

**PLANNING DEPARTMENT TRANSMITTAL
TO THE CITY CLERK'S OFFICE**
SUPPLEMENTAL
CF 17-1272-S1

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
CPC-2016-3142-GPA-VCU-CUB-DB-SPR	ENV-2016-3144-MND	1 – CEDILLO
PROJECT ADDRESS:		
1930 Wilshire (1900, 1908, 1914, 1920, 1926, 1928 and 1930, 1932, and 1936 West Wilshire Boulevard; 657, 659, 661, 665, 667, 669, 671 South Bonnie Brae, and 654, 658, 660, 668 South Westlake Avenue)		
PLANNER CONTACT INFORMATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Jenna Monterrosa	213.978.1377	jenna.monterrosa@lacity.org

NOTES / INSTRUCTION(S):	
<p>Transmitting Appeal received from Luis Cabrales and CEQA Appeal received from Jose Felix Cabrera. Also, transmitting correct determination letter for the case.</p>	
TRANSMITTED BY:	TRANSMITTAL DATE:
Rocky Wiles Commission Office	November 30, 2017



LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: NOV 01 2017

Case No.: CPC-2016-3142-GPA-VCU-CUB-DB-SPR

Council District: 1- Cedillo

CEQA: ENV-2016-3144-MND

Plan Area: Westlake

Related Case: CPC-2016-3143-DA, VTT-74297

Project Site: 1930 West Wilshire Boulevard;
(1900, 1908, 1914, 1920, 1926, 1928, and 1930, 1932, and 1936 West
Wilshire Boulevard; 657, 659, 661, 665, 667, 669, 671 South Bonnie Brae
Street and 654, 658, 660, 668 South Westlake Avenue)

Applicant: Adrian Jayasinghe, Walter & Aesha Jayasinghe Family Trust
Representative: Francis Park, Park & Velayos, LLP

At its meeting of **October 12, 2017**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following:

Conversion of an existing 14-story medical office building into a 220-room hotel; the construction of a new 5-story, approximately 70,000 square-foot, multi-cultural and performing arts center; and the construction of a 41-story apartment tower containing 478 dwelling units. The project will provide up to 933 parking spaces.

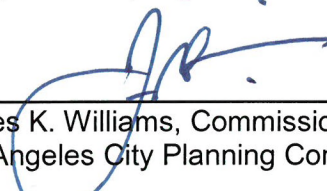
1. **Found** based on the independent judgement of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in Mitigated Negative Declaration No. ENV-2016-3144-MND, ("Mitigated Negative Declaration") adopted on March 3, 2017 (under VTT-74297) with mitigation measures and the Mitigation Monitoring Program prepared for the Mitigated Declaration; and pursuant to Sections 15162 and 15164, no subsequent EIR, Negative Declaration or Addendum is required for approval of the project;
2. **Approved** and **recommended** that the City Council and Mayor **adopt**, pursuant to City Charter Section 555 and Los Angeles Municipal Code (LAMC) Section 11.5.6, a General Plan Amendment to amend the Westlake Community Plan to:
 - a. Re-designate the parcels located at 660, 668 South Westlake Avenue and 665, 667, 669, 671 South Bonnie Brae Street from a Community Commercial to Regional Center Commercial land use designation;
 - b. Remove the applicability of Footnote No. 2 for the subject property;
3. **Dismissed** a Vesting Conditional Use to allow a hotel located within 500 feet of any R Zone;
4. **Approved** a Conditional Use, pursuant to LAMC Section 12.24-W.1, to permit the on-site and off-site sales and consumption of a full line of alcoholic beverages;
5. **Approved** a Density Bonus, pursuant to LAMC Section 12.22-A.25, to permit the following two On-Menu Incentives for a project totaling 478 dwelling units, reserving 11% of its base density for Very-Low Income household occupancy for a period of 55 years:

- a. Floor Area Ratio. An increase of up to 35% of permitted floor area for a project which is eligible for a 35% density bonus;
 - b. Averaging of Floor Area Ratio, Density, Parking or Open Space, and permitting Vehicular Access. Permit the averaging of floor area, density, open space, and parking over the project site, where a project will set aside a minimum of 11% units for Very Low Income households;
6. **Approved** a Site Plan Review, pursuant to LAMC Section 16.05 E for the construction, use, and maintenance of a project containing 50 or more residential dwelling units;
 7. **Adopted** the attached Conditions of Approval as modified by the Commission; and
 8. **Adopted** the attached Findings.

The vote proceeded as follows:

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

Vote: 7 – 0



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

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

Effective Date/Appeals: The decision of the Los Angeles City Planning Commission regarding the General Plan Amendment is final and not appealable. The *Conditional Use Beverage, Density Bonus* and *Site Plan Review* is appealable to the Los Angeles City Council within 20 days after the mailing date of this determination letter. Any appeal not filed within the 20-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Development Service Centers located at: 201 North Figueroa Street, Fourth Floor, Los Angeles; 6262 Van Nuys Boulevard, Suite 251, Van Nuys; or 1828 Sawtelle Boulevard, West Los Angeles.

FINAL APPEAL DATE: NOV 21 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, Maps, Conditions of Approval, Findings, Resolution

c: Charlie Rausch Jr. Chief Zoning Administrator
 Luciralia Ibarra, Senior City Planner
 Jenna Monterrosa, City Planner

CONDITIONS OF APPROVAL

Pursuant to Sections 12.22-A.25, 12.24, and 16.05 of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the subject property:

1. **Use.** All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. **Development.** The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", dated September 29, 2017, except as may be revised as a result of this action. 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.
3. **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.
4. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.

Density Bonus Conditions

5. **Residential Density.** The project shall be limited to a maximum density of 478 residential units.
6. **Affordable Units.** A minimum of 11% of the project's base density (39 units) shall be reserved as affordable units for Very Low Income Households, as defined by the State Density Bonus Law 65915(C)(2).
7. **Floor Area Ratio.** The project shall be eligible for a 35% increase in the maximum overall Floor Area Ratio.
8. **Averaging of FAR.** The project is permitted to average floor area across the two proposed contiguous lots.
9. **Parking.** Vehicle parking shall be provided consistent with LAMC Sections 12.21 A.4 and 12.22-A.25. In lieu of reduced parking provided by LAMC Section 12.22-A.25, up to a maximum of thirty percent of the required automobile parking may be replaced with bicycle parking.
10. **Changes in Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units or change parking numbers shall be consistent with L.A.M.C. Section 12.22-A,25.
11. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make 11% of the site's base density units available to Very Low

Income Households, for sale or rental and as determined to be affordable to such households by HCIDLA for a period of 55 years. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file and to the Council Office and Neighborhood Council. The project shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by the HCIDLA. Refer to the Density Bonus Legislation Background section of this determination.

12. **Adjustment of Parking.** In the event that the number of Restricted Affordable Units should increase, or the composition of such units should change (i.e. the number of bedrooms, or the number of units made available to Senior Citizens and/or Disabled Persons), or the applicant selects another Parking Option (including Bicycle Parking Ordinance) and no other Condition of Approval or incentive is affected, then no modification of this determination shall be necessary, and the number of parking spaces shall be re-calculated by the Department of Building and Safety based upon the ratios set forth pursuant to L.A.M.C. Section 12.22-A,25.

Conditional Use - Beverage

13. **Authorization.** The project is permitted the on- and off-site sales and consumption of alcohol within a hotel, bar, and restaurant located in the C4-2 Zone and C2-2 Zone, and on-site sales and consumption of alcohol within a multi-cultural and performing arts center in the C4-2 and C2-4. On-site consumption for the hotel is inclusive of all areas managed by the hotel, including, but not limited to a lobby, lobby bar/lounge, mini-bars within each hotel room or suite, and a restaurant within the ground floor level. Off-site consumption for the hotel includes a proposed boutique gift shop within the hotel. On-site consumption for the multi-cultural center is inclusive of all publicly accessible, non-class room space.

The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

14. Prior to the utilization of the authorizations specified in Condition No. 13, above, the property owner or individual operator shall file a Plan Approval pursuant to Section 12.24-M of the Los Angeles Municipal Code in order to implement and utilize the Conditional Use Permit authorized for each establishment. The Plan Approval application shall be accompanied by the payment of appropriate fees and must be accepted as complete by the Department of City Planning. Mailing labels shall be provided by the applicant for all property owners and tenants within 500 feet of the premise, the Council Office, the Neighborhood Council, the Los Angeles Police Department, and adjacent property owners, unless the hearing is waived by the Chief Zoning Administrator. The purpose of the Plan Approval filing is to review each proposed venue in greater detail and tailor specific conditions for each premise including but not limited to hours of operation, seating capacity, size, security, and/or any requirement for a subsequent Approval of Plans application to evaluate compliance and effectiveness of the conditions of approval. Conditions herein shall be incorporated into each Plan Approval unless in the opinion of the decision-maker the applicant has justified otherwise. Future operators may request beer and wine sales in lieu of a full line of alcoholic beverages when they file their Plan Approval.
15. Within the first six months of utilizing the grant at this establishment, all employees involved with the sale of alcoholic beverages shall enroll in the Los Angeles Police Department

"Standardized Training for Alcohol Retailers" (STAR). Upon completion of such training, the applicant shall request the Police Department to issue a letter identifying which employees completed the training. The applicant shall transmit a copy of the letter from the Police Department to the Zoning Administrator as evidence of compliance. Employees shall attend the training on an annual basis.

16. In the event there is a change in the licensee, within six months of such change, this training program shall be required for all new staff. The STAR training shall be conducted for all new hires within two months of their employment.
17. The applicant shall be responsible for monitoring both patron and employee conduct on the premises and within the parking areas under his control to assure behavior that does not adversely affect or detract from the quality of life for adjoining residents, property owners, and businesses.
18. An electronic age verification device shall be retained on the premises available for use during operational hours. This device shall be maintained in operational condition and all employees shall be instructed in its use.
19. A camera surveillance system shall be installed to monitor the interior, entrance, exits and exterior areas, in front of and around the premises.
20. No cover charge or admission fee shall be charged to enter the premises and the premises shall not be utilized in any manner that would characterize the use as a night club. The subject premises shall not be leased to third-party promoters, rave parties or similar events.
21. Prior to the utilization of this grant, 24-hour "hot line" shall be provided for complaints or concerns from the community regarding the operation. The 24-hour phone number shall be posted at the following locations:
 - a. Entry, visible to pedestrians
 - b. Lobby Areas
 - c. Customer service desk, front desk or near the hostess station

The applicant shall maintain a log of all calls, detailing: (1) date complaint received; (2) nature of complaint, and (3) the manner in which the complaint was resolved. This log shall be made available to law enforcement personnel upon request and presented as part of the application if and when a new application to continue the operation is submitted to the Department of City Planning. Complaints shall be responded to within 24 hours.

22. There shall be no Adult Entertainment of any type pursuant to LAMC Section 12.70.
23. Any use of the restaurant for private events, including corporate events, birthday parties, anniversary parties, weddings or other private events which are not open to the general public, shall be subject to all the same provisions and hours of operation stated herein.
24. Should there be a change in the ownership and/or the operator of the business, the property owner and the business owner or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination has been provided to the prospective owner/operator, including the conditions required herewith, shall be submitted to the Condition Compliance Unit in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to the

Condition Compliance Unit within 30 days of the beginning day of his/her new operation of the establishment along with the dimensioned floor plan, seating arrangement and number of seats of the new operation.

25. Should there be a change in the ownership and/or the operator of the business, the Zoning Administrator reserves the right to require that the new owner or operator file a Plan Approval application if it is determined that the new operation is not in substantial conformance with the approved floor plan, or the operation has changed in mode or character from the original approval, or If at any time during the period of validity of this grant, documented evidence is submitted showing continued violation of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties. The application, in association with the appropriate fees, shall be submitted to the Department of Planning, Condition Compliance Unit within 30 days of the date of legal acquisition by the new owner or operator. The purpose of the plan approval will be to review the operation of the premise and establish conditions applicable to the use as conducted by the new owner or operator, consistent with the intent of the Conditions of this grant. Upon this review, the Zoning Administrator may modify, add or delete conditions, and if warranted, reserves the right to conduct a public hearing, that may also be conducted for nuisance abatement/revocation purposes.
26. **MViP – Monitoring, Verification and Inspection Program.** Prior to the effectuation of this grant, fees required per LAMC Section 19.01-E,3 for Monitoring of Conditional Use Permits and Inspection and Field Compliance Review of Operations shall be paid to the City. Within 12 to 18 months from the beginning of operations or issuance of a Certificate of Occupancy, a City inspector will conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and included in the administrative file. The owner/operator shall be notified of the deficiency or violation and required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed, may result in additional corrective conditions imposed by the Zoning Administrator.

Site Plan Review

27. **Uses.** The project size shall not exceed the following: a) a 220-room hotel; b) a 478-unit residential tower; c) a multi-cultural and performing arts center with an 850-seat theater, and a classroom/dance studio space that can accommodate up to 50 students. Per LADOT Technical Traffic Memorandum (CEN 16-4442) the project has been reviewed and approved at trip generation factors equivalent to apartment, hotel, live theater, and classroom uses. Any changes to the multi-cultural and performing arts center use identified to have a trip generation factor equivalent to the theater or below (as referenced in the 2015 ITE Trip Generation Manual) is allowed. The applicant shall submit final plans to LADOT to determine if the project conforms to LADOT Case No. CEN 16-4442, or if additional review and analysis is required.
28. **Vehicular Access.**
 - a. Residential parking access shall be limited to Bonnie Brae Street.
 - b. Commercial parking serving the hotel; restaurant; and learning, multi-cultural, and performing arts center shall be limited to Westlake Avenue.
 - c. All requirements and conditions listed in the Department of Transportation's traffic assessment letter dated, August 9, 2016, and all subsequent revisions to this traffic assessment, shall be applied to the project.

