

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

<b>CITY PLANNING CASE:</b>	<b>ENVIRONMENTAL DOCUMENT:</b>	<b>COUNCIL DISTRICT:</b>
CPC-2015-3313-ZC-ZV-CU-SPR	ENV-2015-3313-MND	13 – O'Farrell
<b>PROJECT ADDRESS:</b>		
1625 West Palo Alto Street		
<b>APPLICANT/REPRESENTATIVE:</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
<b>Applicant:</b> AJ Patel, Morgan's Legacy LLC		
<b>Representative:</b> Sheryl Brady, Permit Place	818-427-1688	sbrady@permitplace.com
<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>
JoJo Pewsawang	(213) 978-1214	JoJo.Pewsawang@lacity.org
<b>APPROVED PROJECT DESCRIPTION:</b>		
<p>The construction, use, and maintenance of a four-story, approximately 55-foot in height hotel with 88 guest rooms and 49,470 square feet of floor area. The project will provide 51 automobile parking spaces and 24 bicycle parking spaces.</p>		

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

1. **Found**, pursuant to Sections 21082.1(c)(3) and 21081.6 of the California Public Resources Code, after consideration of the whole of the administrative record, including the Mitigated Negative Declaration No. ENV-2015-3314-MND, and all comments received, with the imposition of mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment. **Found** that the Mitigated Negative Declaration reflects the independent judgement and analysis of the City; and **Adopted** the Mitigated Negative Declaration and the Mitigation Monitoring Program prepared for ENV-2015-3314-MND.
2. **Recommended** that the City Council **Adopt**, pursuant to LAMC Section 12.32-F, a **Zone Change** from C2-1VL to (T)(Q)R4-1VL subject to the attached (T) and (Q) Conditions of Approval
3. **Approved** a **Zone Variance** to allow a loading space with a height of 11-foot 6-inch in lieu of the required 14-foot minimum;
4. **Approved** a **Conditional Use** to permit the operation of a hotel within the R4 Zone;
5. **Approved** a **determination** for following height and area deviations:
  - a. A building height of 55 feet and four stories in lieu of the permitted height of 45 feet and three stories;
  - b. A 0-foot front yard setback in lieu of the required 15 feet;
  - c. A easterly side yard setback of 1 feet in lieu of the required 7 feet;
  - d. A 12-foot rear yard setback in lieu of the required 16 feet;
6. **Approved** a **Site Plan Review** for a development project which creates or results in an increase of 50 or more guest rooms;
7. **Adopted** the attached Conditions of Approval findings; and
8. **Adopted** the attached Findings.

**ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION:**

Zone Change

**FINAL ENTITLEMENTS NOT ADVANCING:**

Zone Variance, Conditional Use, Site Plan Review , Zoning Administrator's determination

**ITEMS APPEALED**

N/A

**ATTACHMENTS:****REVISED:****ENVIRONMENTAL CLEARANCE:****REVISED:**

- ☒ Letter of Determination
- ☒ Findings of Fact
- ☒ Staff Recommendation Report
- ☒ Conditions of Approval
- ☒ Ordinance
- ☒ Zone Change Map
- ☐ GPA Resolution
- ☐ Land Use Map
- ☐ Exhibit A - Site Plan
- ☒ Mailing List
- ☐ Land Use
- ☐ Other \_\_\_\_\_

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- ☐ Categorical Exemption
- ☐ Negative Declaration
- ☒ Mitigated Negative Declaration
- ☐ Environmental Impact Report
- ☐ Mitigation Monitoring Program
- ☐ Other \_\_\_\_\_

- ☐
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<b>NOTES / INSTRUCTION(S):</b>	
<b>FISCAL IMPACT STATEMENT:</b>	
<input checked="" type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>	
*If determination states administrative costs are recovered through fees, indicate "Yes".	
<b>PLANNING COMMISSION:</b>	
<input checked="" type="checkbox"/> <b>City Planning Commission (CPC)</b> <input type="checkbox"/> <b>North Valley Area Planning Commission</b> <input type="checkbox"/> <b>Cultural Heritage Commission (CHC)</b> <input type="checkbox"/> <b>South LA Area Planning Commission</b> <input type="checkbox"/> <b>Central Area Planning Commission</b> <input type="checkbox"/> <b>South Valley Area Planning Commission</b> <input type="checkbox"/> <b>East LA Area Planning Commission</b> <input type="checkbox"/> <b>West LA Area Planning Commission</b> <input type="checkbox"/> <b>Harbor Area Planning Commission</b>	
<b>PLANNING COMMISSION HEARING DATE:</b>	<b>COMMISSION VOTE:</b>
December 8, 2016	8 - 0
<b>LAST DAY TO APPEAL:</b>	<b>APPEALED:</b>
February 1, 2017	no
<b>TRANSMITTED BY:</b>	<b>TRANSMITTAL DATE:</b>
Rocky Wiles	February 14, 2017



# LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300

[www.planning.lacity.org](http://www.planning.lacity.org)

## LETTER OF DETERMINATION

MAILING DATE: JAN 17 2017

**Case No.: CPC-2015-3313-ZC-ZV-CU-SPR**  
CEQA: ENV-2015-3314-MND  
Plan Area: Silver Lake-Echo Park-Elysian Valley

Council District: 13 – O'Farrell

**Project Site:** 1625 West Palo Alto Street

**Applicant:** AJ Patel, Morgan's Legacy, LLC  
Representative: Sheryl Brady, Permit Place

At its meeting of **December 8, 2016**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following project:

Construction, use, and maintenance of a four story, 55-foot in height, 49,470 square-foot hotel with 88 guest rooms. The project provides 51 automobile parking spaces and 24 bicycle parking spaces. The hotel includes semi-subterranean parking, a fitness center, a pool deck, and a first floor dining space (for hotel guests only).

