
11. **Hours of Operation.**
  - a. The vehicle servicing use shall only operate between the hours of 6:00 a.m. and 11:00 p.m., daily.
  - b. All other uses shall only operate between the hours of 7:00 a.m. and 11:00 p.m., daily.
  - c. Deliveries and trash/recycling pick-up and emptying are permitted to occur only between the hours of 7:00 a.m. and 8:00 p.m., Monday through Friday, and 10:00 a.m. to 4:00 p.m., Saturdays and Sundays.

### **Environmental Conditions**

12. **Air Quality.**
  - a. All off-road construction equipment greater than 50 horsepower (hp) shall meet US EPA Tier 4 emission standards, where available, to reduce NO<sub>x</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> emissions at the proposed project site. In addition, all construction equipment shall be outfitted with Best Available Control Technology devices certified by CARB. On site equipment generators shall use either plug-in electric or solar technology. 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.
  - b. Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks) and if the Lead Agency determines that 2010 model year or newer diesel trucks cannot be obtained, the Lead Agency shall require trucks that meet U.S. EPA 2007 model year NO<sub>x</sub> emissions requirements.
  - c. 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.
  - d. Encourage construction contractors to apply for SCAQMD "SOON" funds. Incentives could be provided for those construction contractors who apply for SCAQMD "SOON" funds. The "SOON" program provides funds to accelerate cleanup of off-road diesel vehicles, such as heavy duty construction equipment. More information on this program can be found at: [http://www.aqmd.gov/home/programs/business/business-detail?title=offroad - diesel-engines&parent=vehicle-engine-upgrades](http://www.aqmd.gov/home/programs/business/business-detail?title=offroad-diesel-engines&parent=vehicle-engine-upgrades).
13. **Air Pollution (Auto Repair Garage).** All auto repair work shall be conducted within enclosed buildings that have been designed with appropriate pollution controls and ventilation systems.
14. **Expose Sensitive Receptors to Pollutants (Auto Repair Garage/Auto Servicing Levels).** No window or door opening on the 3<sup>rd</sup> and 4<sup>th</sup> Floors of the East Structure shall be permitted along the sides of the buildings facing residential.
15. **Habitat Modification (Nesting Native Birds, Non-Hillside or Urban Areas).**
  - a. Proposed project activities (including disturbances to native and nonnative vegetation, structures, and substrates) should take place outside of the breeding season for birds which generally runs from March 1 to August 31 (and as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or

attempt to hunt, pursue, catch, capture, or kill (California Fish and Wildlife Code Section 86).

- b. If proposed project activities cannot feasibly avoid the breeding season, no earlier than 30 days prior to the disturbance of suitable nesting habitat, the Applicant shall:
  - i. Arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within properties adjacent to the proposed project site, as access to adjacent areas allows. The survey shall be conducted by a Qualified Biologist with experience in conducting breeding bird surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than three days prior to the initiation of clearance/construction work.
  - ii. If a protected native bird is found, the Applicant shall delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat for the observed protected bird species until August 31.
  - iii. Alternatively, the Qualified Biologist could continue the survey in order to locate any nests. If an active nest is located, clearing and construction (within 300 feet of the nest or as determined by a qualified biological monitor) shall be postponed until the nest is vacated and juveniles have fledged, and when there is no evidence of a second attempt at nesting. The buffer zone from the nest shall be established in the field with flagging and stakes. Construction personnel shall be instructed on the sensitivity of the area.
  - iv. If the Qualified Biologist determines that a narrower buffer between the construction activities and the observed active nests is warranted, the Qualified Biologist may submit a written explanation as to why (e.g., species-specific information; ambient conditions and bird's habituation to them; terrain, vegetation, and birds' lines of sight between the construction activities and the nest and foraging areas) to the City and, upon request, the CDFW. Based on the submitted information, the City, acting as the Lead Agency (and CDFW, if CDFW requests) shall comply with the buffer zone recommended in the Qualified Biologist report.
  - v. The Applicant shall record the results of the recommended protective measures described previously to document compliance with applicable State and federal laws pertaining to the protection of native birds. Such record shall be submitted and received into the case file for the associated discretionary action permitting the proposed project.

#### **16. Tree Removal (Non Protected Trees).**

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

#### **17. Tree Removal (Public Right-of-Way).**

- a. Removal of trees in the public right-of-way requires approval by the Board of Public Works.
- b. The required Tree Report shall include the location, size, type, and condition of all existing trees in the adjacent public right-of-way and shall be submitted for review and approval by



the Urban Forestry Division of the Bureau of Street Services, Department of Public Works (213-847-3077).

- c. The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 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 and include King Palm, Golden Goddess Bamboo, and Bottlebrush Tree species.

**18. Geology and Soils.** Prior to the issuance of building permits, the Applicant shall submit a design level geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety for review and approval. The geotechnical report shall assess potential consequences of estimation of settlement, lateral movement, or reduction in foundation soil-bearing capacity, and discuss measures that may include building design consideration. Building design considerations shall include but are not limited to ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements, or any combination of these measures. The proposed project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.

**19. Greenhouse Gas Emissions.**

- a. Low- and non-VOC containing paints, sealants, adhesives, solvents, asphalt primer, and architectural coatings (where used), or pre-fabricated architectural panels shall be used in the construction of the project.
- b. Any new construction shall include 20 percent of parking spaces set aside for EV-ready parking.

**20. Increased Noise Levels (Demolition, Grading, and Construction Activities).**

- a. The proposed project shall comply with the City Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- b. Demolition and construction activities shall, to the extent feasible, be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise and vibration levels.
- c. The proposed project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices, to the extent feasible.
- d. Sound curtains or an equivalent sound attenuating device capable of achieving a 10 dB reduction shall be placed along the northern, southern, and western property boundary prior to commencement of construction. The sound curtain or equivalent sound attenuating device shall be engineered and erected according to applicable codes.

**21. 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.

**22. Increased Noise Levels (Auto Repair Garage).** No openings on the 3<sup>rd</sup> and 4<sup>th</sup> Floors of the East Structure shall be permitted on any building façade which abuts a residential use or zone.

23. **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 prior to 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 be no more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
24. **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.
25. **Public Services (Police).** The plans shall incorporate the *Design Guidelines* (defined in the following sentence) relative to 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, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. 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 West 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.
26. **Public Services (Schools Affected by Haul Route).**
- LADBS shall assign specific haul route hours of operation based upon Manual Arts High School and/or Martin Luther King Jr. Elementary hours of operation.
  - Haul route scheduling shall be sequenced to minimize conflicts with pedestrians, school buses and cars at the arrival and dismissal times of the school day. Haul route trucks shall not be routed past the school during periods when school is in session especially when students are arriving or departing from the campus.
27. **Transportation (Haul Route).** The developer shall install traffic signs in accordance with the LAMC around the site to ensure pedestrian and vehicle safety.
28. **Transportation/Traffic.**
- Applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the applicant to maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding, etc.) from work space and vehicular traffic and overhead protection, due to sidewalk closure or blockage, at all times.
  - Temporary pedestrian facilities should be adjacent to the proposed project site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.
  - Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.
  - Applicant shall keep sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction staging. Sidewalk shall be reopened as soon as reasonably feasible taking construction and construction staging into account.

**Administrative Conditions of Approval**

29. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
30. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
31. **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.
32. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
33. **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.
34. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.
35. **Corrective Conditions.** The authorized use shall be conducted at all time with due regards to 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.
36. **Expediting Processing Section.** Prior to the clearance of any conditions, the applicant shall show that all fees have been paid to the Department of City Planning Expedited Processing Section.
37. **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, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions or to claim personal property damage, including from inverse condemnation or any other constitutional claim.



- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages and/or settlement costs.
- 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 (b).
- 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 (b).
- e. If the City determines it necessary to protect the City's interests, 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, commission, committees, employees and volunteers.

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

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

## FINDINGS

### General Plan/Charter Findings

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

The subject property is located within the South Los Angeles Community Plan, which was last revised by the City Council on March 22, 2000. The Plan Map designates the project site's two westernmost parcels located at 816 and 820 West Martin Luther King, Jr. Boulevard for High Medium Residential land uses, while the remainder of the subject property has a General Plan land use designation of Community Commercial. The High Medium Residential land use designation includes a corresponding zone of R4 and the Community Commercial land use designation includes corresponding zones of CR, C2, C4, RAS3, and RAS4. Portions of the subject property are zoned R3 and are requesting to be changed to C2, including the two westernmost parcels and segments of the two easternmost parcels located at 703, 703 ½, and 705 West 40<sup>th</sup> Place. The remaining portion of the property is within the C2 zone. The R3 Zone is not a corresponding zone to Community Commercial or High Medium Residential, and thus the General Plan Amendment is necessary to provide consistency and conformity to the land use and zoning provisions of the South Los Angeles Community Plan.

Upon approval of the Zone Change request to change portions of the subject property from R3 to C2, the entire site will be zoned C2. The General Plan Amendment to re-designate the two westernmost lots of the subject property from High Medium Residential to Community Commercial will establish consistency between the General Plan Land Use Designation and the requested C2 Zone. Furthermore, the Plan Amendment to Community Commercial would enable approximately 10,203 square feet of the subject property to be consistent with the existing Community Commercial designation that spans the remainder of the 67,978 square-foot site. It is also consistent with the abutting Community Commercial land use designation to the east and would provide the City an opportunity to correct an inconsistency while simultaneously developing an underutilized site in a manner consistent with the goals, policies, and objectives of the General Plan Framework Element.