29. **Southern Elevation of Project.** The southern area of the project, including the proposed parking structure shall be set back from the southern property line and constructed as follows:
- a. The portions of the parking structure from ground level to top of podium parking level of the adjacent multi-family building to the south, shall be set back from the southerly property line by at least three (3) feet.
 - b. The remainder of the parking structure (the “top area of the parking structure”) shall be set back from the south property line by at least six (6) feet.
 - c. All other portions of the project, including the residential building and all balconies, shall be set back from the south property line by at least fourteen (14) feet.
 - d. The top area of the parking structure’s southern façade shall be (a) a solid wall to minimize any impacts to the residents of the adjacent multi-family building to the south, and (b) substantially landscaped vertically, as depicted on stamped plans that are (i) substantially consistent with Sheets 35 and 36 of the plans submitted with the application and marked Exhibit A, and (ii) approved in writing by the Los Angeles County Metropolitan Transportation Authority. The landscaping areas of this façade shall make up a minimum of 70 percent of this top area of the parking structure’s southern façade, and shall be located directly across from the residential windows on the north façade of the adjacent multi-family buildings. The applicant shall maintain this vertical green landscaping for the duration of the project in accordance with a covenant to be recorded against the property prior to issuance of a building permit for the parking structure. The covenant shall be in a form agreed to by the Los Angeles County Metropolitan Transportation Authority.
- 29.1 **Parking Podium.** The project’s parking podium shall be designed to allow for the future conversion of parking levels into habitable space. Any future conversion shall be subject to any applicable City approvals.
30. **On-site Landscaping.**
- a. All planters containing trees shall have a minimum depth of 48 inches.
 - b. At least 50 percent of the required trees shall be canopy trees that shade open spaces, sidewalks, and buildings.
 - c. The southern façade of the project’s podium open space level shall be constructed with a barrier that measures no less than 42 inches, is made of transparent material, and includes landscaping (i.e. shrubbery or trees) to reduce noise levels at the southerly off-site multi-family building.
31. **Water Usage.** Consistent with the approved water supply assessment completed for the proposed project (“The Lake on Wilshire”), the following water conservation commitments shall be incorporated into project:
- a. High Efficiency kitchen faucets with flow rates of 1.0 gallon per minute or less.
 - b. High Efficiency Toilets with flush volume 1.0 gallon of water per flush or less.
 - c. Waterless urinals
 - d. ENERGY STAR Certified Residential Certified Front-Loading Clothes Washers – IWF of 3.2 or less, with a capacity of 2.5 cubic feet or greater
 - e. ENERGY STAR Certified Residential Dishwashers – 3.2 gallons/cycle or less
 - f. Showerheads with flow rate of 1.5 gallons per minute or less
 - g. Domestic water heating system located in close proximity to points of use

- h. Tankless and on-demand water heaters
 - i. Compact design hot water piping systems for dwelling served by a dedicated water heater
 - j. Point source drip and/or subsurface irrigation
 - k. Micro spray irrigation, where required
 - l. Zoned irrigations
 - m. Proper hydro-zoning (groups plans with similar water requirements together)
 - n. Landscaping contouring to minimize precipitation runoff
 - o. Use of artificial turf
 - p. Drought tolerant plans – 43 percent of landscaping
 - q. Water conserving turf – 13 percent of total landscaping, with a 0.6 Plant factor or 60 percent of evapotranspiration rate
 - r. Pool/Spa recirculating filtration equipment
 - s. Water-saving pool filter
 - t. Pool splash troughs around the perimeter that drain back into the pool
 - u. Recycling of pool backwash water utilized for irrigation and process water usage
 - v. Leak detection system for swimming pools and jacuzzi
 - w. Install a meter on the pool make-up line so water use can be monitored and leaks can be identified and repaired
 - x. Individual submetering and billing for water use for residential dwelling units and commercial units
 - y. Cooling tower conductivity controllers or cooling tower pH conductivity controllers
32. **Lighting.**
- a. All indoor non-residential spaces shall be furnished with occupancy controls whereby lights are dimmed and/or turned off when a room is vacant.
 - b. All indoor residential spaces shall be furnished with daylight harvesting controls which utilize ambient light and dim or switch off lighting when sufficient ambient light is present or when the space is unoccupied.
 - c. Outdoor lighting shall be furnished with photocell systems.
 - d. Outdoor lighting shall be designed and installed with shielding, such that the light source does not illuminate any adjacent residential properties, the public right-of-way, nor the above night skies.
33. **Trash and Recycling.**
- a. All trash collection and storage areas shall be located on-site and shall not be visible from the public right-of-way.
 - b. Trash receptacles shall be stored in a fully enclosed building or structure, constructed with a solid roof, at all times.
 - c. Trash/recycling containers shall be locked when not in use.
34. **Mechanical and Rooftop Equipment Screening.** Any mechanical structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view of any abutting properties and the public right-of-way. All screening shall be setback at least five feet from the edge of the building.
35. **Metro.** The project shall be required to adhere to the following requests and requirements set forth in the Los Angeles County Metropolitan Transportation Authority letter, dated February 15, 2017:

- a. Those requests and requirements set forth in Items 1 through 7 of the letter's Red and Purple Line Subway Adjacency section;
- b. Those requests and requirements set forth in the letter's Bus Service Adjacency section; and
- c. Those requests and requirements set forth in Items 3 through 5 of the letter's Existing Development Adjacency section.

Questions regarding implementation of such conditions shall be coordinated between the Los Angeles County Metropolitan Transportation Authority and the Department of City Planning.

36. **Transit Orientation.** The hotel and cultural center shall utilize Metro's employer transit pass program including the Annual Transit Access Pass (A-TAP) and Business Transit Access Pass (B-TAP) programs which offer efficiencies and group rates that businesses can offer employees as an incentive to utilize public transit. Additional information regarding these programs should be coordinated with Devon Deming at 213-922-7957 or DemingD@metro.net.
37. **Mobility Hub.** The project shall be designed to provide a mobility hub to encourage transit and bicycle use in the area. The hub shall include transit information kiosks that provide public information on available transit options and stations, nearby destinations, available public bike facilities, etc. One kiosk shall be located within the lobby of the cultural center and hotel along Wilshire Boulevard. One additional shall be located along the new building's westerly façade that faces Westlake Avenue. Information kiosks shall be indicated on the project plans.
38. **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 (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. In addition, 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.
- 38.1 **Renewable Energy Infrastructure.** Prior to the issuance of a certificate of occupancy for the residential dwelling units, the Project shall install the following sustainability public benefits: (a) a 45-kilowatt (kw) rooftop solar photovoltaic panel array (the "PV Panel Array"); (b) a 250-kw fuel cell system ("Fuel Cells"; and (c) a complementary uninterrupted power system ("UPS") and lithium-ion battery system (cumulatively, the "Fuel Cells and PV Array Panel System"). As a part of the Project's commitment to sustainability and the minimizing of its carbon footprint, the electricity generated by the Fuel Cells and PV Array Panel System will be stored at the Project site and used throughout the site on an as-needed basis (e.g., power outage, demand response, and/or to offset peak demand). It is currently contemplated that the Project's renewable energy infrastructure commitment described above will produce approximately 2,087,876 kw-hours (kWh) of electricity annually; the equivalent of reducing 1,467 metric tons of carbon dioxide (CO₂) (approximately equal to

3,516,635 less passenger vehicle miles traveled annually or providing enough electricity to power 155 homes for one year).

Environmental Conditions – Project Design Features

39. PDF-1 Aesthetics. Outdoor lighting shall be designed and installed with shielding, such that the light source does not illuminate adjacent residential properties, the public right-of-way, nor from above.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction

Monitoring Frequency: Once, at plan check

Action Indicating Compliance: Plan approval

40. PDF-2 Aesthetics. The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective glass to minimize glare and reflected heat. Low-E (low emissivity) glass shall be permitted.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction

Monitoring Frequency: Once, at plan check

Action Indicating Compliance: Plan approval

41. PDF-3 Hazards. The Project shall be maintained in a neat, attractive, and safe condition at all times. On-site activities shall be conducted so as not to create noise, dust, odor, or other nuisances to surrounding properties. Trash and Recycling bins shall be maintained with a lid in working condition; such lid shall be kept closed at all times. Trash and garbage collection bins shall be maintained in good condition and repair such that there are no holes or points of entry through which a rodent could enter. Trash and garbage collection containers shall be emptied a minimum of once per week. Trash and garbage bin collection areas shall be maintained free from trash, litter, garbage, and debris.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction

Monitoring Frequency: Once, at plan check

Action Indicating Compliance: Plan approval

42. PDF-4 Hazards. Temporary construction fencing and sheeting typical for a demolition and construction project shall be placed along the periphery of the active construction areas to reduce dust and other emissions from the Project Site.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Periodic field inspections during construction

Action Indicating Compliance: Field inspection sign-off

Environmental Conditions – Mitigation Measures

43. MM-1 Air. All off-road construction equipment greater than 50 hp shall meet U.S. EPA Tier 4 (final) off-road emission standards. Contractor requirements to utilize Tier 4 (final) equipment or next cleanest equipment available will be included as part of the Project construction contracts.
- Enforcement Agency:** Los Angeles Department of Building and Safety; SCAQMD
Monitoring Agency: Los Angeles Department of Building and Safety
Monitoring Phase: Construction
Monitoring Frequency: Periodic field inspections during construction
Action Indicating Compliance: Field inspection sign-off
44. MM-2 Air. On-road medium-duty and larger diesel-powered trucks with a gross vehicle weight rating of at least 14,001 pounds shall, at a minimum, comply with USEPA 2010 on-road emissions standards for PM10 and NOx. Contractor requirements to utilize such on-road haul trucks or the next cleanest vehicle available will be included as part of the Project construction contracts.
- Enforcement Agency:** Los Angeles Department of Building and Safety; SCAQMD
Monitoring Agency: Los Angeles Department of Building and Safety
Monitoring Phase: Construction
Monitoring Frequency: Periodic field inspections during construction
Action Indicating Compliance: Field inspection sign-off
45. MM-3 Air. The on-road haul truck and off-road construction equipment requirements shall apply unless any of the following circumstances exist and the Project contractor(s) provides a written finding consistent with Project contract requirements that:
- The Contractor does not have the required types of on-road haul trucks or off-road construction equipment within its current available inventory and intends to meet the requirements as to a particular vehicle or piece of equipment by leasing or short-term rental, and the Contractor has attempted in good faith and due diligence to lease the vehicle or equipment that would comply with these measures, but that vehicle or equipment is not available for lease or short-term rental within 120 miles of the project site, and the Contractor has submitted documentation showing that the requirements of this exception provision apply.
- The Contractor has been awarded funding by SCAQMD or another agency that would provide some or all of the cost to retrofit, repower, or purchase a piece of equipment or vehicle, but the funding has not yet been provided due to circumstances beyond the Contractor's control, and the Contractor has attempted in good faith and due diligence to lease or short-term rent the equipment or vehicle that would comply with the MM 3-1 and MM 3-2 requirements, but that equipment or vehicle is not available for lease or short-term rental within 120 miles of the project site, and the Contractor has submitted documentation showing that the requirements of this exception provision apply.
- Contractor has ordered a piece of equipment or vehicle to be used on the construction project in compliance with MM 3-1 and MM 3-2 at least

60 days before that equipment or vehicle is needed at the project site, but that equipment or vehicle has not yet arrived due to circumstances beyond the Contractor's control, and the Contractor has attempted in good faith and due diligence to lease or short-term rent a piece of equipment or vehicle to meet the requirements of MM 3-1 and MM 3-2, but that equipment or vehicle is not available for lease or short-term rental within 120 miles of the project, and the Contractor has submitted documentation showing that the requirements of this exception provision apply.

Construction-related diesel equipment or vehicle will be used on the project site for fewer than 20 calendar days per calendar year. The Contractor shall not consecutively use different equipment or vehicles that perform the same or a substantially similar function in an attempt to use this exception to circumvent the intent of the requirements.

Documentation of good faith efforts and due diligence regarding the above exceptions shall include written record(s) of inquiries (i.e., phone log[s]) to at least three (3) leasing/rental companies that provide construction-related on-road trucks of the type specified in the requirements above (i.e., medium-duty and larger diesel-powered trucks with a gross vehicle weight rating of at least 14,001 pounds) or diesel-powered off-road construction equipment such as the types to be used by the Contractor, documenting the availability/unavailability of the required types of trucks/equipment. The Property owner, from time-to-time, will conduct independent research and verification of the availability of such vehicles and equipment for lease/rent within a 120-mile radius of the Project site, which may be used in reviewing the acceptability of the Contractor's good faith efforts and due diligence.

In any of the situations described above, the Contractor/ Subcontractor shall provide the next cleanest piece of equipment or vehicle as provided by the step down schedules in Table A for Off-Road Equipment and Table B for On-Road Equipment.

Nothing in the above shall require an emissions control device (i.e., VDECS) that does not meet OSHA standards.

Compliance Alternative	Engine Standard	CARB-verified DECS (VDECS)
1	Tier 4 interim	N/A**
2	Tier 3	Level 3
3	Tier 2	Level 3
4	Tier 1	Level 3
5	Tier 2	Level 2
6	Tier 2	Level 1
7	Tier 3	Uncontrolled
8	Tier 2	Uncontrolled
9	Tier 1	Level 2
** Tier 4 (interim or final) or 2007 model year equipment not already supplied with a factory-equipped diesel particulate filter shall be outfitted with Level 3 VDECS.		
Equipment less than Tier 1, Level 2 shall not be permitted.		

Table B On-Road Compliance Step Down Schedule*		
Compliance Alternative	Engine Model Year	CARB-verified DECS (VDECS)
1	2007	N/A**
2	2004	Level 3
3	1998	Level 3
4	2004	Uncontrolled
5	1998	Uncontrolled
** 2007 Model Year equipment not already supplied with a factory-equipped diesel particulate filter shall be outfitted with Level 3 VDECS.		
Equipment with a model year earlier than Model Year 1998 shall not be permitted.		

How to use Table A and Table B: For example, if Compliance Alternative #1 is required by this policy but Contractor cannot obtain an off-road vehicle that meets the Tier 4 interim standard (Compliance Alternative #1 in Table A) and meets one of the above exceptions, then Contractor shall use a vehicle that meets the next compliance alternative (Compliance Alternative #2) which is a Tier 3 engine standard equipped with a Level 3 VDECS. Should Contractor not be able to supply a vehicle with a Tier 3 engine equipped with a Level 3 VDECS in accordance with Compliance Alternative #2 and has satisfied the requirements of one of the above exceptions as to Contractor's ability to obtain a vehicle meeting Compliance Alternative #2, Contractor shall then supply a vehicle meeting the next compliance alternative (Compliance Alternative #3), and so on. If Contractor is proposing an exemption for on-road equipment, the step down schedule in Table B should be used. Contractor must demonstrate that it has satisfied one of the exceptions listed above before it can use a subsequent Compliance Alternative. The goal of this requirement is to ensure that Contractor has exercised due diligence in supplying the cleanest fleet available. Nothing in the above shall require an emissions control device (i.e., VDECS) that does not meet OSHA standards.

Enforcement Agency: Los Angeles Department of Building and Safety; SCAQMD

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Periodic field inspections during construction

Action Indicating Compliance: Field inspection sign-off

46. MM-4 Air. Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) 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_x emissions requirements.

Enforcement Agency: Los Angeles Department of Building and Safety; SCAQMD

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

- Monitoring Frequency:** Periodic field inspections during construction
Action Indicating Compliance: Field inspection sign-off
47. MM-5 Air. Require the use of architectural coatings that average 50 g/L VOC content for interior applications and 75 g/L VOC content for exterior applications.
- Enforcement Agency:** Los Angeles Department of Building and Safety; SCAQMD
Monitoring Agency: Los Angeles Department of Building and Safety
Monitoring Phase: Construction
Monitoring Frequency: Periodic field inspections during construction
Action Indicating Compliance: Field inspection sign-off
48. MM-6 Air. Ensure a minimum of seven months for application of architectural coatings to ensure daily emissions don't exceed 75 lb/day of VOC.
- Enforcement Agency:** Los Angeles Department of Building and Safety; SCAQMD
Monitoring Agency: Los Angeles Department of Building and Safety
Monitoring Phase: Construction
Monitoring Frequency: Periodic field inspections during construction
Action Indicating Compliance: Field inspection sign-off
49. MM-7 Bio. 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.
- All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the Project 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.
- Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division of the Department of Public Works, Bureau of Street Services.
- Enforcement Agency:** Board of Public Works Urban Forestry Division
Monitoring Agency: Board of Public Works Urban Forestry Division
Monitoring Phase: pre-construction
Monitoring Frequency: Once, at plan check, and once at field inspection
Action Indicating Compliance: Issuance of Certificate of Occupancy
50. MM-8. Cultural. The applicant shall engage a historic preservation consultant that meets the Secretary of the Interior's Professional Qualifications Standards to oversee the design development and construction for compliance with the Secretary of the Interior's Standards for Rehabilitation. The historic preservation consultant shall conduct on-site construction monitoring throughout the construction phase.