1. **Found**, pursuant to Sections 21082.1(c)(3) and 21081.6 of the California Public Resources Code, after consideration of the whole of the administrative record, including the Mitigated Negative Declaration, No. ENV-2015-3314-MND, and all comments received, with the imposition of mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment; **Found** that the Mitigated Negative Declaration reflects the independent judgment and analysis of the City; **Found** that the mitigation measures have been made enforceable conditions on the project; and **Adopted** the Mitigated Negative Declaration and the Mitigation Monitoring Program prepared for ENV-2015-3314-MND the Mitigated Negative Declaration;
1. **Recommended** that the City Council **Adopt**, a Zone Change from C2-1VL to (T)(Q)R4-1VL, pursuant to LAMC Section 12.32-F;
2. **Approved**, a Conditional Use to permit a hotel in the R4 Zone, pursuant to LAMC Section 12.24-W24(a);
3. **Approved**, a determination to allow the following yard and height deviations, pursuant to LAMC Section 12.24-F:
  - a. 0-foot front yard setback in lieu of the required 15-feet;
  - b. 1-foot eastern side yard setback in lieu of the required 7-feet;
  - c. 12-foot rear yard setback in lieu of the required 16-feet; and
  - d. a height of 55-feet and four stories in lieu of the maximum 45-feet and 3 stories;
4. **Approved**, a Zone Variance from Section 12.21-C,6 to allow a 11-foot, 6- inch ceiling height for a loading zone in lieu of the required 14-feet, pursuant to LAMC Section 12.27;



5. **Approved**, a Site Plan Review for a development project which creates or results in an increase of 50 or more guest rooms, pursuant to LAMC Section 16.05;
6. **Adopted** the attached modified Conditions of Approval; and
7. **Adopted** the attached Findings.

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

This action was taken by the following vote:

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

**Vote: 8 – 0**

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

**Effective Date/Appeals:** The decision of the Los Angeles City Planning Commission is appealable to the Los Angeles City Council within 15 days after the mailing date of this determination letter, only as it relates to the Zone Variance, Conditional Use, Yard Determinations and Site Plan Review approvals. Any appeal not filed within the 15-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Public Counters at 201 N. Figueroa Street, Fourth Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys.

**FINAL APPEAL DATE:** FEB 01 2017

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

Attachments: Ordinance, Map, Conditions of Approval, Findings

c: Jordann Turner, City Planner  
JoJo Pewsawang, Planning Associate

## 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. Palo Alto Street (Local Street) – None
  - b. Street Improvements.
    1. Palo Alto Street – Replace the concrete sidewalk, integral curb, and 2-foot gutter along the property frontage. Close all unused driveways with standard curb height, 2-foot gutter, and/or upgrade all driveways to comply with ADA requirements.
    2. 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.

### Notes:

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

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



- c. 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.
- d. Roof drainage and surface run-off from the property shall be collected and treated at the site and drained to the streets via drain systems constructed under the sidewalk and through curb drains or connections to the catch basins.
- e. Sewer lines exist in Palo Alto Street. Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
- f. An investigation by the Bureau of Engineering Central District Office Sewer Counter may be necessary to determine the capacity of the existing public sewers to accommodate the proposed development. Submit a request to the Central Office District of the Bureau of Engineering (213) 482-7048.
- g. Submit shoring and lateral support plans to the Bureau of Engineering Excavation Counter for review and approval prior to excavating adjacent to the right-of-way (213) 482-7048.
- h. 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. No street lighting improvements if no street widening per BOE improvement conditions. Otherwise, relocate and upgrade street light: one (1) on Palo Alto 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. When the City has previously been paid for tree plantings, the sub divider or contractor shall notify the Urban Forestry Division (213-847-3077) upon completion of construction to expedite tree planting.

Note: The Board of Public Works must approve all protected tree removals. Contact Urban Forestry Division at: 213-847-3077.

## (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 Plan.** Except as modified herein, the project shall be in substantial conformance with the plans and materials stamped "Exhibit A" and dated August 4, 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. **Hotel Use.** Authorized herein is the construction, use and maintenance of a maximum four-story hotel with up to 88 rooms. The total floor area on the project site shall not exceed 49,470 square feet.

