

PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
CPC-2016-3608-GPA-VZC-HD-DB-MCUP-CU-SPR	ENV-2016-3609-MND	10 – Wesson
PROJECT ADDRESS:		
800 South Western Avenue, 800-824 South Western Avenue, 3564-3566 West 8 th Street, 3550, 3558-3560 West 8 th Street and 801 South Oxford Avenue Add Area: 801-874 South Western Avenue and 855 South Manhattan Place		
APPLICANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
<input type="checkbox"/> New/Changed Western Plaza Capital Holding, LLC		
APPLICANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
Edgar Khalatian Mayer Brown LLP 350 South Grand Avenue, 25 th Floor Los Angeles, CA 90071	213-229-9548	ekhalatian@mayerbrown.com
APPELLANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
Jordan Fein and Natalie Schuman – Unite Here Local 11 464 Lucas Avenue #201 Los Angeles, CA 90017	213-481-8530 ext 328	jfein@unitehere.org nschuman@unithere11.org
APPELLANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A		
PLANNER CONTACT INFORMATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Iris Wan	(213) 978-1397	Iris.wan@lacity.org
ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION		
General Plan Amendment, Vesting Zone Change, Height District Change.		

FINAL ENTITLEMENTS NOT ADVANCING:

Density Bonus for Off-Menu Incentives (Not appealable)

ITEMS APPEALED:

Master Conditional Use Permit, Conditional Use, Site Plan Review; and Mitigated Negative Declaration No. ENV-2016-3609-MND

ATTACHMENTS:	REVISED:	ENVIRONMENTAL CLEARANCE:	REVISED:
<input type="checkbox"/> Letter of Determination	<input type="checkbox"/>	<input type="checkbox"/> Categorical Exemption	<input type="checkbox"/>
<input type="checkbox"/> Findings of Fact	<input type="checkbox"/>	<input type="checkbox"/> Negative Declaration	<input type="checkbox"/>
<input type="checkbox"/> Staff Recommendation Report	<input type="checkbox"/>	<input type="checkbox"/> Mitigated Negative Declaration	<input type="checkbox"/>
<input type="checkbox"/> Conditions of Approval	<input type="checkbox"/>	<input type="checkbox"/> Environmental Impact Report	<input type="checkbox"/>
<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/>	<input type="checkbox"/> Mitigation Monitoring Program	<input type="checkbox"/>
<input checked="" type="checkbox"/> Zone Change Map	<input type="checkbox"/>	<input checked="" type="checkbox"/> Other _____	<input type="checkbox"/>
<input type="checkbox"/> GPA Resolution	<input type="checkbox"/>		
<input type="checkbox"/> Land Use Map	<input type="checkbox"/>		
<input type="checkbox"/> Exhibit A - Site Plan	<input type="checkbox"/>		
<input type="checkbox"/> Mailing List	<input type="checkbox"/>		
<input type="checkbox"/> Land Use	<input type="checkbox"/>		
<input checked="" type="checkbox"/> Other _____	<input type="checkbox"/>		

NOTES / INSTRUCTION(S):

Transmitting appeals, Corrected Letter of Determination and Zone Change Ordinance (including D Limitations)

FISCAL IMPACT STATEMENT:

Yes No

*If determination states administrative costs are recovered through fees, indicate "Yes".

PLANNING COMMISSION:

- | | |
|--|--|
| <input checked="" type="checkbox"/> City Planning Commission (CPC) | <input type="checkbox"/> North Valley Area Planning Commission |
| <input type="checkbox"/> Cultural Heritage Commission (CHC) | <input type="checkbox"/> South LA Area Planning Commission |
| <input type="checkbox"/> Central Area Planning Commission | <input type="checkbox"/> South Valley Area Planning Commission |
| <input type="checkbox"/> East LA Area Planning Commission | <input type="checkbox"/> West LA Area Planning Commission |
| <input type="checkbox"/> Harbor Area Planning Commission | |

PLANNING COMMISSION HEARING DATE:	COMMISSION VOTE:
December 14, 2017	6 - 2
LAST DAY TO APPEAL:	APPEALED:
April 9, 2018	Yes
TRANSMITTED BY:	TRANSMITTAL DATE:
James K. Williams	April 13, 2018



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: APR 13 2018

*Corrected Copy (Case No. Only**)*

Case No. CPC-2016-3608-GPA-VZC-HD-DB¹-MCUP-CU-SPR** Council District: 10 - Wesson
CEQA: ENV-2016-3609-MND
Plan Area: Wilshire
Related Case: VTT-74511

Project Site: 800 South Western Avenue;
800-824 South Western Avenue;
3564-3566 West 8th Street;
3550, 3558-3560 West 8th Street; and
801 South Oxford Avenue

Add Areas: 801-874 South Western Avenue; and
855 South Manhattan Place

The Add Area for the General Plan Amendment request consists of properties located at 801-874 South Western Avenue and 855 South Manhattan Place. No development is proposed for the Add Area. All existing uses would remain.

Applicant: Western Plaza Capital Holding, LLC
Representative: Edgar Khalatian, Mayer Brown

At its meeting of **December 14, 2017**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following project:

Demolition of the Eden Plaza building and the adaptive reuse and addition onto the existing 4-story IB Plaza building, the construction, use and maintenance of a new 12-story mixed-use building, and a new 3-story commercial building. The Project will include approximately: 148 guest rooms (limited service hotel); 96 apartment units, with 8 units, set aside for Very Low Income Households; 58,343 square feet of commercial floor area with retail uses and restaurants with or without alcohol service; 241 vehicle parking spaces; and 290 bicycle parking spaces. The Project will include approximately 229,138 square feet of floor area, with a proposed floor area ratio (FAR) of 3.72:1. The amount of soils removed or exported would be approximately 20,000 cubic yards.

1. **Find**, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in Mitigated Negative Declaration, No. ENV-2016-3609-MND, adopted on November 13, 2017 (under Case No. VTT-74511) and reflected in the errata dated November 2, 2017 with mitigation measures and the Mitigation Monitoring Project prepared for the Mitigated Negative Declaration; and

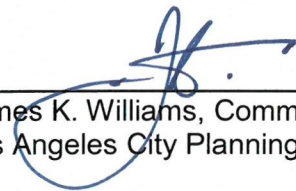
¹ The above-referenced correction is typographical, therefore, issuance of this corrected letter of determination does not re-open, extend or require a new appeal period.

- pursuant to CEQA Guidelines, 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 **adopt**, pursuant to Charter Section 555 and Section 11.5.6 of the Los Angeles Municipal Code (LAMC) a General Plan Amendment to the Wilshire Community Plan to amend Footnote 5.1 of the Community Plan's General Plan Land Use Map to apply to the property and the Add Area;
 3. **Approved and recommended** that the City Council **adopt** pursuant to LAMC Section 12.32 F and 12.32 Q, a Vesting Zone Change and Height District Change on the project site from Height District No. 1 to Height District No. 2 to allow a Floor Area Ratio of 4:1 in lieu of 1.5:1;
 4. **Approved**, pursuant to LAMC Section 12.22 A.25 (g)(3), a Density Bonus setting aside four (4) dwelling units, or 5 percent, for Very Low Income Households as Restricted Affordable Units for the following Off-Menu Incentive:
 - a. A reduction in one side yard setback to 2 feet, 6 inches in lieu of the 15-foot side yard setback requirement as specified in LAMC Section 12.22 A18 (c)(2);
 5. **Approved**, pursuant to LAMC Section 12.24 W.1, a Master Conditional Use for the sale and dispensing of a full line of alcoholic beverages for on-site consumption at six (6) restaurants on the premises;
 6. **Approved**, pursuant to LAMC Section 12.24 W.24, a Conditional Use to permit a hotel located within 500 feet of an R-zoned property;
 7. **Approved**, pursuant to LAMC Section 16.05, a Site Plan Review for a project which results in an increase of more than 50 dwelling units and/or guest rooms;
 8. **Adopted** the attached Conditions of Approval as modified by the Commission; and
 9. **Adopted** the attached Findings.

The vote proceeded as follows:

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

Vote: 6 - 2



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.

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.

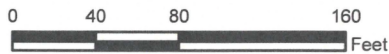
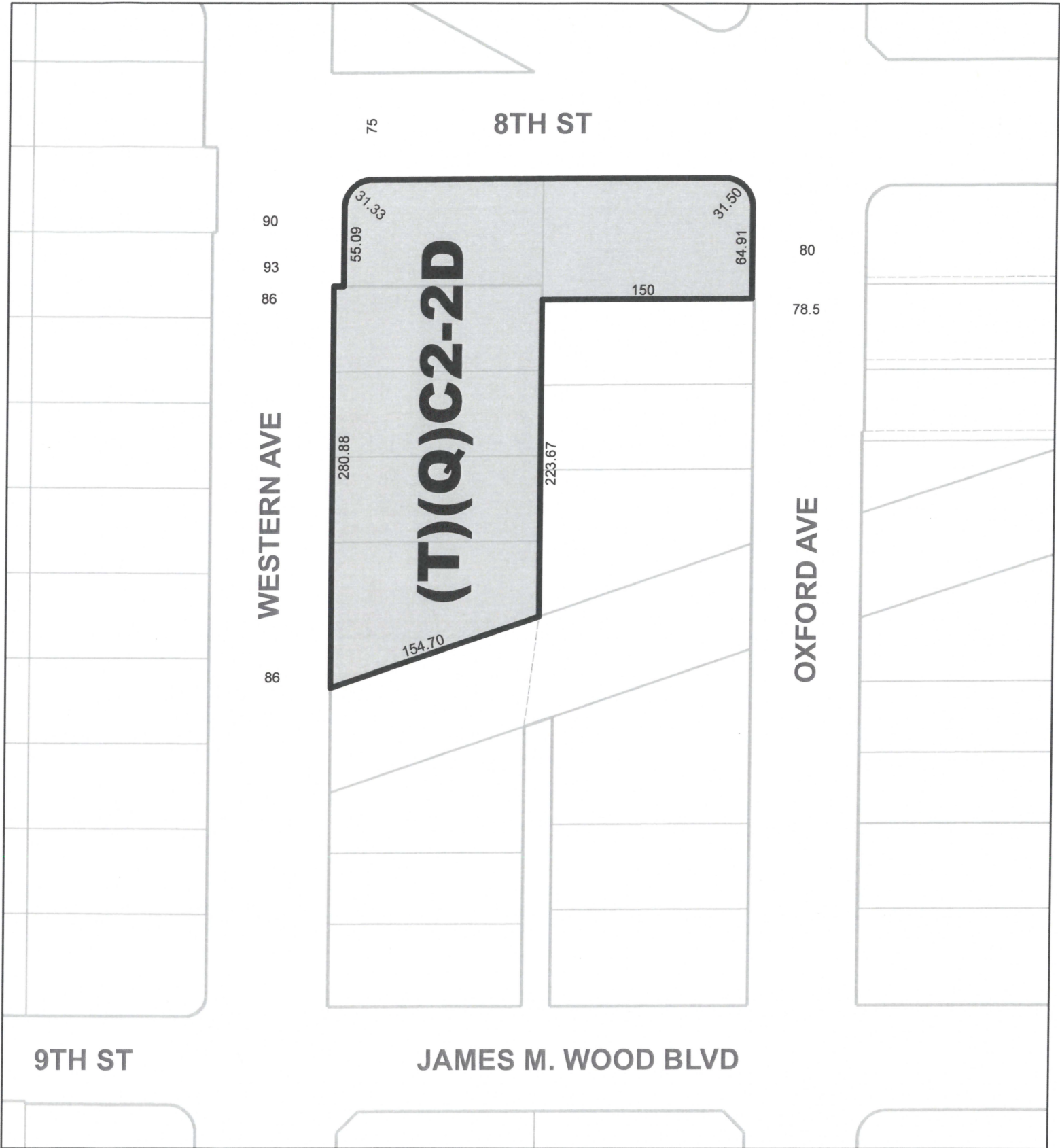
Attachments: Ordinance, Maps, Modified Conditions of Approval, Findings, Resolution
 c: Shana Bonstin, Principal City Planner
 Jane Choi, Senior City Planner

ORDINANCE NO. _____

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

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

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



CPC-2016-3608-GPA-ZC-HD-DB-MCUP-CU-SPR

MY/cf

021418

City of Los Angeles



(Q) QUALIFIED CONDITIONS OF APPROVAL

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

A. Entitlement Conditions

1. **Site Plan.** The use and development of the property shall be in substantial conformance with the Plot plan and elevations submitted with the application and marked **Exhibit A**, dated **December 4, 2017** and as revised herein, and attached to the administrative file. Prior to the issuance of building permits, revised, detailed development plans that show compliance with all conditions of approval, including complete landscape and irrigation plans, shall be submitted to the Department of City Planning Department for review.
2. **Use.** Use of the subject property shall be limited to the use and area provisions of the C2 Zone; residential and commercial uses shall be permitted.
3. **Commercial Use.**
 - a. Residential only development shall be prohibited.
 - b. Residential uses shall be prohibited on the ground floor except for lobby, office, recreational and other common area uses, and parking.
4. **Residential Density.** Not more than 96 residential apartment units may be constructed on the property.
5. **Limited Service Hotel.** Not more than 148 guestrooms may be constructed on the property.
6. **Driveway.** The site design shall be limited to four driveways including one along Oxford Avenue, one along 8th Street and two along Western Avenue.
7. **Parking.** Commercial parking spaces and parking for hotel uses shall be provided as required by the LAMC.
8. **Parking Screen.** Any parking uses on the ground floor and above the ground floor shall be screened through architectural treatments, commercial square footage or residential units.
9. **Increased Noise Levels (Parking Structure Ramps)**
 - a. Concrete, not metal, shall be used for construction of parking ramps.
 - b. The interior ramps shall be textured to prevent tire squeal at turning areas.
 - c. Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to the residential.
10. **Unbundled Parking for Dwelling Unit.** Parking for residential uses shall be unbundled and leased separately excluding the dwelling units set aside for Very Low Income Households.

