

## **CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL**

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

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

A. Responsibilities/Guarantees.

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

- B. Dedication Required. That a 2 to 4-foot variable wide strip of land be dedicated along Crocker Street adjoining the tract to complete a 34-foot wide half right-of-way in accordance with Industrial Collector standards of LA Mobility Plan. In the event the Community Plan Update covering this site has been approved by the City Council prior to the final map recordation of this tentative map then the applicant has the option to comply with the modified street designations or area zoning proposed under the new Community Plan.

C. Improvement Required.

- (1) A concrete curb, a concrete gutter, and a 10-foot full width concrete sidewalk with tree well.
- (2) Suitable surfacing to join the existing pavement and to complete a 24-foot half roadway.
- (3) Any necessary removal and reconstruction of existing improvements.
- (4) The necessary transitions to join the existing improvements.
- (5) In the event the Community Plan Update covering the site has been approved by the City Council prior to the final map recordation of this tentative map then the applicant

has the option to comply with the modified street designations or area zoning proposed under the new Community Plan.

2. Department of Transportation. Suitable arrangements shall be made with the Department of Transportation to assure that a parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street Suite 400, Station 3. For an appointment, call (213) 482-7024.
3. Street Lighting: No street lighting improvements if no street widening per BOE improvement conditions. Otherwise relocate and upgrade street lights; one (1) on San Pedro Street and one (1) on Crocker Street.

Notes:

The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection.

Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering condition S-3 (i), requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.

4. Urban Forestry – Street Trees: Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Services. Parkway tree removals shall be replanted at a 2:1 ratio. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Urban Forestry Division (213-847-3077) upon completion of construction to expedite tree planting.

Note:

Removal of planting of any tree in the public right-of-way required approval of the Board of Public Works. All protected tree removals must be approved by the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077 for permit information. CEQA document must address parkway tree removal.

5. Department of Building and Safety, Grading Division. Comply with any requirements with the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any permit.
6. Fire Department. Prior to the issuance of building permit, a plot plan shall be submitted to the Fire Department for approval.

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

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

## (Q) QUALIFIED CONDITIONS

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

1. **Site Plan.** The use and development of the subject property shall be in substantial conformance with the site plan labeled Exhibit "A" dated November 19, 2018. Prior to the issuance of building permits, detailed development plans including a site plan illustrating elevations, facades, and architectural treatment, and a landscape/irrigation plan shall be submitted for review and approval by the Central Project Planning Bureau of the Department of City Planning. The plans shall comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
2. **Affordable Housing.** Prior to the issuance of a permit, projects of ten or more dwelling units shall submit proof of compliance with the Affordable Housing provisions of Los Angeles Municipal Code Section 11.5.11.
3. **Use.**
  - a. Residential uses shall be limited to a 100 percent affordable housing building, exclusive of the manager's unit, as defined by the Los Angeles Municipal Code (LAMC) Section 11.5.11(a)(3).
  - b. A maximum of 2,250 square feet of commercial uses permitted in the C2 Zone may be permitted.
  - c. A maximum of 25,498 square feet of residential floor area may also be utilized for supportive services, consistent with the definition of Philanthropic Institutional uses as defined by LAMC Section 12.03, subject to the following:
    - i. Supportive services or Philanthropic Institutional uses shall be ancillary to a 100 percent affordable housing development, excluding the manager's units, and shall be limited to any of the clients of the owner/operator.
    - ii. Lines for supportive services or Philanthropic Institutional uses shall occur on-site and shall not block the public right-of-way adjacent to the site.
4. **Labor Requirement.** Pursuant to Los Angeles Municipal Code Section 11.5.11, certified by City Council on December 13, 2017 and codified as Section 5.522 of the Administrative Code, the applicant shall confer with Department of Public Works, Bureau of Contract Administration, Office of Contract Compliance, and shall provide the following to the Department of City Planning:
  - a. A signed Preconstruction Checklist Agreement between the Applicant and the Bureau of Contract Administration (maintained in the case file), prior to clearing any Building Permit, which covers the following:
    - i. **Licenses.** All building and construction work on the project will be performed at all tiers by contractors that are licensed by the State of California and the City of Los Angeles. The project will employ only construction workers that possess all licenses and certifications required by the State of California and the City of Los Angeles.
    - ii. **Local Hire.** At least 30% of all respective workforces' construction workers' hours of Project Work will be performed by permanent residents of the City of Los Angeles. Of these, at least 10% of all their respective workforces' construction workers' hours of Project Work shall be performed by Transitional Workers whose primary place of

- residence is within a 5-mile radius of the covered project. If such minimums are not met, evidence of a good faith effort to solicit such local workers shall be evidenced.
- iii. **Wages.** The project will pay construction workers performing Project Work hourly wage rates for those classifications in compliance with the applicable prevailing wage rate determination established pursuant to the California Labor Code.
  - iv. **Training.** At least 60% of construction workforces employed on the project will be:
    - (1) Workers who graduated from a Joint Labor Management apprenticeship training program approved by the State of California.
    - (2) Alternatively, workers employed that have minimum hours of on-the-job experience in the applicable craft which would be required to graduate from such a state-approved apprenticeship training program.
    - (3) Workers who are registered apprentices in an apprenticeship training program approved by the State of California or an out-of-state, federally-approved apprenticeship program.
- ii) **Bond.** A Bond may be required to ensure compliance.
- b. After the project has completed construction, and prior to any Certificate of Occupancy, a signed report from the Bureau of Contract Administration that indicates compliance with the above licenses, local hire, wages and training requirements shall be added to the case file.

## **“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. **Floor Area.** The total floor area of all buildings or structures located on the lot shall not exceed a Floor Area Ratio (FAR) of 8.1:1.
2. **Height.** The height of all buildings or structures located on the lot shall not exceed a height of 200 feet. Roof structures and equipment that comply with LAMC Section 12.21.1 B.3 may exceed this height limit.

## CONDITIONS OF APPROVAL

As modified by the City Planning Commission at its meeting on November 29, 2018

Pursuant to Section 11.5.11(e) and 16.05 of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the subject property:

### A. Development Conditions

1. **Site Development.** The use and development of the subject property shall be in substantial conformance with the site plan labeled Exhibit "A" dated November 19, 2018. Prior to the issuance of building permits, detailed development plans including a site plan illustrating elevations, facades, and architectural treatment, and a landscape/irrigation plan shall be submitted for review and approval by the Central Project Planning Bureau of the Department of City Planning. The plans shall comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
2. **Use.**
  - a. Residential uses shall be limited to a 100 percent affordable housing building, exclusive of the manager's unit, as defined by the Los Angeles Municipal Code (LAMC) Section 11.5.11(a)(3).
  - b. A maximum of 2,250 square feet of commercial uses permitted in the C2 Zone may be permitted.
  - c. A maximum of 25,498 square feet of residential floor area may also be utilized for supportive services, consistent with the definition of Philanthropic Institutional uses as defined by LAMC Section 12.03, subject to the following:
    - i. Supportive services or Philanthropic Institutional uses shall be ancillary to a 100 percent affordable housing building and shall be limited to clients of the owner/operator.
    - ii. Queuing for supportive services or Philanthropic Institutional uses shall occur on-site and shall not block the public right-of-way adjacent to the site.
3. **Affordable Units.**
  - a. A minimum of 378 units shall be designated as Restricted Affordable Units and reserved for Very-Low Income households, as defined by LAMC Section 11.5.11(j).
  - b. Changes in Restricted Units. Deviations that change the composition of units shall be consistent with LAMC Section 11.5.11(a)(3).
  - c. Housing Requirements. Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make 378 units available to Very-Low Income Households, for sale or rental as determined to be affordable to such households by HCIDLA for a period of 55 years. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall

comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by the HCIDLA.