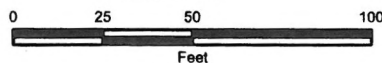
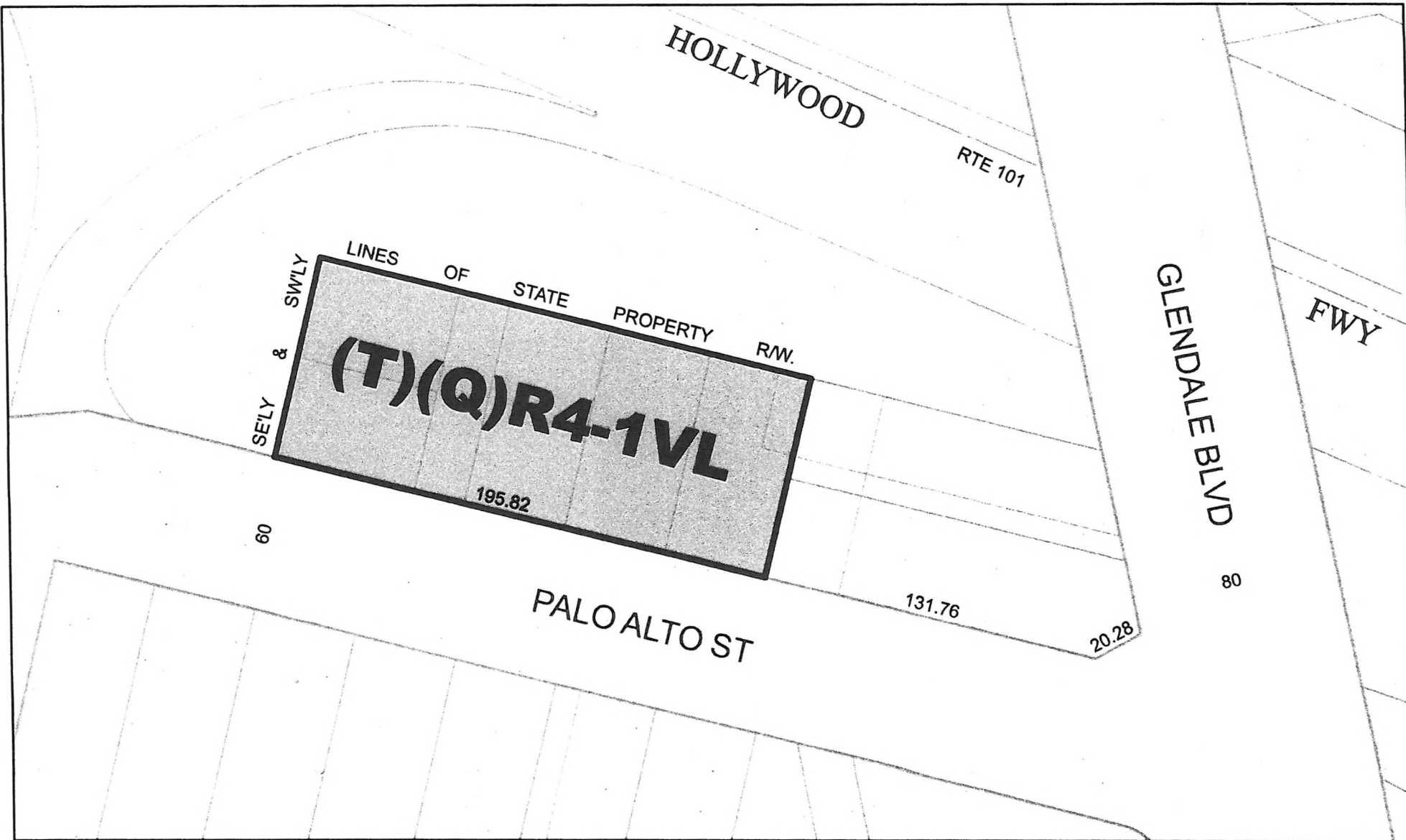


ORDINANCE NO. \_\_\_\_\_

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

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

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



CPC-2015-3313-ZC-CU-ZV

AAV of

122116

City of Los Angeles



Silver Lake - Echo Park - Elysian Valley

## CONDITIONS OF APPROVAL

Pursuant to Sections 12.24, 12.27, and 16.05 of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the subject property:

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the architectural and landscape plans, renderings, and materials submitted by the Applicant, stamped Exhibit A. No change to the plans shall be made without prior review by the Department of City Planning and written approval of the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code, or the project conditions.

### Zone Variance

2. **Loading Space Height.** The loading space shall have a minimum height of 11 feet 6 inches.

### Conditional Use

3. **Height.** The structure shall be limited to a maximum height of 55 feet above grade level and four stories excluding roof structures and equipment as defined by L.A.M.C. Section 12.21.1.
4. **Front Yard.** A minimum 0-foot front yard setback is permitted along the Palo Alto Street frontage.
5. **Side Yard.** The eastern side yard setback shall be a minimum of one-foot.
6. **Rear Yard.** The northern rear yard setback shall be a minimum of 15 feet.

### Entitlement Conditions

7. **Parking.**
  - a. Automobile parking shall be provided in conformance with L.A.M.C. Section 12.21-A,4.
  - b. **Valet Parking.** A valet parking attendant shall be provided at all times the garage is open for use.
  - c. **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.

- d. Bicycle parking shall be provided in conformance with L.A.M.C. Section 12.21-A, 16.

8. **Department of Transportation.**

- a. A minimum of 20-foot reservoir space be provided between any security gate(s) and the property line.
- b. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.
- c. 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.

9. **Trash/recycling.** Trash and Recycling pick-up and emptying or disposing of trash/recycling into outside containers is permitted to occur only between the hours of 7:00 a.m. and 8:00 p.m., Monday through Friday, and 10 a.m. to 4 p.m., Saturdays and Sundays.

- a. Trash/recycling containers shall be locked when not in use.
- b. Trash/recycling containers shall not be placed in or block access to required parking.

10. **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 August 4, 2016

11. **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.

12. **Fire Department.** Submit plot plans for Fire Department approval and review prior to the issuance of a building permit.

**Environmental Conditions**

13. **Objectionable Odors (Commercial Trash Receptacles).** Open trash receptacles shall be located a minimum of 50 feet from the property line of any residential zone or use. Trash receptacles located within an enclosed or building or structure, including a roof, shall not be required to observe this minimum buffer.

14. **Land Use/Planning.** An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 11, to the satisfaction of the Department of Building and Safety.