11. **Landscape Plan.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the Department of City Planning.
12. **Landscaping.**
 - a. **Tree Wells.**
 - i. The minimum depth of tree wells on the rooftop shall be as follows:
 1. Minimum depth for trees shall be 42 inches
 2. Minimum depth for shrubs shall be 30 inches.
 3. Minimum depth for herbaceous plantings and ground cover shall be 18 inches.
 4. Minimum depth for an extensive green roof shall be 3 inches.
 - ii. The minimum amount of soil volume for tree wells on the rooftop shall be based on the size of the tree at maturity:
 1. 600 cubic feet for a small tree (less than 25 feet tall at maturity).
 2. 900 cubic feet for a medium tree (25-40 feet tall at maturity).
 3. 1,200 cubic feet for a large tree (more than 40 feet tall at maturity).
13. **Window Transparency.** A note shall be added to the Project Elevations to indicate that all ground floor windows shall be comprised of non-reflective, transparent glass. Any at-grade parking uses shall not be visible from the exterior of the building. Architectural treatments, or other design features shall be used to ensure the parking is not visible from the exterior of the building and as shown in Exhibit A.
14. **Pedestrian Walkways.** Clearly marked pedestrian access-ways shall be integrated into the site design and connect to the commercial area. The entryway shall incorporate enhanced paving treatment to create a safety buffer between the driveway area and the pedestrian entrance to the building.
15. **Driveways.** The project shall maintain 3 separate driveways on-site including the southerly driveway along Western Avenue, the northerly driveway along 8th Street, and the easterly driveway along Oxford Avenue. The curb and driveway for vehicular access into the IB Plaza Building (northerly driveway along Western Avenue) shall be discontinued.
16. **Building Materials.** A note shall be added to the Project Elevations to indicate that metal materials incorporated into the design shall be of a non-reflective material.
17. **Ground Level Pedestrian Access.** The doors for pedestrian access throughout the project site shall remain open during business hours.
18. **Decorative Wall.** A decorative wall system ranging between 30 feet and 34 feet in height comprised of metal screening will be constructed between the proposed new building and the south adjacent existing structure on Oxford Avenue in order to serve as a buffer. The wall shall feature a green screen of live plantings which will be replaced by artificial shrubbery in the event the live shrubbery proves to not be viable. A maintenance plan of the wall shall be submitted for review by the Director of Planning.
19. **Fencing.** All fencing/walls surrounding the subject site shall feature decorative architectural elements or landscaping.

20. A minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard. No such wall shall be required to the portion of the property line abutting the IB Plaza Building.
21. **Refuse/recycling area.** Details shall be provided on the method of enclosure for the refuse/recycling areas at the time of final plan sign off. The refuse/recycling area shall be secured with an enclosure that fully screens the view of the refuse/recycling area. It shall be constructed in a style similar to that of the main building.
22. **Final Plans.** Prior to the issuance of any building permits for the Project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
23. **Affordable Units.** A minimum of 10 percent (8 units) shall be reserved for residents earning Very-Low Incomes, in accordance with LAMC 12.22 A.25.
24. **Affordable Housing Requirements.** Prior to the issuance of a building permit for any dwelling unit on the subject property, the applicant shall execute and record a rental covenant or purchase covenant agreement running with the land, to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA). The covenant shall bind the applicant and/or any subsequent property owner to reserve the units for occupancy by Very Low Income households. These units will be restricted as affordable for-sale or rental dwelling units.
25. **Pedestrian Entrances.** Pedestrian entrances shall be accessible directly from 8th Street and Western Avenue.
26. **No Blank Wall.** A consistent use of architectural and building materials shall be applied throughout all exterior facades of the buildings to avoid creating a "backside" to the site.
27. **Short-term Bicycle Parking.** The required short-term bicycle parking spaces shall be provided along Western Avenue and Oxford Avenue.
28. Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view of abutting properties built at an equal or lower elevation.
29. **Signage.** Signage shall comply with all applicable state and local regulations.
30. **Flood Hazard.** The project shall comply with the requirements of the Flood Hazard Management Specific Plan, Ordinance No. 172,081 (effective 7/3/98).
31. **Solid Waste.** The developer shall institute a recycling program to the satisfaction of the Department of City Planning to reduce the volume of solid waste going to landfills. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be picked up no less than once a week as a part of the project's regular trash pick-up program.

32. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the Project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
33. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
34. **Expiration.** In the event that this grant is not utilized within three years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
35. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all of the information contained in these conditions shall be recorded by the property owner in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heir, or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a Certified Copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.
36. **Electric Vehicle Parking.** Electric Vehicle Parking. At least 20 percent of the total code-required parking spaces provided shall be Electric Vehicle (EV) ready to immediately accommodate electric vehicles within the parking areas. 5 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 the required percentage results in a fractional space, round up to the next whole number.
37. **Solar Panels.** Solar panels shall be installed on a minimum of 35 percent of the roof top area of the project site.

Project Design Features

38. **Public Services (Police – Demolition/Construction Sites).** Temporary construction fencing shall be placed along the periphery of the active construction areas to screen as much of the construction activity from view at the local street level and to keep unpermitted persons from entering the construction area.
39. **Public Services (Police).** The plans shall incorporate a design that enhances the security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, 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.

40. **Transportation Demand Management Program.** A preliminary TDM program shall be prepared and provided for DOT review prior to the issuance of the first building permit for this project and a final TDM program approved by DOT is required prior to the issuance of the first certificate of occupancy for the project. The TDM program should include, but not be limited to, the following strategies:
- a. An on-site Transportation Information Center;
 - b. Preferential rideshare loading/unloading or parking location;
 - c. Convenient parking and facilities for bicycle riders;
 - d. Guaranteed ride home programs for employees;
 - e. Allowance for flexible and alternative work schedules;
 - f. Administrative support for the formation of carpools/vanpools;
 - g. Promotion of transit, walk, or bike to work events;
 - h. Project design elements to ensure a bicycle, transit, and pedestrian friendly environment;
 - i. Unbundled parking from housing cost;
 - j. Parking cash-out programs for Project and uses as appropriate;
 - k. A Covenant and Agreement to ensure that the TDM program will be maintained.
 - l. Contribute a one-time fixed fee contribution of \$50,000 to be deposited into the City's Bicycle Plan Trust fund to implement bicycle improvements in the vicinity of the project.

The following improvements proposed by the project as part its transit and mobility improvement program should be part of the TDM program:

- a. Improved site amenities such as new sidewalks and street trees along the perimeter, improved street and pedestrian lighting, and pedestrian walkways through the site including an open-air courtyard
- b. Unbundling parking from housing cost
- c. Providing a transit pass discount program for residents or employees
- d. Providing bicycle amenities such as long term and short term bicycle parking, bicycle showers and lockers for employees, self-service bike repair area, and bike share program
- e. Allow for car share programs within its proposed parking facilities

- f. Upgrade transit amenities at nearby bus-stops
41. A Construction Traffic Management Plan will be developed by the Project Applicant for approval by the City of Los Angeles to alleviate construction period impacts. The Construction Traffic Management Plan may include but is not limited to the following measures:
- a. Provide off-site truck staging in a legal area furnished by the construction truck contractor. Anticipated truck access to the project site will be off Western Avenue, 8th Street, and Oxford Avenue.
 - b. Schedule deliveries and pick-ups of construction materials during non-peak travel periods to the extent possible and coordinate to reduce the potential of trucks waiting to load or unload for protracted periods.
 - c. As parking lane and/or sidewalk closures are anticipated, worksite traffic control plan(s), approved by the City of Los Angeles, should be implemented to route vehicular traffic, bicyclists, and pedestrians around any such closures.
 - d. Establish requirements for loading/unloading and storage of materials on the project site, where parking spaces would be encumbered, length of time traffic travel lanes can be encumbered, sidewalk closings or pedestrian diversions to ensure the safety of the pedestrian and access to local businesses and residences.
 - e. Ensure that access will remain unobstructed for land uses in proximity to the project site during project construction.
 - f. Coordinate with the City and emergency service providers to ensure adequate access is maintained to the project site and neighboring businesses and residences.
 - g. A Construction Worker Parking Plan will also be developed by the Project Applicant for approval by the City of Los Angeles to identify and enforce parking location requirements for construction workers. The Construction Worker Parking Plan could include but is not limited to the following measures:
 - h. During construction activities when construction worker parking cannot be accommodated on the project site, the plan shall identify alternate parking location(s) for construction workers and the method of transportation to and from the project site (if beyond walking distance) for approval by the City 30 days prior to commencement of construction.
 - i. Provide all construction contractors with written information on where their workers and their subcontractors are permitted to park, and provide clear consequences to violators for failure to follow these regulations. This information will clearly state that no parking is permitted on residential streets.
 - j. The Construction Traffic Management Plan and the Construction Worker Parking Plan will need to be approved by LADOT prior to the issuance of building permits. LADOT will be the responsible agency for monitoring and enforcement of the plans.
42. **Tribal Cultural Resources Inadvertent Discovery.** In the event that objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities (excavating, digging, trenching, plowing, drilling, tunneling,

quarrying, grading, leveling, removing peat, clearing, pounding posts, augering, backfilling, blasting, stripping topsoil or a similar activity), all such activities shall temporarily cease on the project site until the potential tribal cultural resources are properly assessed pursuant to the process set forth below:

- a. Upon a discovery of a potential tribal cultural resource, the Project Permittee (Project Applicant, or successor that receives permits to carry out the Project) shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project; (2) and the Department of City Planning at (213) 978-1454.
- b. If the City determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be tribal cultural resource, the City shall provide any effected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Project Permittee and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
- c. The Project Permittee shall implement the tribe's recommendations if a qualified archaeologist, retained by the City and paid for by the Project Permittee, reasonably concludes that the tribe's recommendations are reasonable and feasible.
- d. The Project Permittee shall submit a tribal cultural resource monitoring plan to the City that includes all recommendations from the City and any effected tribes that have been reviewed and determined by the qualified archaeologist to be reasonable and feasible. The Project Permittee shall not be allowed to recommence ground disturbance activities until this plan is approved by the City.
- e. If the project Permittee does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist, the Project Permittee may request mediation by a mediator agreed to by the Permittee and the City who has the requisite professional qualifications and experience to mediate such a dispute. The Project Permittee shall pay any costs associated with the mediation.
- f. The Project Permittee may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by the qualified archaeologist and determined to be reasonable and appropriate.
- g. Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton.
- h. Notwithstanding the above, any information determined to be confidential in nature, by the City Attorney's office, shall be excluded from submission to the SCCIC or the general public under the applicable provisions of the California Public Records Act, California Public Resources Code, and shall comply with the City's AB 52 Confidentiality Protocols.

43. **Wastewater Service.** 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 are required, the Project applicant shall coordinate with LADOT on a traffic control plan and have flagmen to facilitate traffic flow and safety.
44. **Water Service.** 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 are required, the Project applicant shall coordinate with LADOT on a traffic control plan.
45. **Construction Noise.** All powered construction equipment shall be equipped with exhaust mufflers or other suitable noise reduction devices. All diesel-powered construction vehicles shall be equipped with exhaust mufflers or other suitable noise reduction devices capable of achieving a sound attenuation of at least 3 dBA.
- a. Temporary noise control barriers such as, but not limited to, plywood structures or flexible sound control curtains shall be erected along the perimeter of the construction site and/or stationary equipment to minimize the amount of noise during construction on noise-sensitive uses.
 - b. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday and national holidays.
 - c. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
 - d. Noise and groundborne vibration construction activities whose specific location on the site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise- and vibration-sensitive land uses, and natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen propagation of noise from such activities towards these land uses to the maximum extent possible.
 - e. The power contractor shall use either plug-in electric or solar powered on-site generators to the extent feasible.
46. **Increased Noise Levels (Demolition, Grading, and Construction Activities)**
- a. The Project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the

emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.

- b. The Project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- c. Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, must be turned off when not in use for more than 30 minutes.
- d. Place noise-generating construction equipment and locate construction staging areas away from sensitive uses, where feasible.
- e. Stationary construction equipment, such as pumps, generators, or compressors, must be placed as far away from sensitive uses as feasible during all phases of project construction.
- f. Implement noise attenuation measures to the extent feasible, which may include, but are not limited to, temporary noise barriers or noise blankets around stationary construction noise sources.

Environmental Conditions

47. Air Quality. All off-road construction equipment greater than 50 hp shall meet USEPA Tier 3 emission standards, to reduce NO_x, PM₁₀, and PM_{2.5} emissions at the Project site. In addition, all construction equipment shall be outfitted with Best Available Control Technology devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. At the time of mobilization of each applicable unit of equipment, a copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided.

48. Tree Removal.

- a. Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.
- b. All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if 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.
- c. 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.

49. Rehabilitation Plan and Construction Monitoring. To protect and preserve the integrity of the IB Plaza Building as a historical resource and reduce potential adverse impacts, a

Rehabilitation Plan shall be prepared by a qualified preservation consultant (“Preservation Consultant”) retained by the applicant to inform the design and oversee implementation of the Project so that upon completion the Project conforms with the Secretary of the Interior’s Standards for Rehabilitation to the extent feasible. The Preservation Consultant shall meet the Secretary of the Interior’s professional qualification standards in history, architectural history or historic architecture, with at least 10 years of experience conducting similar projects. The Preservation Consultant shall prepare a Rehabilitation Plan for the proposed adaptive reuse of the IB Plaza Building which is consistent with the analysis, identified impacts and findings of the Historical Resources Assessment Report and Environmental Impact Analysis, prepared by ESA PCR in November 2016. The Rehabilitation Plan shall identify features to be retained and preserved as identified and documented in the Historic Assessment and include appropriate recommendations for the treatment of these features. The Preservation Consultant shall review the design and construction plans to verify the Project’s conformance with the Standards and the Rehabilitation Plan, and prepare draft and final plan review letters for submittal to the City Planning Department, Office of Historic Resources. If any character-defining features or materials would be removed by the Project, the Preservation Consultant shall specify and document a storage location and appropriate storage methods so that they can be reinstalled or salvaged in the future. Once design and construction plans have been prepared, and prior to issuance of a building permit, the Preservation Consultant shall review the Project for conformance to the Standards and consistency with the Rehabilitation Plan, and provide a final plan review letter summarizing the review findings to the City Planning Department, Office of Historic Resources. Once the Project has been approved by the City, the Preservation Consultant shall visually inspect construction associated with the IB Plaza Building at regular intervals to address any unanticipated discoveries that may require preservation treatment, ensure Project conformance with the Standards and Rehabilitation Plan, and minimize potential damage to historic fabric. The Preservation Consultant shall document the construction monitoring process in digital photography as well as monitoring logs, and prepare a final monitoring report to be submitted to the City Planning Department, Office of Historic Resources.