**4. Developer's Incentives.**

a. Open Space.

- i. The total required open space required pursuant to LAMC Section 12.21 G may be reduced by a maximum of 33 percent and the total number of trees required pursuant to LAMC Section 12.21 G may be reduced by a maximum of 50 percent, provided that:

(1) The landscape plan shall indicate landscape points for the project equivalent to 10% more than otherwise required by LAMC 12.40 and Landscape Ordinance Guidelines "O"; and

(2) Except as modified herein, the landscape plan shall comply with the applicable regulations of LAMC Section 12.21 G.

- ii. A maximum of 76 percent of the total required open space may be provided as indoor common open space or covered outdoor common open space, provided that no more than 47 percent is provided as indoor common open space.

b. Parking. No parking space shall be required for dwelling units dedicated to or set-aside for households that earn less than 50% of the Area Median Income as determined by the Housing and Community Investment Department.

**5. Paseos.** The following setbacks shall be provided for Tower 1A and 1B to provide paseos for pedestrian and limited vehicular access:

- a. A minimum 10-foot setback shall be provided along the northern property line;
- b. A minimum variable setback of 10 feet to 12 feet 6 inches shall be provided along the southern property line.

**6. 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).
- b. Green walls shall be planted along the north and south elevations of the buildings along the paseos at the ground floor level in conformance with the stamped Exhibit A dated November 19, 2018.

## 7. **Parking.**

- a. Residential vehicular parking for dwelling units dedicated or set-aside for households that earn more than 50 percent of the Area Median Income as determined by the Housing and Community Investment Department and Commercial vehicular parking shall be provided pursuant to LAMC Section 12.21 A.4.
- b. The project shall provide unbundled parking leases for market rate residential units (managers' units). Residential tenants shall have the option to lease parking spaces separately from the residential dwelling units or commercial tenant space, or to opt out of leasing parking spaces.
- c. **Electric Vehicle Parking.** The project shall include at least 20 percent of the total provided parking spaces capable of supporting future electric vehicle supply equipment (EVSE). Plans shall indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating ampacity. The project shall include at least five (5) percent of the total provided parking spaces to further be provided with EV chargers to immediately accommodate electric vehicles within the parking areas. When the application of either the required 20 percent or five percent results in a fractional space, round up to the next whole number. A label stating "EVCAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.

## 8. **Sustainability.**

- a. The project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.
- b. Prior to the issuance of the Certificate of Occupancy for each building, the applicant shall install a minimum of 3,500 square feet of solar panels on Tower 1A and 1,000 square feet on Tower 1B. The solar panels may be located directly on the rooftop or on canopies. The allocation of solar panels may be re-distributed between the two buildings provided that a minimum of 4,500 square feet of solar panels shall be provided overall. The amount of solar panels to be provided for the entire project shall be indicated on the plans for both buildings.



9. **Mechanical Equipment.** All mechanical equipment on the roof shall be screened from view. The transformer, if located in the front yard, shall be screened with landscaping.

10. **Construction.**

- a. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices. On-site power generators shall either be plug-in electric or solar powered.
- b. Notwithstanding the provisions of LAMC Section 14.4.17, no signs shall be permitted on construction fencing except for those signs required by the Department of Building and Safety or other Department, Bureau, or Agency.

11. **Lighting.**

- a. Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.
- b. Pedestrian lights shall be installed within the public rights-of-way directly adjacent to the Project Site subject to the review, determination, and approval by the Bureau of Street Lighting that it is feasible to accommodate the pedestrian lights in addition to the required street lights. Pedestrian lights shall not be required if the Bureau of Street Lighting determines that the pedestrian lights would not be in compliance with the minimum distance requirements from other infrastructure located within the public rights-of-way.

**B. Environmental Conditions**

12. **Cultural Resources.**

- a. Prior to Project construction, the prime contractor and any subcontractor(s) shall be advised of the legal and/or regulatory implications of knowingly destroying cultural resources or removing artifacts, human remains, bottles, and other cultural materials from the Project Sites. In addition, in the event that buried archaeological resources are exposed during Project construction, work within 50 feet of the find shall stop until a professional archaeologist, meeting the standards of the Secretary of the Interior, can identify and evaluate the significance of the discovery and develop recommendations for treatment. Construction activities could continue in other areas of the Project Sites. Recommendations could include preparation of a Treatment Plan, which could require recordation, collection and analysis of the discovery; preparation of a technical report; and curation of the collection and supporting documentation in an appropriate depository. Any Native American remains shall be treated in accordance with state law.
- b. Before ground disturbance, field observations regarding the geo-archaeological setting shall be conducted by a qualified archaeologist to determine the presence of undisturbed sediments capable of preserving archaeological remains, and the depth at which these sediments would no longer be capable of containing archaeological material. An archaeological monitor shall be present during initial excavation activities. The duration and timing of the monitoring shall be determined by the qualified archaeologist in consultation with the Department of City Planning and the

Project Applicant. The qualified archaeologist may designate an archaeologist to conduct the monitoring under their direction.

- c. Prior to Project construction, the prime contractor and any subcontractor(s) shall be advised of the legal and/or regulatory implications of knowingly destroying paleontological or unique geologic resources or sites from the Project Sites. In addition, in the event that paleontological resources or sites, or unique geologic features are exposed during Project construction, work within 50 feet of the find shall stop until a qualified paleontologist, can identify and evaluate the significance of the discovery and develop recommendations for treatment. Construction activities could continue in other areas of the Project Sites. Recommendations could include a preparation of a Treatment Plan, which could require recordation, collection, and analysis of the discovery; preparation of a technical report; and curation of the collection and supporting documentation in an appropriate depository. Any paleontological resources or sites, or unique geologic features shall be treated in accordance with state law.
13. **Land Use and Planning.** Where an inconsistency with the adopted general plan is identified at the proposed Project location, determine if the environmental, social, economic, and engineering benefits of the Project warrant a variance from adopted zoning or an amendment to the general plan.
  14. **Hazards and Hazardous Materials.** During excavation of Site 1 for the subterranean parking garage and prior to issuance of a Building Permit, if a UST is encountered, the Project Applicant shall procure a Division 5 Permit from the Los Angeles Fire Department for removal of a UST and shall comply with the requirements of the permit.
  15. **Noise.**
    - a. 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.
    - b. Temporary sound barriers capable of achieving a sound attenuation of at least 10 dBA shall be erected along the Project's boundaries.
  16. **Police.** Prior to issuance of a Certificate of Occupancy, the Project Applicant shall provide the Central Area Commanding Area Officer with diagrams of each portion of the Project Sites. The diagrams shall include access routes and additional information that might facilitate police response.
  17. **Construction Staging and Traffic Management Plan.** Prior to the issuance of a demolition permit, in coordination with LADOT and the Department of Building and Safety, the Project Applicant shall prepare a detailed Construction Staging and Traffic Management Plan (CSTMP), including street closure information, detour plans, haul routes, and staging plans. The CSTMP shall outline how construction would be carried out and identify specific actions that would be required to reduce effects on the surrounding community. The CSTMP shall be based on the nature and timing of specific construction activities and other projects in the vicinity, and shall include the following elements as appropriate:
    - Coordinate with Metro regarding temporary relocation of the bus stop located on