The Project shall include a shoring plan to ensure the protection of the Wilshire Medical Building at 1930 Wilshire Boulevard during construction from damage due to underground excavation and general construction procedures and to reduce the possibility of settlement due to the removal of adjacent soil.

The Project shall include an onsite interpretive display commemorating the history of the Wilshire Medical Building at 1930 Wilshire and its historic significance. This display may include historic photos, drawings and text.

Enforcement Agency: Los Angeles Department of City Planning, Office of Historic Resources

Monitoring Agency: Los Angeles Department of City Planning, Office of Historic Resources; Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction

Monitoring Frequency: Prior to issuance of building permit

Action Indicating Compliance: Compliance report by qualified archaeological monitor

51. MM-9 Geo. The applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.

The Project shall prepare a Grading Plan that shall conform with the City of Los Angeles Department of Building and Safety Grading Division's Landform Grading Manual Guidelines.

Appropriate erosion control and drainage devices per the Los Angeles Municipal Code Section 91.7013 shall be provided to the satisfaction of the Los Angeles Department of Building and Safety.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction; construction

Monitoring Frequency: Ongoing during construction

Action Indicating Compliance: Issuance of grading permits; Field inspection sign-off; Geotechnical engineers site visit reports as needed

52. MM-10 Geo. The Project shall comply with the recommendations and conditions contained within the Soils Management Plan prepared by EFI Global, dated August 19, 2016 for the Project, and as it may be subsequently amended or modified.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction; construction

Monitoring Frequency: Ongoing during construction

Action Indicating Compliance: Issuance of grading permits; Field inspection sign-off; Geotechnical engineers site visit reports as needed

53. MM-11 Geo. Prior to the issuance of a building permit, the applicant shall develop an emergency response plan for the Project in consultation with the Fire Department. The emergency response plan shall include but not be

limited to the following performance standards and requirements: mapping of emergency exits, evacuation routes for vehicles and pedestrians, location of nearest hospitals, and fire departments.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction; construction

Monitoring Frequency: Ongoing during construction

Action Indicating Compliance: Issuance of grading permits; Field inspection sign-off; Geotechnical engineers site visit reports as needed

54. MM-12 Noise. Two weeks prior to commencement of construction, notification shall be provided to the off-site residential and school uses within 500 feet of the Project site that discloses the construction schedule, including the types of activities and equipment that would be used throughout the duration of the construction period.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Periodic field inspections during construction

Action Indicating Compliance: Field inspection sign-off; Compliance certification report by proposed project contractor

55. MM-13 Noise. All powered construction equipment shall be equipped with exhaust mufflers or other suitable noise reduction devices capable of achieving a sound attenuation of at least 3 dBA at 50 feet of distance.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Periodic field inspections during construction

Action Indicating Compliance: Field inspection sign-off; Compliance certification report by proposed project contractor

56. MM-14 Noise. All construction areas for staging and warming-up equipment shall be located as far as possible from adjacent noise-sensitive land uses.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Periodic field inspections during construction

Action Indicating Compliance: Field inspection sign-off; Compliance certification report by proposed project contractor

57. MM-15 Noise. Portable noise sheds for smaller, noisy equipment, such as air compressors, dewatering pumps, and generators shall be provided where feasible.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Periodic field inspections during construction

Action Indicating Compliance: Field inspection sign-off; Compliance certification report by proposed project contractor

58. MM-16 Noise. At all Project boundaries, temporary sound barriers capable of achieving a sound attenuation of at least 10 dBA (e.g., construction sound walls with acoustical blankets) shall be erected to obstruct line-of-sight noise travel from the Project site to all Project receptors.
- Enforcement Agency:** Los Angeles Department of Building and Safety
Monitoring Agency: Los Angeles Department of Building and Safety
Monitoring Phase: Construction
Monitoring Frequency: Periodic field inspections during construction
Action Indicating Compliance: Field inspection sign-off; Compliance certification report by proposed project contractor
59. MM-17 Noise. 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.
- Enforcement Agency:** Los Angeles Department of Building and Safety
Monitoring Agency: Los Angeles Department of Building and Safety
Monitoring Phase: Construction
Monitoring Frequency: Periodic field inspections during construction
Action Indicating Compliance: Field inspection sign-off; Compliance certification report by proposed project contractor
60. MM-18 Pub. 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.
- Enforcement Agency:** Los Angeles Police Department
Monitoring Agency: Los Angeles Department of Building and Safety
Monitoring Phase: Pre-construction; Post-occupancy
Monitoring Frequency: Once, at plan check; during project construction; during project operation, on an as needed basis
Action Indicating Compliance: Written approval by the Los Angeles Police Department prior to issuance of building permits
61. MM-19 Pub. The plans shall incorporate a design that enhances the security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, 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. These measures shall be approved by the Police Department prior to the issuance of building permits.
- Enforcement Agency:** Los Angeles Police Department
Monitoring Agency: Los Angeles Department of Building and Safety
Monitoring Phase: Pre-construction; Post-occupancy
Monitoring Frequency: Once, at plan check; during project construction; during project operation, on an as needed basis
Action Indicating Compliance: Written approval by the Los Angeles Police Department prior to issuance of building permits

62. MM-20 Pub. Upon completion of the Project, the Rampart Area commanding officer shall be provided with a diagram of each portion of the property. The diagram shall include access routes and any additional information that might facilitate police response.
- Enforcement Agency:** Los Angeles Police Department
Monitoring Agency: Los Angeles Department of Building and Safety
Monitoring Phase: Pre-construction; Post-occupancy
Monitoring Frequency: Once, at plan check; during project construction; during project operation, on an as needed basis
Action Indicating Compliance: Written approval by the Los Angeles Police Department prior to issuance of building permits
63. MM-21 Pub. The developer shall maintain ongoing contact with administrators of Camino Nuevo Charter Academy, Esperanza Elementary School, and Liechty Middle School. The administrators shall be contacted when demolition, grading and construction activity begin on the Project Site so that students and their parents will know when such activities are to occur. The developer shall obtain school walk and bus routes to the schools from either the administrators or from LAUSD's Transportation Branch (323) 342-1400 and guarantee that safe and convenient pedestrian and bus routes to the school are maintained. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- Enforcement Agency:** Los Angeles Department of building and Safety
Monitoring Agency: Los Angeles Department of Building and Safety
Monitoring Phase: Construction
Monitoring Frequency: Ongoing, during construction.
Action Indicating Compliance: Issuance of a Certificate of Occupancy
64. MM-22 Safety. The developer shall install appropriate construction related traffic signs around the site to ensure pedestrian and vehicle safety.
- 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) from work space and vehicular traffic, and overhead protection, due to sidewalk closure or blockage, at all times.
- 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.
- 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 and/or

construction staging. Sidewalk shall be reopened as soon as reasonably feasible taking construction and construction staging into account.

Enforcement Agency: Los Angeles Department of Building and Safety, LADOT, BOE

Monitoring Agency: Los Angeles Department of Building and Safety, LADOT

Monitoring Phase: Construction

Monitoring Frequency: Ongoing

Action Indicating Compliance: Issuance of Certificate of Occupancy

65. MM-23 Waste. Prior to the development of a new building, the capacity of the on-site sanitary sewers that would serve the building shall be evaluated based on applicable Bureau of Sanitation and California Plumbing Code standards and replacement or new sanitary sewers shall be installed on-site as necessary to accommodate proposed flows.

As part of the normal construction/building permit process, the Project Applicant shall confirm with the City that the capacity of the local and trunk lines are sufficient to accommodate the Project's wastewater flows during the construction and operation phases. If the public sewer has insufficient capacity, then the Project Applicant shall be required to build sewer lines to a point in the sewer system with sufficient capacity. If street closures for construction is required, the Project applicant shall coordinate with LADOT on a traffic control plan and have flagmen to facilitate traffic flow and safety.

Enforcement Agency: Los Angeles Department of Building and Safety, Bureau of Sanitation, LADOT

Monitoring Agency: Los Angeles Department of Building and Safety, Bureau of Sanitation, LADOT

Monitoring Phase: Construction

Monitoring Frequency: Ongoing

Action Indicating Compliance: Issuance of Certificate of Occupancy

66. MM-24 Water. New on-site water mains and laterals would be installed in accordance with City Plumbing Code requirements, where necessary, to distribute water within the Project Site.

As part of the building permit process, the Project Applicant shall confirm with the LADWP Water Service Organization (WSO) that the capacity of the existing water infrastructure can supply the domestic needs of the Project during the construction and operation phases. If the water infrastructure has insufficient capacity, then the Project Applicant shall be required to build water lines to a point in the system with sufficient capacity. If street closures for construction is required, the Project applicant shall coordinate with LADOT on a traffic control plan.

Enforcement Agency: Los Angeles Department of Water and Power, LADOT

Monitoring Agency: Los Angeles Department of Water and Power

Monitoring Phase: Construction

Monitoring Frequency: Ongoing

Action Indicating Compliance: Issuance of Certificate of Occupancy

Administrative Conditions of Approval

67. **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.
68. **Code Compliance.** All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
69. **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.
70. **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.
71. **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.
72. **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.
73. **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.
74. **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.
75. **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 \$50,000. 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 Westlake Community Plan which was last updated by the City Council on September 16, 1997. The subject property rectangular-shaped parcel comprised of 16 lots totaling approximately 70,912 square feet of lot area. The Community Plan currently designates the subject property for Regional Center and Community Commercial land uses corresponding to the C4, C2, RAS3, RAS4, P, PB and C4, C2, C1, CR, RAS3, RAS4, P, and PB respectively. The site contains multiple zones composed of C4-2, C2-2, and C2-4 and is thus consistent with site's land use designations.

As proposed, the plan amendment will re-designate the southerly portion of the project site from Community Commercial to Regional Center land uses and remove the Community Plan's Footnote No. 2 from the subject site which would allow for the site to partially utilize Height District No. 4. As previously described, the proposed Regional Center land use designation corresponds to the C4, C2, RAS3, RAS4, P, and PB Zones, which is consistent with the site's southerly parcels zoned C2-4 and C2-2. Therefore, the recommended General Plan Amendment would be in substantial conformance with the purpose, intent, and provisions of the General Plan as it is reflected in the Westlake Community Plan.

2. **General Plan Text.** The development of the project represents an opportunity to address residential and commercial issues of the Westlake Community Plan, which include a lack of open space in apartment projects; the need for more affordable housing; a lack of continuity and cohesiveness along commercial frontages; and inadequate transitions between commercial and residential uses. While the Community Plan does not explicitly identify any goals, the proposed development furthers the following objectives and policies:

Residential Objective No. 1: To designate a supply of residential land adequate to provide housing of the types, sizes, and densities required to satisfy the varying needs and desires of all segments of the community's population.

Residential Objective No. 2: To conserve and improve existing viable housing for persons desiring to live in Westlake, especially low and moderate income families.

Commercial Objective No. 1: To conserve and strengthen viable commercial development in the community and to provide additional opportunities or new commercial development and services.

Commercial Objective No. 3: To improve the compatibility between commercial and residential uses.

Commercial Objective No. 4: To encourage all new large scale commercial development to provide adequate parking and access to public transportation.

Commercial Policy No. 1: That commercial facilities be located on existing traffic arteries and commercial corridors.

Commercial Policy No. 2: That the pedestrian oriented commercial centers around MacArthur Park continue to serve as a focal point for shopping, social, and entertainment activities.

Cultural Objective No. 1: To ensure that the Plan area's significant cultural and historical resources are protected, preserved, and/or enhanced.

The proposed project will address identified issues and is consistent and compatible with the various objectives and policies of the Westlake Community Plan. The requested entitlements have been filed in conjunction with a development containing three components: the rehabilitation and conversion of an existing fourteen story (14-story), 178-foot tall medical office building into a boutique hotel; the construction of a five-story (5-story), 125-foot tall, 69,979 square-foot cultural, learning, and performing arts center that will contain a 850-seat theater, classroom space, community hall, office space; and the construction of a 41-story, 440-foot tall, residential tower containing 478 residential units, with 39 units set aside for Very Low Income Households.

As proposed, the transit-oriented, mixed-use, residential development will further activate Wilshire Boulevard and create a link between existing commercial uses along the community's important corridor. The project's proposed uses are integrated with one another, whereby a hotel guest may circulate to and from the cultural center from the hotel lobby and restaurant and potential residents may enter the proposed residential tower from the cultural center. Proposed open space amenities are well designed and accessible throughout the project and the entire project site, which will include new commercial, cultural, and residential uses, is appropriately situated in MacArthur Park, a pedestrian oriented commercial center and one block away from the Westlake/MacArthur Park Metro Station.

The Westlake Community Plan pre-dates State Density Bonus law and the City's Density Bonus Ordinance and, as such, focuses on incentivizing the provision of affordable housing and limiting the demolition of any existing, affordable residential units. As a result, the project's proposal to restrict 11% of its base density units for very-low income households without involving the removal of any existing housing is consistent with the text of the Community Plan. The recommended General Plan Amendment results in an increase in the base density permitted on-site and increases the overall number of market rate and affordable units made available through the City's Density Bonus Ordinance. The proposed mixed-use project will be located along a commercial corridor and adjacent to other residential buildings. The project would revitalize the site by converting the Wilshire Medical Building into a new hotel and replacing an underutilized parking lot with a well-designed and landscaped project that includes a community serving cultural, performing arts, and learning center, and a mixed-income residential tower. The project will provide many benefits to the community including, among others, a hotel use that is lacking in the nearby vicinity, and increased community serving uses, housing, parking, and dining opportunities within proximity of transit stations. In addition to the language found in the Westlake Community Plan text, the project is consistent with a number of the General Plan objectives, and policies, as discussed further below.

3. **Framework Element.** The Framework Element for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such

issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services.

According to the Framework's Long-Range Land Use Diagram for the Metro Los Angeles region, Regional Centers are intended to serve as the focal points of commerce, identity, and activity and contain a diversity of uses including professional offices, residential, retail commercial malls, major entertainment and cultural facilities and supporting services. The Project is proposing a mix of hotel, cultural, residential and supporting services to continue serving as a point of commerce and activity in the community and is consistent with the General Plan's Regional Center designation.

Regional Centers typically provide significant numbers of jobs and popular entertainment destinations and function as hubs of bus and rail transit. Regional Centers are expected to include higher densities than other areas of the City of Los Angeles and may be characterized by buildings of approximately six to 20 stories (or more) in height. According to the Framework, this density should be designed to support the development of comprehensive public transportation systems. The project is proposing a mix of cultural, residential, hotel, and supporting services that will be located approximately 375 feet from the Metro-Westlake/MacArthur Park Metro Station as well as nine bus lines that currently serve the area around the project site.

The proposed General Plan Amendment will allow the Project to be developed with the proposed density, intensity, and range of uses. The project will provide a significant number of jobs and entertainment destinations, and function as a bus and rail transit hub. All of which are encouraged by the Regional Center designation and the Framework Element of the General Plan.