50. **HABS Level II Report.** The existing conditions of the IB Plaza Building shall be recorded in a Historic American Buildings Survey Level II (“HABS Level II”) report which would serve as a base line reference for the Project and any other future work that may be undertaken for the building. The HABS would record character- defining architecture, spaces, elements and features of the Project Site, photographically in professional archival large format 4” x 5” black-and-white photographs, provide a detailed architectural description of the IB Plaza Building along with a narrative history of construction, alterations, and statement of significance. The HABS Level II report would include supplementary color 35mm photographs of architectural details, materials and features to record color, materials and texture not apparent in black-and-white photographs. Supplementary materials shall also include archivally reproduced historic photographs, historic illustrations and advertisements, and historic architectural plans depicting the historic appearance of the property during the period of significance. The HABS Level II report would document existing conditions including those portions of the IB Plaza Building to be demolished as well as the portions of the building to be retained. The HABS Level II report shall be archivally produced and deposited in a publically accessible library or museum archive such as the Library of Congress, State Archives, Los Angeles Public Library, and the City of Los Angeles Office of Historic Resources.
51. **Interpretive Exhibit.** A permanent interpretive exhibit shall be installed in the IB Plaza Building in an area accessible to the public to commemorate the significant historical, architectural and structural associations of the subject property. The interpretive exhibit shall document and interpret the architectural design and purpose of the IB Plaza Building,

a parking structure designed by master architects Morgan, Walls, and Clements in the Art Deco style and connected to the automobile-related commercial development of Los Angeles during the early twentieth-century. The permanent exhibit shall be designed in consultation with a qualified historian, architectural historian, or art historian who shall assess the content and presentation to ensure that the important cultural history and associations that contribute to the significance of the IB Plaza Building are incorporated, to ensure that the significant cultural importance of the subject property is appropriately commemorated.

52. Construction Soil Management Plan

- a. Prior to excavation, a technician shall perform boring tests of (1) soil near any USTs, clarifiers, drains or other potentially contaminated equipment discovered by pre-excavation survey; and (2) soil in portions of the property where historical conditions indicate potential contamination, including historical dry cleaning operations. If soils impacted with hazardous chemicals and/or petroleum products are encountered during redevelopment or discovered by pre-excavation survey, a licensed Professional Geologist or Professional Engineer shall oversee proper characterization and remediation of identified impacted materials.
- b. In addition, a Construction Soil Management Plan shall be required to guide the redevelopment of the below-grade portions of the property. The Plan shall address the historical conditions known about the property's history in addition to any potential sources of contamination discovered during the pre-excavation survey, and present the appropriate methods and protocol for management of encountered conditions.
- c. A technician shall be on the Site during demolition, excavation, and grading phases to sample and screen any residual contaminants, should they be encountered. The technician shall use visual identification (such as discolored soils) and/or a screening meter to identify any residual contaminants, should they be encountered. Testing to characterize the material shall occur either onsite in a mobile laboratory or off-site in a remote laboratory. Materials shall be identified, segregated, and tracked as to their extent on the site.
- d. Any soils containing contaminants at levels of concern shall be either remediated on-site prior to reuse or removed and disposed of in accordance with all applicable laws and regulations, including those promulgated by the California Department of Toxic Substances Control (DTSC). All necessary approvals shall be obtained from the lead enforcement agency including, but not limited to, the Los Angeles County Fire Department Health and Hazardous Materials Division.

53. **Public Services (Police).** Upon completion of the Project, the Olympic 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.

54. Transportation Systems Management (TSM) Improvements.

- a. The Project would contribute towards TSM improvements within the Hollywood-Wilshire District that may be considered to better accommodate intersection operations and increase intersection capacity throughout the study area. LADOT's ATSAC Section has identified the need to upgrade the traffic signal CCTV equipment to two intersections: Western Avenue & Wilshire Boulevard, and Western Avenue & 6th Street. The CCTV equipment upgrades will also include the necessary mounting poles, fiber optics, and electrical connections. Collectively,

these TSM improvements provide a system wide benefit by reducing delays experienced by motorists at study intersections.

- b. Additionally, the Project will also contribute to 50% of the costs for updating fiber optic lines along Wilshire Boulevard from Van Ness Avenue to Alexandria Avenue, and on Normandie Avenue from 6th Street to Wilshire Boulevard. The contribution to the update of the fiber optic line will be paid prior to the certificate of occupancy for the project. The remaining 50% of the costs to the update will be shared with the separate development project at 3600 Wilshire Boulevard. In the event that the 3600 Wilshire project is not built, the 800 Western Avenue project would be required to pay the remaining 50% of the balance.
- c. Should the Project be approved, then a final determination on how to implement these CCTV installations will be made by DOT prior to the issuance of the first building permit. These installations will be implemented either by the applicant through the B-Permit process of the Bureau of Engineering (BOE), or through payment of a one-time fixed fee to DOT to fund the cost of the upgrades. If DOT selects the payment option, then the applicant would be required to pay DOT, and DOT shall design and construct the upgrades.
- d. If the installations are implemented by the applicant through the B-Permit process, then these improvements must be guaranteed prior to the issuance of any building permit and completed prior to the issuance of any certificate of occupancy. Temporary certificates of occupancy may be granted in the events of any delay through no fault of the applicant, provided that, in each case, the applicant has demonstrated reasonable efforts and due diligence to the satisfaction of DOT.

55. Safety Hazards.

- a. The Applicant shall install appropriate construction related traffic signs around the site to ensure pedestrian and vehicle safety.
- b. The Applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the Applicant to maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding) from work space and vehicular traffic, and overhead protection, due to sidewalk closure or blockage, at all times.
- c. 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.
- d. Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.
- e. The Applicant shall keep sidewalks open during construction until only
- f. when it is absolutely required to close or block sidewalk for construction and/or construction staging. Sidewalks shall be reopened as soon as reasonably feasible taking construction and construction staging into account.

56. School Safety.

- a. The LAUSD Transportation Branch at (213) 580-2950 must be contacted regarding the potential impact upon existing school bus routes. School buses must have unrestricted access to schools. During the construction phase, truck traffic and construction vehicles may not cause traffic delays for our transported students. During and after construction changed traffic patterns, lane adjustment, traffic light patterns, and altered bus stops may not affect school buses' on-time performance and passenger safety. Because of provisions in the California Vehicle Code, other trucks and construction vehicles that encounter school buses, using red-flashing-lights must-stop-indicators will have to stop. The Project Manager or designee will have to notify the LAUSD Transportation Branch of the expected start and ending dates for various portions of the project that may affect traffic within nearby school areas.
- b. Contractors must maintain safe and convenient pedestrian routes to all nearby schools. The applicable Pedestrian Route to School map can be found at <http://www.lausd-oehs.org/saferoutestoschools.asp>.
- c. Contractors must maintain ongoing communication with LAUSD school administrators, providing sufficient notice to forewarn children and parents when existing pedestrian and vehicle routes to school may be impacted.
- d. Installation and maintenance of appropriate traffic controls (signs and signals) to ensure pedestrian and vehicular safety.
- e. No staging or parking of construction-related vehicles, including worker-transport vehicles, will occur on or adjacent to a school property.

57. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS

Applicant shall do all of the following:

- (i) 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.
- (ii) 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.
- (iii) 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 (ii).

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

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

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

For purposes of this condition, the following definitions apply:

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

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions 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.

“D” Development Limitations

Pursuant to Section 12.32 G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the “D” Development Limitations.

1. Height. The building shall be limited to a height of 160 feet.
2. Floor Area Ratio (FAR). FAR shall not exceed 4:1. The total floor area of non-residential, ground-floor retail commercial use shall not exceed 58,343 square feet, as defined by Section 12.03 of the LAMC.

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

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

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

Responsibilities/Guarantees.

BUREAU OF ENGINEERING

1. The City Department of Transportation in a letter to City Engineer shall determine that the merger areas are not necessary for current and future Public Street.
2. The Department of the City Planning in a letter to the City Engineer also determine that the proposed merger areas are consistent with all applicable General Plan Elements of Highway and Circulation Elements for LA Mobility Plan.
3. In the event that Department of Transportation and Department of City Planning have no objections to the street mergers, then a 1.5-foot wide and variable width excess street right-of-way 33-foot measured from centerline of Oxford Avenue adjoining the tract excluding 20-foot radius property line cut-corner at the intersection with 8th Street Avenue be permitted to be merged with the remainder of the tract map pursuant to Section 66499.20.2 of the State Government Code. In addition, the following conditions be executed by the applicant and administered by the City Engineer:
 - a. Consents shall be obtained to the street being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.
 - b. Satisfactory arrangements shall be made with all public utility agencies maintaining existing facilities within the area being merged.
4. In the event that Department of Transportation and Department of City Planning have no objections to the street mergers then a 7-foot wide and variable width excess street right-of-way 43-foot measured from centerline of Western Avenue adjoining the tract excluding 20-foot radius property line cut-corner at the intersection with 8th Street Avenue be permitted to be merged with the remainder of the tract map pursuant to Section 66499.20.2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:
 - a. Consents shall be obtained to the street being merged and waivers of any damages that may accrue as a result of such mergers, be obtained from all property owners who might have certain rights in the area being merged.

- b. Satisfactory arrangements shall be made with all public utility agencies maintaining existing facilities within the area being merged.
5. Any surcharge fee in conjunction with the street merger requests shall be paid.
6. The subdivider shall make a request to the Central District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.
7. A set of drawings for airspace lots shall be submitted to the City Engineer showing the followings:
 - a. Plan view at different elevations.
 - b. Isometric views.
 - c. Elevation views.
 - d. Section cuts at all locations where air space lot boundaries change.
8. The owners of the property shall record an agreement satisfactory to the City Engineer stating that they will grant the necessary private easements for ingress and egress purposes to serve proposed airspace lots to use upon the sale of the respective lots and they will maintain the private easements free and clear of obstructions and in safe conditions for use at all times. That any fee deficit under Work Order No. EXT00766 expediting this project be paid.
9. A Covenant and Agreement shall be recorded advising all future owners and builders that prior to issuance of a building permit, a Notice of Acknowledgment of Easement must be recorded and an application to do work in any public sanitary sewer and drainage easement and to construct over the existing sanitary sewer facilities must be submitted to the City Engineer.
10. Any questions regarding this report should be directed to Mr. Georgic Avanesian or Julia Li of the Land Development Section, located at 201 North Figueroa Street, Suite 200, or by calling (213) 202-3484.

DEPARTMENT OF TRANSPORTATION

11. The project may be subject to any recommendations from the Department of Transportation.

DEPARTMENT OF RECREATION AND PARKS

12. The Quimby fee shall be calculated based on the C2 Zone.

CONDITIONS OF APPROVAL

As modified by the City Planning Commission December 14, 2017

1. **Posting of Construction Activities.** A visible and readable sign (at a distance of 50 feet) shall be posted on the construction site identifying a telephone number for inquiring about the construction process and to register complaints.
2. **Construction-Related Parking.** Off-street parking shall be provided for all construction-related parking needs of the proposed project. No employees, contractors, subcontractors, or persons involved in the project construction shall be allowed to park on the surrounding residential streets for the duration of all construction activities. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any residential street in the immediate area. All construction vehicles shall be stored on site unless returned to their owner's base of operations.
3. **Truck Traffic Restricted Hours.** Truck traffic directed to the project site for the purpose of delivering construction materials or construction-machinery shall be limited to the hours beginning at 7:00 a.m. and ending at 4:00 p.m., Monday through Friday. No truck deliveries for construction shall occur outside of that time period. No construction truck staging related to such deliveries to the project site shall occur on any adjacent streets.
4. **Maintenance.** The subject property (including any trash storage areas, associated parking facilities, sidewalks, driveways, yard areas, parkways, and exterior walls along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.
5. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
6. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
7. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
8. **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.
9. **Amenities.**
 - a. There shall be no live entertainment or amplified music permitted on the rooftop deck.
 - b. Access to the rooftop deck and pool shall be prohibited after midnight, daily.
 - c. A landscaped screen shall be provided along the rooftop deck, as shown on landscape plan of Exhibit A, dated December 4, 2017 and shall be a minimum of three feet six inches high.

10. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit A," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Central Project Planning Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Los Angeles Municipal Code or the project conditions.
11. **Residential Density.** The project shall be limited to a maximum density of 96 residential units including Density Bonus Units.
12. **Affordable Units.** A minimum of 4 units shall be reserved as affordable units, as defined by the State Density Bonus Law 65915 (C)(2), in order to qualify for the on-menu incentives proposed and granted. In addition to the affordable units pursuant to Density Bonus, the applicant is not required to provide any additional units affordable to Low or Very Low Income Households to comply with the Determination made by the HCIDLA for replacement units.
13. **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 LAMC Section 12.22 A.25 (9a-d).
14. **Housing requirements:** Prior to the issuance of a building permit for any dwelling unit of the subject property, the applicant shall execute and record a rental covenant and agreement running with the land, to the satisfaction of the Housing and Community Investment Department ("HCID"). The covenant shall bind the applicant and/or any subsequent property owner to reserve 4 units of the proposed 96 units for occupancy by Very Low Income households for a period of 55 years. These units will be restricted as affordable rental dwelling units pursuant to California Government Code Section 65915 and Los Angeles Municipal Code 12.22 A 25. Applicant must provide an affordable unit dispersal proposal to be approved by HCID to ensure the affordable units are not segregated or otherwise distinguishable from market rate units.
15. **Automobile Parking for Residential Uses.** Based upon the number and/or type of dwelling units proposed, 112 residential parking spaces shall be provided for the project. Vehicle parking shall be provided consistent with LAMC Section 12.22 A.25, Parking Option 1, which permits one parking space for each Restricted Affordable Unit of 0-1 bedrooms; 2 parking spaces for each unit of 2-3 bedrooms; and two-and-one-half parking spaces for each residential unit with four or more bedrooms. The Bicycle Parking Ordinance, LAMC Section 12.21 A.4, allows affordable residential projects to reduce required vehicle parking by 30 percent or 33 parking spaces. The Project will reduce required vehicle parking by 15 percent or 16 parking spaces. Based upon the number and type of dwelling units proposed and the 16 automobile parking spaces reduced per the Bicycle Parking Ordinance, 96 residential parking spaces shall be provided.
16. **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.