East 6<sup>th</sup> Street adjacent to Site 2 and other construction activities that could affect Metro service in the vicinity of the Project Sites;

- Provide for temporary traffic control during all construction activities within public rights-of-way to improve traffic flow on public roadways (e.g. flagmen);
- Schedule of construction activities to reduce the effect on traffic flow on surrounding arterial streets;
- Reroute construction trucks to reduce travel on congested streets to the extent feasible;
- Prohibit construction-related vehicles from parking on surrounding public streets;
- Provide safety precautions for pedestrians and bicyclists through such measures as alternate routing and protection barriers in compliance with LAMC Section 62.45;
- Accommodate all equipment on-site; and
- Prepare a haul truck route program for the Project that specifies the routes to and from the Project Sites.

### **C. Administrative Conditions**

18. **Approvals, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approval, plans, etc, as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
19. **Code Compliance.** All area, height and use regulations of the zone classification of the subject property shall be complied with, except wherein these conditions explicitly allow otherwise.
20. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
21. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
22. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
23. **Building Plans.** A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification

shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.

24. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

25. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$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).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

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

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

## FINDINGS

### General Plan/Charter Findings

1. **General Plan Land Use Designation.** The Project Site, located generally at 554 South San Pedro Street, is located within the Central City Community Plan, which was last updated by the City Council on January 8, 2003. The site is an irregularly-shaped site, comprised of ten parcels and 27,606 gross square feet of lot area. The Community Plan designates the site with a land use designation of Light Manufacturing, which lists the MR2 and M2 Zones as corresponding zones.

As recommended, the amendment would re-designate the Project Site to the Regional Commercial land use designation, which lists the following corresponding zones: CR, C1.5, C2, C4, C5, R3, R4, R5, RAS3, and RAS4. Footnote No. 3 of the Community Plan indicates that the corresponding Height Districts for the Regional Commercial land use designation are Height Districts 3-D and 4-D, with Development "D" Limitations limiting the floor area ratio (FAR) to 6:1, except for those projects which are approved a transfer of floor area. Those projects which are approved a transfer of floor area are permitted to have a maximum 10:1 or 13:1 FAR, respectively. As the Project Site is located outside of the boundaries of the Central City Transfer of Floor Project Area and City Center Redevelopment Plan Area and would not be able to request a transfer of floor area, an amendment to the footnote has been recommended to clarify that it does not apply to the Project Site. The recommended change to the Zone and Height District to [T][Q]C2-4D for the site would be consistent with the adoption of the recommended Plan Amendment and would be in substantial conformance with the purpose, intent, and provisions of the General Plan as it is reflected within the Central City Community Plan.

2. **Charter Finding – City Charter Finding 555.** The General Plan may be amended in its entirety, by subject elements or parts of subject elements, or by geographic areas, provided that the part or area involved has significant social, economic or physical identity.

The Project Site is located within the Central City Community Plan area, approximately 100 feet from the northeast corner of the intersection of San Pedro Street and 6<sup>th</sup> Street. The site is located within the Central City East district, as identified by the Central City Community Plan text. The Community Plan describes the district as being developed with general commercial uses, and manufacturing uses such as wholesale, warehouses, and food processing. Additionally, the area is developed with approximately 6,500 SRO hotels units, which have been identified as the primary source of housing for the area. In addition to the light manufacturing and SRO hotels, the area is a center of social services that provides supportive services such as: transitional housing, homeless outreach, family and children's services, aging programs, job training programs, as well as mental health services. The Central City East district is comprised of buildings that range in height from one- to six-story buildings that are utilized for supportive services, residential, commercial or light manufacturing uses. There are a few existing buildings which are that higher, such as the building located directly adjacent to the site to the south. The adjacent property is developed with the former El Rey Hotel, which was constructed in 1925 and is ten-stories. The former El Rey Hotel is currently operated by Weingart Center Association, who provides transitional housing as well as supportive services from the center. Development in the area has been limited, maintaining the residential, commercial, and light manufacturing uses within the existing buildings. The unique development of the residential, commercial, and manufacturing uses interspersed with one another has established a social, economic, and physical identity for this portion of the Central City East district.

The Project proposes to demolish the existing one-story food service building and associated surface parking lot to construct a new mixed-use building which will vary from 12 to 18 stories. The Project proposes to develop the site with two buildings, referred to as Tower 1A and 1B, which would house up to 382 residential dwelling units, 2,250 square feet of commercial floor area, and offer supportive services to future residents and clients of the adjacent Weingart Center. Of the proposed 382 residential dwelling units, 378 of the units are proposed to be designated as Restricted Affordable Housing for Very Low Income Households. As the site has been continuously utilized as a commercial food service building since the late 1980s, the recommended amendment to the Regional Commercial designation would not eliminate an existing industrial use and would permit a mix of uses that is compatible with the surrounding area. The proposed Project would provide improvements along the public right-of-way, as well as allow for the new construction of housing in an area where housing has primarily been located in buildings constructed in the early 1900s. The Project consists of two buildings, Tower 1A and 1B, which are located on the eastern and western portions of the site. The site has been designed to provide a ten-foot wide paseo along the northern property line and a variable 10- to 12-foot 6-inch paseo along the southern property line, as well as an outdoor courtyard located between the two buildings; provide much needed outdoor space for its future residents. The recommended General Plan Amendment to re-designate the Project Site from Light Manufacturing to Regional Commercial would allow the site to be developed as a mixed-use development, with Restricted Affordable Units, that is consistent with the development of the surrounding area, and as conditioned for restricted income units is directed at serving the individual who use the services in the surrounding area. As proposed, the Project would enhance and encourage the future social, economic, and physical development and identity of the Project Site and surrounding areas.

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

The Project Site is located within the Central City Community Plan area, which is one of 35 community plans that the Land Use Element of the General Plan is comprised of. The Community Plan designates the site with a land use designation of Light Manufacturing, which lists the following corresponding zones: MR2 and M2. The site is presently zoned M2-2D, which is consistent with the existing land use designation.

As recommended, the amendment would re-designate the Project Site from Light Manufacturing to Regional Commercial and would amend Footnote No. 3 to clarify that the footnote limiting the development to a 6:1 FAR does not apply to the Project Site. The footnote permits a higher FAR through a transfer of floor area; however, the Project Site is located outside of the boundaries of the Central City TFAR area and City Center Redevelopment Plan area. The amendment of the land use designation and footnote, in conjunction with the recommended zone and height district change to [T][Q]C2-4D, would allow the redevelopment of the site with a new affordable housing project and commercial floor area. The site is located within an area that is designated and zoned for manufacturing uses, but has been developed and continually utilized with a mixture of residential, commercial, and light manufacturing uses. The ability to rehabilitate or redevelop the existing residential development in the area is limited, as residential uses are not permitted in the existing land use designation and zone. The amendment, zone change, and height district change would allow the redevelopment of the site with 382 dwelling units, which would include 378 dwelling units set aside as Restricted Affordable

Units. As further discussed in Finding Nos. 5 through 10, the amendment of the land use designation would be consistent with the purpose, intent and provisions of the General Plan.