15. **Noise (Demolition, Grading, and Construction Activities).**



- a. Construction and demolition shall be restricted to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday.
  - b. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
  - c. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices. On-site power generators shall either be plug-in electric or solar powered.
16. **Severe Noise Levels (Residential Fronting on Major or Secondary Highway, or Adjacent to a Freeway).**
  - a. All exterior windows having a line of sight of a Major or Secondary Highway shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Class (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto.
  - b. The applicant, as an alternative, may retain an acoustical engineer to submit evidence, along with the application for a building permit, any alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.
17. **Increased Noise Levels.** The hotel shall include the following or equivalent to achieve an acceptable interior noise level of 45 dBA CNEL: Air Conditioning or a mechanical ventilation system so that windows and doors may remain closed. Windows that are dual pane, laminated, or similar with a Sound Transmission Class (STC) rating of at least 35. Exterior doors that have a sound insulating design with an STC rating of at least 35.
18. **Public Services (Fire).** The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
19. **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.
20. **Public Services (Police).** The plans shall incorporate the design guidelines 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 W. 1st Street, #250, Los Angeles, CA

90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.

**21. Safety Hazards.**

- a. The developer shall install appropriate traffic signs around the site to ensure pedestrian, bicycle, and vehicle safety.
- b. The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.

**22. Transportation/Traffic**

- a. Implementing measure(s) detailed in DOT's communication to the Planning Department (DOT Case No. CEN 15-43563 dated December 23, 2015 (see attachment to MND) shall be complied with. Such report and mitigation measure(s) are incorporated herein by reference.
- b. A Construction work site traffic control plan shall be submitted to DOT for review and approval in accordance with the LAMC prior to the start of any construction work. The plans shall show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. All construction related traffic shall be restricted to off-peak hours.
- c. The conceptual site plan for the project is acceptable to DOT. However, the review of this study does not constitute approval of the driveway dimensions, access and circulation scheme. Those require separate review and approval and should be coordinated with DOT's Citywide Planning Coordination Section (201 N. Figueroa Street, 4th Floor, Station 3, @ 213-482-7024). In order to minimize and prevent last minute building design changes, the applicant should contact DOT, prior to the commencement of building or parking layout design efforts, for driveway width and internal circulation requirements. New driveways should be Case 2 - designed with a recommended width of 30 feet for two-way operations. Delivery truck loading and unloading should take place on site with no vehicle having to back into the project via the proposed project driveway.
- d. The Applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the Applicant to maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as k-rails or scaffolding, etc.) from work space and vehicular traffic and overhead protection, due to sidewalk closure or blockage, at all times.
- e. Temporary pedestrian facilities shall be adjacent to the project site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.
- f. Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.
- g. The 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.

23. **Utilities (Local Water Supplies)**

- a. Install/retrofit high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.
- b. Install/retrofit restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- c. Install/retrofit and utilize only restroom faucets of a self-closing design.
- d. Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
- e. Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)

**Administrative Conditions**

24. **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.
25. **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.
26. **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.
27. **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.
28. **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.



29. **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.
30. **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.
31. **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.
32. **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.**

- a. **General Plan Land Use Designation.** The subject property is located within the Silver Lake-Echo Park-Elysian Valley Community Plan, adopted by the City Council on August 11, 2004. The Community Plan designates the site with a General Commercial land use designation, with C1.5, C2, CR, C4, and RAS3 zones listed as corresponding zones. The project site is zoned C2-1. While the R4 Zone is not a corresponding zone to the General Commercial land use designation, the R4 Zone is more restrictive than C2. The Plan Consistency section of the Community Plan states that “for each land use category, the Community Plan permits all identified corresponding zones, as well as those zones which are more restrictive, as referenced in LAMC Section 12.23.” Further, the Zoning Code permits the use of a site within the R4 Zone as a hotel through the approval of a Conditional Use Permit pursuant to Los Angeles Municipal Code (LAMC) Section 12.24-W,24. With the approval of the Conditional Use Permit, the use will be in conformance with the land use designation and zone of the site. Therefore, the project is in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Community Plan.

2. **General Plan Text.** The Silver Lake-Echo Park-Elysian Valley Community Plan text includes the following relevant provisions, objectives and policies:

Objective 2-1: Conserve and strengthen viable commercial development and encourage the reuse of obsolete commercial development.

Policy 2-1.1: New commercial uses shall be located in established commercial areas, emphasizing more intense and efficient use of existing commercial land, ultimately contributing to and enhancing the existing urban form and village atmosphere.

The project allows for the redevelopment of a vacant parcel of land with short-term overnight housing in the form of a hotel. The boutique hotel will have varying room types including king, double queen, and suites, offering guests varying price points and quality of accommodations. The project also promotes economic well-being and public convenience by providing short-term, overnight accommodations within proximity to many local and regional destinations including Echo Park, Silver Lake, Downtown Los Angeles, and the Los Angeles Convention Center. Specifically, the proposed hotel is also located adjacent to Silver Lake Medical Center, which specializes in Geriatrics, Behavioral Health, Spine & Orthopedic Surgery and Metabolic & Weight Loss Surgery. The hotel could provide convenient accommodations for potential patients and families of the hospital, while expanding the hotel market for the City as a whole.

3. **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 as a warehouse and scrap metal yard. 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 livable city.

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

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

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.

The project will contribute toward and facilitate the City's long-term fiscal and economic viability by adding 88 short-term, overnight hotel rooms within Echo Park/Westlake area that is within close proximity to Silver Lake Medical Center, and regional destinations including Downtown Los Angeles and the Convention Center. The project's proximity to Metro and LADOT DASH transit lines and the proliferation of ride sharing services will help reduce vehicular trips to and from the project site, vehicle miles traveled, and help improve air quality.