The Community Plan Map, through Footnote No. 1, limits the subject property to Height District No. 1. The General Plan Amendment will exempt the subject property from Footnote No. 1 and would permit Height District No. 2 through a Height District Change. Height District No. 2 permits an FAR of 6 to 1, and the proposed project will be constructed within that FAR limitation, with FARs of 3.58 to 1 (East Structure) and 3.83 to 1 (West Structure). The requests to exempt Height District No. 1 from the entire project site and to allow Height District No. 2 would enable the project site to be built at a height and intensity consistent with the existing four-story apartment development directly to the east.

The portion of the site currently designated for High Medium Residential land uses has historically been used for surface parking, and not for any multi-family residential uses. The General Plan Amendment to allow Community Commercial land uses on these parcels would simply amend the Plan Map to be consistent with prevailing commercial/parking uses currently existing on the site. The requested General Plan Amendment will unify the project site under the Community Commercial land use designation, consistent with commercially-zoned properties to the east and west of the project site along Martin Luther King, Jr. Boulevard. The requested Zone and Height District Change will similarly unify the entire project site under the C2 zone and Height District No. 2, creating a consistent pattern of zoning and corresponding land use designation at the southeast and southwest corners of Martin Luther King, Jr. Boulevard and Hoover Street.

## 2. General Plan Text.

- a. **South Los Angeles Community Plan.** The Community Plan text includes the following relevant land use goals, objectives, and policies:

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

Objective 2-1. To conserve and strengthen viable commercial development

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

Policy 2-1.3. Commercial areas should be consolidated and deepened to stimulate existing businesses, create opportunities for new development and off-street parking, expand the variety of goods and services, and improve shopping convenience as well as offer local employment.

Policy 2-1.5. Require that projects be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development.

Objective 2-2. Allow for development of automobile-related uses in appropriate commercial designations along major arterials.

Policy 2-2.3. Permit the development of new automobile-related uses in some commercial and industrial areas.

Policy 2-2.4. Require screening of open storage and auto uses, and prohibit storage of automobile parts and other noxious commercial related products in front of commercial development, exposed to the street.

Objective 2-5. To enhance the appearance of commercial districts.

Policy 2-5.1. Improve the appearance of landscaping and commercial properties.

Policy 2-5.3. Improve safety and aesthetics of parking areas in commercial areas.

In addition to the land use goal, policies, and objectives described above, the project is consistent with the following design policies within the Urban Design Chapter of the Community Plan:

Site Planning. Structures shall be oriented toward the main commercial street where a parcel is located and shall avoid pedestrian/vehicular conflicts by:

- Where appropriate, locate retail and commercial service uses along frontages of commercial developments.
- Providing front pedestrian entrances for businesses fronting on main commercial streets.
- Providing pedestrian access from the front of building to rear parking for projects with wide frontages.



- Requiring site plans which include ancillary structures, service areas, pedestrian walkways, vehicular paths, loading areas, drop off, and landscaped areas.

Height and Building Design. The project is consistent with the following policies regarding height and building design.

- Maximize the area devoted to transparent building elements, such as windows and doors, on front facades. However, facades facing rear parking areas, shall limit such transparent elements to at least 20% of the frontage.
- Require the use of articulations, recesses, surface perforations, porticoes to break up long, flat building facades.
- Provide accenting, complementary building materials to building facades.
- Screen mechanical and electrical equipment from public view.
- Screen all rooftop equipment and building appurtenances from public view.
- Require the enclosure of trash areas for all projects.

Parking Structures. Parking structures shall be integrated with the design of the buildings they serve through:

- Design parking structure exteriors to match the style, materials and color of the main building.
- Along commercial frontages, and where appropriate, maximize retail and commercial service uses on ground floors of parking buildings.
- Utilize landscaping to screen parking structures not architecturally integrated with the main building.
- Utilize decorative walls and landscaping to buffer residential uses from parking structures.

Light and Glare.

- Install on-site lighting along all pedestrian walkways and vehicular access ways.
- Shield and direct on-site lighting onto driveways and walkways, and away from adjacent residential uses.

The General Plan Amendment from High Medium Residential to Community Commercial land use for the two westernmost lots of the subject property will eliminate any conflict or inconsistency between the General Plan land use designation and the requested C2 Zone. The portion of the project site currently designated for High Medium Residential land uses has historically been used for surface parking, and not any multi-family residential uses. The General Plan Amendment to allow Community Commercial land uses on these

parcels would simply amend the Plan Map to be consistent with prevailing commercial/parking uses on the site.

The General Plan Amendment to exempt the subject property from Footnote No. 1 and the Zone and Height District Change to C2-2 would allow a maximum FAR of 6 to 1. The proposed projects, with FARs of 3.58 to 1 (East Structure) and 3.83 to 1 (West Structure) will enable the Honda of Downtown Los Angeles brand to expand into a larger, new space, providing a significant number of new jobs and generating sales tax revenue to the City with the increase in automobiles sold. The project has been designed with adequate buffering, landscaping, screening, and treatments to the facade to be compatible with residential uses within the surrounding area.

- b. **South Los Angeles Alcohol Sales Specific Plan.** The project site is located within the boundaries of the South Los Angeles Alcohol Sales Specific Plan, which seeks to regulate off-site consumption alcohol sales within the plan area. Since the proposed project will operate solely as an automobile dealership and will not involve the sale of alcohol, it is not subject to the regulations of the Specific Plan.
- c. **Land Use Chapter, Framework Element.** The Framework Element of the General Plan 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, and public services.

The project will support and will be generally consistent with the General Plan Framework Land Use Chapter, as it will introduce a new commercial use to an underutilized site currently used for surface parking and containing a blighted vacant commercial building. In addition, the project will comply with the following goals, objectives, and policies set forth in the General Plan Framework Land Use Chapter as follows:

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

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

Policy 3.1.1. Identify areas on the Long-Range Land Use Diagram and in the community plans sufficient for the development of a diversity of uses that serve the needs of existing and future residents (housing, employment, retail, entertainment, cultural/institutional, educational, health, services, recreation, and similar uses), provide job opportunities, and support visitors and tourism.

Policy 3.1.5. Allow amendments to the community plans and coastal plans to further refine General Plan Framework Element land use boundaries and categories to reflect local conditions, parcel characteristics, existing land uses, and public input. These changes shall be allowed provided (a) that the basic differentiation and relationships

among land use districts are maintained, (b) there is no reduction in overall housing capacity, and (c) additional environmental review is conducted in accordance with the California Environmental Quality Act should the impacts of the changes exceed the levels of significance defined and modify the conclusions of the Framework Element's Environmental Impact Report.

Policy 3.1.6. Allow for the adjustment of General Plan Framework Element land use boundaries to account for changes in the location or introduction of new transit routes and stations (or for withdrawal of funds) and, in such cases, consider the appropriate type and density of use generally within one quarter mile of the corridor and station to reflect the principles of the General Plan Framework Element and the Land Use/Transportation Policy.

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

- d. **Health and Wellness Element.** Plan for a Healthy Los Angeles, the Health and Wellness Element of the General Plan, calls for the promotion of a healthy built environment in a manner that enhances opportunities for improved health and well-being, and which promotes healthy living and working conditions. The proposed project complies with the following policies:

Policy 3.2.1. Pattern of development that considers proximity to public transit corridors and station.

Policy 3.2.3. Land use patterns that emphasize pedestrian/bicycle access

Policy 3.4.1. Encourage new development to be located near rail and bus transit stations and corridors.

Policies 3.8.4-3.8.6. Promote pedestrian activity (streetscape improvements) in neighborhood districts.

The project locates jobs and commercial space within walking distance to several Metro Local, Rapid, and Express bus stops and the Metro Expo Line stop at Exposition Park. Short-term and long-term bicycle parking will be available along 40<sup>th</sup> Place within the East Structure to allow for an alternative mode of transportation to and from the project site. Further, the ground floor of the East Structure has been articulated with glazing, a defined corner entrance, and landscaping to enhance the pedestrian experience on and around the project site.

- e. **Mobility Element.** The Mobility Element of the General Plan (Mobility Plan 2035) is likely to be affected by the recommended action herein through the imposition of street dedications and improvements surrounding the project site. Martin Luther King, Jr. Boulevard is designated as an Avenue I under Mobility Plan 2035, dedicated to a half right-of-way width of 45 feet along the East Structure and 50 feet along the West Structure, and improved with asphalt roadway and concrete curb, gutters, and a sidewalk. Hoover Street is a designated Avenue II, dedicated to a full right-of-way width of 80 feet, and improved with asphalt roadway and concrete curb, gutters, and a sidewalk. 40<sup>th</sup> Place is a designated Local Street, dedicated to a half right-of-way width of 30 feet, and improved with asphalt roadway and concrete curb, gutters, and a sidewalk. The alley to the south of the West Structure is dedicated to an eight-foot half right-of-way width and improved with



pavement. Dedications and improvements have been imposed under the (T) Tentative Classification conditions contained within this staff report.

The proposed project is in conformance with the Mobility Element policies listed below:

Policy 1.2. Implement a balanced transportation system on all streets, tunnels, and bridges using complete streets principles to ensure the safety and mobility of all users.

Policy 2.3. Recognize walking as a component of every trip, and ensure high quality pedestrian access in all site planning and public right-of-way modifications to provide a safe and comfortable walking environment.

Policy 2.6. Provide safe, convenient, and comfortable local and regional bicycling facilities for people of all types and abilities.