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

The recommended amendment to the Central City Community Plan would re-designate the land use designation of the Project Site from Light Manufacturing to Regional Center Commercial and amend Footnote No. 3 to clarify that the footnote limiting the permitted FAR to 6:1 does not apply to the Project Site. In conjunction with the recommended amendment, the recommended Zone Change and Height District Change from M2-2D to [T][Q]C2-4D would permit the development of the Project Site a 382-unit affordable housing project with 2,250 square feet of commercial floor area.

#### Public Necessity, Convenience, and General Welfare

The Project Site has a land use designation of Light Manufacturing and is zoned M2-2D, which would prohibit the development of new residential uses on the site. The site is currently developed with a 7,000 square-foot food service building and surface parking lot. The Project proposes to redevelop the underdeveloped and underutilized site with a 382-residential dwelling units, with 378 units set aside for Very-Low Income households, 2,250 square feet of commercial floor area and proposes to provide supportive services, including maintaining the food service operations that is currently operated by the applicants. As the existing land use designation and zone would not permit new residential development, the amendment is necessary to permit the redevelopment of an underdeveloped and underutilized site.

On April 8, 2015, Mayor Eric Garcetti released the Sustainable City pLAN, a roadmap to achieve short-term results while setting the path to strengthen the transformation of the City in the decades to come. As part of the plan, the Mayor set forth a goal of creating 100,000 new housing units by 2021. The plan highlights the need to minimize the loss of affordable housing and the need to increase the production of affordable housing. The amendment would allow the site to be redeveloped and to provide 382 additional units to the housing market. The Project would be an infill development within an area of the City that is developed with a mixture of residential, commercial, and light manufacturing uses. As described by the Community Plan, existing SRO units provide the primary source of housing for the area. The amendment would not only introduce new housing, but would also allow for housing to be provided in new construction, which has not occurred in the area. Additionally, due to the unique nature of the surrounding area, the Project would place housing within close proximity to commercial and light manufacturing jobs, as well as near public transit. Additionally, the Project has been designed to provide paseos along the northern and southern property lines, as well as an outdoor courtyard located within the interior of site. Additional outdoor amenity space is provided throughout the two buildings. In total, the proposed project would provide 26,060 square feet of open space, which would include new landscaping and planting of trees. As proposed, the Project would improve the livability and general welfare of the future residents of the development.

#### Good Zoning Practice

The Project Site is designated by the Community Plan for Light Manufacturing land uses and is zoned M2-2D. As zoned, it is consistent with the existing land use designation. The properties to the north, south, and east are designated and zoned for light manufacturing



uses; however, the many of the properties have remained developed with SRO buildings and utilized for residential purposes. Presently, the existing residential use in the surrounding area are non-conforming and would not be permitted within the existing land use designation and zone. The properties to the west have a land use designation of High Medium Residential and are zoned [Q]R5-2D, which would permit residential uses by-right. The amendment to re-designate the site to Regional Center Commercial would allow it to be redeveloped with a new mixed-use development that would consist primarily of Restricted Affordable housing. As the surrounding area is developed with a mixture of residential, commercial, and light manufacturing uses, the amendment would not be introducing an incompatible use to the area or eliminating an existing manufacturing or industrial use since the site is used as a food service building. As described in Finding No. 5, the amendment would allow the development of the site with residential and commercial uses that are consistent with the objectives and policies of the Community Plan and would be mutually compatible and supportive of one another.

5. **General Plan Text.** The Central City Community Plan text includes the following relevant objectives, policies, and programs:

*Objective 9-1:* To address the problems of the homeless population by creating a mix of policies, services and facilities that better serve their needs.

*Policy 9.1-1:* Preserve the existing affordable housing stock through rehabilitation and develop new affordable housing options.

Program: Retain and develop new supported housing opportunities for homeless people.

Program: Continue the rehabilitation of existing housing under nonprofit ownership and management. In the area west of San Pedro Street, allow new housing which is affordable to neighborhood residents. Provide affordable infill housing east of San Pedro Street, in areas of existing housing clusters.

In addition to the above referenced objectives, policies, and programs, one of the residential issues identified by the Community Plan is the lack of affordable housing to support those employed in the industrial sector.

The Project Site is located within the Central City East district of the City, as described in the Community Plan text. As described by the Community Plan, the district is characterized by manufacturing uses such as wholesale and warehousing uses, and a mixture of other commercial uses. Additionally, the district is developed with approximately 6,500 single-room occupancy (SRO) hotel units which “are the primary source of housing for the area.”<sup>1</sup> In addition to the manufacturing, commercial, and residential uses in the area, the area is developed with a number of social services which include job training programs, transitional housing, homeless outreach, and various other services and programs to assist those in need of employment and housing assistances.

The site is located along the eastern side of San Pedro Street, in an area where SRO developments are interspersed with the existing commercial and manufacturing uses. The Project Site is currently developed with an existing 7,000 square-foot food service building, or café, that provides food service to the clients of the adjacent Weingart Center. The redevelop of the site would not remove any existing SRO units or manufacturing or

---

<sup>1</sup> Page I-10 of the Central City Community Plan

industrial uses and would develop the site with a Project containing 382 residential dwelling units and 2,250 square feet of commercial floor area development. Of the 382 units, 378 units would be set aside as Restricted Affordable Units, specifically designated for Very-Low Income households. In addition to providing additional affordable housing opportunities, the Project would include on-site social services for future residents. Approximately 25,493 square feet of residential floor area would serve a dual purpose of providing Philanthropic Institutional uses, as defined by LAMC Section 12.03. The Philanthropic Institutional uses would include providing supportive services such as counseling, career center, and a computer training room. The existing land use designation and M2-2D Zone limits the ability to redevelop the site with a use that would be consistent with the above referenced objectives and policies of the Community Plan.

The recommended amendment to the re-designate the site to the Regional Center Commercial land use designation and recommended zone and height district change to [T][Q]C2-4D would allow the site to be redeveloped with the Project as proposed. The project would not remove any existing SRO or affordable units from the market and would add 378 affordable units to the market. As proposed, the Project would be consistent with the definition of a 100 percent affordable project, as defined in LAMC Section 11.5.11, as the remaining four (4) units will be designated as manager's units. Additionally, the Project would include 332 efficiency units and 50 one-bedroom units. The introduction of one-bedroom units in an area developed primarily with SRO units would provide additional housing options for individuals and households in need of support and social services. As previously described, the site is located within an area which is developed with residential, commercial, and light manufacturing uses. The redevelopment of the site with additional affordable housing units would place future residents within proximity to employment opportunities, including those within the industrial sector. As recommended, the General Plan Amendment to the land use designation from Light Manufacturing to Regional Center Commercial, and the Zone Change and Height District Change to [T][Q]C2-4D would be consistent with the above referenced objectives, policies, and programs of the Central City Community Plan.

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

#### Land Use

*GOAL 3C:* Multi-family neighborhoods that enhance the quality of life for the City's existing and future residents.