4. The **Mobility Element** of the General Plan (Mobility Plan 2035) is not likely to be affected by the recommended action herein. Palo Alto Street is a Local Street, dedicated to a width 60 feet and is fully improved with asphalt roadway, concrete curb, gutter, and sidewalk, in accordance with Mobility Element standards. The Bureau of Engineering is requiring that all off-grade or bad order concrete curb, gutter and sidewalk been repaired. Additionally, all unused driveways will be closed.
5. **Sewerage Facilities Element** of the General Plan will not be affected by the recommended action. While the sewer system might be able to accommodate the total flows for the proposed project, further detailed gauging and evaluation may be needed as part of the permit process to identify a specific sewer connection point. If the public sewer has insufficient capacity then the developer will be required to build sewer lines to

a point in the sewer system with sufficient capacity. A final approval for sewer capacity and connection permit will be made at that time. Ultimately, this sewage flow will be conveyed to the Hyperion Treatment Plant, which has sufficient capacity for the project.

### **Zone Change Findings; “T”, “Q” Classification Findings**

**6. Pursuant to Section 12.32-C of the Municipal Code, the zone change is in conformance with the public necessity, convenience, general welfare and good zoning practice.**

- a. Public Necessity: In 2015, the Chief Legislative Analyst reported (Council File No. 13-0991) that hotel room development in the City is just 0.7 percent, which lags the national average of 1.4 percent. The report acknowledges that the City not only needs hotel rooms in tourist areas including near the Convention Center, Hollywood, Downtown, etc., but citywide. Granting the Zone Change to the (T)(Q)R4-1VL Zone would allow the construction of a 88-room hotel with an under-utilized site, increasing the number of hotel rooms in the City.
- b. Convenience: The project will redevelop an under-utilized vacant commercially zoned property that is located adjacent to the 101 Freeway and is within ¼ mile of the Temple Street transit corridor. The project, with 88 guest rooms will provide a new hotel facility within walking distance to Silver Lake Medical Center and within close proximity to Echo Park, Westlake, and Downtown Los Angeles.
- c. General Welfare: Granting the Zone Change to the (T)(Q)R4-1VL Zone allows for the development of a 88 guest room hotel with 51 vehicle parking spaces and 24 bicycle parking spaces which will support the surrounding communities by providing additional hotel opportunities, as well as enhancing the urban environment by encouraging activity on an under-utilized site within the General Commercial land use designation. Given the project's proximity to existing freeway facilities and transit services, the project will provide new hotel opportunities and amenities at both the local and regional scale.
- d. Good Zoning Practices: Approval of the Zone Change to the (T)(Q)R4-1VL Zone to accommodate a hotel with 88 guest rooms is consistent with the type of development encouraged by the General Plan Framework Element and the Silver Lake-Echo Park-Elysian Valley Community Plan. The hotel will create a pedestrian-oriented entrance off of Palo Alto Street that will enhance the urban environment and encourage daytime and nighttime activity within the currently under-utilized site. The project is proposing an F.A.R. of 2.78 to 1, which is consistent with 1VL height district. The resulting 3 to 1 F.A.R. from the Zone Change allows for the provision of additional guest rooms and on-site hotel amenities.
- 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 operations, 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 change request is beneficial in terms of the public necessity, convenience, general welfare, and good zoning practice, and is consistent with the General Plan.

### **Zone Variance Findings**

7. **That the strict application of the zone code would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.**

The subject property is a vacant, sloping site with a frontage of 223 feet on the north side of Palo Alto Street. Pursuant to Section 12.21-C,6, the proposed hotel is providing a 406 square-foot loading space within its semi-subterranean parking level. However, the project does not meet the 14-foot ceiling height required for loading spaces. The applicant has stated that if the project were to provide a 14-foot ceiling height, the hotel's main pedestrian entrance would no longer be level with Palo Alto Street, resulting in a main pedestrian entrance that is disconnected and elevated from the public right of way. The additional height would also add unnecessary bulk and mass to the project. The intent of the regulation is to ensure that large commercial vehicles are able to make deliveries and service the hotel use. According to the applicant, the hotel will not utilize large semi-trucks for deliveries. The 11-foot 6-inch ceiling height and loading space will be able to accommodate the smaller trucks and vans that the hotel anticipates will make the deliveries. The primary purpose and intent of zoning regulations in the instant case is to ensure that the proposed hotel has an effective loading space. As described above, the strict requirement of providing a 14-foot ceiling would result in practical difficulties and unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.

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

The applicant has stated that if the project were to provide a 14-foot ceiling height, the hotel's main pedestrian entrance would no longer be level with Palo Alto Street, resulting in a main pedestrian entrance that is disconnected and elevated from the public right of way. The subject property is an upward sloping lot with an approximate 23-foot elevation change. The southern adjoining properties across Palo Alto Street are bound to the south by an alleyway that provides those properties with additional access points. The subject property does not have rear alley access. As stated previously, the unique topography limits the site from providing a 14-foot in height parking level while also providing a flush pedestrian entrance off of Palo Alto Street. The elevation change and lack of alley access is a special circumstance that does not apply generally to other property in the same zone and vicinity.