17. **Bicycle Parking.** Bicycle parking shall be provided consistent with LAMC 12.21 A.16. Long-term bicycle parking shall be provided at a rate of one per dwelling unit or guest room. Additionally, short-term bicycle parking shall be provided at a rate of one per ten dwelling units or guest rooms, with a minimum of two short-term bicycle parking spaces. Based upon the number of dwelling units and the permitted replacement of the required automobile parking with bicycle parking for residential buildings per LAMC 12.21 A.4, 96 long-term and 10 short-term bicycle parking spaces shall be provided onsite.
18. **Southerly Side Yard Setback.** The Project shall be allowed a minimum setback of 2 feet 6 inches on the ground, second and third floors as shown in Exhibit "A".

MASTER CONDITIONAL USE CONDITIONS OF APPROVAL

The master conditional use authorization granted herein for the sale or dispensing of alcoholic beverages for on-site consumption shall be limited to a total of six (6) licenses to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption for six restaurants operating 24 hours a day with the service of alcoholic beverages occurring pursuant to requirements of the Department of Alcoholic Beverage Control, upon the following additional terms and conditions:

1. 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. The use and development of the property shall be in substantial conformance with the plot plan and floor plan submitted with the application and marked Exhibit "A", dated December 4, 2017, except as may be revised as a result of this action.
3. 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.
4. 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.
5. 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 Department of City Planning and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.
6. Prior to the effectuation of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for inclusion in case file. Fees required per L.A.M.C 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 prior to the final clearance of this condition.

7. Approved herein is a Master Conditional Use Permit for six restaurants located in a 12-story mixed-use commercial/residential building with a total height of 160-feet, and a total of 58,343 square-feet of commercial floor area.
 - a. The sale or dispensing of a full-line of alcoholic beverages for on-site consumption for six restaurants operating 24 hours a day.
 - b. The sale and dispensing of a full-line of alcoholic beverages for on-site consumption for six restaurants with a combined floor area of 25,286 square-feet. Restaurant 1 will be approximately 2,315 square feet. Restaurant 2 will be approximately 1,887 square feet. Restaurant 3 will be approximately 4,163 square feet. Restaurant 4 will be approximately 1,551 square feet. Restaurant 5 will be approximately 2,991 square feet. Restaurant 6 will be approximately 4,859 square feet. The six restaurant establishments will total approximately 25,286 square feet.
 - c. A total of 596 seats indoors and 417 seats outdoors will be provided.
 - d. The operation of commercial uses including, but not limited to loading dock, trash compactor, elevator shaft and ancillary uses on C2 Zoned property shall be permitted between the hours of 7 a.m. to 6 p.m. Monday through Friday, and between the hours of 9 a.m. to 3 p.m. on Saturday and Sunday.
8. Individual Restaurants. Prior to the utilization of the authorizations for restaurant tenant spaces specified in Condition No. 7.b, above, the property owner or individual operator shall file a Plan Approval for review and approval by the Director of Planning 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 abutting owners, the Council Office, the Neighborhood Council, and the Los Angeles Police Department. 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.
9. Prior to the utilization of any grant pursuant to Condition No. 8, above, the applicant shall update Exhibit "A", and submit the update to the file for Case No. CPC-2016-3608-GPA-ZC-HD-DB-MCUP-CU-SPR, subject to the approval of the Director of Planning.
10. The applicant shall submit plans to the Fire Department for their review and approval prior to initiate condition clearance at the Planning Department Development Services Center.
11. All open areas not used for buildings, driveways, parking areas, or walkways shall be attractively landscaped and maintained. Such plan shall contain various trees and planting materials and automatic irrigation, prepared by a licensed landscape architect. Landscape plan shall be submitted to the Development Services Center for review and approval prior to the condition clearance of this determination and the issuance of the use of land permit by LADBS.

12. Prior to the utilization of this grant, a security plan for the establishment and any parking area serving the restaurant, shall be approved by the Los Angeles Police Department. The Applicant shall provide security measures both inside and outside the premises. Security provisions shall be reviewed by the Police Department Vice Unit and their recommendations submitted in writing shall be incorporated into the security plan for on and off-site security. A copy of the approved security plan shall be submitted to the Department of City Planning.
13. One year after the beginning of operations, the Applicant shall meet with LAPD to review the effectiveness of the security plan, and may modify any of the measures stated therein as approved by LAPD, Central Area Vice. A copy of any modified security plan approved by LAPD shall be submitted to the Department of City Planning.
14. Prior to the utilization of this grant, a camera surveillance system shall be installed to monitor the interior, entrance, exits and exterior areas, in front of and around the premises. Recorded tapes/images shall be maintained for a minimum period of 90 days. The tapes shall be furnished to the Los Angeles Police Department upon request. The plan must be reviewed and approved by the Police Department. The approved plan will be maintained by the Department of City Planning and be made available to the Police Department and the Department of Building and Safety for the purpose of verification or inspections.
15. Within the first six months of utilizing this grant at this establishment, all employees involved with the sale of full line of alcohol 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 referencing Case No. [CPC-2016-3608-GPA-ZC-HD-DB-MCUP-CU-SPR], from the Police Department to the Department of City Planning as evidence of compliance. 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.
16. Prior to the utilization of this grant, an electronic age verification device shall be purchased and retained on the premises to determine the age of any individual attempting to purchase alcoholic beverages and shall be installed on at point-of-sales location. This device shall be maintained in operational condition and all employees shall be instructed in its use.
17. There shall be no Adult Entertainment of any type pursuant to LAMC Section 12.70. No conditional use for dancing has been requested or approved herein. No live entertainment such as live music, Disc Jockey, or karaoke nights is permitted.
18. No after-hour use is permitted, except routine clean-up. This includes but is not limited to private or promotional events, special events, excluding any activities which are issued film permits by the City.
19. Consumption of alcoholic beverages in the parking areas is not authorized.
20. The business operator shall comply with Section 6404.5(b) of the Labor Code which prohibits smoking within any place of employment. There shall be no ashtrays or other receptacles used for the purpose of collecting ash or cigarette/cigar butts inside the premises.
21. At least one on-duty manager with authority over the activities within the facility shall be on the premises at all times that the facility is open for business. The on-duty manager's responsibilities shall include the monitoring of the premises to ensure compliance with all applicable State laws, Municipal Code requirements and the conditions imposed by the

Department of Alcoholic Beverage Control (ABC) and the conditional use herein. Every effort shall be undertaken in managing the facility to discourage illegal and criminal activity on the subject premises and any exterior area over which the building owner exercises control, in effort to ensure that no activities associated with such problems as narcotics sales, use or possession, gambling, prostitution, loitering, theft, vandalism and truancy occur.

22. 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.
23. Loitering is prohibited on or around these premises or the area under the control of the applicant. "No Loitering or Public Drinking" signs shall be posted in and outside of the subject facility. Signs shall be in English and in the predominant language of the facility's clientele. Photographic evidence shall be provided to the Condition Compliance Unit prior to effectuation of the grant.
24. Lighting shall be installed in all areas within the business, hallways, and parking areas. The lighting shall be such that it renders all objects and persons clearly visible within the establishment.
25. The exterior windows and glass doors of the restaurants shall be maintained substantially free of signs and other materials from the ground to at least six-feet in height above the ground so as to permit surveillance into the location by Police and/or private security.
26. Coin operated game machines, pool tables or similar game activities or equipment shall not be permitted. Official California State lottery games and machines are allowed.
27. All six restaurants shall be maintained as bona fide restaurants with full-service kitchens to be used for cooking and preparing of food. Food service shall be available at all times during operating hours.
28. Any use of the restaurants 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.
29. The applicant shall be responsible for maintaining free of debris or litter the area adjacent to the premises over which they have control, including the sidewalk in front of the establishment.
30. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
31. A copy of the conditions of this letter of determination, business permit and insurance information shall be retained on the premises of each authorized facility and venue at all times and be produced upon request by the Police Department, the Department of Building and Safety or the State Department of Alcoholic Beverage Control investigators or by any other City Agency. All licenses, permits and conditions shall be posted in a conspicuous location at the individual establishments.
32. The applicant shall provide the Department of City Planning a copy of each license, suspension thereof, or citation issued by the State Department of Alcoholic Beverage Control or the Los Angeles Police Department upon such instance.

33. Any music, sound or noise including amplified or acoustic music which is under control of the applicant shall not constitute a violation of Sections 112.06 or 116.01 of the Los Angeles Municipal Code (Citywide Noise Ordinance) and shall not be audible beyond the subject premises. At any time during the term of the grant a City inspector may visit the site during operating hours to measure the noise levels using a calibrated decibel/sound level meter. If, upon inspection, it is found that the noise level exceeds those allowed by the Citywide Noise Ordinance, the owner/operator will be notified and will be required to modify or, eliminate the source of the noise or retain an acoustical engineer to recommend, design and implement noise control measures within property such as, noise barriers, sound absorbers or buffer zones.
34. The applicant/operator shall identify a contact person and provide a 24-hour hot line telephone number for any inquiries or complaints from the community regarding the subject facility. Prior to the utilization of this grant, the phone number shall be posted on the site so that it is readily visible to any interested party. The hot line shall be posted at the entry and website of the premises; responded to within 24 hours of any complaints/inquiries received on this hot line; and the applicant shall document and maintain a log of complaints received, the date and time received and the disposition of the response. The log shall be made available for review by the Los Angeles Police Department and the Department of City Planning upon request.
35. If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator shall have the right to require the applicant to file a plan approval application together with the associated fees and to hold a public hearing to review the applicant's compliance with, and effectiveness of, the conditions of the grant. The applicant shall be required to submit a summary and supporting documentation demonstrating how compliance with each condition of the grant has been attained. Upon review, the Zoning Administrator may modify, add or delete conditions and reserves the right to conduct the public hearing for nuisance abatement revocation purposes if so warranted by documentations.
36. Prior to the utilization of this grant, the manager of the facility shall be made aware of the conditions and shall inform his/her employees of the same. A statement with the signature, printed name, position and date signed by the manager and his/her employees shall be provided to the Department of City Planning. The statement shall state,

We, the undersigned, have read and understood the conditions of approval to allow the sale or dispensing of a full line of alcoholic beverages for on-site consumption, in conjunction with the restaurant, known as [Name] Restaurant, and agree to abide and comply with said conditions.

37. Should there be a change in the ownership and/or the operator of the business, the property owner and the business owner or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination including the conditions required herewith has been provided to the prospective owner/operator shall be submitted to the Department of City Planning 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 Department of City Planning within 30-days of the beginning day of his/her new operation of the establishment along with any proposed modifications to the existing the floor plan, seating arrangement or number of seats of the new operation.

38. The Director of Planning or 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 documented evidence be submitted showing a continued violation(s) 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, and a 500-foot or abutting notification radius list, shall be submitted to the Department of City Planning 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 review, the Director of Planning or Zoning Administrator may modify, add or delete conditions, and if warranted, reserves the right to conduct a public hearing including consideration for nuisance abatement/revocation purposes.
39. Monitoring Verification and Inspection Program (MViP). Prior to the effectuation of this grant, fees required per L.A.M.C 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.

FINDINGS

1. General Plan/Charter Findings

The subject site is located within the area covered by the Wilshire Community Plan adopted by the City Council on September 19, 2001. The Community Plan is part of the City's Land Use Element, which sets forth specific land use requirements and required entitlements for projects in the Wilshire area.

The site is located within the Koreatown neighborhood. The surrounding area includes a dense collection of high rise office buildings, large hotels, regional shopping complexes, churches, entertainment centers, both high-rise and low-rise apartment buildings, as well as being located in close proximity to the Vermont, Normandie, and Western Metro Red Line subway stations along Wilshire Boulevard. The General Commercial land use designation allows for the construction of commercial, parking, and multi-family residential uses. Development of the Project would include apartment units, guest rooms and ground floor retail, which would be consistent with the General Commercial land use designation.

Charter Findings - City Charter Sections 555,556 and 558 (General Plan Amendment).

In 2001, when the Wilshire Community Plan was adopted, Regional Center Commercial Land Uses were located along the Wilshire Boulevard corridor and 7th Street. There has been a recent interest in expanding the Regional Center Commercial Land Use further south specifically down to 8th Street. The 8th Street and Western Avenue node is appropriate for development with increased FAR and density.

The area subject to the proposed General Plan Amendment is geographically unique in that it is located in the Wilshire Center, and is a node that comprises the western end of the Mixed-Use Boulevard on 8th Street. Immediately adjacent to the northeast are properties located within the Regional Center Commercial land use classification designation which allows for the construction of corporate and professional offices, retail commercial malls, high-density multi-family residential uses, government buildings, major health facilities, major entertainment and cultural facilities and supporting services at a 6:1 FAR.

The proposed General Plan Amendment complies with Sections 555, 556 and 558 in that the plan amendment is consistent with numerous goals, policies and objectives of the Citywide General Plan Framework and the Wilshire Community Plan to provide adequate housing for all economic, age and ethnic segments of the community, to locate higher residential densities and encourage mixed-use development near transit stations, and to develop mixed-use projects along major boulevards. The General Plan Amendment would entail the amendment of the adopted Wilshire Community Plan's Footnote 5.1 of the Community Plan's General Plan Land Use Map to apply to the subject site. This will result in an increased FAR on a site surrounded by a mix of uses, encouraging growth within the Koreatown area. As discussed in this section regarding Charter and General Plan findings the adoption of the GPA will be in conformity with public necessity, convenience, general welfare and good zoning practice.