The Framework Element offers several policies for Regional Centers that include accommodating land uses that serve a regional market, encouraging the development of multi-modal transportation centers, promoting the development of high-activity areas in appropriate locations that are designed to induce pedestrian activity, and supporting the development of small parks that incorporate pedestrian-oriented plazas, benches, or play areas. The project is consistent with the Framework Element goals, objectives, and policies, including those listed below:

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 3.1.4: Accommodate new development in accordance with land use and density provisions of the General Plan Framework Long-Range Land Use Diagram.

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

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

Policy 3.2.2: Establish, through the Framework Long-Range Land Use Diagram, community plans, and other implementing tools, patterns and types of development that improve the integration of housing with commercial uses and the integration of public services and various densities of residential development within neighborhoods at appropriate locations.

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.

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

Policy 3.4.3: Establish incentives for the attraction of growth and development in the districts, centers, and mixed-use boulevards targeted for growth that may include:

- a) Densities greater than surrounding areas,
- b) Prioritization of capital investment strategies for infrastructure, services, and amenities to support development,

- c) Economic incentives (e.g., redevelopment, Enterprise Zones, Neighborhood Recovery, and other),
- d) Streamlined development review processes,
- e) "By-right" entitlements for development projects consistent with the community plans and zoning,
- f) Modified parking requirements in areas in proximity to transit or other standards that reduce the cost of development, and
- g) Pro-active solicitation of development.

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

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

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

The proposed mixed-use project will establish a new hotel use to the area and redevelop an underutilized lot with high-density residential uses and a neighborhood- and regional-serving cultural, performing arts, and learning center intended to attract residents, workers, and visitors in an established pedestrian oriented, multi-family residential and mixed-use part of Downtown Los Angeles.

Goal 4A: An equitable distribution of housing opportunities by type and cost accessible to all residents of the City.

Objective 4.1: Plan the capacity for and develop incentives to encourage production of an adequate supply of housing units of various types within each City subregion to meet the projected housing needs by income level of the future population to the year 2010.

Objective 4.2: Encourage the location of new multi-family housing development to occur in proximity to transit stations, along some transit corridors, and within some high activity areas with adequate transitions and buffers between higher-density developments and surrounding lower-density residential neighborhoods.

The project will provide housing for a mix of income levels and unit types. Of the proposed 478 residential units, 11% (39 units) will be reserved for very low income households and the remaining units will be market rate. The project is appropriately situated near many

public transit options with connections and ease of access to jobs, entertainment and other amenities and is located among other multi-family uses within the Westlake Community Plan.

4. **Conservation Element.** The Conservation Element was adopted on September 26, 2001, and sets forth the City's policies to address conservation, protection, development, utilization and reclamation of natural and open space resources, and opportunities for the protection and improvement of the city's natural resources. The Project will preserve and enhance the existing 14-story medical office building, which is a historic resource known as the Wilshire Medical Building, which is consistent with Conservation Element Section 5-Cultural and Historical policy. The conversion of the existing historic building into a hotel use will be conducted in conformance with the Secretary of Interior's Standards for Rehabilitation, which is consistent with the Conservation Element's policy to "continue to protect historic and cultural sites and/or resources potentially affected by proposed land development, demolition or property modification activities."
5. The **Housing Element** of the General Plan will be implemented by the recommended action herein. The Housing Element is the City's blueprint for meeting housing and growth challenges. It identifies the City's housing conditions and needs, reiterates goals, objectives, and policies that are the foundation of the City's housing and growth strategy, and provides the array of programs the City has committed to implement to create sustainable, mixed-income neighborhoods across the City. The Housing Element includes the following foals, objectives, and policies relevant to the instant request:

Goal 1: A City where housing production and preservation result in an adequate supply of ownership and rental housing that is safe, healthy and affordable to people of all income levels, races, ages, and suitable for their various needs.

Objective 1.1: Produce an adequate supply of rental and ownership housing in order to meet current and projected needs.

Policy 1.1.2: Expand affordable rental housing for all income groups that need assistance.

Policy 1.1.3: Facilitate new construction and preservation of a range of different housing types that address the particular needs of the city's households.

Policy 1.1.4: Expand opportunities for residential development, particularly in designated Centers, Transit Oriented Districts and along Mixed-Use Boulevards.

Objective 1.4: Reduce regulatory and procedural barriers to the production and preservation of housing at all income levels and needs.

Policy 1.4.1: Streamline the land use entitlement, environmental review, and building permit processes, while maintaining incentives to create and preserve affordable housing.

The General Plan Amendment from Community Commercial to Regional Center land use implement the Housing Element by increasing the housing supply, consistent with the Community Commercial land use designation. With the proposed Amendment to Regional Center, the applicant is able to utilize Los Angeles Municipal Code Section 12.22-A, 18 to calculate density at 200 square feet per dwelling unit rather than 400 square feet per

dwelling unit. Approval of the Amendment would permit a new base density for the project site that is 354 dwelling units, rather than the 271 units that would be permitted today. In addition, the requested density bonus of 35%, allows an additional increase in the number of dwelling units permitted on-site, up to a total of 478 dwelling units, with 39 units set aside for very low income households. The project would achieve the production of new housing opportunities, meeting the needs of the city, while ensuring a range of different housing types (studio, one- and two-bedroom rental units) that address the particular needs of the city's households. Additionally, the project site is located within a Transit Priority Area, is approximately 375 feet from the Westlake/MacArthur Park Metro Station, and faces Wilshire Boulevard, which is serviced by a Metro Rapid Line.

Furthermore, the approval of the project streamlines the land use entitlement process, environmental review, and building permit process by establishing a singular regulatory standard across the entire site, which allows for the construction of up to 478 dwelling units, as opposed to the project going through multiple individual entitlements.

Therefore, the General Plan Amendment is consistent with the Housing Element goals, objectives, and policies of the General Plan.

6. The **Mobility Element** of the General Plan (Mobility Plan 2035) is not likely to be affected by the recommended action herein. Wilshire Boulevard, abutting the property to the north, is an Avenue II, dedicated to a right-of-way width of 86 feet, with a roadway width of 56 feet and 15-foot sidewalks, and is improved with asphalt roadway and concrete curb, gutter and sidewalk. Westlake Avenue, abutting the property to the west, is a Local Street – Standard, dedicated to a right-of-way width of 60 feet, with a roadway width of 36 feet, and 12-foot wide sidewalks, and is improved with asphalt roadway and concrete curb, gutter and sidewalk. Bonnie Brae Street, abutting the property to the west, is a Local Street – Standard, dedicated to a right-of-way width of 60 feet, with a roadway width of 36 feet, and 12-foot wide sidewalks, and is improved with asphalt roadway and concrete curb, gutter and sidewalk.

Furthermore, the project meets the following policies of the Mobility Plan 2035:

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

Policy 3.1: Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes - including goods movement - as integral components of the City's transportation system.

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 3.4: Provide all residents, workers and visitors with affordable, efficient, convenient, and attractive transit services.

Policy 3.5: Support "first-mile, last-mile solutions" such as multi-modal transportation services, organizations, and activities in the areas around transit stations and major bus stops (transit stops) to maximize multi-modal connectivity and access for transit riders.

Policy 3.7: Improve transit access and service to major regional destinations, job centers, and inter-modal facilities.

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

The project's proximity to existing regional transit services, approximately 375 feet from the Metro-Westlake/McArthur Park Redline rail station and fronting along a Metro Rapid line along Wilshire Boulevard, will reduce vehicular trips to and from the project, vehicle miles traveled, and will contribute to the improvement of air quality. The adjacency of the regional transit services along with the creation of 478 dwelling units, 200 hotel guest rooms, and a 70,000 square-foot multi-cultural and performing arts center ties the proposed project into a regional network of transit and housing.

In addition, the project will provide a minimum of 629 bicycle parking spaces, including 478 long-term and 48 short-term spaces for the residences and a combined 45 long-term and 58 short-term spaces for the hotel and multi-cultural and performing arts center. All long-term bike parking would be located within the parking garage area.

Policy 5.4: Continue to encourage the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure.

As conditioned, a minimum of 20% of all new parking spaces will be installed as electronic vehicle-ready. In addition, 5% of those parking spaces will have EV parking facilities.

Lastly, the Department of Transportation submitted a Traffic Impact Assessment of the proposed project that was approved on August 9, 2016, where it was determined that traffic impacts from trips generated from the project will be less than significant.

Therefore, the General Plan Amendment and Zone and Height District Change is consistent with Mobility Plan 2035 goals, objectives and policies of the General Plan.

7. **The Sewerage Facilities Element** of the General Plan will not be affected by the recommended action. While the sewer system might be able to accommodate the total flows for the proposed project, further detailed gauging and evaluation may be needed as part of the permit process to identify a specific sewer connection point. If the public sewer has insufficient capacity then the developer will be required to build sewer lines to a point in the sewer system with sufficient capacity. A final approval for sewer capacity and connection permit will be made at that time. Ultimately, this sewage flow will be conveyed to the Hyperion Treatment Plant, which has sufficient capacity for the project.
8. **Charter Finding – City Charter Section 555.** The General Plan may be amended in its entirety, by subject elements or parts of subject elements, or by geographic areas, provided that the part or area involved has significant social, economic or physical identity.

The subject site is comprised of 16 lots totaling approximately 1.64 acres. It is located within the Westlake Community Plan Area, just west of Downtown Los Angeles and located to the immediate west of MacArthur Park and the Westlake-MacArthur Park Metro Station. The zoning in the immediate area provides for a pattern that composed of commercial and open space zones. Development in the surrounding area is reflective of an urban environment characterized by commercial, office, retail, and multi-family residential uses, with the

community plan's largest unified area of open space, MacArthur Park, located one block west of the subject site.

The project involved provides for a significant social, economic, and physical identity to the area of the Plan Amendment. The project site is a large, underutilized parcel of land, a sizable portion of which is currently designated Regional Center Commercial. The subject site is presently developed with a 14-story, multi-tenant, office building and a surface parking lot that makes up approximately three quarters of the subject site's total lot area. The project's central location within the Westlake Community Plan, adjacent to MacArthur Park and the Westlake/MacArthur Park Metro Station provide for a significant physical and social identity. MacArthur Park is an identified "main area" within the Westlake Community Plan. As the plan describes it, "MacArthur Park bounded by Sixth Street to the north Seventh Street to the west and Witmer Street to the east is the commercial hub and heart of Westlake. Many of the activities surrounding the park cater to the predominantly Latino population of Westlake. A Red Line Metro Rail Station is located across from the park on Alvarado Street. MacArthur Park is the largest public open space in the Community Plan Area. The MacArthur Park area is also one of eight special vending districts established by ordinance in 1994." As further described below, the Plan Amendment will provide a consistent land use pattern on the subject site that will for the development of a unified, multi-faceted project.

As designed, the project meets the definition of Regional Center Commercial uses, as defined by the City's Framework Element, which are intended to serve as focal points of regional commerce, identity, activity. These uses contain a variety of types, including regional-serving commercial uses, major entertainment and cultural facilities and supporting services, with integrated, high density housing. Much like the project, regional centers typically provide significant number of jobs and many non-work destinations and, as such, should be located near transit hubs.

The project appropriately locates needed residential density and community amenities near several transit options providing access to jobs, entertainment, and services within Downtown and the Greater Los Angeles region. It creates new commercial uses for the neighborhood, promotes pedestrian activity in the general vicinity, and provides a multi-cultural and performing arts center that will be available to residents and the surrounding community. The new multi-cultural performing art center will enhance the community by providing a culturally inclusive learning/exchange center with a ground-level public plaza along its Wilshire street frontage. The project will provide outdoor seating and dining areas for locals, pedestrians, tourists and patrons to meet and congregate. In addition to onsite retail, restaurants, café, and bars, visitors will find pairs of benches along the walkways and throughout the project. The new uses will create a pedestrian-friendly environment and will provide a new cultural amenity for the area. The revitalized site will attract the interest of residents and businesses as the area continues to revitalize. As such, the General Plan may be amended in part through the Westlake Community Plan as the proposed development and use of the site is consistent with the Community Commercial land use designation and social identity of the area.

Implementation of the project will renovate and redevelop the 1.64 acre site to include a mix of cultural, residential, hotel, and supporting services that will enhance and create a link to adjoining commercial and residential neighborhoods, create new jobs, housing, services, and activity areas. The Plan Amendment will allow for a project containing three components: the renovation and conversion of an existing office building into a hotel, the construction of a cultural and performing arts center, and the construction of a mixed-income residential tower containing 478 residential units, of which 39 will be reserved for very-low income households. The project will involve the revitalization of an entire block facing

segment of Wilshire Boulevard, which creates added links to the commercial corridor. The increased commercial activity in the area will incentivize local and regional spending and activity and increase convenience for local residents, workers, and visitors of the area. The project will contribute to and strengthen the economic identity of the surrounding area and as such, the General Plan may be amended in part through the Westlake Community Plan as the proposed development and use of the site is consistent with the Regional Center land use designation and economic identity of the area.

The buildings within the proposed project would range from five (5) stories and 125 feet tall up to 41 stories and 440 feet tall, where the existing and proposed zoning both allow unlimited height. Although the project's maximum height would be taller than the immediately surrounding one- to 11-story buildings, the different building heights would provide for an overall development that would fit within the range of other residential and mixed-use building heights in Downtown. Furthermore, the project's structures that will face Wilshire Boulevard will include the renovated 178-foot tall, office building and a new five-story, 125-foot tall building, like other commercial buildings along Wilshire Boulevard, while concentrating the residential tower height behind. As such, the project maintains the existing physical identity along Wilshire Boulevard. Staff recommends that the General Plan be amended in part through the Westlake Community Plan as the proposed development and use of the site is consistent with the Regional Center Commercial land use designation and physical identity of the area.

9. **Charter Finding – City Charter Section 556.** When approving any matter listed in Section 558, the City Planning Commission and the Council shall make findings showing that the action is in substantial conformance with the purposes, intent and provisions of the General Plan. If the Council does not adopt the City Planning Commission's findings and recommendations, the Council shall make its own findings.

The project site is located within the Westlake Community Plan, which is one of 35 community plans comprising the Land Use Element of the General Plan. The Community Plan designates the project site with the Regional Center and Community Commercial land use designations, which list the following corresponding zones: C2, C4, RAS3, RAS4, P, and PB. The site is presently zoned C4-2, C2-2, C2-4 and is thus consistent with the land use designation.

As proposed, the amendment would re-designate a portion of the subject site from Community Commercial to Regional Center, thereby designating the entire site for Regional Center uses. The Plan Amendment promotes an intensity and pattern of development that is consistent with the area's General Plan Framework designation and that encourages transit use; reduces automobile dependency; encourages the development of multiple family housing and community-serving commercial uses; and increases the density within proximity of transit stations. Furthermore, the requested plan amendment would be consistent with surrounding commercial properties along Wilshire Boulevard, wherein which the Regional Center designation extends into the lot to create a more unified development with consistent regulations. The project site is comprised of a large, underutilized parcel of land, of which a large portion of which is already designated Regional Center. The project is in substantial conformance with and will further many of the purposes, intent and provisions of the General Plan. Land use at the project site is guided by the City's General Plan, and Community Plan.

General Plan Text. The development of the project represents an opportunity to address residential and commercial issues of the Westlake Community Plan, which include a lack of open space in apartment projects; the need for more affordable housing; a lack of continuity and cohesiveness along commercial frontages; and inadequate transitions between

commercial and residential uses. While the Community Plan does not explicitly identify any goals, the proposed development furthers the following objectives and policies:

Residential Objective No. 1: To designate a supply of residential land adequate to provide housing of the types, sizes, and densities required to satisfy the varying needs and desires of all segments of the community's population.