*Objective 3.7:* Provide for the stability and enhancement of multi-family residential neighborhoods and allow for growth in areas where there is sufficient public infrastructure and services and the residents' quality of life can be maintained or improved.

#### Economic Development

**GOAL 7G:** A range of housing opportunities in the City.

**Objective 7.9:** Ensure that the available range of housing opportunities is sufficient, in terms of location, concentration, type, size, price/rent range, access to local services and access to transportation, to accommodate future population growth and to enable a reasonable portion of the City's work force to both live and work in the City.

***Policy 7.9.1:*** Promote the provision of affordable housing through means which require minimal subsidy levels and which, therefore, are less detrimental to the City's fiscal structure.

As described in Finding No. 5, the Central City East district was developed with a number of SRO buildings constructed in the early 1900s and represents the main type of housing in the area. Despite the designation for light manufacturing land uses, the area has continued to maintain the existing residential uses alongside the warehouse and commercial uses. While the M2 Zone would permit the rehabilitation or new construction of light manufacturing and commercial uses, the ability to rehabilitate existing residential buildings is limited and new construction of housing would not be permitted on the site. As recommended, the Regional Commercial land use designation and C2 Zone would enable the redevelopment of the underutilized site with a residential development that would provide Restricted Affordable dwelling units, as well as providing a new commercial space. Additionally, the applicant proposes to provide supportive services to future tenants of the Project, as well as existing clients of the adjacent Weingart Center. Although the Project Site is not located within the "traditional" multi-family neighborhood, the site is located within an area that is developed with multi-family housing, known as SRO units, which have served to provide affordable housing in the area. The redevelopment of the site would introduce new Restricted Affordable Units, along with on-site supportive services, while also improving the livability of its future residents by providing on-site open space and landscaping. As recommended, the use would be compatible with existing development in the area which consists of residential, commercial, and light manufacturing uses, and would be consistent with the above referenced goals, objectives, and policies, of the Framework Element.

- 7. Housing Element.** The Housing Element of the General Plan contains the following relevant goals, objectives, and policies:

**GOAL 1:** Housing production and preservation.

**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.

**GOAL 4:** Ending and Preventing Homelessness.

**Objective 4.1:** Provide an adequate supply of short-term and permanent housing and services throughout the City that are appropriate and meet the

specific needs of all persons who are homeless or at risk of homelessness.

*Policy 4.1.3:* Provide permanent supportive housing options with services for homeless persons and person/families at risk of homelessness to ensure that they remain housed and get the individualized help they may need.

As previously discussed, the site is designated for light manufacturing uses and would no longer permit the development of residential uses. The existing SRO residential buildings in the surrounding areas would no longer be permitted and the ability to rehabilitate the buildings are limited. The recommended Regional Commercial land use designation and the recommended [T][Q]C2-4D Zone would allow for the Project Site to be redeveloped with a new 100 percent affordable housing project, as defined by LAMC Section 11.5.11. The Project proposes to designate four units as a manager's unit and the remaining 378 of the proposed 382 dwelling units would be set aside as Restricted Affordable units for Very-Low Income households. As discussed in Finding No. 5, residential development in the Central City East district is limited to SRO units. The redevelopment of the site with affordable rental units would introduce a new housing opportunity within a newly constructed building. As such, the recommended amendment, and zone and height district change would be consistent with Goals No. 1 and 4 of the Housing Element, as well as the objectives and policies.

GOAL 2: Safe, Livable, and Sustainable Neighborhoods.

Objective 2.1: Promote safety and health within neighborhoods.

Objective 2.3: Promote sustainable buildings, which minimize adverse effects on the environment and minimize the use of non-renewable resources.

*Policy 2.3.3:* Promote and facilitate the reduction of energy consumption in new and existing housing.

The Project Site has frontage along the eastern side of San Pedro Street and the western side of Crocker Street, approximately 100 feet from the northeast corner of San Pedro Street and 6<sup>th</sup> Street. The proposed Project would be one of the first new developments in the area, which has seen very little new development. The Project would remove a building which was constructed in the early 1900s, and construct a new building which would meet current building code requirements for safety. Although the Project is primarily a residential building, the ground floor will include 2,250 square feet of commercial floor area along San Pedro Street and a dining/multi-purpose room along Crocker Street. The ground floor has been designed to create an active ground floor presence with the use of transparent materials along both street frontages, as well as providing multi-functional paseos along the northern and southern property lines. Tower 1A has been designed with a garden courtyard located on Level 3 which will be open to the sky, allowing the building to be constructed in a U-Shape and providing adequate access to light and air to all of the units. Additionally, the Project proposes, and has been conditioned to install 4,500 square feet of solar panels within various designated areas of the buildings. As recommended, the Project would be consistent with the above referenced goals, objectives, and policies.

8. **Mobility Element.** The Mobility Element of the General Plan is not likely to be affected by the recommended action herein. The proposed project, with the requested General Plan Amendment and Zone Change, proposes to construct a new mixed-use building consisting of 382 residential dwelling units and 2,250 square feet of commercial floor area on a site

that is bounded by San Pedro Street to the west and Crocker Street to the east. San Pedro Street is designated as a Avenue II and is currently dedicated to a width of 90 feet at the Project Site's street frontage, and is improved with sidewalks, curb and gutter, and street trees. Crocker Street is a designated Collector Street with a varying width of 60 to 62 feet at the project site's street frontage, and is improved with sidewalks, curb and gutter, and street trees. The project will be required to dedicate and improve the public right-of-way to the satisfaction of the Bureau of Engineering. The Bureau of Engineering recommended that the dedication and improvement of Crocker Street be completed to meet the Industrial Collector Street Standards due to the adjacent M Zoned properties. However, the Bureau of Engineering also recognizes that the area is currently undergoing a transition where the primary uses permitted may no longer be manufacturing or industrial uses. As such, the Bureau of Engineering included an additional provision to permit the option of complying with general Collector Street Standard if the City Council adopts the updated Community Plan and the area is re-designated for commercial and residential uses or if the street designation is modified to a lower designation. In addition to establishing Street Standards, the Mobility Element encourages "the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure" (Policy 5.4). The Project has been conditioned to require that 20 percent of the parking spaces are to be wired for the installation of future EV chargers, and that 5 percent of the provided parking be installed with EV chargers.

9. **The Sewerage Facilities Element** of the General Plan will not be affected by the recommended action. While the sewer system might be able to accommodate the total flows for the proposed project, further detailed gauging and evaluation may be needed as part of the permit process to identify a specific sewer connection point. If the public sewer has insufficient capacity then the developer will be required to build sewer lines to a point in the sewer system with sufficient capacity. A final approval for sewer capacity and connection permit will be made at that time. Ultimately, this sewage flow will be conveyed to the Hyperion Treatment Plant, which has sufficient capacity for the project.
10. **Health and Wellness Element and Air Quality Element.** Policy 5.1 and 5.7 of the Plan for a Healthy LA, the Health and Wellness Element, and Policy 4.2.3 of the Air Quality Element are policy initiatives related to the reduction of air pollution and greenhouse gases. As conditioned herein, the Project would be required to provide parking spaces which would be equipped for the immediate installation and use of EV Charging Stations, as well as for future use. The Project has also been conditioned to install solar panels to an operating photovoltaic system. The installation and operation of the solar panels would help to reduce the site's dependence on fossil fuels and carbon generating public utility electrical power. Taken together, the conditions would provide for the public welfare and public necessity by reducing the level of pollution or greenhouse gas emissions to the benefit of the neighborhood and the City. As conditioned, the Project would be consistent with the aforementioned policies, as well as Policy 5.1.2 of the Air Quality Element, by ensuring that future developments are compatible with alternative fuel vehicles and shift to non-polluting sources of energy. The solar and EV conditions are also good zoning practices because they provide a convenient service amenity to the occupants or visitors who use electric vehicles and utilize electricity on site for other functions. As such, the Project provides service amenities to improve habitability for future residents of the Project and to minimize impacts on neighboring properties.