1. **General Plan Land Use Designation.** The Wilshire Community Plan designates the subject site as General Commercial with corresponding zones of C1.5, C2, C4, RAS3 and RAS4. The proposed project will be located in the C2 Zone.

Framework Element

The Citywide General Plan Framework Element is a guide for communities to implement growth and development policies by providing a comprehensive long-range view of the City as a whole. The Element establishes categories of land use - Neighborhood District, Community Center, Regional Center, Downtown Center, and Mixed-Use Boulevard – that are broadly described by ranges of intensity/density, heights, and lists of typical uses. The definitions reflect a range of land use possibilities found in the City's already diverse urban, suburban, and rural land use patterns.

The General Commercial land use designation will allow for the development of mixed use projects which will be consistent with the pattern of neighboring residential and commercial uses. The Zone and Height District change to (T)(Q)C2-2D is appropriate given the context of this area, in that it provides for a mixed-use project that complements the commercial and residential character of the subject area. The maximum FAR of 4:1 is an appropriate density, given that the site is located within the General Commercial General Plan Land Use classification. Immediately adjacent to the north are properties located within the Regional Center Commercial land use classification designation which allows for the construction of corporate and professional offices, retail commercial malls, high-density multi-family residential uses, government buildings, major health facilities, major entertainment and cultural facilities and supporting services at a 6:1 FAR. In 2001, when the Wilshire Community Plan was adopted, Regional Center Commercial Land Uses were located along the Wilshire Boulevard corridor and 7th Street.

Currently, there has been an interest in expanding the Regional Center Commercial Land Use further south specifically down to 8th Street. The 8th Street and Western Avenue node is appropriate for development with increased FAR and density. In this instance, the project site, located within a designated mixed-use boulevard, will observe an increased FAR from 1.5:1 to 4:1 which is less than the 6:1 FAR allowed within the Regional Center Commercial Land Use. The south, east and west adjacent uses are designated the land uses of Regional Center Commercial Land Use and High Medium Density Residential. The scale and nature of the proposed development would be consistent with the pattern of development that has taken place in the surrounding area. They contain a diversity of uses such as corporate and professional offices, retail commercial malls, government buildings, major health facilities, major entertainment and cultural facilities and supporting services. The development of sites and structures integrating housing with commercial uses is encouraged in concert with supporting services, recreational uses, open spaces, and amenities. They are typically high-density places whose physical form is substantially differentiated from the lower-density neighborhoods of the City. Generally, Regional Centers will range from FAR 1.5:1 to 6:1 and are characterized by six- to twenty-story (or higher) buildings as determined in the community plan. Their densities and functions support the development of a comprehensive and inter-connected network of public transit and services. The proposed mixed use development consisting of residential, hotel and commercial uses and observing a maximum 4:1 FAR is consistent with the building scale and existing uses in the surrounding community.

The Citywide General Plan Framework text defines policies related to growth and includes policies for land use, housing, urban form/neighborhood design, open space/conservation, economic development, transportation, and infrastructure/public services. The proposed project would be in conformance with several goals of the Framework as described below.

A. Land Use Chapter, Framework Element: Issue One: Distribution of Land Use of the Framework Element's Land Use Chapter (Chapter Three) establishes general principles to encourage growth and increase land use intensity around transit nodes, to create a pedestrian oriented environment while promoting an enhanced urban experience and provide for places of employment.

Objective 3.4 of Issue One: Distribution of Land Use: 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.

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

The above objectives seek to concentrate commercial development in existing commercial districts and in areas that are able to support such development which are in close proximity to rail and bus transit stations. The project will meet this objective by providing new housing units along the 8th Street commercial corridor. As conditioned, the Project will be designed in harmony with the existing neighborhood and minimize impacts on neighboring properties. The Project will incorporate measures to reduce impacts to the removal of non-protected trees, noise, and the adaptive reuse of a building eligible for historic designation, for the surrounding community. The character of the immediate area includes a mix of commercial uses, as well as low to medium density residential, commercial and mid-rise office uses, and the Project's recommended density and height will be compatible with adjacent land uses.

B. Economic Development Chapter, Framework Element

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

Objective 7.3: Maintain and enhance the existing businesses in the city.

Objective 7.6: Maintain a viable retail base in the city to address changing resident and business shopping needs.

The project is the preservation of a designated historic resource and the construction of a new mixed-use development consisting of a 12-story mixed-use building and a 3-story commercial building. The project will include approximately: 148 guest rooms (limited service hotel); 96 apartment units, with 59 percent or 48 units set aside for Very Low Income Households; and 58,343 square feet of commercial floor area with retail uses, restaurants and 241 vehicle parking spaces. The project can help sustain economic growth and maintain a viable retail base in the city. The site currently contains surface parking lots, one commercial building and one parking structure which contains commercial uses. Similar to projects located in Regional Centers, the proposed project will provide a significant number of jobs. The development of sites and structures integrating mixed use is encouraged in concert with supporting services, recreational uses, open spaces, and amenities. The mixed-use development is consistent with ongoing redevelopment efforts in the community. The Project will also enhance the Wilshire

Center/Koreatown area by providing commercial uses that specifically cater to on-site residents and the business community nearby the site. The Project supports revitalization by developing an underutilized commercial development with a use that will provide an economic and social benefit to the residential, commercial, and other types of uses located in the area. The proposed project will generate an additional influx of patrons to the area who will likely frequent the various retail and restaurant businesses along the 8th Street corridor.

Housing Element

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

Objective 2.4: Promote livable neighborhoods with a mix of housing types, quality design and a scale and character that respects unique residential neighborhoods in the City.

The Project will provide an increase in the number of housing units in an urban setting along with a limited service hotel, restaurants on the first through third levels and ground floor commercial retail uses accessible from the street. This project will activate the street by generating pedestrian activity during and after normal commercial business hours. The development will replace currently under-utilized commercial uses with a development that improves the quality of the public realm with a pedestrian-scale design in an urban setting. At the street level the Project proposes a combination of street trees, shrubs and ground cover to enhance the public realm.

Objective 2.2: Promote sustainable neighborhoods that have mixed-income housing, jobs, amenities, services and transit.

Policy 2.2.3: Promote and facilitate a jobs/housing balance at a citywide level.

The Project location is well served by a large variety of transit options. The site is located near a major transit corridor, Wilshire Boulevard, which is served by Metro bus lines and DASH routes. The site is also less than a half mile from the Western Metro subway station along Wilshire Boulevard. Its proximity to local and rapid public transit routes will facilitate a reduction of vehicle trips and vehicle miles traveled, thus helping to mitigate traffic congestion, air pollution, and urban sprawl. Also, the Project will provide for the development of land use patterns that emphasize bicycle access and use. The proposed project will include bike racks for the commercial uses and secured bicycle storage for the residential tenants.

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.

Objective 2.5: Promote a more equitable distribution of affordable housing opportunities throughout the City.

Policy 2.5.1: Target housing resources, policies and incentives to include affordable housing in residential development, particularly in mixed use development, Transit Oriented Districts and designated Centers.

Policy 2.5.2: Foster the development of new affordable housing units citywide and within each Community Plan Area.

The project will provide affordable housing opportunities to very low income earning residents thereby complying with policies of the housing element relative to affordable housing production. Through the Density Bonus provisions, LAMC 12.22.A.25, the project will provide 5 percent or 4 Very Low Income units in exchange for receiving one off-menu incentive.

One (1) Requested Off-Menu Incentive- Deviation from Development Standards – Reduction of Southerly Side Yard Setback.

In conjunction with the requested General Plan Amendment, the project will provide an additional 5 percent or 4 Very Low Income units. A total of 8 affordable units restricted to Very Low Income Households for 55 years will be included in the project.

The Mayor has a goal of adding 500 new rental units annually to the city's affordable housing stock. Affordable housing is an important tool for ensuring the economic vitality of a community. Affordable housing provides housing opportunities for the local work force allowing individuals to reside in close proximity to their jobs. Shorter commutes to employment centers result in reduced traffic congestion, vehicle trips, vehicle miles travelled and negative impacts on air quality. It also ensures an equitable distribution of housing options which expands opportunities for individuals across income levels while promoting economic and social diversity.

Mobility Plan 2035

Mobility Plan 2035 (an Element of the General Plan) guides development of a citywide transportation system with the goal of ensuring the efficient movement of people and goods. The Mobility Plan 2035 recognizes that primary emphasis must be placed on maximizing the efficiency of existing and proposed transportation infrastructure through advanced transportation technology, reduction of vehicle trips, and focused growth in proximity to public transit.

The Project will advance numerous policies contained in the Mobility Plan 2035. Chief among them are:

Objective 3: Support development in regional centers... major activity areas and along mixed-use boulevards.

Policy 3.12: Promote the enhancement of transit access to neighborhood districts, community and regional centers, and mixed-use boulevards.

The Project advances these policies because it will be located within 1,500 feet from an existing Metro subway station and just south of a major transportation corridor that provides substantial public transit opportunities and facilities. The development of the residential units, limited service hotel and commercial retail and restaurant uses would promote ground floor pedestrian activity and circulation and would create direct pedestrian connections between the new Project and the street, in express conformity with the Mobility Plan 2035's policies and objectives. The proposed development contributes to the General Plan's goal to increase development within commercial districts that centralizes both housing and commercial uses while enhancing the accessibility of such uses to public transit.

Land Use Element – Wilshire Community Plan

The Project site is located in the Wilshire Community Plan area, which is one of the 35 community plans in the City of Los Angeles. Together, these plans comprise the Land Use Element of the General Plan and regulate how land is to be utilized. Each plan contains goals and policies to guide development in the plan area. The Wilshire Community Plan Area is often spoken of as the Mid-City Section of Los Angeles - the eastern edge of the approximately 2.5-mile wide by 6-mile long plan area is about 6 miles west of Downtown Los Angeles, while the western edge abuts the City of Beverly Hills. The area includes about 8,954 acres, which is approximately 3 percent of the total land in the City of Los Angeles.

The General Plan amendment to amend Footnote 5.1 of the Wilshire Community Plan map to apply to the subject site and Add Area will allow the project to observe a Height District change from 1 to 2D which will permit a maximum FAR of 4:1 in lieu of the required 1.5:1. The proposed project is consistent with the existing land use patterns along 8th Street and Western Avenue. The Project will advance numerous objectives and policies contained in the Wilshire Community Plan, including:

Residential Policies and Objectives:

Objective 1-2. Reduce vehicular trips and congestion by developing new housing in close proximity to regional and community commercial centers, subway stations, and existing bus routes.

Policy 1-2.1 Encourage higher density residential uses near major public transportation centers.

Policy 1.4-3 Encourage multiple family residential and mixed use development in commercial zones.

Commercial Policies and Objectives

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

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

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

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

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

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

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

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

The Project will involve the demolition of the Eden Plaza building and the adaptive reuse and addition onto the existing 4-story IB Plaza building, the construction use and maintenance of a new 12-story mixed-use building, and a new 3-story commercial building. The Project will include approximately: 148 guest rooms (limited service hotel); 96 apartment units, with 5 percent set aside for Very Low Income Households; 58,343 square feet of commercial floor area with retail uses and restaurants with or without alcohol service; 241 vehicle parking; and 290 bicycle parking spaces. The Project will include approximately 229,138 square feet of floor area, with a proposed floor area ratio (FAR) of 3.72:1. The development will be located two blocks south of Wilshire Boulevard. The Project provides residential units and guest rooms in close proximity to existing jobs and services. The Project will be located within close proximity to an existing Metro subway station and just south of a major transportation corridor that provides substantial public transit opportunities and facilities.

The Project site is located in close proximity to properties located within the Wilshire Center Regional Commercial Center. It includes a dense collection of high rise office buildings, large hotels, regional shopping complexes, churches, entertainment centers, both high-rise and low-rise apartment buildings, as well as the Vermont, Normandie, and Western Metro Red Line subway stations along Wilshire Boulevard. The Regional Commercial land use designation allows for the construction of commercial, parking, and high-density multi-family residential uses. The area contains a variety of high-intensity urban activities in a compact built environment that includes commercial, residential, cultural, recreational, and hotel uses.

Zone and Height District changes to (T)(Q)C2-2D is appropriate given the context of this area, in that it provides for a mixed-use project that complements the commercial and residential character of this area. The maximum FAR of 4:1 is an appropriate density, given that the site is located within the General Commercial General Plan Land Use classification. Immediately adjacent to the north are properties located within the Regional Center Commercial land use classification designation which allows for the construction of corporate and professional offices, retail commercial malls, high-density multi-family residential uses, government buildings, major health facilities, major entertainment and cultural facilities and supporting services at a 6:1 FAR. In 2001, when the Wilshire Community Plan was adopted, Regional Center Commercial Land Uses were located along the Wilshire Boulevard corridor and 7th Street. Currently, there has been an interest in expanding the Regional Center Commercial Land Use further south specifically down to 8th Street. The 8th Street and Western Avenue node is appropriate for development with increased FAR and density. In this instance, the project site, located within a designated mixed-use boulevard, will observe an increased FAR from 1.5:1 to 4:1 which is less than the 6:1 FAR allowed within the Regional Center Commercial Land Use. The south, east and west adjacent uses are designated the land uses of Regional Center Commercial Land Use and High Medium Density Residential. The scale and nature of the proposed development would be consistent with the pattern of development that has taken place in the surrounding area.

Therefore, the site's location is appropriate for the proposed mixed-use development, because it is adjacent to sites which serve as focal points of regional interests, commercial stores, hotels, cultural facilities and offices. Therefore, the proposed mixed-use project is appropriate for this area.

The Wilshire Community Plan encourages mixed-use developments in regional and community commercial centers, which are areas that are adjacent to the subject site. The

Wilshire Community Plan Objective 2-1 encourages the City to preserve and strengthen viable commercial development and provide additional opportunities for new commercial development and services within existing commercial areas. The area contains a variety of high-intensity urban activities in a compact built environment that includes commercial, residential, cultural, recreational, and hotel uses. These diverse uses support balanced community development and create increased interest for a variety of visitors who come to the area.