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

The requested variance involves a special circumstance, in that the subject property is a sloping property with no access from a rear alley. The project is a boutique hotel with 88



guest rooms on a 17,773 square-foot site in the proposed R4-1VL Zone. The requested variance would allow for the loading space ceiling height to be 11 feet 6 inches in lieu of the required 14 feet. It is an unnecessary hardship for the hotel to provide a 14-foot parking level ceiling height in that it would create a disconnected pedestrian entrance to the site. The applicant has also stated that no large semi-trucks would make deliveries to the site. Thus, deliveries can be accommodated by smaller vehicles than the code envisioned. Further, should the site no longer be a hotel and revert to a purely residential use, a loading space is no longer required. As such, the variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of such special circumstances and practical difficulties or unnecessary hardships is denied to the property in question.

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

The variance to permit a reduced loading zone ceiling height would not be detrimental to the public because all commercial loading would still occur on-site. The applicant has stated that the smaller nature of the proposed boutique hotel would not entail the need for large semi-trucks, to which the 14-foot ceiling height was intended to serve. The hotel would instead depend on smaller delivery vehicles and thus the lower 11-foot 6-inch height is appropriate. As the proposed plan provides a functional and effective loading space, granting of the variance would not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located.

11. **The granting of the variance would not adversely affect any element of the General Plan.**

The various elements of the General Plan seek to ensure public safety and well-being, and strive to promote compatibility of use and design throughout the City. The City's Community Plans are intended to address all the Elements of the General Plan and are internally consistent with the Citywide Elements of the General Plan.

The subject property is located within the adopted Echo Park-Silver Lake-Elysian Valley Community Plan (the "Community Plan") area, and is designated for General Commercial land uses corresponding to the C1.5, C2, CR, C4, and RAS3 Zones. While the R4 Zone is not a corresponding zone to the General Commercial land use, the R4 Zone is more restrictive than C2. For each land use category, the Community Plan permits all identified corresponding zones, as well as those zones which are more restrictive, as referenced in LAMC Section 12.23. The Zoning Code permits the use of a site within the R4 Zone as a hotel through the approval of a Conditional Use Permit pursuant to Los Angeles Municipal Code (LAMC) Section 12.24-W, 24. With the approval of the Conditional Use Permit, the use will be in conformance with the land use designation and zone of the site. Therefore, the project is in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Community Plan.

The granting of the requested variance to allow the required hotel loading space to have a ceiling height of 11 feet 6 inches in lieu of the required 14 feet would allow for the development of the proposed 88-guest room hotel as designed, thereby furthering several of the following relevant Purposes, Goals, Objectives, and Policies of the Community Plan.



Goal 2 of the Community Plan's Land Use Policies and Programs for commercial development is, "an economically vital commercial sector and strong viable commercial areas that offer a diversity of goods and services to meet the needs of the community in the plan area. Commercial areas should satisfy market demand, maximize convenience, and accessibility, while preserving and enhancing the unique historic and cultural identities of the district."

Consistent with Goal 2, the proposed project promotes "strong and viable commercial development and encourages the reuse of obsolete commercial development" by helping address the compelling need Citywide for more hotel rooms, and specifically, a great demand for reasonably-priced lodging, with suitable amenities, as an alternative to the existing, high-end, larger-scale hotels located in Downtown Los Angeles. The project's location adjacent to Silver Lake Medical Center also lends itself to serving the hospital use. In light of the proposed project's consistency with the Community Plan, and therefore the elements of the General Plan, and the integral nature of the proposed loading space's ceiling height to the overall project and the project site, the granting of the variance would not adversely affect any element of the General Plan.

### **Conditional Use Findings**

12. **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.**

#### **Use**

The proposed project is the construction, use and maintenance of a four-story hotel with 88 guest rooms, 51 automobile parking spaces, and 24 bicycle parking spaces on a 17,773 square-foot site in the proposed (T)(Q)R4-1VL Zone. The Los Angeles Municipal Code permits the use of a hotel within the R4 Zone with the approval of a Conditional Use Permit pursuant to L.A.M.C. Section 12.24-W. As proposed, the project will redevelop an underutilized and underdeveloped site with a four-story hotel that is compatible in use and scale with the surrounding community. The hotel's proximity to a major hospital and other regional destinations will provide a short-term lodging service that has been limited in the area. The project will have a mix of room types including 45 king, 28 double queen, 6 ADA queen, and 9 suites, allowing the hotel to serve a variety of different users and price points. The project will also be required to replace the concrete sidewalk, curb, and gutter and add street trees along the property's frontage, helping to improve the built environment in the surrounding neighborhood.

#### **Height and Setback**

The Los Angeles Municipal Code allows for conditional use applications to waive height and area regulations. The height deviation to permit a four-story, 55-foot in height hotel in lieu of the permitted three-story and 45-foot tall building has been conditioned to ensure that rooftop mechanical equipment is not visible from abutting properties and the public right of way in order to minimize visual impacts and to ensure capability with the surrounding community. The project has requested the following yard deviations; 0-foot front yard setback in lieu of 15-foot required, one-foot easterly side yard setback in lieu of seven feet required, and a 12-foot rear yard setback in lieu of 16-foot required. The reduced front, side, and rear yard will provide more building area for additional guest rooms, amenities, and ancillary facilities. The reduce yards' help contribute to a building design consistent with the Community Plan's Commercial Site Planning design policies,

which encourages buildings to have a pedestrian oriented ground floor. The 0-foot front yard allows the hotel to provide a prominent pedestrian entrance right off of Palo Alto Street. The one-foot side yard setback abuts a commercial use while the 12-foot rear yard setback abuts the Hollywood Freeway, neither of which will impact residential uses. Thus, the location of the building has been designed to be compatible with adjacent uses. As conditioned herein, the project will enhance the built environment and will perform a function, and provide a service that will be beneficial to the community.