### **Entitlement Findings**

11. **Zone Change and Height District Change Findings.**

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

Public Necessity, Convenience, and General Welfare

The Project Site is located within the Central City East district of the Central City Community Plan area. The district, as described by the Community Plan, consists of a mixture of residential, commercial, and light manufacturing uses. In addition to the mix of uses, the area is a center for social services, providing access to transitional housing and other supportive services for the homeless. The land use designation of properties to the north, south, and east is Light Manufacturing and they are zoned for light manufacturing uses; however, a number of lots have remained developed with SRO buildings. To the west, across San Pedro Street, properties are designation and zoned for multi-family residential uses. The existing M2-2D Zone would prohibit the redevelopment of the Project Site with a new Project containing 382 residential dwelling units and 2,250 square feet of commercial floor area. In addition to the setting aside 378 dwelling units as Restricted Affordable Units for Very-Low Income households, the applicant proposes to provide supportive services for the future tenants and clients of the adjacent Weingart Center. As discussed in Finding No. 4, the Sustainable City pLAN issued by the Mayor establishes a goal to create 100,000 dwelling units by the year 2021. Additionally, the plan indicates a need to not only enable the production of additional housing, but to encourage the production of affordable housing. The Zone Change and Height District Change would permit the redevelopment of the site with a 100 percent affordable project, as defined by LAMC Section 11.5.11, with four units designated as a manager's unit and 378 units proposed to be set aside for Very-Low Income households.

The Project Site is located within a Transit Priority Area, as defined by Senate Bill (SB 743). The Metro Purple/Red Line station is at Pershing Square station, which is located 0.7 miles northwest of the Project Site, while the nearest Metro Gold Line Little Tokyo/Arts District station is located 0.8 miles northeast of the Project Sites. The eastbound bus stop for Metro Bus Lines 18, 53, 62, and Metro Rapid Line 720 is located at the southeast corner of San Pedro Street and 6<sup>th</sup> Street. The westbound bus stop is located at the northeast corner of San Pedro Street and 5<sup>th</sup> Street. The bus lines would be able to provide connections to other public transit lines such as the Metro Red, Purple, and Gold lines, and a number of other bus lines located at Union Station. The Project would place additional housing within proximity to public transit, and employment centers, as such requiring zero parking spaces for dwelling units that are set aside for households that earn less than 50 percent the Area Median Income as determined by the Housing and Community Investment Department would reduce reliance on the use of individual vehicles and encourage the use of public transit, thereby supporting the policies and objectives of the General Plan as discussed in Findings No. 5 through 10.

As the Project proposes more than six (6) dwelling units, it is required to provide open space for the future residents. In lieu of providing a combination of common and private open space, the applicant has chosen to provide all of the required open space as common open space. Outdoor courtyards, which are open to the sky, will be provided on the ground floor, Level 3 of Tower 1A, and Level 12 of Tower 1B. Additional outdoor common open space will be provided on Levels 3, 6, 7, 12, 13, and 18; however, these areas will not be open to the sky as they are covered by the floors above. While these spaces may not be open to sky, they would continue to provide access to useable outdoor space providing direct access to light and air. A total of

12,285 square feet of interior floor area will be provided for indoor common open space, providing residential amenity spaces such as: art & music room/library, game/club room, lounge/TV room, and fitness room. Although the dedicated area of indoor common open space would exceed the minimum 25 percent permitted by the LAMC, providing the additional area for shared common open space would support and encourage social activities for the future residents. While the Project provides a reduce amount of open space than is required by the LAMC, it would provide on-site outdoor and indoor open space which existing SRO buildings in the area lack. As proposed, the Project would be consistent with the public necessity, convenience, and general welfare of the surrounding area.

#### Good Zoning Practice

As recommended, the Zone Change and Height District Change to [T][Q]C2-4D would permit the redevelopment of the Project Site with new affordable housing. As discussed in Finding No. 5, and above, the site is located within an area of the City which is developed with a mixture of residential, commercial, and light manufacturing uses. A number of properties in the area have been utilized for residential purposes since the early 1900s when they were developed with residential hotels for transient workers in the industrial field. The recommended Zone Change and Height District Change would enable the development of Restricted Affordable housing which would include on-site social services for future residents, consistent with Objective 9-1, Policy 9.1-1, and identified programs of the Community Plan, as referenced in Finding No. 5.

In conjunction with the redevelopment of the site, the proposed building would be required to comply with the current open space requirements of the LAMC. The Project would be required to provide 38,200 square feet of open space and 98 trees; however, the Applicant has requested a Developer's Incentive to reduce the required open space to by 33 percent and the number of trees by 50 percent, as well as to provide up to 78 percent of the open space as indoor or covered open space. Existing SRO buildings have minimal landscaping or open space areas as they were constructed in the early 1900s. The Project would provide a total of 26,060 square feet of open space and 48 trees. The Project proposes to provide an outdoor courtyard on the courtyard between the two buildings that would also be accessible from the two multi-functional paseos located along the northern and southern property lines. In addition to the ground floor courtyard, indoor multi-purpose rooms are provides on the ground floor of both Tower 1A and 1B. The ground floor courtyard will be landscaped and planted with the trees. The multi-purpose room on the ground floor of Tower 1A would also serve as a dining hall where the Weingart Center will continue to provide food service for their clients, as is done in the existing 7,000 square-foot food service building. Additional open space would be provided through outdoor courtyards located on Levels 3, 6, 7, 12, 13, and 18 of Tower 1A and Level 12 of Tower 1B. While the courtyards would be covered by the floors above, the courtyards would provide functional outdoor open space that are otherwise compliant with the requirements of the LAMC Section 12.21 G. Although the Project proposes to reduce the amount of open space and trees to be located on-site, the site is located 927 feet west of a public park, Gladys Park, located on 6<sup>th</sup> Street. The site is also located 977 feet southeast of San Julian Park, which is located at the southwest corner of San Julian Street and 5<sup>th</sup> Street. Facilities at the parks include landscaped play areas, seating areas, outdoor exercise equipment, and a half-court basketball court. As recommended, the Zone Change and Height District Change would permit the development of the site with a use that is compatible with the surrounding area and would support the goals, objectives, and policies of the General Plan, as discussed in Finding Nos. 5 through 10.