Policy 2.10. Facilitate the provision of adequate on and off-street loading areas.

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

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

The project site is well-served by public transit; several Metro Local, Rapid, and Express bus stops and the Metro Expo Line stop at Exposition Park are within walking distance of the subject property. The project includes five short-term and five long-term bicycle parking spaces and related facilities in accordance with the provisions of the LAMC. These facilities are located in direct proximity to the street, with designated access intended to reduce conflicts between pedestrians and vehicles.

- f. **Sewerage Facilities Element.** The Sewerage Facilities Element of the General Plan will not be affected by the recommended action. While the sewer system is likely 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.
- g. **Street Lights.** Any City required installation or upgrading of street lights is necessary to complete the City street improvement system so as to increase night safety along the streets which adjoin the subject property.

### 3. Charter Findings – City Charter Sections 555, 556, and 558 (General Plan Amendment)

- a. **Amendment in Whole or in Part.** The General Plan Amendment before the City Planning Commission represents an Amendment in Part of the South Los Angeles Community Plan, signifying a change to the physical identity of the project site, which is currently designated as Community Commercial and High Medium Residential and zoned C2-1 and R3-1. A portion of the easternmost lots of the site (see Figure 2 on Page A-3) is zoned R3 in a commercially designated area. The R3 Zone is not a corresponding zone to Community Commercial or High Medium Residential, and thus the General Plan Amendment is

necessary to provide consistency and conformity to the land use and zoning provisions of the South Los Angeles Community Plan. The Plan Amendment to Community Commercial for the two westernmost lots would enable approximately 10,203 square feet (or 15 percent) of the subject property to be consistent with the existing Community Commercial designation that spans the remainder of the 67,978 square-foot site. This portion of the site has historically been used for a surface parking lot and not for residential purposes. It is also consistent with the abutting Community Commercial land use designation to the east and would provide the City an opportunity to correct an inconsistency while simultaneously developing an underutilized site in a manner consistent with the goals, policies, and objectives of the General Plan Framework Element.

In adopting a General Plan Amendment to the Community Commercial plan designation, the City finds that based on the above facts the subject property is a part of the significant economic and physical identity expressed by the development, uses and land designations in the immediate area. The portion of the project site currently designated for High Medium Residential land uses has historically been used for surface parking, and not for any multi-family residential uses. The General Plan Amendment to allow Community Commercial land uses on these parcels would amend the Plan Map to be consistent with prevailing commercial/parking uses on the site, and the Community Commercial land use designations along Martin Luther King Boulevard to the east. Similarly, the request to exempt Height District No. 1 from the entire project site and to allow Height District No. 2 would enable the project site to be built at a height and intensity consistent with the existing adjacent four-story apartment development directly to the east. The project site, inclusive of the subject property, also has a significant physical identity itself because the project site is large for a densely populated urban area at 1.6 acres, and it prominently occupies the two southern corners of the intersection at Martin Luther King Jr. and Hoover Street consisting of approximately 500 feet of commercial street frontage.

Thus, the City concludes that approval of the Plan Amendment to Community Commercial and to exempt Height District No. 1 from the project site is an extension of significant and important economic activity in the area. It will allow an underutilized site to be used for an automotive dealership that has the potential to generate significant additional jobs and sales tax revenue for the City. The Plan Amendment will also conform the project site to the new physical identity of the area, which has already seen the introduction of a four-story high medium density residential development and will be undergoing additional transformation with the construction of the new soccer stadium and renovations to the Los Angeles Memorial Coliseum at Exposition Park. Moreover, the Plan Amendment allows a sizeable urban development site to develop an expanse of street frontage at the two southern corners of this intersection with a unified commercial use.

The Plan Amendment is in substantial conformance with the purposes, intent and provisions of the General Plan as discussed above. The Plan Amendment will also conform with public necessity, convenience, general welfare and good zoning practice, as detailed below:

Public Necessity. The General Plan Amendment to re-designate the two westernmost lots of the subject property from High Medium Residential to Community Commercial will enable the entire project site to be used for automobile dealership and servicing purposes in conjunction with the requested Zone Change to C2. The Plan Amendment to exempt the subject property from Footnote No. 1 would permit Height District No. 2 on the site, which allows a maximum FAR of 6 to 1. The proposed project will be constructed within that FAR limitation, with FARs of 3.58 to 1 (East Structure) and 3.83 to 1 (West Structure). Approval of the requested entitlements would permit the use of the site as an automobile dealership and servicing center,

and enable it to be developed with approximately 257,552 square feet of commercial floor area, a significant increase in size from the current, 49,600 square-foot Honda of Downtown Los Angeles building on Figueroa Street. The expansion of the dealership into a larger, new space will enable the applicant to provide a significant number of new jobs and increase the stock of automobiles sold. In addition, it would enable the existing jobs currently located at the Downtown Honda location to be maintained. Approval of the requested entitlements would allow Honda of Downtown Los Angeles to remain within the City of Los Angeles and continue to generate sales tax revenue for the City, and at a higher rate because the project will be able to store a great number of automobiles than before.

Convenience. Granting the proposed General Plan Amendment would result in a project that is convenient to the public. The project site is centrally located in a residential, commercial, and public facilities-mixed neighborhood within the South Los Angeles Community Plan area. The project site provides convenient vehicular access and public transit opportunities, as it is located just west of Interstate 110 and within walking distance (less than one-half mile) of several Metro Local, Rapid, and Express bus stops and the Metro Expo Line stop at Exposition Park. The project site is also located just west of Figueroa Street, which contains a number of existing automobile dealerships north of the project site, providing easy access to Downtown Los Angeles' Auto Row.

General Welfare. Granting the General Plan Amendment will allow for the development of a new automobile dealership on an underutilized site, at an intensity consistent with the four-story, approximately 48-feet in height residential building directly to the east. The improvements resulting from the requested entitlements will enhance the visibility and aesthetic character of the site. Further, the project would be designed in conformance with all applicable fire and safety codes which are intended to promote the General Welfare. Lastly, the applicant is proposing a project that would be consistent with all applicable zoning regulations, excluding the request to deviate from the Transitional Height requirements of the Municipal Code.

Good Zoning Practices. Upon approval of the Zone Change request to change portions of the subject property from R3 to C2, the entire site will be zoned C2. The General Plan Amendment to re-designate the two westernmost lots of the subject property from High Medium Residential to Community Commercial is an example of good zoning practice because it will establish consistency between the General Plan Land Use Designation and the requested C2 Zone. Furthermore, the Plan Amendment to Community Commercial would enable approximately 10,203 square feet of the subject property to be consistent with the existing Community Commercial designation that spans the remainder of the 67,978 square-foot site. It is also consistent with the abutting Community Commercial land use designation to the east and would provide the City an opportunity to correct an inconsistency while simultaneously developing an underutilized site in a manner consistent with the goals, policies, and objectives of the General Plan Framework Element.

The portion of the site currently designated for High Medium Residential land uses has historically been used for surface parking, and not for any multi-family residential uses. The General Plan Amendment to allow Community Commercial land uses on these parcels would amend the Plan Map to be consistent with prevailing commercial/parking uses currently existing on the site. The requested General Plan Amendment will unify the project site under the Community Commercial land use designation, consistent with commercially-zoned properties to the east and west of

the project site along Martin Luther King, Jr. Boulevard. The requested Zone and Height District Change will similarly unify the entire project site under the C2 zone and Height District No. 2, creating a consistent pattern of zoning and corresponding land use designation at the southeast and southwest corners of Martin Luther King, Jr. Boulevard and Hoover Street.

- b. **Initiations of Amendments.** In compliance with this sub-section, the amendment to the South Los Angeles Community Plan (General Plan Land Use Element), was initiated by the Department of City Planning, via signature by the Director of Planning's designee, on July 15, 2015.
- c. **Commission and Mayoral Recommendations.** The noticing and hearing requirements of the General Plan Amendment were satisfied, pursuant to LAMC Section 12.32-C.3. The hearing was scheduled, duly noticed, and held in City Hall on June 15, 2016. The City Planning Commission shall make its recommendation to the Mayor upon a recommendation of approval, or to the City Council and the Mayor upon a recommendation of disapproval.

This action is further subject to the following sections of Charter Section 555:

- d. **Council Action.** The Council shall conduct a public hearing before taking action on a proposed amendment to the General Plan. If the Council proposes any modification to the amendment approved by the City Planning Commission, that proposed modification shall be referred to the City Planning Commission and the Mayor for their recommendations. The City Planning Commission and the Mayor shall review any modification made by the Council and shall make their recommendation on the modification to the Council in accordance with subsection (c) above. If no modifications are proposed by the Council, or after receipt of the Mayor's and City Planning Commission's recommendations on any proposed modification, or the expiration of their time to act, the Council shall adopt or reject the proposed amendment by resolution within the time specified by ordinance.
- e. **Votes Necessary for Adoption.** If both the City Planning Commission and the Mayor recommend approval of a proposed amendment, the Council may adopt the amendment by a majority vote. If either the City Planning Commission or the Mayor recommends the disapproval of the proposed amendment, the Council may adopt the amendment only by a two-thirds vote. If both the City Planning Commission and the Mayor recommend the disapproval of a proposed amendment, the Council may adopt the amendment only by a three-fourths vote. If the Council proposes a modification of an amendment, the recommendations of the Commission and the Mayor on the modification shall affect only that modification.