Residential Objective No. 2: To conserve and improve existing viable housing for persons desiring to live in Westlake, especially low and moderate income families.

Commercial Objective No. 1: To conserve and strengthen viable commercial development in the community and to provide additional opportunities or new commercial development and services.

Commercial Objective No. 3: To improve the compatibility between commercial and residential uses.

Commercial Objective No. 4: To encourage all new large scale commercial development to provide adequate parking and access to public transportation.

Commercial Policy No. 1: That commercial facilities be located on existing traffic arteries and commercial corridors.

Commercial Policy No. 2: That the pedestrian oriented commercial centers around MacArthur Park continue to serve as a focal point for shopping, social, and entertainment activities.

Cultural Objective No. 1: To ensure that the Plan area's significant cultural and historical resources are protected, preserved, and/or enhanced.

Recreation and Parks Facilities/Open Space Objective No. 1: To provide adequate recreation and park facilities which meet the needs of residents in the community.

As mentioned, the proposed project will address identified issues and is consistent and compatible with the various objectives and policies of the Westlake Community Plan. The requested entitlements have been filed in conjunction with a development containing three components: the rehabilitation and conversion of an existing fourteen story (14-story), 178-foot tall medical office building into a boutique hotel; the construction of a five-story (5-story), 125-foot tall, 69,979 square-foot cultural, learning, and performing arts center that will contain a 850-seat theater, classroom space, community hall, office space; and the construction of a 41-story, 440-foot tall, residential tower containing 478 residential units, with 39 units set aside for Very Low Income Households.

The project will conserve and strengthen viable commercial development, will establish a new hotel use, construct a new cultural center, and provide for much-needed housing that includes a very-low income affordability component. As planned for and conditioned herein, the mixed-use project is well-designed and compatible with surrounding uses, development, and infrastructure. The project will enhance the appearance of the surrounding commercial

district by renovating an existing older office building and converting it to a boutique hotel; replace an existing surface parking lot with a multi-faceted cultural and performing arts center intended to serve the local and regional community, and construct a residential tower containing units reserved for very-low income households, all done without the displacement of any existing residential uses.

The project is located near many public transit opportunities, including the Westlake/MacArthur Park Metro station and the Metro Local and Rapid Lines along Wilshire Boulevard. The project has been designed to provide adequate parking and has been conditioned to encourage the use of public transit. As proposed, the transit-oriented, mixed-use, residential development will further activate Wilshire Boulevard and create a link between existing commercial uses along the community's important corridor. The project's proposed uses are integrated with one another, whereby a hotel guest may circulate to and from the cultural center from the hotel lobby and restaurant and potential residents may enter the proposed residential tower from the cultural center. Proposed open space amenities are well designed and accessible throughout the project and the entire project site, which will include new commercial, cultural, and residential uses, is appropriately situated in MacArthur Park, a pedestrian oriented commercial center and one block away from the Westlake/MacArthur Park Metro Station. The project's proposed cultural center will be a publicly accessible use containing community rooms, classroom space, an art gallery, a roof and observation deck, a ground level plaza, all with neighborhood programming that is intended to serve the needs of the community as well as attract visitors to the area.

With the approval of CPC-2016-3142-GPA-DB-VCU-CUB-SPR, the project would be in conformance with the objectives and policies of the Community Plan by improving an underutilized site with mixed-use development that preserves and enhances an existing structure and provides for additional housing and community resources in the area. As such, the project is in substantial conformance with the purpose, intent and provisions of the General Plan and Community Plan.

The Westlake Community Plan pre-dates State Density Bonus law and the City's Density Bonus Ordinance and, as such, focuses on incentivizing the provision of affordable housing and limiting the demolition of any existing, affordable residential units. As a result, the project's proposal to restrict 11% of its base density units for very-low income households without involving the removal of any existing housing is consistent with the text of the Community Plan. The recommended General Plan Amendment results in an increase in the base density permitted on-site and increases the overall number of market rate and affordable units made available through the City's Density Bonus Ordinance. The proposed mixed-use project will be located along a commercial corridor and adjacent to other residential buildings. The project would revitalize the site by converting the Wilshire Medical Building into a new hotel and replacing an underutilized parking lot with a well-designed and landscaped project that includes a community serving cultural, performing arts, and learning center, and a mixed-income residential tower. The project will provide many benefits to the community including, among others, a hotel use that is lacking in the nearby vicinity, and increased community serving uses, housing, parking, and dining opportunities within proximity of transit stations. In addition to the language found in the Westlake Community Plan text, the project is consistent with a number of the General Plan objectives, and policies, as discussed further below.

Framework Element. The Framework Element for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such

issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services.

According to the Framework's Long-Range Land Use Diagram for the Metro Los Angeles region, Regional Centers are intended to serve as the focal points of commerce, identity, and activity and contain a diversity of uses including professional offices, residential, retail commercial malls, major entertainment and cultural facilities and supporting services. The Project is proposing a mix of hotel, cultural, residential and supporting services to continue serving as a point of commerce and activity in the community and is consistent with the General Plan's Regional Center designation.

Regional Centers typically provide significant numbers of jobs and popular entertainment destinations and function as hubs of bus and rail transit. Regional Centers are expected to include higher densities than other areas of the City of Los Angeles and may be characterized by buildings of approximately six to 20 stories (or more) in height. According to the Framework, this density should be designed to support the development of comprehensive public transportation systems. The project is proposing a mix of cultural, residential, hotel, and supporting services that will be located approximately 375 feet from the Metro-Westlake/MacArthur Park Metro Station as well as nine bus lines that currently serve the area around the project site.

The proposed General Plan Amendment will allow the project to be developed with the proposed density, intensity, and range of uses. The project will provide a significant number of jobs and entertainment destinations, and function as a bus and rail transit hub. All of which are encouraged by the Regional Center designation and the Framework Element of the General Plan.

The Framework Element offers several policies for Regional Centers that include accommodating land uses that serve a regional market, encouraging the development of multi-modal transportation centers, promoting the development of high-activity areas in appropriate locations that are designed to induce pedestrian activity, and supporting the development of small parks that incorporate pedestrian-oriented plazas, benches, or play areas. The project is consistent with the Framework Element goals, objectives, and policies, including those listed below:

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 3.1.4: Accommodate new development in accordance with land use and density provisions of the General Plan Framework Long-Range Land Use Diagram.

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

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

Policy 3.2.2: Establish, through the Framework Long-Range Land Use Diagram, community plans, and other implementing tools, patterns and types of development that improve the integration of housing with commercial uses and the integration of public services and various densities of residential development within neighborhoods at appropriate locations.

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.

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

Policy 3.4.3: Establish incentives for the attraction of growth and development in the districts, centers, and mixed-use boulevards targeted for growth that may include:

- a) Densities greater than surrounding areas,
- b) Prioritization of capital investment strategies for infrastructure, services, and amenities to support development,

- c) Economic incentives (e.g., redevelopment, Enterprise Zones, Neighborhood Recovery, and other),
- d) Streamlined development review processes,
- e) "By-right" entitlements for development projects consistent with the community plans and zoning,
- f) Modified parking requirements in areas in proximity to transit or other standards that reduce the cost of development, and
- g) Pro-active solicitation of development.

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

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

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

The proposed mixed-use project will establish a new hotel use to the area and redevelop an underutilized lot with high-density residential uses and a neighborhood- and regional-serving cultural, performing arts, and learning center intended to attract residents, workers, and visitors in an established pedestrian oriented, multi-family residential and mixed-use part of Downtown Los Angeles.

Goal 4A: An equitable distribution of housing opportunities by type and cost accessible to all residents of the City.

Objective 4.1: Plan the capacity for and develop incentives to encourage production of an adequate supply of housing units of various types within each City subregion to meet the projected housing needs by income level of the future population to the year 2010.

Objective 4.2: Encourage the location of new multi-family housing development to occur in proximity to transit stations, along some transit corridors, and within some high activity areas with adequate transitions and buffers between higher-density developments and surrounding lower-density residential neighborhoods.

The project will provide housing for a mix of income levels and unit types. Of the proposed 478 residential units, 11% (39 units) will be reserved for very low income households and the remaining units will be market rate. The project is appropriately situated near many

public transit options with connections and ease of access to jobs, entertainment and other amenities and is located among other multi-family uses within the Westlake Community Plan.

Conservation Element. The Conservation Element was adopted on September 26, 2001, and sets forth the City's policies to address conservation, protection, development, utilization and reclamation of natural and open space resources, and opportunities for the protection and improvement of the city's natural resources. The project will preserve and enhance the existing 14-story medical office building, which is a historic resource known as the Wilshire Medical Building, consistent with Conservation Element Section 5-Cultural and Historical policy. The conversion of the existing historic building into a hotel use will be conducted in conformance with the Secretary of Interior's Standards for Rehabilitation, which is consistent with the Conservation Element's policy to "continue to protect historic and cultural sites and/or resources potentially affected by proposed land development, demolition or property modification activities."

The **Housing Element** of the General Plan will be implemented by the recommended action herein. The Housing Element is the City's blueprint for meeting housing and growth challenges. It identifies the City's housing conditions and needs, reiterates goals, objectives, and policies that are the foundation of the City's housing and growth strategy, and provides the array of programs the City has committed to implement to create sustainable, mixed-income neighborhoods across the City. The Housing Element includes the following foals, objectives, and policies relevant to the instant request:

Goal 1: A City where housing production and preservation result in an adequate supply of ownership and rental housing that is safe, healthy and affordable to people of all income levels, races, ages, and suitable for their various needs.

Objective 1.1: Produce an adequate supply of rental and ownership housing in order to meet current and projected needs.

Policy 1.1.2: Expand affordable rental housing for all income groups that need assistance.

Policy 1.1.3: Facilitate new construction and preservation of a range of different housing types that address the particular needs of the city's households.

Policy 1.1.4: Expand opportunities for residential development, particularly in designated Centers, Transit Oriented Districts and along Mixed-Use Boulevards.

Objective 1.4: Reduce regulatory and procedural barriers to the production and preservation of housing at all income levels and needs.

Policy 1.4.1: Streamline the land use entitlement, environmental review, and building permit processes, while maintaining incentives to create and preserve affordable housing.

The General Plan Amendment from Community Commercial to Regional Center land use implement the Housing Element by increasing the housing supply, consistent with the Community Commercial land use designation. With the proposed Amendment to Regional Center, the applicant may utilize Los Angeles Municipal Code Section 12.22-A,18 to calculate density at 200 square feet per dwelling unit rather than 400 square feet per

dwelling unit. Approval of the Amendment would permit a new base density for the project site that is 354 dwelling units, rather than the 271 units that would be permitted today. In addition, the requested density bonus of 35%, allows an additional increase in the number of dwelling units permitted on-site, up to a total of 478 dwelling units, with 39 units set aside for very low income households. The project would achieve the production of new housing opportunities, meeting the needs of the city, while ensuring a range of different housing types (studio, one- and two-bedroom rental units) that address the particular needs of the city's households. Additionally, the project site is located within a Transit Priority Area, is approximately 375 feet from the Westlake/MacArthur Park Metro Station, and faces Wilshire Boulevard, which is serviced by a Metro Rapid Line.

Furthermore, the approval of the project streamlines the land use entitlement process, environmental review, and building permit process by establishing a singular regulatory standard across the entire site, which allows for the construction of up to 478 dwelling units, as opposed to the project going through multiple individual entitlements.

Therefore, the General Plan Amendment is consistent with the Housing Element goals, objectives, and policies of the General Plan.

The **Mobility Element** of the General Plan (Mobility Plan 2035) is not likely to be affected by the recommended action herein. Wilshire Boulevard, abutting the property to the north, is an Avenue II, dedicated to a right-of-way width of 86 feet, with a roadway width of 56 feet and 15-foot sidewalks, and is improved with asphalt roadway and concrete curb, gutter and sidewalk. Westlake Avenue, abutting the property to the west, is a Local Street – Standard, dedicated to a right-of-way width of 60 feet, with a roadway width of 36 feet, and 12-foot wide sidewalks, and is improved with asphalt roadway and concrete curb, gutter and sidewalk. Bonnie Brae Street, abutting the property to the west, is a Local Street – Standard, dedicated to a right-of-way width of 60 feet, with a roadway width of 36 feet, and 12-foot wide sidewalks, and is improved with asphalt roadway and concrete curb, gutter and sidewalk.

Furthermore, the project meets the following policies of the Mobility Plan 2035:

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

Policy 3.1: Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes - including goods movement - as integral components of the City's transportation system.

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 3.4: Provide all residents, workers and visitors with affordable, efficient, convenient, and attractive transit services.

Policy 3.5: Support "first-mile, last-mile solutions" such as multi-modal transportation services, organizations, and activities in the areas around transit stations and major bus stops (transit stops) to maximize multi-modal connectivity and access for transit riders.

Policy 3.7: Improve transit access and service to major regional destinations, job centers, and inter-modal facilities.

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

The project's proximity to existing regional transit services, approximately 375 feet from the Metro-Westlake/McArthur Park Redline rail station and fronting along a Metro Rapid line along Wilshire Boulevard, will reduce vehicular trips to and from the project, vehicle miles traveled, and will contribute to the improvement of air quality. The adjacency of the regional transit services along with the creation of 478 dwelling units, 200 hotel guest rooms, and a 70,000 square-foot multi-cultural and performing arts center ties the proposed project into a regional network of transit and housing.

In addition, the project will provide a minimum of 629 bicycle parking spaces, including 478 long-term and 48 short-term spaces for the residences and a combined 45 long-term and 58 short-term spaces for the hotel and multi-cultural and performing arts center. All long-term bike parking would be located within the parking garage area.

Policy 5.4: Continue to encourage the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure.

As conditioned, a minimum of 20% of all new parking spaces will be installed as electronic vehicle-ready. In addition, 5% of those parking spaces will have EV parking facilities.

Lastly, the Department of Transportation submitted a Traffic Impact Assessment of the proposed project that was approved on August 9, 2016, where it was determined that traffic impacts from trips generated from the project will be less than significant.

Therefore, the General Plan Amendment and Zone and Height District Change is consistent with Mobility Plan 2035 goals, objectives and policies of the General Plan.

10. **Charter Finding – City Charter Finding 558.** The proposed Amendment to the Westlake Community Plan will be in conformance with public necessity, convenience, general welfare and good zoning practice.

The proposed amendment to the Plan would re-designate the southerly portion of the site from Community Commercial to Regional Center and remove the Plan Footnote No. 2 from the site, thereby creating a consistent land use that allows for a unified mixed-use development. The change in land use designation allows for a redevelopment of the site that includes the renovation and conversion of a 14 story, medical office building into a hotel; the construction of a five story, 125-foot tall cultural, performing arts, and learning center, and the construction of a residential tower located above a ten-story parking podium, totaling 41 stories in height. The amendment allows for the subject site's base density to increase from 271 to 354 dwelling units and allows those parcels with a designated Height District No. 4 to fully utilize the height district for additional floor area. From this newly established base, the applicant has requested a density bonus with two on0menu incentives that would further increase the project's potential size and unit count, and result in a provision of a significant number of units reserved for Very Low Income households.