- b. **Pursuant to Section 12.32-G and Q of the Municipal Code “T” and “Q” Classification Findings.** 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. As recommended, the Zone Change has been placed in permanent “T” and “Q” Classification in order to ensure consistency with the amendment to the land use designation from Light Manufacturing to Regional Commercial. 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.
- c. **Pursuant to Section 12.32-G and Q of the Municipal Code “D” Limitation Findings.** The Council shall find that any or all the limitations are necessary: (1) to protect the best interests of and assure a development more compatible with the surrounding property or neighborhood, and (2) to secure an appropriate development in harmony with the objectives of the General Plan, or (3) to prevent or mitigate potentially adverse environmental effects of the Height District establishment or change.

The Project Site is located within an area which is developed with one- to six-story buildings, in an area which is limited to a maximum FAR of 3:1 unless the additional floor area is consistent with the rehabilitation provisions of the Redevelopment Plan. Height Districts 3 and 4 correspond to the Regional Commercial land use designation, as indicated in Footnote No. 3 of the Community Plan. The Footnote indicates that FARs within Height District 3 and 4 would be subject to a Development “D” Limitation, which would permit a maximum FAR of 6:1, unless a transfer of floor area is approved. As the Project Site is located outside of the boundaries for the Central City Transfer of Floor Area and the City Center Redevelopment Plan Area, the recommended amendment to the Footnote No. 3 would provide clarity that the footnote is not applicable to the Project Site due to its location. The applicant has requested a deviation for a 35 percent increase in FAR; however, it is determined to be not necessary with the amendment to Footnote No. 3 and adoption of a “D” Limitation which limits the maximum FAR to 8.1:1. As proposed, the 8.1:1 FAR would permit floor area that is greater than what is currently permitted on the surrounding properties, but would be consistent with the anticipated development of Regional Centers as described within the Framework Element. In order to provide the outdoor courtyard and multi-functional paseos on the ground floor, the proposed buildings are set back 10 feet from the northern property line and a variable 10 to 12 feet 6 inches from the southern property line. The two buildings are set back 38 feet from one another in order to provide a functional outdoor amenity. Due to the proposed setbacks, the buildings have been designed to be 12 stories, Tower 1B, and 18 stories, Tower 1A, in order accommodate the proposed 382 residential dwelling units. The proposed setbacks, as well as building design, would make the buildings compatible with the surrounding area and would be consistent with the corresponding Height Districts of the recommended Regional Commercial Land Use Designation. As recommended, the “D” Limitation would limit the development of the site to a 8.1:1 FAR and a maximum height of 200 feet, ensuring that the future development would maintain compatibility



with the surrounding area and any future development. As discussed in Finding Nos. 5 through 10, the “D” Limitation would secure an appropriate development in harmony with the objectives of the General Plan.

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

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

As discussed in Finding No. 1, the recommended Zone and Height District changes for the Project Site would be consistent with the recommended land use designation. As the Project Site is located within the Greater Downtown Housing Incentive Area, the Project would not be subject to the minimum lot area per dwelling unit calculations of the recommended C2 Zone. The density would be limited by the proposed 8.1:1 FAR and a minimum habitable size from the Building Code. As proposed, the Project would provide four manager’s unit and 378 dwelling units set aside for Very-Low Income households and would be considered a 100 percent affordable housing development pursuant to LAMC Section 11.5.11. In conjunction with the requested Zone Change, the Applicant has requested Developer Incentives to reduce the required open space, as well as trees. As discussed in Finding No. 5 through 10, the Project would meet the goals, objectives, and policies of the General Plan and the Central City Community Plan area. As such, the project is in substantial conformance with the General Plan and Community Plan. The project site is not located within a specific plan area.

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

The Project Site is located on the eastern side of San Pedro Street, approximately 105 feet north of 6<sup>th</sup> Street. The surrounding properties are developed with a mixture of residential, commercial, and light manufacturing uses. Along Crocker Street, manufacturing uses include a wholesale distributor of clothing and accessories. Properties to the north, south, and west are developed with buildings which provide transitional housing or supportive services. While the adjacent property to the south is developed with a 10-story building, the surrounding properties are developed primarily with one- to six-story buildings. As the Project Site is located within the Greater Downtown Housing Incentive area, the Project has been designed in accordance with the Downtown Design Guide and as described below, would be compatible with the existing and future development on adjacent and neighboring properties. As identified in the Downtown Design Guide, the Project Site is located within the Central Industrial District.

Building Arrangement (height, bulk and setbacks)

As indicated in Figure 3-1 of the Downtown Design Guide, San Pedro Street and Crocker Street are not designated as Retail Streets. Tower 1A would provide a zero-foot setback along Crocker Street, after the required dedication, and Tower 1B would provide a zero-foot setback from the existing property line. As proposed, the building would be consistent with Section 3.B of the Guide as it relates to building setbacks.

The ground floors of each of the buildings utilizes transparent materials and is designed to accommodate active uses. Tower 1A would have a maximum of 18 stories, with the first floor developed with residential/security lobby, a dining/multi-purpose room, and driveway for access from Crocker Street to the subterranean parking level. The building is proposed to be setback 10 feet from the northern property line and a variable 10 to 12 feet 6 inches from the southern property line. Tower 1B would have a maximum of 12 stories, with the first floor developed with 2,250 square feet of commercial floor area along San Pedro Street and multi-purpose rooms oriented towards the outdoor courtyard. The building would also be setback a varying width from the northerly and southerly property lines. The two buildings will be setback 38 feet from one another, allowing for an outdoor courtyard to be provided on the ground floor.

#### Off-Street Parking Facilities and Loading Areas

The Project proposes to provide 32 automobile parking, which would be located within a subterranean parking level. The Project has been conditioned to require that parking spaces are sold or rented separately from the residential dwelling units. A loading area will be provided as required by the Department of Building and Safety. As proposed, the Project would be consistent with the Section 5 of the Guide as it relates to the Parking and Access.

#### Lighting

The proposed plans do not indicate a lighting plan; however, Condition No. 11 of the Conditions of Approval would ensure that the installation of lights would not result in a substantial amount of light that would adversely affect the day or night time views in the project vicinity.

#### Landscaping

The Project proposes to provide 26,060 square feet of open space, of which 13,775 square feet will be provided as covered or uncovered outdoor open space. Of the proposed 13,775 square feet of covered or uncovered outdoor open space, 4,745 square feet is proposed to be landscaped. The Project has proposed landscaping throughout the Project Site and proposes to plant 48 24-inch box trees. The Project has been conditioned to meet the planting standards of the Guide, as found in Section 9-H, unless otherwise prohibited by the Urban Forestry Division, Bureau of Public Works.

#### Trash Collection

The Project proposes to provide a trash and recycling area within the building. The common area for the collection would be located within the parking area on the ground floor towards the rear of the site.

#### Fences and/or Walls

The proposed project does not incorporate fences and/or walls.

#### Sustainability

The Project has proposed the installation of wiring for the future installation of electric vehicle charging stations for 20 percent of the proposed parking, the immediate

installation of electric vehicle charging stations for five percent of the proposed parking spaces, and would install operational photovoltaic system (solar) that would offset the electrical demand of the EV chargers and other on-site electrical uses. The immediate installation of the charging stations and solar would be in excess of building code requirements. 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.