#### 4. **Redevelopment Plan (CRA – Exposition/University Park Redevelopment Area)**

Enacted on June 29, 2011, Assembly Bill 1x-26 (AB 26) revised provisions of the Community Redevelopment Law of the State of California, to dissolve all redevelopment agencies and community development agencies in existence and designate successor agencies, as defined, as successor entities. Among the revisions, the amendments to the law withdrew all authority to transact business or authorize powers previously granted under the Community Redevelopment Law (Section 34172.a.2), and vested successor agencies with all authority, rights, powers, duties and obligations previously vested with the former redevelopment agencies (Section 34172.b). To that end, the CRA/LA, a Designated Local Authority, the successor agency to the CRA, approved a Resolution, dated September 20, 2012, affecting the Adelante Eastside, Beach Street, Broadway Manchester, Bunker Hill, Central Business



District, Council District 9 Corridors, Central Industrial, Chinatown, City Center, Crenshaw, Crenshaw/Slauson, Normandie, Exposition University Park (Hoover), Hollywood, LA Harbor/Wilmington, Little Tokyo, Pacific Corridors, Pico Union 1, Pico Union 2, Vermont/Manchester, Watts, Watts Corridors, Western/Slauson, Westlake, and Wilshire/Koreatown Redevelopment Project Areas, and which granted authority to the Chief Executive Officer or Designee to review and approve discretionary land use actions and variations to the Redevelopment Plans. Such land use approval would be executed administratively by the delegated officers through building permit sign-off, subject to review criteria, as well as the imposition of the applicable and appropriate conditions.

The project site is located within the boundaries of the Exposition/University Park Redevelopment Project Area. The applicant has consulted with the CRA/LA, and has preliminarily reported that the project does not conflict with the Exposition/University Park Redevelopment Plan. Nonetheless, approval from CRA/LA is required prior to issuance of any building permits associated with the proposed project.

### **Zone and Height District Change Findings; “T” and “Q” Classification Findings**

- 5. Pursuant to Section 12.32 of the Municipal Code, and based on these Findings, the recommended action is deemed consistent with the General Plan and is in conformity with public necessity, convenience, general welfare and good zoning practice.**

The proposed project involves the demolition of a two-story, 4,175 square-foot commercial building and surface parking lots, and the construction, use, and maintenance of two, five-story structures on the southeast and southwest corners of Martin Luther King, Jr. Boulevard and Hoover Street, containing the new Honda of Downtown Los Angeles automobile dealership, vehicle service facilities, and vehicle storage. The East Structure, at 68 feet in height, comprising approximately 152,477 square feet of space, with an FAR of 3.58 to 1, will contain the primary dealership uses and provide 92 automobile parking spaces (exclusive of vehicle storage) and 10 bicycle parking spaces. The West Structure, at 54 feet in height and comprising approximately 105,075 square feet of space with a 3.83 to 1 FAR, will be used for vehicle storage.

The project site consists of six parcels totaling 67,978 square feet of lot area. The South Los Angeles Community Plan designates the project site's two westernmost parcels located at 816 and 820 West Martin Luther King, Jr. Boulevard for High Medium Residential land uses, while the remainder of the subject property has a General Plan land use designation of Community Commercial. The High Medium Residential land use designation includes a corresponding zone of R4 and the Community Commercial land use designation includes corresponding zones of CR, C2, C4, RAS3, and RAS4. Portions of the subject property are zoned R3 and are requesting to be changed to C2, including the two westernmost parcels and segments of the two easternmost parcels located at 703, 703 ½, and 705 West 40<sup>th</sup> Place. The remaining portion of the property is within the C2 zone. With approval of the requested Plan Amendment, the zone change from R3 to C2 will be consistent with the range of zones corresponding to the Community Commercial land use designation.

The proposed project includes a Zone and Height District Change from C2-1 and R3-1 to C2-2, consistent with the proposed Community Commercial land use designation for the project site. Based on the existing Height District No. 1, the subject property would be permitted maximum FARs of 1.5 to 1 for the C2-zoned portion of the site and 3 to 1 for the R3-zoned parcels. The recommended C2-2 Zone would allow the entire project site to be developed with a maximum 6 to 1 FAR. However, the project is below that amount, at a proposed FAR of 3.58 to 1 for the East Structure and 3.83 to 1 for the West Structure.

- a. Public Necessity. Approval of the Zone and Height District Change to (T)(Q)C2-2 would allow the site to be developed with approximately 257,552 square feet of commercial floor area, a significant increase in size from the current, 49,600 square-foot Honda of Downtown Los Angeles building on Figueroa Street. The expansion into a larger, new space will enable the applicant to provide a significant number of new jobs and increase the stock of automobiles sold. In addition, it would enable the existing jobs currently located at the Downtown Honda location to be maintained. The requested Zone and Height District Change will enable the Honda of Downtown Los Angeles to remain within the City of Los Angeles and continue to generate sales tax revenue for the City, and at a higher rate because the project will be able to store a great number of automobiles than before.
- b. Convenience. Granting the proposed Zone and Height District Change would result in a project that is convenient to the public. The project site is centrally located in a residential, commercial, and public facilities-mixed neighborhood within the South Los Angeles Community Plan area. The project site provides convenient vehicular access and public transit opportunities, as it is located just west of Interstate 110 and within walking distance (less than one-half mile) of several Metro Local, Rapid, and Express bus stops and the Metro Expo Line stop at Exposition Park. The project site is also located just west of Figueroa Street, which contains a number of existing automobile dealerships north of the project site, providing easy access to Downtown Los Angeles' Auto Row.
- c. General Welfare. Granting the Zone and Height District Change to (T)(Q)C2-2 will allow for the development of a new automobile dealership on an underutilized site currently improved with surface parking lots and a blighted, vacant commercial building. The improvements resulting from the Zone and Height District Change will enhance the visibility and aesthetic character of the site. Further, the project would be designed in conformance with all applicable fire and safety codes which are intended to promote the General Welfare. Lastly, the applicant is proposing a project that would be consistent with all applicable zoning regulations, excluding the request to deviate from the Transitional Height requirements of the Municipal Code.
- d. Good Zoning Practices. Approval of the Zone and Height District Change to (T)(Q)C2-2 allows for more appropriately intense development of the subject property. The majority of the project site is already zoned C2. The Zone Change from R3 to C2 on the remaining parcels represents good zoning practice because the historic use of the property as surface parking and proposed use as an automobile dealership no longer reflect the residential zoning of the R3-zoned parcels. Furthermore, the site's location provides a prime opportunity to take advantage of the activity generated by Exposition Park by creating a higher intensity project with pedestrian-oriented elements. Granting of the Height District Change to Height District No. 2 would allow the project to be built with a greater FAR than otherwise permitted, and would be consistent with the height of the four-story multi-family development directly east of the project site.
- e. "T" and "Q" Classification Findings. Pursuant to LAMC Sections 12.32-G,1 and G,2(a), The current action, as recommended, has been made contingent upon compliance with new "T" and "Q" conditions of approval, and project specific conditions of approval imposed herein. Such limitations are necessary to ensure the identified dedications, improvements, and construction notices are issued to meet the public's needs, convenience and general welfare served by the required actions. The conditions that limit the scale and scope of development, are also necessary to protect the best interests of and to assure a development more compatible with surrounding properties and the overall

pattern of development in the community, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

For the reasons stated above, the zone and height district change requests are beneficial in terms of the public necessity, convenience, general welfare, and good zoning practice, and are consistent with the General Plan.

### **Building Line Removal Findings**

- 6. 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 varying five, 10, and 15-foot Building Line along Martin Luther King, Jr. Boulevard at the subject property was established under Ordinance Nos. 115,573 and 123,519. The requested building line removal is in conformity with 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 highway dedication and improvement.

Historically, the primary function of the building line was to provide uniform setback of buildings. These are now considered unnecessary, as yard setbacks are required per the respective zone under the current LAMC. In addition, Building Lines were required before the imposition of "T" Conditions on zone changes, which allowed public improvements including street dedications on individual zone change requests. Commercial uses within the C2 Zone are not required to maintain any setbacks. Nonetheless, the proposed project's East and West Structures have been set back a maximum 13 feet, one inch and two feet, respectively, from the property line adjoining Martin Luther King, Jr. Boulevard. The imposition of the varying five, 10, and 15-foot building line would require that the development be shifted away from Martin Luther King, Jr. Boulevard and closer to the rear residential developments.

Martin Luther King, Jr. Boulevard is classified as an Avenue I dedicated to a variable half right-of-way width between 45 and 50 feet at the project's street frontage. As part of the proposed project, the Bureau of Engineering is requiring a five-foot dedication and improvements to complete the 50-foot half right-of way on the southerly side of Martin Luther King, Jr. Boulevard, east of Hoover Street. No dedications are required on the southerly side of Martin Luther King, Jr. Boulevard, west of Hoover Street; however, improvements are required. After the dedication and improvements, Martin Luther King, Jr. Boulevard will meet the City's standards for an Avenue I. As such, the building line will no longer be required on the subject property to ensure that dedication and improvements may occur at the subject site's frontage.

### **Zoning Administrator Determination Findings**

- 7. 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 involves the relocation of the Honda of Downtown Los Angeles dealership and service center from its current location at Figueroa Street and Venice Boulevard and the construction of a new automobile dealership at the southeast and southwest corners of Martin Luther King, Jr. Boulevard and Hoover Street. The new dealership will be contained within two, five-story (six-level) structures, at 68 feet (East Structure) and 54 feet (West Structure) in height.