13. **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.**

#### Use

The project is the construction, use, and maintenance of a four-story, 55-foot in height hotel. The building will be approximately 49,470 square feet or an F.A.R. of 2.78 to 1, which is consistent with the maximum 3 to 1 F.A.R. in the R4-1VL Zone. The multi-family zoned properties to the south of the project site across Palo Alto Street would be permitted a maximum 3 to 1 F.A.R. Existing developments within the C2-1VL Zone located to the west includes the eight-story Silver Lake Medical Center. To the south of the project are single and multi-family dwellings in the R4-1VL Zone. Approval of a hotel use would not further degrade adjacent properties and will improve the surrounding neighborhood by activating a long vacant, under-utilized site that will help address the compelling need Citywide for more hotel rooms.

#### Height and Setback

The four-story, 55-foot in height hotel will be compatible with the surrounding neighborhood. Neighboring properties rise to a height of approximately eight-stories (Silver Lake Medical Center). Although the project has requested reduced setbacks along the front (0 feet), rear (15 feet), and easterly side yard (one-foot), there will be minimal impacts to uses immediately abutting the subject property including the 101 Freeway on-ramp to the west, the 101 Freeway to the north, an automotive repair use to the west, and a surface parking lot, apartment building, single-family dwelling and LADWP substation to the south across Palo Alto Street. As proposed, the project will be compatible with the surrounding neighborhood and will not further degrade adjacent properties or the public health, welfare, and safety.

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

The project site is located within the Echo Park-Silver Lake-Elysian Valley Community Plan, which is one of 35 Community Plans that the Land Use Element of the General Plan is comprised of. The Community Plan designates the project site with a General Commercial land use designation, with CR, C2, C4, RAS3 zones listed as corresponding zones. The project site currently zoned C2-1VL and a zone change is proposed to R4-1VL. While the R4-1VL Zone is not a corresponding zone to the General Commercial land use designation, the R4 Zone is more restrictive than C2. For each land use category, the Community Plan permits all identified corresponding zones, as well as those zones which are more restrictive. The Echo Park-Silver Lake-Elysian Valley Community Plan contains the following text:



Goal 2: An economically vital commercial sector and strong viable commercial areas that offer a diversity of goods and services to meet the needs of the community in the plan area. Commercial areas should satisfy market demand, maximize convenience, and accessibility while preserving and enhancing the unique historic and cultural identities of the district. 3

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

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

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

### Use

The Los Angeles Municipal Code permits the use of a hotel within both the C2 and R4 Zones, subject to the approval of a Conditional Use Permit. Both the C2 and R4 Zones also require a minimum 200 square feet of lot area per guest room. The 17,773 square-foot site would thus be allowed to accommodate a maximum of 88 guest rooms. The approval of the Conditional Use Permit will not change the land use designation of the project site and will not restrict or prohibit the use of the site for purely residential uses if the hotel is no longer in operation. The project site is located within an urban area, and is adjacent to the regional freeway network, transit lines, hospitals, commercial uses, and institutional uses.

### Height and Setback

The Los Angeles Municipal Code allows for conditional use applications to waive height and area regulations. The location of the building has been designed to be compatible with adjacent uses. The requested height deviation to permit a four-story, 55-foot in height hotel building in lieu of the permitted three-stories and 45-foot in height allows the project to provide 26 additional hotel rooms on the fourth floor. Surrounding properties include the Silver Lake Medical Center, which is eight-stories in height. Further, the project will provide architectural screening to ensure that rooftop mechanical equipment is not visible from abutting properties and the public right of way in order to minimize visual impacts and to ensure capability with the surrounding community.

The project has requested the following yard deviations; 0-foot front yard setback in lieu of 15-foot required, one-foot easterly side yard setback in lieu of seven feet required, and a 12-foot rear yard setback in lieu of 16-foot required. The reduced front, side, and rear yard setbacks allows for more building area for additional guest rooms, amenities, and ancillary facilities. The reduce yards' help contribute to a building design consistent with the Community Plan's Commercial Site Planning design policies, which encourages buildings to have a pedestrian oriented ground floor. The 0-foot front yard allows the hotel to provide a prominent pedestrian entrance right off of Palo Alto Street. The one-foot side yard setback abuts a commercial use while the 12-foot rear yard setback abuts the Hollywood Freeway which will not impact residential uses. As conditioned herein, the project substantially conforms with the purpose, intent and provisions of the General Plan and Community Plan.

**Site Plan Review Findings**

15. **The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and does not conflict with any applicable regulations, standards, and any applicable specific plan.**

The subject property is designated for General Commercial uses under the Echo Park-Silver Lake-Elysian Valley Community Plan, with the corresponding zones of C1.5, C2, CR, C4, and RAS3 zones. The project site currently zoned C2-1VL and a zone change is proposed to R4-1VL. While the R4-1VL Zone is not a corresponding zone to the General Commercial land use designation, the R4 Zone is more restrictive than C2. For each land use category, the Community Plan permits all identified corresponding zones, as well as those zones which are more restrictive, as referenced in LAMC Section 12.23. The proposed hotel development is consistent with the General Commercial designation and uses permitted under the (T)(Q)R4-1VL Zone applicable to the project site. Furthermore, the surrounding properties are currently developed with commercial retail, office, public facilities, single-family and multi-family residential uses, and as such, the proposed project will be compatible with the existing uses in the surrounding area.

Policies of the Community Plan includes the following:

Policy 1-1.7: Promote the unique quality and functionality of the Community Plan Area's mixed single and multiple family residential neighborhoods by encouraging infill development that continues to offer a variety of housing opportunities that capitalize on the eclectic character and architectural styles of existing development.