- a. Public Necessity. On April 8, 2015, Mayor Eric Garcetti released the City's first-ever Sustainable City pLAN. The pLAN is both a roadmap to achieve back to basics short-term results while setting the path to strengthen and transform our City in the decades to come. In it, the Mayor set forth a goal of creating 100,000 new housing units by 2021. The subject property is currently designated Community Commercial and Regional Center with the corresponding zones of C2 and C4. As it exists today, a total of 271 residential units would be permitted with a 35% density bonus allowing an increase of up to 365 units. This number is more than 100 units less than what is now possible given the recommended amendment to the Westlake Community Plan. With more than 80% of the Community Plan's housing stock constructed more than 25 years old, and nearly 60% of its housing constructed more than 45 years ago, the proposed project will infuse a significant number of housing units into the Westlake Community Plan, the second more dense community in the City. As such, the project is viewed as catalytic to the Westlake Community Plan, and particularly to the MacArthur Park community in which it is located and where it is believed that it would contribute to the evolution of the surrounding area into a residential, commercial, and mixed-use area. The project will provide 478 new housing units for a mix of incomes, including 39 units set aside for Very Low Income households and provide amenities that would improve the quality of life for existing and future residents. The project will be providing new housing without the direct displacement of any housing units. As such, the project supports the Mayor's goal of producing 100,000 new housing units by 2021.
- b. Convenience. Approval of the requested General Plan Amendment from Community Commercial to Regional Center and the removal of Westlake's Footnote No. 2 from the subject property would facilitate the redevelopment of an underutilized development site that is proximate to mass transit options. The proposed land use amendment would permit a mixed-use development that appropriately locates needed residential density near several transit options that afford easy access to employment centers, entertainment, and services, creates new commercial uses for the neighborhood, promotes pedestrian activity in the general area, and provides a learning, performing arts, and community gathering point within the proposed cultural center, a hotel that will serve as a neighborhood and regional amenity, and new recreational and open space amenities available to residents and the surrounding community.
- c. General Welfare. Granting the requested General Plan Amendment to Regional Center will unify the land use designation on the site, given that the Westlake Community Plan has designated most Wilshire facing parcels as Regional Center. The recommended amendment will only extend this existing land use designation to the south, within the subject site, thereby creating a consistency in land use patterns and allowing for a better planned, unified development project to be planned and constructed. The proposed project will serve the interests of both visitors and residents of the community, and the amendment will allow for the construction of much needed housing in a community that has not seen much housing growth in the last 15 years. As discussed above, the area is served by transit that would afford residents access to jobs, entertainment, and services within Downtown and the Greater Los Angeles region. As an infill development project, the requested amendment will increase the City's housing stock, while minimizing any burden placed upon the existing infrastructure, including roads and utilities. Additionally, the proposed project would activate and enhance the aesthetic character of a currently underutilized site in a transit-rich neighborhood.
- d. Good Zoning Practices. The project site has a land use designation of Regional Center and Community Commercial and is zoned C4-2, C2-2, and C2-4. The recommended action herein is to redesignate the southern half of the subject site from Community

Commercial to Regional Center. The request does not involve a zone change. As such, the C2-2 and C2-4 zoning designations within the existing Community Commercial designated parcels will remain. These subject parcels are corresponding zones to the Regional Center land use designation and will be consistent with the proposed designation. Furthermore, the requested plan amendment to Regional Center would be consistent with surrounding commercial properties along Wilshire Boulevard, wherein which the Regional Center designation extends into the lot to create a more unified development with consistent regulations.

As proposed, the project would not only provide new housing for a mix of incomes, but would offer amenities that would improve the quality of life for existing and future residents as well as the surrounding community. The redevelopment of the project site from an underutilized office building and surface parking into a 478-unit mixed-use development with 39 affordable unit, a 220-guestroom hotel, and a neighborhood and regional serving cultural center will assist in the transformation of the area into a more walkable and vibrant neighborhood in close proximity to public transit and MacArthur Park. As discussed previously, the amendment to the Westlake Plan will create a consistency in land use on site that is similar to adjoining commercial parcels that also face Wilshire Boulevard. As such, the plan amendment to Regional Center would be consistent with good zoning practices and development patterns in the immediate area.

Density Bonus/Affordable Housing Incentives Compliance Findings

8. **Pursuant to Section 12.22 A.25(c) of the LAMC, the Director shall approve a density bonus and requested incentive(s) unless the director finds that the incentives are not required in order to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5, or Section 50053 for rents for the affordable units.**

The record does not contain substantial evidence that would allow the City Planning Commission to make a finding that the requested incentives are not necessary to provide for affordable housing costs per State Law. The California Health & Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs for very low, low, and moderate income households. Section 50052.5 addresses owner-occupied housing and Section 50053 addresses rental households. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed 25 percent gross income based on area median income thresholds dependent on affordability levels.

The list of on-menu incentives in 12.22 A.25 were pre-evaluated at the time the Density Bonus Ordinance was adopted to include types of relief that minimize restrictions on the size of the project. As such, the Department of City Planning will always arrive at the conclusion that the density bonus on-menu incentives are required to provide for affordable housing costs because the incentives, by their nature, increase the size of the project. The requested on-menu incentives (an increase in FAR and an averaging of FAR and density) are expressed in the Menu of Incentives per LAMC 12.22 A.25(f) and, as such, permit exceptions to zoning requirements that result in building design or construction efficiencies that provide for affordable housing costs.

The requested on-menu incentives allow the developer to expand the building envelope of the proposed residential tower by allowing an increase in FAR and FAR averaging so larger units can be built than would otherwise be allowed on the proposed residential lot. Without the increase the 35% FAR increase and FAR averaging, the project would only be permitted a total floor area of 371,672 which removes 99,679 square feet for the existing building and 69,979 square feet for the proposed multi-cultural and performing arts center from the by-

right permitted floor area of 541,330 square feet. For the project which proposes 478 residential units composed of studio to two-bedroom units ranging from 464 square feet to 1,652 square feet, together with residential amenities, all within a total floor area of 514,887 square feet, this would result in a loss of 143,215 square feet of lot area. Without the FAR increase and FAR averaging incentives, the project would result in a significant loss of units or each of the 478 proposed units would have to be reduced in size by approximately 299 square feet on average. Even if the project were to remove the 11,747 square feet of its surplus open space amenities, it would still be required to remove an average of 275 square feet of area per residential unit. Each of these scenarios would significantly impact the financial viability of the project.

9. **Pursuant to Section 12.22 A.25(c) of the LAMC, the Director shall approve a density bonus and requested incentive(s) unless the director finds that the Incentives will have a Specific Adverse Impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the Specific Adverse Impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.**

There is no evidence that the proposed incentives will have a specific adverse impact. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22.A.25(h)). As required by Section 12.22 A.25 (e)(2), the project meets the additional eligibility criterion that is required for density bonus projects. As required, the façade of the new buildings facing Wilshire Boulevard, Bonnie Brae Street, and Westlake Avenue will be articulated with a change of materials or a break in plane so the facades are not flat surfaces. The buildings will also be oriented toward the streets with entrances, windows, architectural features and balconies on street-facing elevations as required. Although the project includes a designated historic resource, the project has been determined to not result in a significant impact to this resource. Finally, according to ZIMAS, the project is not located on a substandard street in a Hillside area or a Very High Fire Hazard Severity Zone. Therefore, there is no substantial evidence that the proposed project will have a specific adverse impact on the physical environment, on public health and safety.

Conditional Use Findings to for the Sale of Alcohol

A particular type of development is subject to the conditional use process because it has been determined that such use of property should not be permitted by right in a particular zone. All uses requiring a conditional use permit from the Zoning Administrator are located within Section 12.24-W of the Los Angeles Municipal Code. The project has requested a conditional use approval for the proposed hotel's location within 500 feet of a residential zone or use and has additionally requested a conditional use approval for the on- and off-site sales of alcohol. In order for these requested entitlements to be authorized, the legally mandated findings delineated in Sections 12.24-E and 12.24-W.1 have to be made in the affirmative. In these cases, there are additional findings in lieu of the standard findings for most other conditional use categories.

As discussed in the project's background, the applicant's request for a conditional use approval of a hotel use within 500 feet of a residential zone or use has been dismissed.

10. **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.**

A conditional use is a discretionary request for a particular use which is not allowed as a matter of right within the zone. The conditional use process singles out types of uses which can be compatible and even desirable, but because of potential impacts are not always desirable at every location in unlimited numbers, or in a location without restrictions and conditions tailored to the specific use. The use will not be materially detrimental to the character of the development in the immediate area if feasible and conditions of approval and effective mitigation measures are imposed. The applicant has requested a conditional use to permit the on- and off-site sales of a full line of alcohol in the C2 and C4 Zones.

The applicant is requesting the sale and dispensing of a full line of alcohol for on-site consumption in the hotel, in conjunction with a 1,351 square-foot bar with 32-seats, a 13,582 square-foot restaurant with 176 seats, and a 4,358 square-foot roof-top terrace with 100 seats, for a total of 396 seats. The applicant is also requesting the sale and dispensing of a full line of alcohol for on-site consumption in the cultural center, which has a 2820 square-foot roof-top terrace with 88 seats. The cultural center is connected to the hotel, and the kitchen that services the hotel is located on the ground floor of the cultural center. The proposed hours of operation and alcohol sales are from 11:00 AM to 2:00 AM Monday through Sunday.

The applicant is seeking a Conditional Use to permit the on-site sales and dispensing and the off-site sales of a full line of alcohol for a project that includes the redevelopment of an existing medical office building (Wilshire Medical Building) into a 220 guest room hotel and the new construction of a cultural, performing arts, and learning center and residential tower. The hotel will contain restaurant space on the ground floor level, a guest-serving convenience store, and multi-purpose/ballrooms on the second floor. The proposed multi-cultural and performing arts center will contain a large ground floor lobby, café, and community hall on the ground floor level, a large foyer and office space rooms on the second floor, a large foyer and art gallery/exhibition space on the third floor, a large foyer and theater occupying the fourth and fifth floors, and finally a rooftop level amphitheater and bar. The mixed-use development will contain a residential tower that will be connected to and accessed through the multi-cultural and performing arts center. The project will perform a function for the community and City that will reactivate an underutilized commercial building to provide a full-service hotel on Wilshire Boulevard and will redevelop an existing surface parking lot to provide a new, conveniently located multi-cultural and performing arts center, as well as new residential units.

The project's central location within the Westlake Community Plan, adjacent to MacArthur Park and the Westlake/MacArthur Park Metro Station provide for a significant physical and social identity. MacArthur Park is an identified "main area" within the Westlake Community Plan. As the plan describes it, "MacArthur Park bounded by Sixth Street to the north Seventh Street to the west and Witmer Street to the east is the commercial hub and heart of Westlake. Many of the activities surrounding the park cater to the predominantly Latino population of Westlake. A Red Line Metro Rail Station is located across from the park on Alvarado Street. MacArthur Park is the largest public open space in the Community Plan Area. The MacArthur Park area is also one of eight special vending districts established by ordinance in 1994."

The project will enhance the built environment in the surrounding neighborhood, and will provide services that are beneficial to the community and greater region. The reestablishment of the existing medical office building into a hotel with a multi-cultural and

performing arts center and residential tower constructed in its parking lot provides the property with a use that is more in-line with the needs and projected growth of MacArthur Park neighborhood. The close proximity of the subject site to the Westlake/MacArthur Park Metro Station accommodates a walkable hotel option and cultural center for hotel guests and tourists alike wishing to travel to Downtown Los Angeles or Hollywood. There are limited hotel options along the Wilshire corridor, just west of Downtown Los Angeles, and the proposed project will help serve a need in the community.

The sale and service of alcohol within the proposed development is essential for the vitality of the hotel and its accessory uses; restaurant and bar space, and multi-cultural and performing arts uses. Offering alcohol that is incidental to the larger services provided on-site is an amenity that is not only desired by patrons, but is expected of quality restaurants and entertainment uses. The proximity to Downtown Los Angeles and Hollywood via the Metro rail system demands certain amenities be offered to guests and patrons of the site in order for the project to remain successful and be competitive with similar uses across the City.

Although located proximate to Downtown Los Angeles, the immediately surrounding neighborhood is absent of a full-service hotel and similar multi-cultural and performing arts center available to serve the needs of the community. The addition of a hotel and restaurant space with incidental alcohol sales will allow for the success of a renovated medical office building and cultural center that will provide a beneficial service to the community. With the service of alcoholic beverages in such settings accepted as a normal and desirable complement to food service in quality hotels and restaurants, the provision of such within the project is found to be desirable to the public convenience and welfare.

With the project site located less than one block away from the Westlake/MacArthur Parking Metro Station, the transit-oriented development will provide convenient access to a quality hotel, restaurant space, and a multi-cultural and performing arts center, creating a vibrant area for street life within a redeveloped, safe, and secure environment. The incidental on- and off-site alcohol sales of alcohol will be a piece of a larger project that will serve as a catalyst for the area to tie together tourism, residential, employment, and shopping. Therefore, an essential and desirable service will be performed by providing alcohol sales within a carefully controlled, high-quality hotel and mixed-use development.

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

The proposed project is considered an infill development in a neighborhood that is developed with mixed residential and commercial land uses. The land use and zoning in the immediate vicinity of the project is reflective of multi-family residential and commercial uses located in the C2, C4, and R4 Zones. The project vicinity includes established low- and mid-rise commercial and multi-family development. Northerly, across Wilshire Boulevard are several commercial buildings in an area zoned C4-2. These buildings include a two- and three-story office building; and one-story office building; and a three-story building with retail uses on the ground floor and residential uses above. Southerly, the directly abutting property is developed with a four- and five-story residential building with ground floor retail along Westlake Avenue. To the west, across Westlake Avenue, is a ten-story medical office building and accessory surface parking that is immediately north of the Westlake/MacArthur Park Metro Station. To the east, across Bonnie Brae Street, are several commercial and office buildings that range from two- to four stories.

The applicant is requesting a Conditional Use (CUB) for the sale and dispensing of a full line of alcohol for on-site consumption in the hotel restaurant, bar, and roof-top terrace (9,321 square-feet, 208 indoor seats, 100 outdoor seats). The applicant is also requesting the sale and dispensing of a full line of alcohol for on-site consumption in the cultural center's roof-top terrace (2,820 square-feet, 88 outdoor seats). The cultural center is connected to the hotel, and the kitchen that services the hotel is located on the ground floor of the cultural center. The restaurant will provide an attractive eating venue that incorporates roof-top terrace dining enabling patrons to relax and congregate in an attractive and enjoyable setting. Furthermore, the restaurant is at a convenient location that residents can access by walking or using public transit. The project will enhance the surrounding neighborhood by providing restaurants and amenities consistent with similar commercial locations in the City.

The proposed hotel, restaurant space, and cultural center will be located within an established regional commercial center. Within the hotel, the service of alcohol will be almost entirely on-site, with the only off-site sales located in a gift/convenience shop that incidental to the hotel. Food and beverage offerings in a hotel restaurant, including any bar area, boutique gift/convenience shop, room service, and in-room mini-bars are basic amenities for guests. The availability of alcoholic beverages in a hotel is an expected part of the traveling experience expected by discerning travelers. The similar is to be expected from the proposed multi-cultural and performing arts center that will provide a new amenity to the area that is intended to improve the urban atmosphere, directly serve the community as well as draw in visitors and tourists for exhibits and special events.