The proposed project will result in the development of approximately 257,552 square feet of commercial floor area, a significant increase in size from the current, 49,600 square-foot Honda of Downtown Los Angeles building on Figueroa Street. The expansion into a larger, new space will enable the applicant to provide a significant number of new jobs and increase the stock of automobiles sold and serviced. Further, the requested relief from the limitations of Transitional Height will allow construction of the fifth and sixth levels of the East Structure (used as vehicle storage) without any building setbacks. As such, the applicant will be able to store a greater number of automobiles, thereby generating more sales tax revenue for the City and service more cars in the community.

For the reasons stated above, granting approval to deviate from the limitations of Transitional Height performs a function and provides a service that is essential or beneficial to the community, city, or region by creating new jobs and additional tax revenue.

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

The project site consists of six parcels totaling 67,978 square feet of lot area, or 1.6 acres, located at the southeast and southwest corners of Martin Luther King, Jr. Boulevard and Hoover Street within the South Los Angeles Community Plan. The proposed project involves the construction, use, and maintenance of two, five-story structures, containing the new Honda of Downtown Los Angeles automobile dealership and appurtenant uses. The East Structure, at 68 feet in height, contains approximately 152,477 square feet of floor area and will house the primary dealership, as well as vehicle servicing and storage. The West Structure, at 54 feet in height, contains approximately 105,075 square feet of floor area and will be used for vehicle storage. The total floor area of the two structures is 257,552 square feet.

Surrounding uses include a mix of commercial, medium- to high-medium residential uses, public facilities, and surface parking lots. Directly north of the proposed project site, across Martin Luther King, Jr. Boulevard, is Exposition Park, a 160-acre public facility, zoned OS-1XL. Exposition Park includes the Los Angeles Memorial Coliseum, the Los Angeles Memorial Sports Arena, the Natural History Museum of Los Angeles County, the California Science Center, the California African American Museum, and the EXPO Center, which includes a recreation center, senior center, preschool, and aquatic stadium. The portion of this area directly adjacent to the proposed project site consists of surface parking lots for these named public facilities.

The proposed project is subject to the Transitional Height requirements of LAMC Section 12.21.1-A, 10 due to the site's proximity to the OS-1XL Zone. The OS-zoned properties across Martin Luther King, Jr. Boulevard from the subject property are improved with surface parking lots for Exposition Park. The purpose of Transitional Height is to ensure that new development in commercial zones that is adjacent to sensitive uses, usually found in the RW1 Zone or more restrictive zones (including OS), does not adversely impact the adjacent sensitive uses due to the new development's height. While the subject property is adjacent to properties zoned OS, it is not adjacent to sensitive uses within that zone. Therefore, the policy behind Transitional Height, which is intended to protect sensitive uses on more restrictive zones adjoining commercial zones is not relevant to this situation.

Properties to the south, east, and west of the proposed project site are improved with a mix of low, medium, and high-medium residential uses within the RD1.5-1, [Q]R3-1, R3-1, and C2-1 Zones. These residential uses range from one to four stories in height. A four-story



apartment development is situated directly east of the project site. It was constructed in 1991, and contains a total of 137 residential units (68 units abutting the project site and another 69 units to the east of that). The entire apartment development spans almost the entire block face along Martin Luther King, Jr. Boulevard between Hoover and Figueroa Streets, excluding the subject property and a bank at the southwest corner of Martin Luther King, Jr. Boulevard and Figueroa Street. A two-story, four-unit apartment building abuts the subject property to the south. Properties south of the project site, across 40<sup>th</sup> Place from the East Structure, are developed with a 12-unit apartment building, one single-family dwelling, two duplexes, and one triplex, ranging from two to three stories in height. Properties south of the project site, across the alley from the West Structure, are developed with one six-unit apartment building and three triplexes, ranging from two to three stories in height.

While sensitive uses adjoin the subject property to the south, east, and west, those properties are located within multi-family residential zones and are not subject to the Transitional Height limitations of the LAMC. The proposed building heights of the East and West Structures are within the height limitations of the requested Height District No. 2 for the C2 Zone (unlimited height and stories), where Transitional Height standards do not apply.

Therefore, approving the deviations from the Transitional Height requirements will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

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

There are eleven elements of the General Plan. Each of these Elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of code requirements of the LAMC. Except for those entitlements described herein, the project does not propose to deviate from any of the requirements of the LAMC, with the exception of the limitations of Transitional Height.

The Land Use Element of the City's General Plan divides the City into 35 Community Plans. The project site is located within the boundaries of the South Los Angeles Community Plan. Upon approval of the General Plan Amendment for the approximately 10,203 square-foot westernmost portion of the subject property from High Medium Residential to Community Commercial land use, the entire project site will be designated for Community Commercial land uses. Under the South Los Angeles Community Plan, Community Commercial land uses correspond to the CR, C2, C4, RAS3, and RAS4 Zones. Upon approval of the Zone Change request to change portions of the subject property from R3 to C2, the entire site will be zoned C2, and will therefore be consistent with the Community Plan. The Community Plan text is silent with regards to the limitations of Transitional Height. Nevertheless, as discussed in Finding Nos. 1 and 2, the project is consistent with many of the goals, policies, and objectives of the General Plan and the South Los Angeles Community Plan.

The project site is located within the boundaries of the South Los Angeles Alcohol Sales Specific Plan, which seeks to regulate alcohol sales within the plan area. Since the proposed project will operate solely as an automobile dealership and will not involve the sale of alcohol, it is not subject to the regulations of the Specific Plan.

Therefore, the project is in substantial conformance with the purpose, intent and provisions of the General Plan, the applicable community plan, and the South Los Angeles Alcohol Sales Specific Plan.

**10. The project provides for an arrangement of uses, buildings, structures, open spaces and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood.**

The project site is located within the South Los Angeles Community Plan, just west of Interstate 110 at the southeast and southwest corners Martin Luther King, Jr. Boulevard and Hoover Street. Martin Luther King, Jr. Boulevard, adjoining the subject property to the north, is an established commercial corridor, generally developed with low- to high-intensity commercial, institutional, and residential uses, including Exposition Park and surface parking lots directly across the street.

Residential land uses are located to the south, east, and west of the proposed project site, ranging from one to four stories in height. A four-story apartment development is situated directly east of the project site. It was constructed in 1991, and contains a total of 137 residential units (68 units abutting the project site and another 69 units to the east of that). The entire apartment development spans almost the entire block face along Martin Luther King, Jr. Boulevard between Hoover and Figueroa Streets, excluding the subject property and a bank at the southwest corner of Martin Luther King, Jr. Boulevard and Figueroa Street. A two-story, four-unit apartment building abuts the subject property to the south. Properties south of the project site, across 40<sup>th</sup> Place from the East Structure, are developed with a 12-unit apartment building, one single-family dwelling, two duplexes, and one triplex, ranging from two to three stories in height. Properties south of the project site, across the alley from the West Structure, are developed with one six-unit apartment building and three triplexes, ranging from two to three stories in height.

The proposed project's East Structure, at 68 feet in height, contains approximately 152,477 square feet of floor area and will house the primary dealership, as well as vehicle servicing and storage. The West Structure, at 54 feet in height, contains approximately 105,075 square feet of floor area and will be used for vehicle storage. The total floor area of the two structures is 257,552 square feet. While the East and West Structures are located within the minimum distance from the OS zone to trigger the transitional height limitations of the LAMC, the OS-zoned properties are improved with surface parking lots servicing Exposition Park and not any sensitive uses. Therefore, the project's deviations from Transitional Height would be compatible with would not adversely affect or further degrade the adjacent OZ-zoned lots across Martin Luther King, Jr. Boulevard.

The project will be compatible with the scale and character of the adjacent properties and surrounding neighborhood. The four-story apartment building directly east of the subject property was constructed in 1991, and contains a total of 137 residential units (68 units abutting the project site and another 69-units to the east of that). The entire apartment development spans almost the entire block face along Martin Luther King, Jr. Boulevard between Hoover and Figueroa Streets, excluding the subject property and a bank at the southwest corner of Martin Luther King, Jr. Boulevard and Figueroa Street. This project sets a precedent for larger-scale, four-story developments in the immediate local neighborhood.

The subject property is sensitive to adjacent multi-family residential uses. The East Structure's service department will be fully enclosed, and the parking structure areas screened, shielding the neighborhood from the noises, lights and odors generally associated with automobile servicing. Further, the East Structure contains drive aisles wide enough for the service department to receive and dispatch at least 10 vehicles for service at a time, thereby ensuring that cars do not queue on 40<sup>th</sup> Place. Although setbacks are not required for commercial uses within the C2 Zone, the project will be setting back all sides of the two structures to allow for additional landscape buffering, except for the south side of the West Structure. The project is required to widen the public alley to the rear of the West Structure by two feet, which will

provide added separation between the project and adjacent residential uses. In addition, conditions have been imposed to minimize impacts on nearby residences, including limitations to hours of operation, as well as requirements for parking, rooftop mechanical equipment, trash, and storage screening.

The project includes significant landscaping, which will improve the visual aesthetics of the property currently improved with surface parking lots with cracked pavement, freestanding billboards, and a blighted vacant commercial structure. Approximately 66 new trees will be planted surrounding the East Structure, and 40 around the West Structure, comprised of a mix of King Palm, Golden Goddess Bamboo, and Bottlebrush Trees. In addition, the project will be surrounded by a variety of landscaping, including Kangaroo Paws, Soft Rush Oriental Fountain Grass, New Zealand Flax, and Sticks on Fire. Clinging vines are also to be planted along the building facades.

Therefore, the project provides for an arrangement of uses, buildings, structures, open spaces and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood.