Policy 2-1.1: New commercial uses shall be located in established commercial areas, emphasizing more intense and efficient use of existing commercial land, ultimately contributing to and enhancing the existing urban form and village atmosphere.

The project site is currently underutilized as previously described. The proposed hotel development is consistent with the above Community Plan policy as it would result in a net increase of 88 guestrooms and 49,470 square feet of new hotel use that will offer accommodations at a variety of price points, at an infill site that will serve the Echo Park-Silver Lake-Westlake area. The proposed hotel will provide short-term housing opportunities within close proximity to hospitals, parks, tourist destinations and neighborhood serving commercial uses, thereby reducing vehicular trips, congestion, and air pollution. The hotel will help activate the surrounding area with a pedestrian oriented use and will enhance the quality of life in the Plan area.

The Framework Element of the City's General Plan was adopted on December 11, 1996 and re-adopted on August 8, 2001. The Framework Element sets forth a comprehensive long-range growth strategy for the City and defines citywide policies regarding such pertinent issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. As such, the Framework Element serves as an essential qualitative analysis tool in providing the general policy context within which to assess the merits of the proposed project relative to the project site and its surroundings, and against the established goals of the City.

The Framework Element defines General Commercial as being those designated areas within the City which are "intended to apply to a diversity of retail sales and services, office, and auto-oriented uses comparable to those currently allowed in the "C2" zone



(including residential).” The proposed development is consistent with the following General Commercial goals, objectives and policies identified within the Framework Element (Chapter 3 – Land Use):

Goal 3-H: Lower-intensity highway-oriented and local commercial nodes that accommodate commercial needs outside centers and districts.

Objective 3.12: Generally, maintain the uses, density, and character of existing low-intensity commercial districts whose functions serve surrounding neighborhoods and/or are precluded from intensification due to their physical characteristics.

Policy 3.10.1: Accommodate the development of uses in areas designated as "General Commercial" in the community plans in accordance with Tables 3-1 and 3-7. The range and densities/intensities of uses permitted in any area shall be identified in the community plans.

Relative to the site's General Commercial designation under the Echo Park-Silver Lake-Elysian Valley Community Plan, the project site is currently underutilized as it is vacant. The applicant proposes a 49,800 square-foot 88 key hotel with 51 automobile parking spaces and 24 bicycle parking spaces. The project will help accommodate a need for hotel rooms within the Westlake – Historic Filipino town – Silver Lake – Echo Park area. As such, the proposed project is in substantial conformance with the purposes, intent and provisions of the General Plan Framework Element.

16. **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.**

#### Capability with Existing and Future Development

The proposed structure is consistent with the visual character of the area. The project would be similar in height to existing structures including the eight-story Silver Lake Medical Center, a three-story office building, and a four-story apartment building. The project has been designed to minimize impacts to the surrounding area. The proposed bulk, height, and setbacks of the hotel is similar to nearby structures, and the proposed landscaping will make the site more attractive and well integrated with the surrounding neighborhood. Further, the proposed F.A.R. of the hotel is 2.78 to 1, which is less than the permitted 3 to 1 F.A.R. permitted in the R4-1VL Zone.

#### Arrangement of Buildings (Height, Bulk, Setbacks)

The location of the building has been designed to be compatible with adjacent uses. The site abuts the Hollywood Freeway to the north and west. To the east, the site abuts a commercial use and surface parking lot. To the south and across Palo Alto Street are residential and institutional uses. The hotel observes a 0-foot front yard setback in keeping with development patterns for commercial development in the surrounding area. The reduced rear (northern) and easterly side yard setback will not impact any residential uses.

The R4 Zone requires a 15-foot front yard setback, a side yard setback of 7 feet and a rear yard setback of 16 feet. The project has proposed to provide a 0-foot front yard, a

one-foot easterly side yard, and a 12-foot rear yard. The intent of yard requirements is to ensure adequate open space and separation between buildings to protect privacy. The above referenced encroachments allow for additional building area to accommodate additional square-footage including rooms and amenities for the hotel. The improvements will not adversely affect adjacent properties.

#### Parking, Loading Areas, Trash Collection

All 51 automobile parking spaces will be provided on-site within a semi-subterranean parking level that also includes 24 bicycle parking spaces, a loading space, and a trash enclosure. A valet parking attendant will be available at all times to assist with guest parking.

#### Landscaping

The project will provide 953 square feet of landscaping including trees and scrubs. Landscaping will be provided along the rear outdoor lounge and pool terrace. Landscaping will also be provided along the Palo Alto Street frontage.

#### Lighting

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

The project has been conditioned, herein, to ensure that the proposed arrangement of buildings, off-street parking facilities, and other such pertinent improvements will be compatible with existing and future development on neighboring properties.

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

The hotel use is defined as a residential use due to the habitable rooms; however, it is not required to provide open space pursuant to LAMC Section 12.21-G as there are no dwelling units proposed. Although recreational and service amenities are not required, the hotel will provide an indoor fitness area and an outdoor deck with a pool. In addition, the ground floor lobby will offer a dining area that is open to hotel guests only. As conditioned herein, impacts will be minimized on neighboring properties.

#### Environmental Findings

18. **Environmental Finding.** A Mitigated Negative Declaration (ENV-2015-3314-MND) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND there is no substantial evidence that the proposed project will have a significant effect on the environment. The lead agency further finds that the attached Mitigated Negative Declaration reflect the lead agency's independent judgment and analysis; and the mitigation measures have been made enforceable conditions on the project. 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.



19. **Flood Insurance.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.