The requested alcohol sales have been approved as incidental to a hotel, restaurant and bar space and multi-cultural and performing arts center and are anticipated to assist in the improvement of the welfare of the neighboring community. The new uses which will bring about new residents, hotel guests, tourists, and visitors who live within the center will improve the pedestrian experience and increase safety as there will be more active streets during extended hours of the day and night. The project will also improve the aesthetic of the streets on which it fronts, Wilshire Boulevard, Westlake Avenue, and Bonnie Brae Street, increasing their physical appeal and reiterating the safety of the area, through lighting and public improvements required by the project's associated subdivision request.

Numerous conditions have been adopted in conjunction with this approval to ensure that the operation of the hotel and restaurants are compatible with the surrounding community, and to minimize any potential adverse impacts from all its operations. The grant has been given a seven (7) year life to preclude further sales of alcohol if management is not able to operate within the terms of this grant, and in doing so, becomes a nuisance to the community. Thus, it can be found that the proposed use will not adversely affect the welfare of the pertinent community.

Therefore, as conditioned herein, the proposed use will not adversely affect the welfare of the pertinent community. The Zoning Administrator has imposed numerous conditions to integrate the use into the community and reflect the mode of operation stated in the application.

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

Pursuant to LAMC Section 12.36-D, when acting on multiple applications for a project, when appropriate, findings may be made by reference to findings made for another application involving the same project. This finding is substantially identical to the finding found earlier in this document as City Charter Finding 556 and is hereby incorporated by reference. The subject site is not located within a specific plan.

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

According to the State of California Department of Alcoholic Beverage Control (ABC) licensing criteria, two (2) on-sale and one (1) off-sale licenses are allocated to subject Census Tract No. 2089.02. There are currently zero (0) on-site and five (5) off-site licenses in this Census Tract. Two (2) of the existing establishments are liquor stores, one (1) is a supermarket, one (1) is a drug store, and one (1) is a neighborhood serving market. Four (4) of these establishments sell a full line of alcohol and one (1) sells beer and wine, only. The project is located within a Regional Center where a variety of uses is permitted and encouraged and concentration of licenses is anticipated, however, this is not the case with the proposed project. The closest restaurant which serves alcohol is located approximately 0.4 miles away from the subject site. The next closest restaurants are 0.6 and one (1) mile away from the subject site. Two (2) small, local dive bars are located approximately two blocks southeast and southwest of the subject site. The proposed restaurant and bar space within the project, however, are programmed to be accessory to a much larger project. The applicant is proposing to add one Type 47 license, one Type 48 license, and one Type 70 license. In doing so, the applicant will have the ability to sell a full line of alcohol for on-site consumption in the hotel and cultural center.

Over-concentration, in this case for off-site sales, can be undue when the addition of a license will negatively impact a neighborhood. Over-concentration is not undue when approval of a license does not negatively impact an area, but rather such license benefits the public welfare and serves as a convenience. As described, the project proposing the on-site sales of a full line of alcohol that will be incidental to the hotel and multi-cultural performing arts uses and off-site sales will be incidental to the hotel and will be within a boutique gift shop/convenience store for hotel guests. The project is not anticipated to adversely affect the community welfare because the proposed uses are desirable and needed uses in an area.

Within the proposed hotel, the project will add 1) one Type 47 license for its use that will include the on-site hotel uses (lobby bar/lounge, restaurants, and roof-top pool bar/lounge), 2) one Type 66 license for in-room alcohol access cabinets ("mini-bars"), and 3) a Type 21 license for off-site sales at the hotel gift shop. The proposed ground floor restaurant/lounge of the hotel will contain a separate Type 47. In addition, a Type 47 license would be also be requested for the on-site sale of alcohol at the restaurant that would be located on the ground floor of the high-rise mixed-use building.

According to statistics provided by the Los Angeles Police Department's Rampart Division Vice Unit, within Crime Reporting District No. 256, which has jurisdiction over the subject property, a total of 401 crimes were reported in 2016 (216 Part I and 185 Part II crimes), compared to the total area average of 189 crimes for the same reporting period. Part II Crimes reported include, Homicide (0), Manslaughter (0), Rape (1), Robbery (41), Aggravated Assault (20), Burglary (4), Vehicle Theft (5), Larceny (145), Other Assaults (18), Weapons (1), Prostitution (3), Sex (4), Narcotics (22), Liquor Laws (30), Public Drunkenness

(17), Disturbing the Peace (0), Disorderly Conduct (0), Gambling (0), DUI related (12), Moving Traffic Violations (3), and other offenses (29). These numbers do not reflect the total number of arrests in the subject reporting district over the accountable year. Arrests for this calendar year may reflect crimes reported in previous years.

An undue concentration can occur when the addition of a license will negatively impact a neighborhood. An undue concentration will not occur when the approval of a license does not negatively impact an area, but instead benefits the public welfare and convenience. The census tract will have an additional new license, but the project will not adversely affect community welfare because the hotel and cultural center are appropriate and desirable community uses. Furthermore, the hotel and cultural center are located at a particularly accessible location on Wilshire Boulevard, one-block east of MacArthur Park and the Westlake/MacArthur Park Metro Station. This area attracts a high volume of patrons and should provide enough establishments to satisfy the needs and desires of these patrons and the community.

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

The project will not detrimentally affect nearby residentially zoned uses. The project is located within a commercial regional center where diversity among land uses is common. The approval of the application will not detrimentally affect nearby residential zones or uses because the area surrounding the project is primarily characterized by commercial uses.

The land use and zoning in the immediate vicinity of the project is reflective of multi-family residential and commercial uses located in the C2, C4, and R4 Zones. The project vicinity includes established low- and mid-rise commercial and multi-family development. Northerly, across Wilshire Boulevard are several commercial buildings in an area zoned C4-2. These buildings include a two- and three-story office building; and one-story office building; and a three-story building with retail uses on the ground floor and residential uses above. Southerly, the directly abutting property is developed with a four- and five-story residential building with ground floor retail along Westlake Avenue. To the west, across Westlake Avenue, is a ten-story medical office building and accessory surface parking that is immediately north of the Westlake/MacArthur Park Metro Station. To the east, across Bonnie Brae Street, are several commercial and office buildings that range from two- to four stories.

The following sensitive uses are located within a 1,000-foot radius of the project **site**:

- The Universal Church - 625 S Bonnie Brae Street
- Esperanza Elementary School - 680 Little Street
- Camino Nuevo Charter Academy – Burlington Campus - 697 S Burlington Avenue
- Camino Nuevo Charter Academy Early Education Center - 661 S Burlington Avenue, Los Angeles 90057
- Sang Lok Presbyterian Church - 733 S Burlington Avenue
- La Vina en Los Angeles - 720 S Lake Street
- MacArthur Park/MacArthur Lake - 653 S Alvarado Street
- El Dios Viviente Asambleas de Dios - 611 S Burlington Avenue

The applicant understands the character of the neighborhood and is committed to helping preserve the character through responsible service of alcohol in conjunction with the operation of the hotel and cultural center. The use is located on a site with a Regional Center Commercial land use designation where diversity amongst uses is common. Overall, the subject location is well-distanced and/or buffered from nearby residential zones and uses. Therefore, the sale alcohol for on-site consumption will not detrimentally affect the neighboring residential properties or other sensitive uses in the area.

The project will include a 220-room hotel, a multi-cultural and performing arts center, and 478 new residential units, and has its interest to serve the needs of their owners by making certain that establishments offering alcohol are operated in a responsible manner. The service of alcohol will be located within a contained environment, where monitoring is facilitated and the property owner retains responsibility for strict oversight and compliance with all regulations and conditions.

As part of a future Plan Approval process, individual venues will have specific conditions tailored to the specific use. The conditions will limit any potential nuisance for the surrounding area, including close residential neighbors and the project's own residences. Additionally, the project will provide security for the building, ensuring that while visitors, patrons, and guests enjoy the amenities offered, no nearby uses will be disturbed. The proposed alcohol sales will serve to support the activation of the subject site and local community that is designated as a Regional Center. As conditioned, the proposed hotel will not detrimentally affect nearby residentially zoned properties.

Site Plan Review Findings

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

16. The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan.

Pursuant to LAMC Section 12.36-D, when acting on multiple applications for a project, when appropriate, findings may be made by reference to findings made for another application involving the same project. This finding is substantially identical to the finding found earlier in this document as City Charter Finding 556 and is hereby incorporated by reference.

17. 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 land use and zoning in the immediate vicinity of the project is reflective of multi-family residential and commercial uses located in the C2, C4, and R4 Zones. The project vicinity includes established low- and mid-rise commercial and multi-family development. Northerly, across Wilshire Boulevard are several commercial buildings in an area zoned C4-2. These buildings include a two- and three-story office building; and one-story office building; and a three-story building with retail uses on the ground floor and residential uses above. Southerly, the directly abutting property is developed with a four- and five-story residential building with ground floor retail along Westlake Avenue. To the west, across Westlake Avenue, is a ten-story medical office building and accessory surface parking that is immediately north of the Westlake/MacArthur Park Metro Station. To the east, across Bonnie Brae Street, are several commercial and office buildings that range from two- to four stories.

The project will include unique and compatible uses to neighboring properties, including the proposed hotel, located in the northwest portion of the project site, at the intersection of Wilshire Boulevard and Westlake Avenue; a five-story learning, multi-cultural and performing arts center (“multi-cultural center”) at the northeast portion of the site, at the intersection of Wilshire Boulevard and Bonnie Brae Street; and an apartment and parking complex, located in the southeast portion of the project site. An existing 14-story medical office building, a historic resource known as the Wilshire Medical Building, will be preserved and converted to a 220-room hotel. All existing surface parking will be removed, and a 41-story, 478-unit apartment building, containing a 12-level, 933-space parking structure (two subterranean levels and ten above-grade levels) will be constructed. At full project build out, the surface parking areas will no longer remain.

Height, Bulk and Setbacks

The design of the hotel, multi-cultural center, residential uses, and related parking has been arranged to be compatible with neighboring properties. On Wilshire Boulevard, the project will include restaurant uses on the ground floor of the hotel, with clear glass storefronts and window displays compatible with both historic preservation and the surrounding properties. The storefronts will create a visual connection and will increase pedestrian activity. The multi-cultural center will have its first and second floors set back 11 feet to 45 feet from Wilshire Boulevard and will include an attractive plaza that has been designed as a gathering place for the community.

On Westlake Avenue, the project will also include its check-in and bar area on the ground floor of the hotel, with clear glass storefronts and window displays compatible with both historic preservation and the surrounding properties. The hotel building’s historic façade and motor court will be preserved and enhanced in its current condition. Ample parking for residents, visitors and patron has been incorporated into the project and will be unique and architecturally attractive. Parking for the project will be provided two (2) levels of below grade and nine (9) levels of above grade parking. The parking podium has been designed to include loading and bicycle parking areas for improved convenience and accessibility and the project has been conditioned to encourage the use of the nearby public transit.

On Bonnie Brae Street, the project will include its multi-cultural and performing art center which will enhance the community by providing a culturally inclusive learning/exchange center; housing an art gallery/exhibition space, class/training rooms and an 850-seat performing arts auditorium. Cladded in multicolored mosaic glass tiles and inspired by historic frescos dating back to 5th century AD, the design for the performing arts center has been described as deriving from the World Heritage Site located in Sri Lanka, called Sigiriya or “the Lion Rock”. The parking structure will provide access to Bonnie Brae Street and will be designed with a horizontal patterned spandrel glass façade.

The project’s arrangement of buildings and structures, parking facilities, loading areas, lighting, landscaping, trash collection, and other improvements will be compatible with the existing and future developments on adjacent and neighboring properties. The building heights, bulk and scale that face Wilshire Boulevard are compatible with several multi-story buildings within proximity of the project area. The project provides needed housing and commercial uses, and an enhanced focal point for the community. The existing 14 story medical office building was built with 0-foot setbacks along Wilshire Blvd and Westlake Avenue. The residential tower will be setback approximately 18-feet from the south property line, and 0-feet from S. Bonnie Brae Street. The multi-cultural center will have its first and second floors set back 11-feet to 45-feet from Wilshire Boulevard; floors three through five will have 0-foot setbacks, and the parking structure

will be built with 0-foot setbacks. The multi-cultural center will have wall and landscape lighting along Wilshire Blvd, the parking structure will have internal lighting, and the residential tower will have lighting on the tower roof. The project will provide 62,497 square feet of open space, including an amphitheater, observation deck, and terrace bar on the cultural center roof deck, and a swimming pool and fitness area on top of the apartment complex.

Off-Street Parking Facilities

Ample parking for residents, visitors and patron has been incorporated into the project and will be unique and architecturally attractive. A total of 933 automobile parking spaces and 629 bicycle parking spaces are proposed. Vehicular access to the project site will be provided via two, two-way driveways, one on Westlake Avenue and other on Bonnie Brae Street. The hotel and multi-cultural performing arts center (public use) will be accessed from Westlake Avenue, where a motor court and drop-off area will provide for vehicular queuing out of the public right-of-way. Much of the proposed parking for the public uses will be located on two subterranean levels and will be serviced with self-parking and valet service options, providing a convenience for guests and staff. Residential parking will be accessed from Bonnie Brae Street, where pedestrians will have direct access from the parking garage to the residential lobby.

The project will include two subterranean and nine (9) above-grade parking levels. Due to existing geotechnical conditions, below grade parking is limited to two levels. This is further complicated by the 15-foot grade difference between Bonnie Brae Street and Westlake Avenue. In addition, the project is making provisions for a potential future underground connection to the Metro transit station. Any parking beyond two levels of subterranean would make this future Metro connection more difficult. All podium parking will be screened with a combination of aluminum and metal louver panels as well as with micro-green living wall modules that will create a visual of "floating landscape." In addition, the project's 14-story, converted hotel building and proposed 5 story, 125-foot tall multi-cultural and performing arts center will visually screen the project's above-grade parking levels from Wilshire Boulevard.

Therefore, the off-street parking facilities will be compatible with the existing and future developments in the neighborhood.

Loading Areas

Pursuant to LAMC Section 12.21-C,6, the project is not required to provide a loading area because the site does not abut an alley. The parking structure was, however, designed to include a loading area for improved convenience and accessibility. Loading will be accessed from Westlake Avenue, located internal to the site and directly adjacent to the project's motor court area. This loading area is intended as an added convenience for all uses on-site and has been safely designed to create a minimal impact on the adjacent public right-of-way. Therefore, the loading area will be compatible with the existing and future developments in the neighborhood.

Lighting

Lighting will be provided per LAMC requirements. The project would add new residential dwelling units, commercial, and multi-cultural uses that would include similar lighting effects as provided from the existing adjacent residential and commercial land uses. Night lighting for the project would be provided to illuminate building vehicular and pedestrian entrances, pedestrian paseos, signs, and security. The cultural center will have wall and landscape lighting along Wilshire Blvd, the parking structure will have LED

lighting, and apartment complex will have lighting on the tower roof. Given that the project is located adjacent to residential uses, it has been designed and conditioned to further protect adjacent uses from lighting related impacts, including requirements for outdoor lighting to shine downward, be installed with shielding, and be directed onto the project site, so that the light source does not directly illuminate any adjacent properties or the above night skies. Above-grade parking levels are designed with exterior screening and paneling to minimize potential glare of headlights and light spillover.