### **Site Plan Review Findings**

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

There are eleven elements of the General Plan. Each of these Elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of code requirements of the LAMC. Except for those entitlements described herein, the project does not propose to deviate from any of the requirements of the LAMC, with the exception of the limitations of Transitional Height.

The Land Use Element of the City's General Plan divides the City into 35 Community Plans. The project site is located within the boundaries of the South Los Angeles Community Plan. Upon approval of the General Plan Amendment for the approximately 10,203 square-foot westernmost portion of the subject property from High Medium Residential to Community Commercial land use, the entire project site will be designated for Community Commercial land uses. Under the South Los Angeles Community Plan, Community Commercial land uses correspond to the CR, C2, C4, RAS3, and RAS4 Zones. Upon approval of the Zone Change request to change portions of the subject property from R3 to C2, the entire site will be zoned C2, and will therefore be consistent with the Community Plan. The Community Plan text is silent with regards to the limitations of Transitional Height. Nevertheless, as discussed in Finding Nos. 1 and 2, the project is consistent with many of the goals, policies, and objectives of the General Plan and the South Los Angeles Community Plan.

The project site is located within the boundaries of the South Los Angeles Alcohol Sales Specific Plan, which seeks to regulate alcohol sales within the plan area. Since the proposed project will operate solely as an automobile dealership and will not involve the sale of alcohol, it is not subject to the regulations of the Specific Plan.

Therefore, the project is in substantial conformance with the purpose, intent and provisions of the General Plan, the applicable community plan, and the South Los Angeles Alcohol Sales Specific Plan.



12. **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 neighboring properties.**

The project site is located within the South Los Angeles Community Plan, just west of Interstate 110 at the southeast and southwest corners Martin Luther King, Jr. Boulevard and Hoover Street. Martin Luther King, Jr. Boulevard, adjoining the subject property to the north, is an established commercial corridor, generally developed with low- to high-intensity commercial, residential, and public facility uses, including Exposition Park directly across the street. Residential land uses are located to the south, east, and west of the proposed project site, ranging from one to four stories in height. A four-story multi-family residential building abuts the subject property to the east. A two-story, four-unit apartment building abuts the subject property to the south. Properties south of the project site, across 40<sup>th</sup> Place from the East Structure, are developed with a 12-unit apartment building, one single-family dwelling, two duplexes, and one triplex, ranging from two to three stories in height. Properties south of the project site, across the alley from the West Structure, are developed with one six-unit apartment building and three triplexes, ranging from two to three stories in height.

The proposed project is redeveloping an underutilized site on a commercial corridor. The following project elements were designed in a manner that is compatible with both existing and future development of the surrounding area:

#### Height

The proposed automobile dealership will be contained within two, five-story (six-level) structures, at 68 feet (East Structure) and 54 feet (West Structure) in height. With the requested Height District No. 2 and the waiver of Transitional Height, the project is permitted to be built with unlimited height and stories, but is limited to an FAR of 6 to 1. While the East and West Structures are taller than most of the existing buildings in the immediate area, the easterly abutting residential building is four stories tall and approximately 48 feet in height and sets a precedent for higher intensity development along Martin Luther King, Jr. Boulevard, a commercial corridor.

#### Bulk/Massing

The proposed project has frontages along Martin Luther King, Jr. Boulevard, Hoover Street, 40<sup>th</sup> Place, and an alleyway. The overall mass and scale of the project is comparable to the abutting four-story apartment development to the east. However, the surrounding area is also characterized by one to three-story residential and commercial uses. The façade of the proposed buildings have also been articulated with varied materials, colors, and clinging vines to minimize the mass of the buildings. Further, both structures will be setback from the street frontage to provide space for additional landscaping.

#### Building Materials

The proposed project is designed to be consistent with Honda brand standards. The primary components of the exterior façade consist of aluminum composite metal in Honda Blue, White, Silver Metallic, and Mica Grey. Exterior walls will be painted in Alabaster white. Glazing will be featured along the ground floor and throughout the structures to add visual interest to the project.



### Building Orientation/Frontage

The proposed project is designed to activate Martin Luther King, Jr. Boulevard, which will serve as the primary pedestrian and vehicular access point. First-time customers are intended to enter the project site from Martin Luther King, Jr. Boulevard and once they have become familiar with the site, repeat customers will enter through the service entrance on 40<sup>th</sup> Place. Façade treatments, landscaping, and larger sidewalk widths distinguish the primary entrance along Martin Luther King, Jr. Boulevard from the street and sidewalk. The building will also incorporate transparent building elements on the ground floor façade along Martin Luther King, Jr. Boulevard and Hoover Street.

### Setbacks

Pursuant to LAMC Section 12.14-C, front, side, and rear yard setbacks are not required for commercial buildings in the C2 Zone. Nonetheless, the project will be setting back all sides of the two structures to allow for additional landscape buffering, except for the south side of the West Structure. The East Structure is set back a maximum 13 feet, one inch from the property line along Martin Luther King, Jr. Boulevard, seven feet, 5 inches along Hoover Street, six feet, one inch along 40<sup>th</sup> Place, and five feet, one inch from the eastern property line adjacent to the four-story apartment building. The West Structure is set back two feet from the property line along Martin Luther King, Jr. Boulevard, seven feet, nine inches along Hoover Street, zero feet along the alley to the south, and five feet, two inches from the western property line adjacent to a two-story apartment building.

### Parking & Driveways

The project will provide 92 automobile parking spaces (exclusive of vehicle storage) within the East Structure. According to the applicant, customers are intended to park only on the first level and valet services will be brought in if demand necessitates it. In addition, five short-term bicycle parking spaces and five long-term bicycle parking spaces will be provided on the ground level, toward the rear of the East Structure. Parking will be provided in full conformance with code requirements for commercial uses.

The East Structure has a total of six curb cuts, including two along Martin Luther King, Jr. Boulevard and two along 40<sup>th</sup> Place for vehicular ingress and egress. There will be one curb cut on 40<sup>th</sup> Place for trash collection and one for parts loading. The primary service entrance and entrance is located along 40<sup>th</sup> Place with drive aisles wide enough for the service department to receive and dispatch at least 10 vehicles at a time, thereby ensuring that cars do not queue on 40<sup>th</sup> Place.

The West Structure has a total of three curb cuts: one along Martin Luther King, Jr. Boulevard and two along the alleyway to the south. Vehicular access to the West Structure is intended for internal use only and will not be open to customers.

### Loading Areas

The East Structure includes a designated parts loading area toward the rear that will be directly accessible from 40<sup>th</sup> Place and will not affect public circulation. According to the applicant, new vehicles will be delivered to the project site either by unloading them from car carriers that will park on 40<sup>th</sup> Place or by driving them to the site individually from a yet to be determined off-site location. Car and parts loading are concentrated along 40<sup>th</sup> Place in order to minimize disruptions to traffic flow along Martin Luther King, Jr. Boulevard and Hoover Street. Should car unloading take place on 40<sup>th</sup> Place, Condition of Approval No. 11 has been imposed to limit delivery hours as a way to minimize impacts on residential uses.

### Lighting & Building Signage

The proposed project will include lighting typical of commercial uses and parking structures for safety, security, and wayfinding purposes. All outdoor lighting will be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above. Night lighting for the proposed project includes Visionaire VLX or similar LED light fixture, and is only to be activated by motion sensor during non-business hours. Roof lighting will be installed underneath roof-mounted solar panels and located away from the edge of the buildings to minimize the effects of light glare on the immediate surrounding area. Lighting within the vehicle storage levels will be screened from neighboring properties to reduce light pollution.

The project proposes both illuminated and non-illuminated signs along the facades of both buildings. The East Structure would include internally illuminated brand letter set, brand logo, and channel letter signage, a 1,070-square-foot digital display, and internally illuminated traffic control arrows along Martin Luther King, Jr. Boulevard. The East Structure would include internally illuminated grand letter set and brand logo signage and a 394-square-foot digital display along Hoover Street. Finally, internally illuminated brand letter set, channel letter set, cabinet signage, and non-illuminated public art signage would be located along 40th Place. The West Structure would include an 845 square-foot digital display along Martin Luther King, Jr. Blvd. No illuminated signage would be located on the West Structure along either Hoover Street or the alleyway. All illuminated and non-illuminated signs would be designed in accordance with LAMC Section 14.4 and Ordinances Nos. 179,416, 180,841, and 182,706.

### Landscaping

Various types of vegetation are integrated into the design of the building facades to minimize the visual impact of the proposed structure. The proposed project's landscaping creates a pedestrian-friendly ground floor level and provides an inviting environment for customers of the automobile dealership and passersby. Although setbacks are not required for commercial uses within the C2 Zone, the project will be setting back all sides of the two structures to allow for additional landscape buffering, except for the south side of the West Structure. Approximately 66 new trees will be planted surrounding the East Structure, and 40 around the West Structure, comprised of a mix of King Palm, Golden Goddess Bamboo, and Bottlebrush Trees. In addition, the project will be surrounded by a variety of landscaping, including Kangaroo Paws, Soft Rush Oriental Fountain Grass, New Zealand Flax, and Sticks on Fire. Clinging vines are also to be planted along the building facades, and have been conditioned to be of a non-deciduous variety to ensure that leaves are present year-round.