- 2. Vesting Zone Change Findings.** Pursuant to Section 12.32 of the Municipal Code, and based on these findings, the recommended action to rezone the property from C2-1 and to C2-2D is deemed consistent with public necessity, convenience, general welfare and good zoning practice.

The proposed project is a new 160-foot in height (twelve-story) mixed-use project with two levels of aboveground residential parking and one subterranean parking level for commercial uses. The development will include 148 guest rooms, 96 apartment units with 5-9 percent or 4-8 units set aside for Very Low Income Households and approximately 58,343 square feet of ground-floor commercial space. Approximately 10,600 square feet of open space is proposed, which includes an approximately 5,950 square-foot outdoor common space area located on the roof level consisting of; a skydeck, pool and spa, and rooftop landscaped area and approximately 2,650 square feet of indoor common space comprised of a gym, sky lounge, and club room. In addition, 2,000 square feet of outdoor common open space including a roof deck, rooftop landscaped area will be provided. The project would include approximately 241 vehicle parking spaces and a minimum of 290 bicycle parking spaces. The Development Site consists of six contiguous lots bounded by West 8th Street on the north, South Western Avenue on the west, and South Oxford Avenue on the east. The Development Site is currently improved with surface parking lots, one commercial building and one parking structure containing commercial uses. The property is approximately 1.41 acres and the total project size is 229,138 square feet. The Development Site is zoned C2-1 and designated in the Wilshire Community Plan as General Commercial.

The Zone Change from C2-1 to C2-2D, would allow for an increased Height District, with a FAR of 4:1 for the entire site. The proposed Vesting Zone Change would lead to a development that would be deemed consistent with public necessity, convenience, general welfare and good zoning practice. The Wilshire Community Plan designates the Project site for General Commercial uses, which corresponds to the C1.5, C2, C4, RAS3 and RAS4 Zones. The recommended zone and height district change to (T)(Q) C2-2D is consistent with the General Plan Land Use Footnote 5.1 of the Wilshire Community Plan which allows the zone of C2-2D with Height District 2D which permits a maximum FAR of 4:1. The proposed project will be built to a height of 160 feet and an FAR of 3.72:1.

Mixed-use development is also permitted by-right in commercial areas citywide, and, therefore the proposed project and the proposed zone change is not only consistent with the existing planned land use but also the surrounding land use development pattern.

Public Necessity

The rezoning of the site to accommodate the conditioned project will be consistent with public necessity as it will increase both housing, hotel and commercial opportunities in the Wilshire Community of Los Angeles, in close proximity to existing jobs and services. The Project site is located within the Koreatown neighborhood and adjacent to Regional Commercial uses. The area includes a dense collection of high rise office buildings, large hotels, regional shopping complexes, churches, entertainment centers, both high-rise and low-rise apartment buildings, as well as the Vermont, Normandie, and Western Metro Red Line subway stations

along Wilshire Boulevard. The General Commercial land use designation allows for the construction of commercial, parking, and medium-density multi-family residential uses.

The C2-2D Zone allows for the proposed project. In order to provide a mixed-use project at the level that is being proposed it is necessary to have the provisions of the C2-2D Zone, which allow for the proposed floor area. Thus, a zone change to C2-2D has been proposed. As conditioned, the design of the Project will enhance the neighborhood and will contribute to the activity of the Wilshire commercial corridor.

Convenience

The objectives of the Wilshire Community Plan include providing adequate land for new multiple family residential units and strengthening existing commercial areas and designing new development to be compatible with adjacent residential neighborhoods. Changing the existing zone to the C2-2D Zone will allow for the development of retail and residential mixed use project that complements adjacent neighborhoods. The increase in the number of residential units in this commercial area will encourage the viability of the Wilshire Boulevard corridor. The Public Convenience is also served by centrally locating employment and residential and hotel lodging opportunities in one of the City's commercial corridors.

The development of mixed use projects reduces reliance on the car by locating housing and guest rooms near job centers and shopping destinations. The Project will be located less than 1,500 feet away from an existing Metro subway station and just south of a major transportation corridor that provides substantial public transit opportunities and facilities. The site is located near many office, residential, retail and restaurant uses. These opportunities increase pedestrian activity, which in turn benefits local businesses and neighborhoods.

General Welfare

The proposed project will promote general welfare of the community by the following:

- Help meet local housing and job needs;
- Enhance the sense of community in the area by providing a mixed-use development near substantial public transit opportunities and facilities; and
- Revitalize an under-utilized site.

Good Zoning Practice

The requested Vesting Zone Change from C2 to (T)(Q)C2-2D is in substantial conformance with the purposes, intent and provisions of the General Plan, and is consistent with good zoning practice because it will provide for development of a mixed use project that complements both the commercial and residential character of the area. As requested, this zone and height district change would allow for increased FAR from 1.5 to a maximum 4:1 allowing more intense residential and commercial uses at the endpoint of a designated mixed use boulevard for better overall site design. The proposed density and project size, with the 3.72:1 FAR, is compatible and consistent with the dense multifamily and commercial uses in the area. The proposed Zone and Height District Change will enhance the pedestrian experience, provide new opportunities for commercial development, meet local housing needs, and provide a development compatible with the surrounding area. This would enable the Project to help bring critical investment to the Koreatown area, contributing to an economic environment that fosters entertainment-related uses, increased pedestrian activity, and jobs. The Project represents the creative re-use of an existing, underutilized site, near a major transit corridor.

The proposed Vesting Zone Change is consistent with the surrounding uses and development pattern. The surrounding zoning consists of C2-1, R4-2, [T][Q]C2-1, [Q]C2-2, R3-2, (T)(Q)C2-2D, R3P-1, and R4P-1. Properties to the north are zoned, [Q]C2-2 [Q]C2-1, [Q]C2-1, and R3-

2 and R4-2 and are developed with the 4-story Oxford Palace Hotel & Galleria, grocery store, retail shops, wholesale market, and surface parking lots for the commercial uses. Properties to the south are zoned C2-1 and R4-2 and are developed with the 2-story Koreatown Plaza, and the 3-story parking structure attached to Koreatown Plaza. Properties to the east are zoned R4-2, [T][Q]C2-1 and C2-1 and are developed with a 2-story and 4-story apartment buildings and two 6-story apartment buildings. Properties to the west are zoned C2-1, R4P-1, and R4-1 and developed with the single-story Rodeo Gallery, and two-and three-story apartment buildings.

Zone and Height District changes to (T)(Q)C2-2D is appropriate given the context of this area, in that it provides for a mixed-use project which would serve as a destination among residents and visitors. The maximum FAR of 4:1 is an appropriate density, given that the site is located within the General Commercial General Plan Land Use classification. Immediately adjacent to the north are properties located within the Regional Center Commercial land use classification designation which allows for the construction of corporate and professional offices, retail commercial malls, high-density multi-family residential uses, government buildings, major health facilities, major entertainment and cultural facilities and supporting services at a 6:1 FAR. In 2001, when the Wilshire Community Plan was adopted, Regional Center Commercial Land Uses were located along the Wilshire Boulevard corridor and 7th Street. Currently, there has been an interest in expanding the Regional Center Commercial Land Use further south specifically down to 8th Street. The 8th Street and Western Avenue node is appropriate for development with increased FAR and density. In this instance, the project site, located within a designated mixed-use boulevard, will observe an increased FAR from 1.5:1 to 4:1 which is less than the 6:1 FAR allowed within the Regional Center Commercial Land Use. The south, east and west adjacent uses are designated the land uses of Regional Center Commercial Land Use and High Medium Density Residential. The scale and nature of the proposed development would be consistent with the pattern of development that has taken place in the surrounding area.

“T” and “Q” Classification Findings. Per LAMC Section 12.32-G, 1 and 2, the current action, as recommended, has been made contingent upon compliance with new “T” and “Q” conditions of approval imposed herein for the proposed project. The “T” Conditions are necessary to ensure the identified dedications, improvements, and actions are undertaken to meet the public’s needs, convenience, and general welfare served by the actions required. These actions and improvements will provide the necessary infrastructure to serve the proposed community at this site. The “Q” conditions that limits the scale and scope of future development on the site are also necessary to protect the best interests of, and to assure a development more compatible with, surrounding properties and the overall pattern of development in the community, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

3. Height District Change Findings. Pursuant to Section 12.32 F of the Municipal Code, and based on these findings, the recommended action is deemed consistent with the public necessity, convenience, general welfare and good zoning practice.

The applicant requests a Height District Change from Height District No. 1 to Height District No. 2D as allowed by Footnote 5.1 of the Wilshire Community Plan. The change to a Height District of 2D would permit a maximum Floor Area Ratio (FAR) of 4:1 in lieu of a FAR of 1.5:1 with Height District No. 1. The project will observe a FAR of 3.72:1. The Height District change would allow for the construction, operation, and maintenance of the proposed mixed-use project, which is consistent with the General Plan and is beneficial to the public necessity, convenience, general welfare and good zoning practice. The increased FAR will be more

appropriate and beneficial for a mixed-use project, while maintaining compatibility with existing surrounding uses and future growth patterns within this transit-rich urban community.

4. Density Bonus

Pursuant to Section 12.22 A.25(g) of the LAMC and Government Code 65915(d), the Commission shall approve a density bonus and requested incentive(s) and waiver(s) unless the Commission finds that:

- a. **The incentives do not result in identifiable and actual cost reductions 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 Commission to make a finding that the requested incentives do not result in identifiable and actual cost reductions 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 Project substantially complies with the applicable regulations, standards and provisions of the State Density Bonus Program. The Project proposes to set aside 4 units, or 5% of the base 96 dwelling units, as Restricted Affordable Units for Very-Low Income households for 55 years.

The requested off-menu incentive allows the developer to expand the building envelope so an additional 4 restricted affordable units can be constructed and the overall space dedicated to residential uses increased. With the granting of the request from the City Planning Commission for the density increase, these incentives support the Applicant's decision to set aside 4 Very Low Income dwelling units for 55 years.

One (1) Requested Off-Menu Incentive – Deviation of Development Standards

Southerly Side Yard Setback. The Project site is located in the C2 Zone, which outlines that yard requirements under LAMC Section 12.14 for all portions of buildings erected and used for residential purpose, side and rear yard shall conform to the requirements of the R4 Zone (pursuant to LAMC Section 12.11 C2 and 3) at the floor level of the first story used in whole or in part for residential purposes. In this instance, a minimum 15-foot side yard setback is required. For R4 zoned properties, a building greater than two stories in height, one foot for each additional story above the second story is required to be provided in the side yard setback but in no event shall the width of the side yard exceed 16 feet.

The Applicant proposes a side-yard measuring 2 feet 6 inches in lieu of the required 15 feet. The 2 feet 6 inch side yard would provide for an approximate 8-foot separation from the multi-family building abutting to the south. The width of the side yard will increase to approximately 10 feet above the third level of the new building. The distance is sufficient in providing the feeling of open space, light and air. A reduced side yard setback allows for the design of the Project and the provision of 4 Very Low Income units without creating negative impacts on the surrounding community.

- b. The Incentive 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 are 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 the 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(b)). The finding that there is no evidence in the record that the proposed incentive(s) will have a specific adverse impact is further supported by the recommended CEQA finding. As required by Section 12.22 A.25 (e)(2), the project meets the eligibility criterion that is required for density bonus projects. Therefore, there is no substantial evidence that the proposed incentive(s) / waiver(s) will have a specific adverse impact on public health and safety.

DENSITY BONUS LEGISLATION BACKGROUND

The California State Legislature has declared that "[t]he availability of housing is of vital statewide importance," and has determined that state and local governments have a responsibility to "make adequate provision for the housing needs of all economic segments of the community." Section §65580, subs. (a), (d). Section 65915 further provides that an applicant must agree to, and the municipality must ensure, the "continued affordability of all Low and Very Low Income units that qualified the applicant" for the density bonus.

With Senate Bill 1818 (2004), state law created a requirement that local jurisdictions approve a density bonus and up to three "concessions or incentives" for projects that include defined levels of affordable housing in their projects. In response to this requirement, the City created an ordinance that includes a menu of incentives (referred to as "on-menu" incentives) comprised of eight zoning adjustments that meet the definition of concessions or incentives in state law (California Government Code Section 65915). The eight on-menu incentives allow for: 1) reducing setbacks; 2) reducing lot coverage; 3) reducing lot width, 4) increasing floor area ratio (FAR); 5) increasing height; 6) reducing required open space; 7) allowing for an alternative density calculation that includes streets/alley dedications; and 8) allowing for "averaging" of FAR, density, parking or open space. In order to grant approval of an on-menu incentive, the City utilizes the same findings contained in state law for the approval of incentives or concessions.

Housing Replacement

With Assembly Bill 2222, applicants of Density Bonus projects filed as of January 1, 2015 must demonstrate compliance with the housing replacement provisions which require replacement of rental dwelling units that either exist at the time of application of a Density Bonus project, or have been vacated or demolished in the five-year period preceding the application of the project. This applies to all pre-existing units that have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; subject to any other form of rent or price control; or occupied by Low or Very Low Income Households. Pursuant to the Determination made by the Los Angeles Housing and Community Investment Department (HCIDLA) dated December 23, 2016, indicated that 800 Western Avenue, 808 South Western Avenue, 824 South Western Avenue, and 801 South Oxford Avenue has had no residential units on the property within the last five years. AB2222 does not apply to commercial structures, so no AB2222 replacement affordable units are required.

California State Assembly Bill 2222 went into effect January 1, 2015. It introduced rental dwelling unit replacement requirements, which pertain to cases filed as of January 1, 2015; and also increases covenant restrictions from 30 to 55 years for cases issued (not just filed) as of January 1, 2015. This approval does reflect 55 year covenant restrictions, given that the case decision, or approval, as noted on the front page, is being issued after January 1, 2015. Assembly Bill 2222 also increased covenant restrictions from 30 to 55 years for projects approved after January 1, 2015. This determination letter reflects these 55 year covenant restrictions.