Signage for mixed-use developments typically includes building address identification, commercial retail, way-finding, and security markings. No deviations from the City's signage requirements have been requested or inherently granted at this time. No off-site signage is proposed and has been conditioned to be prohibited.

On-Site Landscaping

The project will provide new open space and landscaping intended to enhance the existing character of the surrounding area of the project site and provide a balance to the existing urban development. Approximately 62,497 square feet of open space will be provided and located primarily above the residential building podium and rooftop deck, as well as on the roof deck of the cultural center. These areas will be landscaped and have been conditioned to require all planters containing trees to have a minimum depth of 48 inches to ensure adequate room for root growth and healthy trees. The project will provide useable open space areas integrated into the project's residential development, which will include recreation rooms, roof decks, swimming pools, spas, children play areas, a running track, dog park areas, half-court basketball courts, and outdoor hardscape and landscaped areas for gathering and community activities. Approximately 62,497 square feet of open space will be provided.

Trash Collection

The project will include on-site trash collection for both refuse and recyclable materials, in conformance with the L.A.M.C. The residential and non-residential trash collection and pick-up would be located at the ground parking level. All of the trash and recycling bins will be staged within the building at the ground level along Westlake Avenue. The project has been conditioned to ensure that trash and recycling facilities will not be visible from the public right-of-way. Compliance with this condition will result in a project that is compatible with existing and future development.

Therefore, the 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 neighboring properties.

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

The project involves the construction of a mixed-use development containing 478 residential dwelling units (including 39 units set aside for Very Low Income Households), a 70,000 multi-cultural and performing arts center, and a converted hotel containing 220 guest rooms. As designed, the project will provide recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.

Residential units will be constructed in the southeast portion of the project site in a high-rise building above the parking structure with two subterranean levels and ten above-grade levels. Residential uses will be developed above the upper parking level, and each residential floor will include an open space area of approximately 2,016 square-feet within which various types of recreational amenities will be provided. The project seeks to incorporate sustainable water-sensitive urban outdoor greenery; providing an environment which results in happier and healthier residents and patrons. Residents will benefit from a fitness center, rooftop clubroom, an outdoor pool with sundeck and access to the other rooftop amenities within the complex, along with an onsite restaurant within the converted hotel, a café, and bars. Open space amenities available to the project's residents include areas for active as well as passive recreation. The project will provide useable open space areas integrated into the project's residential development, which will include recreation rooms, roof decks, swimming pools, spas, children play areas, a running track, dog park areas, half-court basketball courts, and outdoor hardscape and landscaped areas for gathering and community activities. Approximately 62,497 square feet of open space will be provided. The project has been conditioned to provide planters with a minimum depth of 48 inches to ensure adequate room for root growth and healthy trees.

The adjoining learning, multi-cultural and performing arts center will also provide for an additional amenity to the project's residents and to the surrounding area. The cultural center will be a culturally inclusive learning/exchange center; housing an art gallery/exhibition space, class/training rooms and an 850-seat performing arts auditorium. Intended as community destination and gathering place, a ground-level public plaza along its Wilshire street frontage will provide outdoor seating and dining areas for locals, pedestrians, tourists and patrons to meet and congregate. The center's rooftop amenity deck will offer; water features, green open space, an observation platform with city views intended to create a visual connection between Downtown Los Angeles and the Pacific Ocean. Therefore, the proposed project provides recreational and service amenities to improve habitability for the residents and minimize impacts on neighboring properties.

Environmental Findings

19. **Environmental Findings.** The proposed project and potential impacts were analyzed in accordance with the City's Environmental Quality Act (CEQA) Guidelines and the City's L.A. CEQA Thresholds Guide. These two documents establish guidelines and thresholds of significant impact, and provide the data for determining whether or not the impacts of a proposed project reach or exceed those thresholds. Analysis of the proposed Project involved the preparation of an Initial Study and Mitigated Negative Declaration (MND) (ENV-2016-3144-MND), where it was determined that the proposed project may have a significant impact on the following environmental factors: air quality, biological resources; land use and planning; noise; public services; and transportation/traffic. However, the implementation of the corresponding mitigation measures will reduce impacts to less than significant levels, and are imposed as Conditions of Approval herein (Conditions No. 39 through 66). A corresponding Mitigation Monitoring Program (MMP) was 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 to mitigate or avoid significant effects on the environment." The MND was circulated for public review on December 29, 2016 through January 18, 2017.

The Department found that without mitigation potential negative impact could occur from the project's implementation due to:

Air Quality
Biological Resources
Cultural Resources
Geology and Soils
Hazards and Hazardous Materials
Noise
Public Services
Transportation/Traffic
Utilities and Service Systems

On January 10, 2017 the South Coast Air Quality Management District submitted a letter to the Department of City Planning requesting the modification of construction measures in order to avoid underestimating impacts in the Air Quality analysis of the MND. As a result, and after coordination with SCAQMD, such mitigation measures were amended.

On March 3, 2017, the Deputy Advisory Agency, certified that Mitigated Negative Declaration No. ENV-2016-3144-MND reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of Condition No(s). 25 and 26 of the vesting tentative tract approval (VTT-74297) associated with the herein request. Other identified potential impacts not mitigated by these conditions are mandatorily subject to existing City ordinances, (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Xeriscape Ordinance, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

The project site, as well as the surrounding area are presently developed with structures and do not provide a natural habitat for either fish or wildlife.

Regarding any potential impact to a property listed in the California Register of Historic Resources, the City of Los Angeles CEQA Thresholds Guide (2006, p. D.3-2) states that a project would normally have a significant impact on historic resources if it would result in a substantial adverse change in the significance of a historic resource. A substantial adverse change in significance occurs if the project involves:

- Demolition of a significant resource;
- Relocation that does not maintain the integrity and (historical/architectural) significance of a significant resource;
- Conversion, rehabilitation, or alteration of a significant resource which does not conform to the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings; or
- Construction that reduces the integrity or significance of important resources on the site or in the vicinity.

In addition to this guidance provided by the City of Los Angeles, the State Legislature, in enacting the California Register, also amended CEQA to clarify which properties are significant, as well as which project impacts are considered to be significantly adverse. A project with an effect that may cause a substantial adverse change in the significance of a historic resource is a project that may have a significant effect on the environment. A substantial adverse change in the significance of a historic resource means demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired. The Guidelines go on to state that "[t]he significance of an historic resource is materially impaired when a project...[d]emolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify

its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources... local register of historic resources... or its identification in a historic resources survey.”

Impacts from Rehabilitation of the Wilshire Medical Building:

The proposed project would rehabilitate and adaptively reuse the Wilshire Medical Building for use as a hotel. The existing lobby and retail spaces on the ground floor would be rehabilitated as the lobby, bar and restaurant of the hotel. The second floor would be rehabilitated as a business center and the remaining floors would be rehabilitated as guestrooms. Without mitigation to ensure that essential character-defining features are retained, rehabilitation of the Wilshire Medical Building has the potential to alter or remove character-defining features that are important in conveying the historic significance of the property.

Potential Impacts from New Construction Adjacent to the Wilshire Medical Center:

The Project proposes substantial new construction to be located immediately adjacent to the Wilshire Medical Building. All new construction will be built on land currently occupied by surface parking. The existing parking lot is not considered a character-defining feature of the Wilshire Medical Center and is not critical to understanding the building's original use, architecture and configuration.

The proposed project includes a new cultural center to be constructed immediately east of the Wilshire Medical Building at the northeast corner of the project site. The cultural center building will contain five levels, rising to the height of the ninth floor of the Wilshire Medical Building. The proposed cultural center building will be approximately two-thirds the height of the Wilshire Medical Building and the Wilshire Medical Building will remain the dominant building when viewed from Wilshire Boulevard. This new building will attach to the Wilshire Medical Building at ground level. A narrow bridge will also connect the cultural center rooftop to the tenth floor of 1930 Wilshire. The ground and tenth floor connection from the cultural center to the Wilshire Medical Building will be minimally invasive with minor material loss, and the new construction will not substantially alter the 1930 Wilshire building. At both locations, the cultural center will connect to the east façade of the Wilshire Medical Building which is a secondary façade with minimal architectural articulation. The majority of the façade will remain intact and unaltered after connection to the proposed new Cultural Center. A parking structure will be constructed on the southern half of the project site. A 42-story apartment tower will rise from the southeast half of the parking structure. The parking structure and apartment tower will be spatially separate and distinct from the Wilshire Medical Building and will not attach to it. The proposed new construction will alter the spatial relationships on the property by inserting new buildings in an area currently occupied by a surface parking lot. In order for this alteration to be considered a substantial adverse change, however, it must be shown that the integrity and/or significance of the Wilshire Medical Building would be materially impaired by the proposed adjacent new construction.

In deference to the Wilshire Medical Building, the proposed new apartment tower will be located at the rear and to the east of the site where it will not interfere with or detract from viewing and fully experiencing the Wilshire Medical Building's primary northern and western facades. The Wilshire Medical Building was designed with an orientation towards Wilshire Boulevard and it is from Wilshire Boulevard, or from Westlake Avenue where the building's original massing, configuration and its important architectural features are best perceived and experienced. In contrast, the east and south-facing facades are treated in a much simpler and straightforward manner, largely devoid of articulation and detailing. The east- and south-facing facades are clearly secondary, and were designed in anticipation of possible new construction on the adjacent parcels. Even so, the majority of the Wilshire Medical Building's secondary eastern and southern facades will also remain largely visible

from most vantage points due to the siting of the apartment tower to the southern and eastern portions of the project site.

The project will not involve the relocation or demolition of the Wilshire Medical Building and only minor alteration of its east-facing façade. Therefore, the conversion of subject building to a hotel will not affect integrity of location, design, materials, workmanship, feeling or association of the subject building. All the existing physical elements will continue to convey the historic significance of the property after implementation of the project. Additionally, despite the proposed new construction within the site's adjoining surface parking lot, the general configuration and orientation of the building will remain discernible after construction and the primary north- and west-facing facades will remain intact and unobstructed. As such, the Wilshire Medical Building will continue to convey its historic significance and will not be materially impaired by the proposed project.

For these reasons, the significance and integrity of the Wilshire Medical Building will remain intact and the building will retain its eligibility for listing in the National Register of Historic Places and the California Register of Historic Places.

The 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 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.

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.

20. **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 Flood Zone X, areas determined to be outside the 0.2% annual chance floodplain. 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 Westlake Community Plan, updated by the City Council on September 16, 1997; and

WHEREAS, the City Planning Commission recommended approval of a General Plan Amendment from Community Commercial to Regional Commercial and to remove the Westlake Community Plan Footnote No. 2 for the subject property; and

WHEREAS, the approved project is for the conversion of an existing 14-story medical office building into new 220-room hotel; the construction of a new 5-story, approximately 70,000 square-foot, multi-cultural and performing arts center; and the construction of a new 41-story apartment tower containing 478 dwelling units;

WHEREAS, the City Planning Commission at its meeting on October 12, 2017 approved the General Plan Amendment and recommended approval by the City Council of a General Plan Amendment over the subject property; and

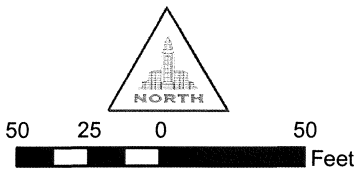
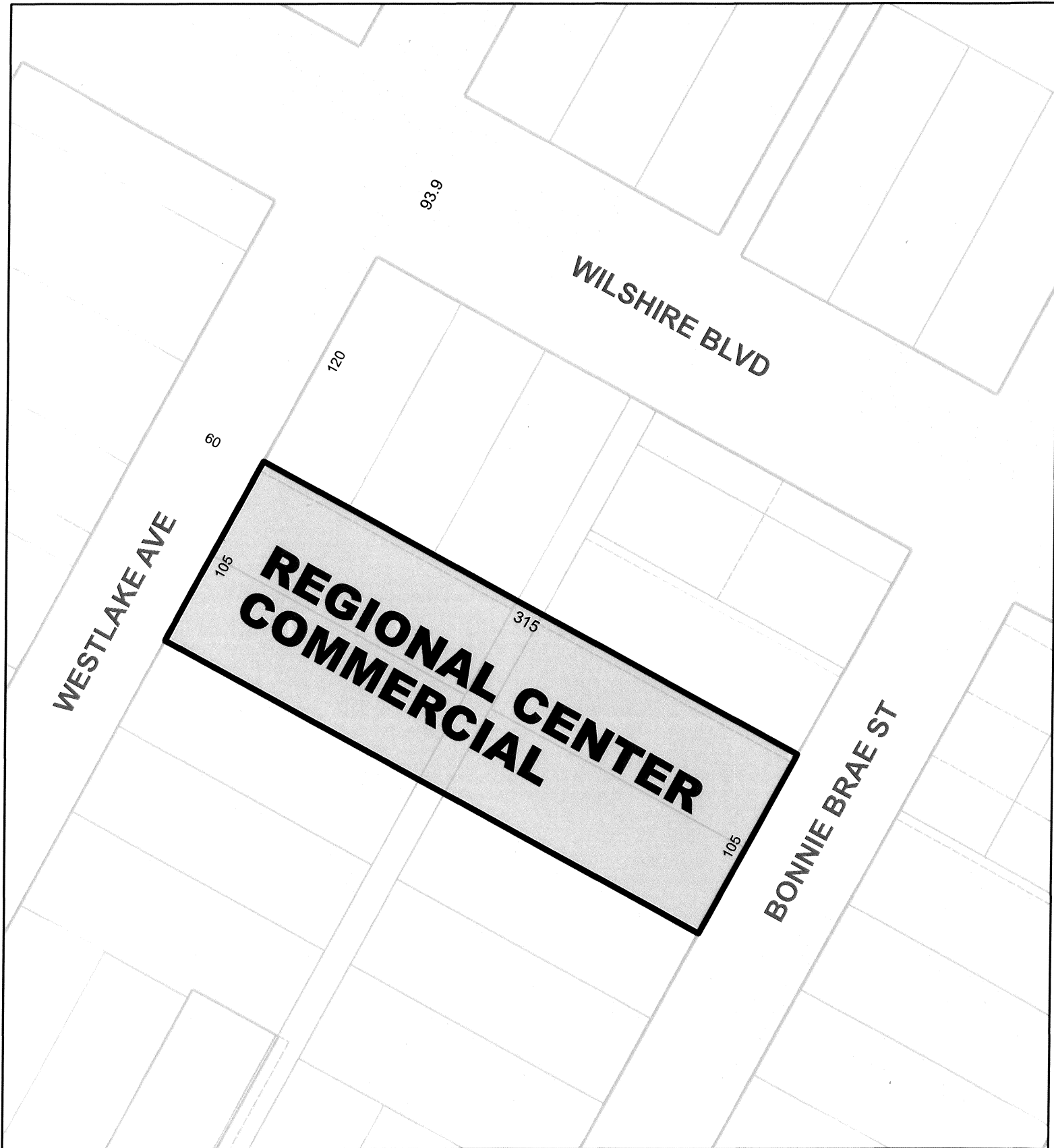
WHEREAS, pursuant to the provisions of the Los Angeles City Charter, the Mayor and City Planning Commission have transmitted their recommendations; and

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

WHEREAS, the Regional Commercial land use designation and removal of the Westlake Footnote No. 2 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-2016-3144-MND in accordance with the City's Guidelines for implementation of the California Environmental Quality Act (CEQA);

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



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City of Los Angeles