### Trash Collection

An enclosed trash area is located on the ground floor of the East Structure and is not visible to the public. Trash chutes are located on levels two through five of the East Structure. The West Structure is intended solely for vehicle storage and is expected to generate minimal amounts of trash. Therefore, the trash enclosure contained within the East Structure is intended to serve both buildings and will eliminate the need for trash pick-up at multiple stops within the project site. In addition, Condition of Approval No. 11 has been imposed to limit trash collection hours as a way to minimize noise impacts on residential uses along 40<sup>th</sup> Place.

As described above, 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 will be compatible with existing and future development on adjacent and neighboring properties.

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

The proposed automobile dealership is an entirely commercial use. The project is not a residential project and will not create a demand for recreation and service amenities on neighboring properties.

**Environmental Findings**

- 14. Environmental Finding.** A Mitigated Negative Declaration (ENV-2016-1036-MND) and corresponding Mitigation Monitoring Program (MMP) were prepared for the proposed project. The MMP is a document that is separate from the MND and is prepared and adopted as part of the project's proposal. Section 21081.6 of the Public Resources Code requires a Lead Agency to adopt a "reporting or monitoring program for the changes made to the project or conditions of approval, adopted in order to mitigate or avoid significant effects on the environment." The draft MND was circulated for public review on May 19, 2016 through June 8, 2016. During the review period, the Department of City Planning received three comment letters, one from the South Coast Air Quality Management District (SCAQMD) and two from members of the public.

The first letter, from SCAQMD and dated June 8, 2016, stated that a permit is required to operate the proposed automotive paint spray booth and associated filtration system within the automotive dealership and service facility. According to a formal response from Meridian Consultants, included in this staff report as Exhibit "C", the proposed project will comply with the SCAQMD's requirements to obtain a permit to construct and operate pursuant to SCAQMD Rule 201—Permit to Construct and Rule 203—Permit to Operate for the proposed automotive paint spray booth and associated filtration system. The letter also recommended changes to the list of Regulatory Compliance Measures that apply to the project. As such, Regulatory Compliance Measure RC-AQ-6 has been removed from the final MND document, as it only applies to restaurant operations. Regulatory Compliance Measures RC-AQ-7, RC-AQ-8, and RC-AQ-9 have been added to the Air Quality Section of the final MND to address motor vehicle and mobile equipment non-assembly line coating operations, solvent cleaning operations, and recordkeeping for volatile organic compound emissions.

The second letter, from Joyce Dillard and dated June 8, 2016, stated that (1) environmental factors surrounding geology and soils, hydrology and water quality, and utilities may be affected as part of the proposed project; (2) watershed quality and degradation issues were not addressed; (3) water supplies have not been identified after the Drought Declaration and lack of water; (4) there is no adopted Circulation Element to address the circulation of people, goods, energy, water, sewage, storm drainage, and communications as required by the State of California; and (5) the project is not consistent with Framework Element Policy No. 3.3.2, the monitoring aspect of CEQA for the General Plan and that the 2014 Growth and Infrastructure Report do not engage the infrastructure needs in today's regulatory framework and that those needs are not addressed in the Initial Study. Finally, Ms. Dillard attached (6) a copy of the State Water Resources Control Board, Los Angeles County MS4 Permit (NPDES No. CAS004001, Order No. R4-2012-0175) Attachment M, TMDLs in the Santa Monica Bay Watershed Management Area to the comment letter.

Meridian Consultants prepared a formal response to Ms. Dillard's letter:

1. As discussed in Section 4.6, Geology and Soils, of the draft MND, all geology and soils impacts were analyzed and determined to be less than significant with Mitigation Measure GEO-1 incorporated. All other geology and soils impacts were determined to be less than significant with implementation of Regulatory Compliance Measures RC-GEO-1 (Seismic) and RC-GEO-5 (Subsidence Area).

As discussed in Section 4.9, Hydrology and Water Quality, all hydrology and water quality impacts were determined to be less than significant with implementation of Regulatory Compliance Measures RC-WQ-1 (National Pollutant Discharge Elimination System General Permit), RC-WQ-3 (Low Impact Development Plan), and RC-WQ-4 (Development Best Management Practices).

As discussed in Section 4.17, Utilities and Service Systems, all utilities and service systems impacts were determined to be less than significant with implementation of Regulatory Compliance Measures RC-WS-1 (Fire Water Flow), RC-WS-2 (Green Building Code), RC-WS-3 (New Carwash), and RC-WS-4 (Landscape). As discussed in Section 4.17, all impacts related to solid waste were determined to be less than significant with implementation of Regulatory Compliance Measures RC-SW-2 (Construction Waste Recycling) and RC-SW-3 (Commercial/Multifamily Mandatory Recycling). Energy impacts were determined to be less than significant with implementation of Regulatory Compliance Measure RC-EN-1 (Green Building Code).

2. As discussed in Section 4.9, Hydrology and Water Quality, of the draft MND, the project is subject to the National Pollutant Discharge Elimination System (NPDES) General Construction Permit and would be required to develop and implement a Storm Water Pollution Prevention Plan (SWPPP) prior to grading consistent with Regulatory Compliance Measure RC-WQ-1. The SWPPP will identify, construct, implement, and maintain best management practices (BMPs) to reduce or eliminate pollutants in stormwater discharges and authorized nonstormwater discharges from the proposed project site during construction consistent with Regulatory Compliance Measures RC-WQ-3 (Low Impact Development Plan) and RC-WQ-4 (Development Best Management Practices). SWPPPs prepared in compliance with an NPDES Phase I Permit will describe site erosion and sediment controls; runoff water quality monitoring; means of waste disposal; implementation of approved local plans; control of postconstruction sediment and erosion control measures and maintenance responsibilities; and nonstormwater management controls. New developments are required to be designed to reduce water pollution by implementing BMPs and to retain and treat the first 0.75 inch of rainfall as required by the City's Low Impact Development Ordinance (LID Ordinance). Treatment-control BMPs are designed to remove pollutants once they are mobilized by rainfall and runoff. Implementation of the LID Ordinance requirements and site design would ensure that the proposed project's impact on surface water quality would be less than significant.
3. The Los Angeles Department of Water and Power (LADWP) determines the adequacy of water supplies to meet the needs of a project based on the project's consistency with the demographic projection from the Regional Transportation Plan (RTP) by the Southern California Association of Governments (SCAG). LADWP works closely with the City's Department of City Planning to develop and update the City's Urban Water Management Plan (UWMP) every 5 years. The LADWP Board of Water and Power Commissioners adopted the 2015 UWMP on June 7, 2016. The UWMP identifies short-term and long-term water resources management measures to meet growing water demands during normal, single dry, and multiple dry years over a 25-year horizon. The City's water demand projection in the UWMP was developed based on the demographic projections in the



SCAG 2012 RTP. In general, projects that conform to the demographic projections developed for the RTP, and are currently located in the City's service area, are considered to have been included in water demand projections in the UWMP by LADWP. The 2015 UWMP projects a 12 percent increase in the City's population over the next 25 years, resulting in a total projected demand for water of 675,700 AFY (acre-feet per year) in 2040. The 5-year demand average during the fiscal year ending in 2014/2015 was approximately 550,000. The 2015 UWMP evaluates the reliability of the City's water supplies for three defined hydrologic scenarios: average year; a single dry year (a repeat of the 2014/2015 drought conditions) and multiple dry years (a repeat of the 2012/2013 to 2014/2105 drought conditions). The conclusion of this analysis is that with its current water supplies, planned future water conservation, and planned future water supplies, LADWP has available supplies to meet all projected water demands for all three of these hydrologic scenarios through the year 2040.

The increase in employment associated with the proposed project is consistent with the projections used to develop the City's UWMP, as shown in Exhibit ES-C, Demographic Projections for LADWP Service Area. As shown in Table 4.17-1, Estimated Project Water Demand, the proposed project would generate a demand for approximately 10,059 gallons per day (gpd) of water, or 11.3 AFY. The proposed project's associated employment increase represents less than 1 percent of the projected increase in commercial employment in the City between 2015 and 2020.

Finally, pursuant to Los Angeles Municipal Code (LAMC) Section 122.03(a) and Regulatory Compliance Measure RC-WS-2 (Green Building Code), the proposed project would utilize water-saving devices, including but not limited to urinals equipped with flush-o-meter valves which flush with a maximum of 1.28 gallons. Regulatory Compliance Measure RC-WS-3 (New Carwash) requires a water recycling system for the proposed car wash. As indicated in Regulatory Compliance Measure RC-WS-4 (Landscape), the proposed project would also comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures for landscaped areas. Thus, impacts would be less than significant.

As described above, the proposed project is consistent to the LADWP UWMP which analyzes water supply and demand during normal, single dry, and multiple dry water years. As the proposed project is consistent with growth projections, impacts on water supply during multiple dry years would also be less than significant.

4. The Los Angeles City Council adopted the Mobility Plan 2035 on January 20, 2016. As discussed on page 17 of the Mobility Plan under "Purpose, Adoption, & Implementation Process of the Plan," the Mobility Plan guides further development of a citywide transportation system which provides for the efficient movement of people and goods, in accordance with California State Law, as an element of the City's General Plan. As discussed in Section 4.9, Land Use and Planning, the proposed project would ensure that W. Martin Luther King Jr. Boulevard, Hoover Street, 40th Place, and the alleyway are widened to the appropriate half width standards. Furthermore, the proposed project would promote pedestrian activity and circulation, create pedestrian connections between the proposed project and the Metro transit infrastructure, and conform to the Mobility Element's policies and objectives.

As discussed in Section 3.0, Project Description, of the Draft MND, all alleyways and streets would be designed to be consistent with Los Angeles Department of Transportation (LADOT) standards. Furthermore, a traffic impact study was prepared for the proposed project and approved by LADOT (see Appendix G.1 and G.2). Traffic circulation impacts

were determined to be less than significant, as discussed in Section 4.16, Transportation and Traffic.