Under Government Code Section § 65915(a), § 65915(d)(2)(C) and § 65915(d)(3) the City of Los Angeles complies with the State Density Bonus law by adopting density bonus regulations and procedures as codified in Section 12.22 A.25 of the Los Angeles Municipal Code. Section 12.22 A.25 creates a procedure to waive or modify Zoning Code standards which may prevent, preclude or interfere with the effect of the density bonus by which the incentive or concession is granted, including legislative body review. The Ordinance must apply equally to all new residential development.

In exchange for setting aside a defined number of affordable dwelling units within a development, applicants may request up to three incentives in addition to the density bonus and parking relief which are permitted by right. The incentives are deviations from the City's development standards, thus providing greater relief from regulatory constraints. Utilization of the Density Bonus/Affordable Housing Incentives Program supersedes requirements of the Los Angeles Municipal Code and underlying ordinances relative to density, number of units, parking, and other requirements relative to incentives, if requested.

For the purpose of clarifying the Covenant Subordination Agreement between the City of Los Angeles and the United States Department of Housing and Urban Development (HUD) note that the covenant required in the Conditions of Approval herein shall prevail unless pre-empted by State or Federal law.

Several California Assembly bills amended the State Density Bonus Law and took effect on January 1, 2017. The changes are reflected in the subject request, and as such is compliant with AB 2501, AB 2556, AB 2442, and AB 1934. In accordance with AB 2501 density calculations for this project have been rounded up to the next whole number for base density, the number of bonus units, and the number of Affordable Units required to be eligible for the density bonus.

On September 26, 2016 Governor Brown Signed AB 2501, AB 2556, AB 2442, and AB 1934 which amended the State Density Bonus Law (Government Code Section 65915). The amendments took place on January 1, 2017. In particular, AB 2501 restricted the ability of local jurisdictions to require special studies unless they meet the provisions of state law. Financial proformas and third-party reviews are no longer required for any density bonus case filing.

In addition, the 2016 changes to State Density Bonus law also modified the finding required to deny an incentive. Now a requested concession or incentive shall be granted unless the City makes a written finding, based on substantial evidence, of any of the following: a) the concession or incentive "does not result in identifiable and actual cost reductions," to provide for affordable housing costs or rents for the targeted units; b) the concession or incentive has a specific adverse impact on 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; or c) if the concession or incentive is contrary to state or federal law. Prior law allowed a concession or incentive to be denied if the City had substantial evidence that the concession or incentive was "not required in order to provide for" affordable housing costs or rents for the targeted units, or substantial evidence in support of findings "b)" or "c)" above.

- 5. Finding for Master Conditional Use for Alcohol Permit and Conditional Use for Hotels within 500 feet of the A or R Zone** – Pursuant to 12.24. W1 of the Municipal Code, the Applicant requests a Master Conditional Use to permit the sale and dispensing of alcoholic beverages for on-site consumption at six restaurants on the premises and pursuant to 12.24 W.24(a), the Applicant requests a Conditional Use to permit a hotel located within 500 feet of an R-Zone property.

- A. *The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.*

The applicant is requesting a Master Conditional Use Permit (MCUP) to permit the sale and dispensing of alcohol for on-site consumption for up to 6 establishments in conjunction with the construction of a new mixed-use development consisting of a new 12-story mixed-use building, and a new 3-story commercial building. The Project will include approximately: 148 guest rooms (limited service hotel); 96 apartment units, with 5 percent or 4 units set aside for Very Low Income Households; 58,343 square feet of commercial floor area with retail uses and restaurants; 241 vehicle parking spaces; and 290 bicycle spaces.

The subject MCUP provides a blanket approval of hours of operation for the six restaurants, and limits the maximum number of uses that may dispense or serve alcoholic beverages as part of this permit. For the six restaurants, as each venue operator is identified, a separate Plan Approval is required to be filed to review the specific details and operations of each new venue, including but not limited to a review of the proposed floor plan, hours of operation, square footage, number of seats, mode and character of the establishment, and other pertinent operational details of the business. At that time, the decision-maker may impose more specific conditions of approval to ensure that the operations of the proposed establishment will not result in incompatibilities with the surrounding community. The MCUP examines the potential for conflict with and/or enhancement of the surrounding community. The MCUP examines the potential for conflict with and/or enhancement of the surrounding areas in consideration of the totality of the request, which in this case, are six separate venues.

The provision of alcohol within the hotel rooms is not being currently proposed. Approval of the MCUP will contribute to the success and vitality of the proposed restaurants. Approval of alcohol sales will increase the availability of a public convenience for on-site residents and patrons who live, work and play within the surrounding neighborhood. In addition, the ability to offer alcoholic beverages to patrons is critical in attracting top quality dining establishments into the area. The dispensing or sale of alcohol for on-site consumption will be an incidental component to the six proposed restaurants that will provide a service and convenient access to quality dining for the surrounding community. The Project location is easily accessible in that it is built in close proximity to an existing subway station with connections to downtown and greater Los Angeles. Further, the site is located less 1,500 feet south of Wilshire Boulevard and parcels within the Regional Center Commercial land use area. Finally, the establishments will benefit the City through generation of additional sales tax revenue, and business license and other fees, and by providing additional short-term and long-term employment opportunities.

In addition, the applicant has requested a Conditional Use to permit the construction, use, and maintenance of a hotel within 500 feet of the A or R Zone. The properties located to the east of the site are zoned for multi-family development.

The proposed hotel will have 148 guest rooms within a twelve story building with 96 apartment units and 58,343 square feet of ground floor commercial square footage. While the site is in close proximity of residential zones, the project site is located along 8th Street, which is adjacent to properties that are located within a Mixed-Use Boulevard as designated by the General Plan, Framework and the Wilshire Community Plan. The proposed hotel will focus primarily on the lodging of guests. Recreational amenities will be located on the fourth floor and rooftop of the structure, with proposed screening from the adjacent residential uses. The hotel will serve the needs of those who visit the area, whether as tourists or business travelers, where lodging options have been fairly limited.

The approval of the Conditional Use will enable the development of the limited service hotel as part of the proposed mixed-use development. The use of the hotel is compatible with the surrounding development and will serve as a source for increased employment. The hotel will provide an additional amenity and service for those who are visiting the area and local residents. As conditioned herein, the project will enhance the built environment in the surrounding neighborhood and will provide an amenity and service that will be beneficial to the community.

- B. 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 site consists of six contiguous lots bounded by Western Avenue on the west, Oxford Avenue on the east and 8th Street on the north. The Project Site is currently improved with surface parking lots, one commercial building and one parking structure containing commercial uses. The property is approximately 1.41 acres.

The Project will involve the demolition of the Eden Plaza building and the adaptive reuse and addition onto the existing 4-story IB Plaza building, the construction use and maintenance of a new 12-story mixed-use building, and a new 3-story commercial building. The Project will include approximately: 148 guest rooms (limited service hotel); 96 apartment units, with 5 percent or 4 units set aside for Very Low Income Households; 58,343 square feet of commercial floor area with retail uses and restaurants with or without alcohol service; 241 vehicle parking spaces; and 290 bicycle spaces. The Project will include approximately 229,138 square feet of floor area, with a proposed floor area ratio (FAR) of 3.72:1, however, the project is allowed a maximum FAR of 4:1 for properties observing Footnote 5.1 of the Wilshire Community Plan. As proposed, the project will be compatible with the immediate neighborhood which is developed with a mix of low- to medium-intensity residential, commercial, and mid-rise office buildings.

The addition of alcohol sales will be for six proposed restaurants with operating hours of 24 hours daily and will be compatible with the surrounding properties as the subject property will be a mixed-use development located proximate to commercial uses.

The sale of alcohol is a typical amenity for restaurants located in commercial areas and is common and often an expected amenity provided to the surrounding residents, and visitor community. The proposed restaurants have been conditioned so that the project's location, size, height and operations will not adversely affect or further degrade the adjacent properties or the surrounding area. In addition, the hotel uses will be integrated into the 12 story tower but separate from the dwelling unit uses in the new building. The proposed hotel will not further degrade adjacent properties, the surrounding neighborhood or the public health, welfare and safety.

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

There are eleven elements of the General Plan. Each of these elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these elements. There are eleven elements of the General Plan. Each of these Elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems.

The majority of the policies derived from these Elements are in the form of Code Requirements of the Los Angeles Municipal Code. Except for those entitlements described herein, the project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code. The Land Use Element of the City's General Plan divides the city into 35 Community Plans. The Wilshire Plan Map designates the property for General Commercial land uses with corresponding zones C1.5, C2, C4, RAS3 and RAS4.

The site's proposed zoning is (T)(Q)C2-2D, which is consistent with the existing land use designation of General Commercial. The allowance to have alcohol for on-site sales or dispensing at six proposed restaurants is not specifically addressed in the Community Plan text. In such cases, the intent of the Plan must be interpreted. The proposed request will provide a service and amenity in a commercial district of the community thereby consistent with a number of goals of the adopted Wilshire Community Plan including Goal 2: Encourage strong and competitive commercial sectors which promote economic vitality and serve the needs of the Wilshire community through well-designed, safe and accessible areas, while preserving historic and cultural character; Objective 2-1: Preserve and strengthen viable commercial development and provide additional opportunities for new commercial development and services within existing commercial areas.

The Los Angeles Municipal Code authorizes the City Planning Commission to grant the requested conditional use in the zones corresponding to the Plan land use designation. The conditional authorization for the sale or dispensing of alcohol for on-site consumption within six new restaurants is allowed through the approval of the City Planning Commission subject to certain findings. The required findings in support of the Wilshire Community Plan have been made herein. The request to permit the on-site sale or dispensing of alcohol located within six restaurants in a proposed mixed-use development is consistent with the intent of these provisions.

In addition, the project site is comprised of six lots configured in an "L-Shape" with two lots fronting on 8th Street and four lots fronting on Western Avenue. The applicant has requested a Conditional Use to allow a hotel use within 500 feet of residentially zoned parcels. The Wilshire Community Plan contains the following text:

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

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

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

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

The project proposes the construction use and maintenance of a new 12-story mixed-use building, and a new 3-story commercial building. The Project will include approximately: 148 guest rooms (limited service hotel); 96 apartment units, and 58,343 square feet of commercial floor area in the C2 Zone. While the C2 Zone has a minimum requirement of one guest room per 200 square feet of lot area. As proposed, the project is consistent with the intent of the C2 Zone and General Commercial land use.

The project site is located within the Koreatown neighborhood. As proposed, the project will redevelop an underutilized and underdeveloped site with the construction use and maintenance of a new 12-story mixed-use building, and a new 3-story commercial building comprised of 148 guest rooms (limited service hotel); 96 apartment units with 5 percent or 4 units set aside for Very-Low Income Households, and 58,343 square feet of commercial floor area. The proposed mixed-use project will be compatible in use and scale with the surrounding community. In addition, the hotel component will provide a service that has been limited in the area. As proposed, the project will create a mixed use development that is consistent with the purpose, intent and provisions of the General Plan and the Wilshire Community Plan.

ADDITIONAL MANDATORY FINDINGS FOR THE SALE OF ALCOHOLIC BEVERAGES

D. The proposed use will not adversely affect the welfare of the pertinent community.

The project's well designed and mixed-use character would promote a synergy between commercial corridors along West 8th Street and South Western Avenue and the residential uses adjacent to major thoroughfares, such as multi-family residences along Oxford Avenue.

Approval of the Conditional Use will contribute to the success and vitality of the proposed six restaurants, and reinvigoration of the site and vicinity. Approval of alcohol sales will increase the availability of a public convenience for on-site residents and patrons who live, work and play within the surrounding neighborhood. The Project location is easily accessible in that it is built in close proximity to an existing subway station with connections to downtown and greater Los Angeles. Finally, the establishments will benefit the City through generation of additional sales tax revenue, and business license and other fees, and by providing additional short-term and long-term employment opportunities. A Plan Approval is required for each new restaurant to establish the operation where the City can review the proposed floor plan, hours of operation, square footage, number of seats, mode/character of the establishment, other pertinent operational details of the business and prescribe specific conditions as needed.

E. 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 local Department of Alcoholic Beverage Control office, in Census Tract No. 2125.02 within which the Project is located, the maximum number of on-site licenses permitted is 2, with 19 existing, and the maximum number of off-site licenses permitted is 1, with 3 existing. The number of permitted licenses is based on the population of the census tract, and in the most recent Census update (2010) the population was reported to be 2,165 residents. There exists an overconcentration of alcohol licenses in the subject census tract. In addition, the subject site is located in a Census Tract whereby properties are located within the General Commercial and Regional Commercial land use designations where a concentration of licenses is anticipated given the range of uses permitted and encouraged within a Center. Finally, the six proposed restaurants are part of the development's overall security and operational oversight.

While this may appear to be an overconcentration of licenses due to the raw numbers, it should be pointed out that the offering of alcohol will be an amenity provided to the residents on-site and visitors to the area. The ABC also recognizes that high activity entertainment, retail, government and commercial centers, such as within the Koreatown community, are supported by a significant visitor/employee population in addition to the resident population base. The ABC has discretion to approve an application if there is evidence that normal operations will not be contrary to public welfare and will not interfere with the quiet enjoyment of property by residents. This is reflected in the licensing statistics noted above. Within this urban context, the proposed establishments, permitted to sell or dispense a full line of alcoholic beverages, will be consistent with the character of development in the area. Therefore, it can be reasonably assured that the economic welfare of the community will not be adversely impacted.

Within Census Tract 2125.02 there are currently 19 establishments with on-site only sales, and with 3 off-site only sales. According to crime statistics from the Los Angeles Police Department, a total of 241 Part II Crimes (Arrests) were reported during 2016 within Reporting District No. 2033, which has jurisdiction over the subject property. This is more than the 181 reported Part II offenses on average, per district City-wide.

Part II Crimes that are related to alcohol consumption include; Drunkenness (26), Disorderly Conduct (2), and DWI related (18). Although these related arrests (131 total) comprise about 72 percent of the total Part II Crimes reported (181) for Reporting District No. 2033, approval of the Conditional Use will not likely contribute to a substantial increase in these types of offences, particularly since conditions relating to the sale or dispensing of alcoholic beverages will reduce potential negative impacts.

Furthermore, to ensure that the Project will not create detrimental impacts on the surrounding area, the specific details of the restaurant establishments will be reviewed pursuant to a Plan Approval. This will allow for a comprehensive review with input from the prospective tenant, the Los Angeles Police Department, the Los Angeles Fire Department, and the City Council office. Security plans, floor plans, seating limitations, and other recommended conditions, as well as the mode and character of the operation, will be addressed and assured through the imposition of site-specific conditions. This extra protection will ensure that no adverse impacts could result due to off-site alcohol sales and consumption.

- F. *The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration of 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 restaurant uses will be incorporated into the mixed-use development and separated from nearby residential uses by distance and physical development. The site itself is located in the C2 Zone. The area contains a mix of commercial, office, residential, hotel and surface parking uses. Because the C2 Zone in the Wilshire Community Plan permits a variety of commercial and residential uses, the provision of multi-family residential, commercial retail and hotels within the zone is expected within the Community Plan. The General Commercial land use category encourages commercial uses, including mixed-use, commercial and higher density residential uses. However, alcohol is only permitted through a Conditional Use permit.

There are no sensitive uses located within 1,000 feet of the subject site. The nearest public schools are Hobart Boulevard Elementary and Wilton Place Elementary schools located approximately 1,300 and 1,700 feet from the property respectively. The nearest parks and churches are also more than 1,000 feet away from the Subject Property. This grant has placed numerous conditions on the proposed project to minimize potential impacts and possible nuisances for the surrounding area. The Conditions placed on the proposed six restaurants will make the operator accountable to the sensitive uses within the area. The on-site sale or dispensing of alcohol at six restaurants within a mixed use development is appropriate in that it is convenient for residents on-site and in the surrounding area, consistent with the operation of numerous other restaurants in the area which are permitted to sell and dispense alcoholic beverages for on-site consumption. Therefore, it can be concluded that the proposed use, conducted in full compliance with the Conditions of approval, will not detrimentally affect nearby sensitive uses. The Project will not be detrimental to the character of development in the immediate neighborhood.

The on-site sale or dispensing of alcoholic beverages at six restaurants is an essential component to establishing a vibrant, energized, pedestrian-friendly atmosphere, consistent with the Project Site's location within Koreatown and located within a community with a mix of commercial and residential uses. Allowing the sale or dispensing of alcohol at the Project Site will advance the public convenience and necessity by servicing the demand for alcoholic sales consistent with the Project.

Alcohol sales are not expected to create law enforcement problems as conditions of approval will ensure that the operations of the proposed restaurant establishments will not result in incompatibilities with the surrounding community. As part of the Project's security plan, security officers may be stationed at key locations within the Project Site at all times to preserve the safety of the Project's residents, tenants, and visitors. The Project would provide high quality jobs in proximity to vibrant restaurant and retail uses. Therefore, the sale of alcoholic beverages at the Site is not expected to create the type of crime problem California Business & Professions Code Sections 23958 and 23598.4 seek to prevent.

6. Site Plan Review Findings

The applicant is requesting a Site Plan Review for a project which results in an increase of 50 or more residential units.

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

The Project is located within the Wilshire Community Plan area, which designates the Project site for General Commercial. The General Commercial land use category corresponds to the C1.5, C2, C4, RAS3, and RAS4 Zones. The project also proposes an amendment to Footnote 5.1 of the Community Plan's General

Plan Land Use Map to apply to the property and the Add Area. For the C2 Zone, the Height District 2D allows unlimited height and a maximum FAR of 4:1 pursuant to Footnote 5.1 of the Wilshire Community Plan. The proposed project will be built to a height of 160 feet with an FAR of 3.72:1.

The Project site is located in close proximity to the Wilshire Center Regional Commercial Center, which is described as “a dense collection of high rise office buildings, large hotels, regional shopping complexes, churches, entertainment centers, and both high and low-rise apartment buildings.” The Vermont, Normandie, and Western Metro Red Line subway stations along Wilshire Boulevard are also proximate to the subject site. The General Commercial land use designation allows for the construction of commercial, parking, and high-density multi-family residential uses. The area contains a variety of high-intensity urban activities in a compact built environment that includes commercial, residential, cultural, recreational, and hotel uses. These diverse uses support balanced community development and create increased interest for a variety of visitors who come to the area. Therefore, the proposed mixed-use project is appropriate for this area.

One of the long-term goals of the General Plan is to encourage commercial development within designated Regional Centers. With the subject site’s location in the Koreatown area and its proximity to Wilshire’s Regional Center the proposed project as it relates to use, design, size and height is consistent with the plan’s vision for these communities. As such, the Framework Element of the General Plan encourages development that “*accommodate[s] a broad range of uses that serve the needs of adjacent residents, promote[s] neighborhood and community activity...and are...desirable places in which to...work and visit, both in daytime and nighttime.*”

The Project furthers several General Plan objectives, including encouraging infill projects and locating new development near public transit and shopping, services and employment. The Project represents the creative re-use of an existing, underutilized site, near a major transit corridor.

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

The Project will involve the demolition of the Eden Plaza building and the adaptive reuse and addition onto the existing 4-story IB Plaza building, the construction, use and maintenance of a new 12-story, 160-foot tall mixed-use building, and a new 3-story commercial building. The Project will include approximately: 148 guest rooms (limited service hotel); 96 apartment units, with 5- 9 percent or 4- 8 units set aside for Very Low Income Households; 58,343 square feet of commercial floor area with retail uses and restaurants with or without alcohol service; 241 vehicle parking spaces within a subterranean parking garage and two levels of above grade parking; and 290 bicycle parking spaces. The Project will include approximately 229,138 square feet of floor area, with a proposed floor area ratio (FAR) of 3.72:1.

The adaptive reuse of the existing mixed-use 4-story IB Plaza Building will be connected to an addition and will contain three floors of commercial space and one floor of subterranean parking. The structure will form a U-shape and be connected

with pedestrian bridges internal to the site on the second and third floors. The third floor will contain outdoor common areas and the roof will contain a roof deck and landscaped area.

The twelve story mixed-use structure will include approximately 148 guest rooms, 96 apartments, ground floor commercial, rooftop amenities and two floors of above grade and one floor of subterranean parking. The structure will connect to the adaptive reuse portion of the building at the basement level and fourth floor. An amenity deck will be provided at the fourth floor for use by hotel guests and residents. The twelfth floor will contain a skydeck, with a pool and spa, and gym/lounge and will be a space also shared among hotel guests and on-site residents. Approximately 10,600 square feet of open space is proposed.

Commercial parking is provided within the building in one subterranean level and two levels of above grade residential parking. The Project Site is located within a Los Angeles State Enterprise Zone, which allows commercial uses at a lower parking ratio for offices, retail, restaurants, and related uses. A ratio of two parking spaces per 1,000 square feet of gross commercial area is permitted. A ratio of one parking space per one bedroom unit and two parking spaces per two bedroom units is permitted for the residential uses. A parking ratio of 1 space for the first 30 guestrooms, ½ space for each guestroom 31-61 and 1/3 space for each guestroom 61 and above. The project proposes 96 residential parking spaces, 63 parking spaces for guest rooms and 82 parking spaces for the commercial use. A total of 241 parking spaces will be provided resulting from 15 percent and 30 percent reductions allowed with bicycle parking for a project located within 1,500 feet of a fixed rail transit station, pursuant to LAMC 12.21.A.4.

The project will include 290 bicycle parking spaces pursuant to the City's Bicycle Parking Ordinance (No. 182,386). Ten short term and ninety-six long term spaces will be provided for the residential uses. Fourteen short-term and thirty long-term spaces will be provided for the guest rooms and thirty-six short-term and 104 long-term spaces will be provided for commercial uses.

The project includes a formal retail loading area located inside of the subterranean garage. A convenient drop off area for those arriving or departing via taxi or carpool will be located on South Western Avenue. A guest/retail valet parking area will be accessed from South Western Avenue and lead to an exit onto west 8th Street. Loading areas are located along South Western Avenue and West 8th Street.

Security lighting is proposed to provide illumination on site and will not result in a glare upon the surrounding area. The project will also feature accent lighting in the landscape areas, particularly useful during evening hours.

Landscaping on the ground level will consist of trees, planting pots and planter seats. Landscaping on Levels 2, 3 and 4 will consist of privacy screening trees, planting pots, and a multi-use lawn. Rooftop landscape will feature planting pots, privacy trees, and privacy landscape to provide a buffer between activities taking place on the rooftop of the proposed use and the south adjoining multi-family use.

The trash/recycling area will be located in the subterranean garage and will serve the residential uses.

As conditioned, the project provides 5 percent installed electric vehicle charging stations, electric vehicle charging stations for parking spaces in excess of building

code requirements, and the installation of an operational photovoltaic system (solar) that will offset the electrical demand of the EV chargers and other on-site electrical uses. The electric vehicle charging spaces and solar panels will improve habitability for residents and neighboring properties by reducing the level of greenhouse gas emissions and fuel consumption from the project site, in spite of increased parking capacity, through encouraging the use of low or zero emission vehicles. The EV ready parking spaces will also provide residents who use an electric vehicle a direct service amenity.

The proposed project as conditioned is in compliance with the Land Use Chapter and Economic and Housing Chapter of the General Plan Framework; the Mobility Plan; the Housing Element; and the Land Use Element–Wilshire Community Plan. The site is not located within a Specific Plan.

The Project is consistent with many of the Urban Design Policies for individual projects in the Wilshire Community Plan that are intended to ensure that new projects are compatible with existing and future development on neighboring properties. Conditions of approval such as requiring a wall between the parking use and adjacent existing residential units and a landscaped screen along the rooftop deck have been included.

In addition, the project is compliant with the Citywide residential and commercial guidelines in the following manner:

- Promote pedestrian activity by placing entrances at grade level or slightly above, and unobstructed from view from the public right-of-way.
 - Layer building architectural features to emphasize certain features of the building such as entries, corners, and organization of units.
 - Alternate different textures, colors, materials, and distinctive architectural treatments to add visual interest while avoiding dull and repetitive facades.
 - Differentiate the ground floor from upper floors. Changes in massing and architectural relief add visual interest and help to diminish the perceived height of buildings.
 - Vary and articulate the building façade to add scale and avoid large monotonous walls.
- c. *The residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.*

The Project is consistent with many of the Urban Design Policies for individual projects in the Wilshire Community Plan that require recreational and service amenities to improve habitability for its residents. The Project includes many types of open and common spaces that would appeal to a variety of household types. The project proposes several active and passive recreational areas appropriate for residents of varied age range, lifestyle, and interests. A total of 10,600 square feet of useable open space will be provided on-site comprised of: 5,950 square feet of outdoor common open space, 2,650 square feet of indoor common open space and 2,000 square feet of outdoor common open space. The variety of recreational

amenities would include a swimming pool and spa, a skydeck, a gym room, a club room, and rooftop landscaped areas. These recreational and service amenities will improve habitability for residents.

7. CEQA Findings

A Mitigated Negative Declaration (ENV-2016-3609-MND) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND, there is no substantial evidence that the proposed project will have a significant effect on the environment. The 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.

Subsequent to the end of the publication period of the MND (October 25, 2016), the applicant revised the project description to include the merger of 1.5 feet from Oxford Avenue and 7 feet from Western Avenue into the site. Since the Project description had changed, an errata of the MND was prepared. This errata is dated November 2, 2017. No additional mitigation measures are required. As this revised project represents the same project, per CEQA Guidelines Section

RESOLUTION

WHEREAS, the subject project is located within the area covered by the Wilshire Community Plan adopted by the City Council on September 19, 2001; and

WHEREAS, the City Planning Commission, at its meeting on December 14, 2017, recommended approval of an amendment to the Wilshire Community Plan's General Plan Land Use Map to amend Footnote 5.1 to allow a maximum floor area ratio of four times the buildable area to the existing General Commercial land use designation to apply to the property and the Add Area, to read as follows: *"Development of the properties bounded by Burton Way on the north and east, Le Doux Road on the west, and Colgate Avenue on the south shall be permitted a Height District of 2D with development limited to a maximum floor area ratio of 4 to 1. Development of properties within the following boundaries shall be permitted a Height District of 2D with development limited to a maximum floor area ratio of 4 to 1: Property fronting 8th Street and Oxford Avenue (described as Lot 50 of Tract 2189); Property fronting Western Avenue, bound by 8th Street to the north, Western Avenue to the west, and James M Wood Boulevard to the south (described as Lot 20 of Tract 2189, Lots 57 through 63 of Tract 9308 and property assigned Assessor's Parcel Number 5093-008-011); Properties fronting Western Avenue, bound by 8th Street to the north, Western Avenue to the east, and 9th Street to the south (described as Lots 1 through 12 of the Country Club Park Tract); and properties along Manhattan Place to the west, and 9th Street to the south, with the exclusion of the portion zoned R4P-1 (described as Lots 16 through 24 of the Country Club Park Tract, excluding the portions zoned R4P-1);"* and recommended approval of a Vesting Zone and Height District Change from C2-1 to (T)(Q)C2-2D for the subject property; and

WHEREAS, the approved project will involve the demolition of the Eden Plaza building and the adaptive reuse and addition onto the existing 4-story IB Plaza building, the construction, use and maintenance of a new 12-story mixed-use building, and a new 3-story, 58,343 square-foot commercial building consisting of 148 guest rooms (limited service hotel); 96 apartment units, with 241 vehicle parking spaces; and 290 bicycle parking spaces; 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 Wilshire Community Plan to designate land use in an orderly and unified manner; and

WHEREAS, the amendment to Footnote 5.1 of the Wilshire Community Plan's General Plan Land Use Map to apply to the property and Add Area, and the (T)(Q)C2-2D Vesting Zone and Height District Change, will allow the project as described above which is consistent with the Plan and Zone; and

WHEREAS, the subject proposal has been assessed through a Mitigated Negative Declaration No. ENV-2016-3609-MND in accordance with the City's Guidelines for implementation of the California Environmental Quality Act (CEQA);

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