5. As discussed in Section 3.0, Project Description, of the Draft MND, the proposed project is primarily located within a designated Community Commercial land and commercially zoned area. As discussed in the Public Resources Code Section 21099(a)(1) and Section 4.1 of the Draft MND, the proposed project is defined as an employment center which means that the project site is located on property zoned for commercial uses with a floor area ratio greater than 0.75 and is located within a transit priority area (TPA). As discussed in Section 4.16, Transportation and Traffic, the proposed project would not result in a substantial change to traffic conditions in the project area. It should be noted that the proposed project does not include any housing. While the proposed project would be a source of employment both during construction and operations, Honda of Downtown Los Angeles is an existing business with existing employees. While new employment opportunities are possible, the scale of opportunities is not large enough to induce regional growth. Furthermore, as discussed in Response 2-4 above, all adjacent project site roadways would meet the design standards of the Mobility Element.
6. The attachment to the comment letter is a copy of the State Water Resources Control Board, Los Angeles County MS4 Permit (NPDES No. CAS004001, Order No. R4-2012-0175) Attachment M, TMDLs in the Santa Monica Bay Watershed Management Area. As discussed in Responses 2-1 and 2-2 and in Section 4.9, Hydrology and Water Quality, of the Draft MND, on-site and off-site water quality impacts were determined to result in less than significant impacts.

The third letter was submitted by William King and dated June 15, 2016. Mr. King, a neighboring property owner to the project site, asked a number of clarification questions about the proposed project, the land use and zoning of the site and surrounding area, and improvements to the public right-of-way that have been addressed elsewhere in this document and within the formal response to comments submitted by Meridian Consultants. With regard to the project's environmental impacts, Mr. King most notably expressed concerns about (1) traffic circulation and safety; (2) noise abatement; (3) dust abatement; (4) odors; (5) safety and graffiti; (6) views; and (7) sewage bills. The formal response to his comments by Meridian Consultants is summarized below:

1. Traffic Circulation & Safety.

The Initial Study addresses both temporary traffic conditions during construction of the proposed project and permanent changes in traffic conditions that would result from the operation of the proposed project. During construction, the applicant is required to install traffic signs to ensure pedestrian and vehicle safety.

During operation, the proposed project would not include unusual or hazardous design features that would encourage use of 40<sup>th</sup> Place by drivers. The proposed project includes new access driveways to the proposed project site, which would be properly designed and constructed to ensure the safety of pedestrian circulation in the proposed project area. The impact of traffic on 40<sup>th</sup> Place would not be significant and the change in traffic conditions on 40<sup>th</sup> Place would not encourage drivers to use 40<sup>th</sup> Place instead of the major streets in the area.

The existing bus stop near the project site will not be relocated. It is anticipated that the existing transit service in the proposed project area would adequately accommodate the increase of proposed project-generated transit trips.

## 2. Noise Abatement.

The Initial Study addresses both temporary noise conditions during construction of the proposed project and permanent changes in the noise levels that would result from the operation of the project. Implementation of Mitigation Measure MM XII-20, imposed herein as Condition of Approval No. 20, would abate the noise levels associated with construction of the proposed project to the maximum extent that is technically feasible. Prior to commencement of construction, the applicant is also required to install along the project site's western, southern, and eastern boundary sound curtains or an equivalent sound attenuating device capable of achieving a 10 dB reduction at these locations.

Mitigation Measure MM XII-40 has been imposed herein as Condition No. 21 and would be implemented to reduce noise levels generated from parking ramps and the parking structure adjacent to residential uses by including concrete, not metal, for parking ramps; textured interior ramps to prevent tire squeal at turning areas; and a solid decorative wall adjacent to residential uses during operation.

In order to reduce automobile repair noise during operation, the proposed project would incorporate various building materials to screen any generated noise. Furthermore, service department facilities would be located within the enclosed level of the East Structure with no openings permitted adjacent to residential uses, as described in Mitigation Measure MM XII-80, and imposed herein as Condition No. 22.

## 3. Dust Abatement.

The proposed project is required to comply with all applicable standards of the SCAQMD Rule 403 as identified in Regulatory Compliance Measure RC-AQ-1. Rule 403 requires implementation of control measures to prevent, reduce, or mitigate fugitive dust emissions and includes a performance standard that prohibits visible emissions from crossing any property line.

## 4. Odors.

The proposed project includes automotive services that could generate odors. However, these activities would be fully contained within an enclosed level of the East Structure and potential odors would be contained from reaching substantial numbers of people, as required by Mitigation Measures MM III-20 and MM III-30, imposed herein as Condition Nos. 13 and 14, respectively, reducing impacts on nearby residences to less than significant levels.

During the construction phase, activities associated with the operation of construction equipment, the application of asphalt, and/or the application of architectural coatings and other interior and exterior finishes may produce discernible odors typical of most construction sites. Although these odors could be a source of nuisance to adjacent receptors, they are temporary and intermittent in nature. As construction-related emissions dissipate from the construction areas, the odors associated with these emissions would also decrease, dilute and become unnoticeable. Therefore, impacts would be less than significant and no adverse impacts would occur to nearby residences.

## 5. Safety and Graffiti.

Pursuant to LAMC Section 91.8104, every building, structure, or portion thereof is required to be maintained free of debris, rubbish, garbage, trash, overgrown vegetation, or other similar material. Pursuant to LAMC Section 91.9104.15, the exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a street or alley.

Additionally, Condition of Approval No. 9 has been imposed to require all graffiti to be removed within 24 hours of its occurrence.

As identified in Mitigation Measure XIV-30, and imposed herein as Condition No. 25, the proposed project shall incorporate design guidelines relative to security, subject to Los Angeles Police Department (LAPD) review, and would be required to comply with all applicable requirements of the LAPD and the City.

6. Views.

Although the East and West Structures may be visible from private viewpoints within the residential buildings within the surrounding area, private views are not protected by any viewshed protection ordinance. The alteration of private views would not constitute a significant impact. The visual impact of one building blocking another building is not considered a significant impact, as the general characteristics of the urban setting would not be altered. As such, the proposed project's impact on obstruction of public views would not be significant.

7. Sewage Bills.

The impact on sewage bills is not considered an environmental impact pursuant to CEQA. Consequently, it is speculative to determine if there would be an impact on sewage bills from the surrounding residents. In the event that any future wastewater upgrades are required for the proposed project, such infrastructure improvements would be conducted within the right-of-way easements serving the proposed project area and would not create a significant impact to the physical environment.

The final MND document was prepared in accordance with the California Environmental Quality Act (CEQA) to determine if the project would result in a significant impact on the environment. Staff from the Los Angeles Department of City Planning has reviewed the final MND and finds that it was prepared in accordance with the City of Los Angeles CEQA Thresholds Guide and other applicable City requirements. As such, the MND is adequate for CEQA clearance, as noted in Exhibit "C".

On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND, there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street.

15. **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, an area of moderate or minimal hazard from the principal source of flood. Currently, there are no flood zone compliance requirements for construction in these zones.



## RESOLUTION

**WHEREAS**, the subject project is located within the area covered by the South Los Angeles Community Plan, revised by the City Council on March 22, 2000; and

**WHEREAS**, the City Planning Commission recommended approval of a General Plan Amendment from High Medium Residential to Community Commercial for the subject property; recommended approval of a General Plan Amendment to remove Footnote No. 1 from the subject property to allow Height District No. 2 on the site in lieu of the underlying Height District No.1; and recommended approval of a Zone and Height District Change from C2-1 and R3-1 to (T)(Q)C2-2 for the subject property; and

**WHEREAS**, the approved project is for the construction, use and maintenance of two, five-story structures containing automobile dealership, vehicle service facility, and vehicle storage uses, including the 68-foot high, 152,477 square-foot East Structure and 54-foot high, 105,075 square-foot West Structure; and

**WHEREAS**, the City Planning Commission at its meeting on July 28, 2016 approved the General Plan Amendment and recommended approval by the City Council of a General Plan Amendment over the subject property; and

**WHEREAS**, pursuant to the provisions of the Los Angeles City Charter, the Mayor and City Planning Commission have transmitted their recommendations; and

**WHEREAS**, the requested General Plan Amendment is consistent with the intent and purpose of the adopted South Los Angeles Community Plan to designate land use in an orderly and unified manner; and

**WHEREAS**, the Community Commercial land use designation and the (T)(Q)C2-2 Zone and Height District will allow the project as described above which is consistent with the Plan and Zone; and

**WHEREAS**, the subject proposal has prepared a Mitigated Negative Declaration No. ENV-2016-1036-MND in accordance with the City's Guidelines for implementation of the California Environmental Quality Act (CEQA);

**NOW, THEREFORE, BE IT RESOLVED** that the South Los Angeles Community Plan be amended as shown on the attached General Plan Amendment map.

MARTIN LUTHER KING, JR BLVD

HOOVER ST

WLY LINE OF LOT FR 138  
EXPOSITION PARK SQUARE.

**COMMUNITY  
COMMERCIAL**

Ely LINE OF LOT FR 137  
EXPOSITION PARK SQUARE.

ALLEY



50 25 0 50 Feet

C.M. 114 B 197

CPC-2016-1032-GPA-ZC-HD-BL-ZAD-SPR

CF/ae

SOUTH LOS ANGELES

6/30/16

City of Los Angeles