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

The project proposes to provide 332 efficiency units and 50 one-bedroom units. Pursuant to LAMC Section 12.21 G, the Project would be required to provide 38,200 square feet of open space and 96 trees. In conjunction with the recommended zone change, it is recommended that the required open space and number of trees be reduced. Although the Project would provide less open space than required pursuant to LAMC Section 12.21 G, the proposed open space areas has been thoughtfully designed and it is anticipated that it would be sufficient to improve the habitability of its future residents. The project proposes to provide a 4,060 square-foot ground floor courtyard which would be landscaped and accessible from landscaped paseos located along the northern and southern property lines. Additional covered outdoor courtyards are provided throughout the two buildings, providing for varying uses and social interactions. An additional 12,285 square feet of indoor open space would be provided for various recreational uses including a multi-purpose room, an art & music room/library, a game/club room, lounge/TV room, and fitness room. Landscaping would include a total of 48 24-inch box trees, to be planted on-site. In addition to recreational amenities, the Project provides a dedicated space intended to provide residents with on-site social services related to mental, physical, social, and job training. As proposed, the project would provide recreational and service amenities which would improve habitability for its residents and minimize impacts on neighboring properties.

### **Environmental Findings**

- 13. Environmental Finding.** The City of Los Angeles, as the Lead Agency, prepared a Sustainable Communities Environmental Assessment (SCEA), Case No. ENV-2017-615-SCEA, for the proposed Projects consisting of the development of Site 1 located at 554-562 South San Pedro Street and 555-561 South Crocker Street with 382 residential dwelling units, 2,250 square feet of commercial floor area, 32 vehicular parking spaces, and associated ancillary philanthropic institutional uses and open space and the development of Site 2 located at 600-628 South San Pedro Street, 611-615 South Crocker Street, and 518-522 East 6<sup>th</sup> Street with 303 residential dwelling units, 3,200 square feet of commercial floor area, 17,100 square feet of office, 212 vehicular parking spaces, and 33,000 square feet of open space. Of the total proposed 685 residential dwelling units on Sites 1 and 2, 676 dwelling units will be set aside for Very-Low Income Households and nine as manager's units. At its meeting on October 26, 2018 (CF 18-0889), after conducting a public hearing on October 23, 2018 and consideration of all comments received regarding the SCEA and the Project, the City Council adopted the SCEA pursuant to Public Resources Code (PRC) Section 21155.2(b)(6) finding that the Projects are a "transit priority project" as defined by PRC Section 21155 and that the SCEA incorporates all feasible mitigation measures, performance standards, or criteria set forth in prior EIR(s), including SCAG 2016-2040 RTP/SCS EIR SCH No. 20150311035; finding that all potentially significant effects required

to be identified in the initial study have been identified and analyzed in the SCEA; finding that with respect to each significant effect on the environment required to be identified in the initial study for the SCEA, changes or alterations have been required in or incorporated into the Project that avoid or mitigate the significant effects to a level of insignificance or those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

Pursuant to CEQA and the CEQA Guidelines, the City Planning Commission has considered the previously adopted SCEA, including the Errata, all comments on the SCEA and the Project received during and after the public review process and responses thereto, including after the City Council's adoption of the SCEA, and other pertinent evidence in the record, and in its independent judgement, finds that the SCEA properly identifies all potential impacts of the Projects, including all potential construction and operational noise impacts of the Projects on adjacent noise sensitive uses consistent with the City's CEQA Thresholds Guide and that those impacts have been mitigated, that the Project Sites are located within a Transit Priority Area as defined by Public Resource Code (PRC) Section 21099(a)(7) and that pursuant to PRC Section 21099(d)(1) "parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment", and properly identifies all potential construction and operational traffic- and access-related impacts of the Project and that those impacts have been mitigated; find that the mitigation measures have been incorporated as enforceable conditions of the Project, and the previously adopted Mitigation Monitoring Program, to mitigate or avoid significant effects of the proposed Project on the environment and to ensure compliance during Project implementation; and find that none of the information submitted after the City Council's adoption of the SCEA, including but not limited to testimony at the public hearings on the Project or information contained in the appeals of the Project's approval of Case No. VTT-74852, constitutes significant new information and that any such information or testimony does not constitute substantial evidence of a significant impact, or a feasible mitigation measure not already included in the previously adopted SCEA.

The City Planning Commission finds, based on substantial evidence found in the administrative record of the SCEA, Case No. ENV-2017-615-SCEA, including but not limited to oral and written testimony at the public hearings, that the SCEA previously adopted by the City Council is adequate under CEQA and that no additional environmental review is required for the City Planning Commission and the City Council to approve and adopt the requested discretionary actions, Case No. CPC-2017-614-GPAJ-ZCJ-HD-SPR, for the Project; and incorporates the CEQA Findings made pursuant to PRC Section 21081 and Mitigation Monitoring Program adopted by the City Council on October 26, 2018 by reference. Consistent with the PRC Section 21081.6(a)(2), the records upon which this decision is based are located in the Department of City Planning offices at 200 North Spring Street, Room 621, Los Angeles, California 90012.

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

## JOINT PUBLIC HEARING AND COMMUNICATIONS

A Joint Public Hearing with the Advisory Agency and Hearing Officer was held at Los Angeles City Hall, 200 North Spring Street, 10<sup>th</sup> Floor, Room 1070, Los Angeles, CA 90012 on Wednesday, October 10, 2018.

The hearing was conducted by the Deputy Advisory Agency, Mr. Kevin Golden, and the Subdivision Committee representatives were present from the Department of Recreation and Parks, Bureau of Engineering, Bureau of Street Lighting, and Department of City Planning. The hearing was attended by the applicant, the applicant's representative, the applicant's project team, and members of the public.

The following is a summary of the statements made from the applicant team:

Ms. Tonja Boykin, on behalf of the applicant, gave an overview of the Weingart Center and its operations, which includes providing around 623 clients with transitional housing on a given night. The Center has experienced that placement of individuals in permanent housing has become difficult due to the lack of affordable housing.

Mr. Jim Ries, the applicant's representative, gave a presentation of the project, public outreach, and comments on the staff report for Case No. VTT-74852. Mr. Ries presented the following:

- Summary of the site's land use designation and zoning, requested discretionary actions, and future with the DTLA 2040 Community Plan update.
- Project proposes to have 372 dwelling units restricted to Very-Low Income households and floor area dedicated to wrap-around, support services. Support services would include food service, mental health, health care, employment services, legal services, substance abuse, education services, and life skills.
- Summary of the Project's architectural design and site layout.
- Summary of the Project's outreach meetings with various stakeholders and has obtain letters of support. Addressed public concerns by adding sustainable design features, clarified that seniors would be eligible for housing, setting aside 40 units in Tower 1A for veterans and looking to do something similar in Tower 1B, included more one-bedroom units, a community room that may be utilized by the community.
- Worked with the operators of the Coordinated Entry System (CES) to ensure that future residents will come from the immediate area.
- Requested clarification of recommended conditions from the BOE, DBS, and Planning.

The following is a summary of the statements made from members of the public:

Three individuals, Mr. Matt Dickson, Mr. Dan Hillie, and Ms. Ashely Kim, spoke in support of the project stating that it would bring much needed affordable housing to the area and provide needed services to assist individuals to get back on their feet.

One individual, Mr. Matt Nichols, spoke as a representative of an adjacent property owner at 634 South San Pedro Street and requested clarification regarding the comment period for the project.

One individual, Ms. Estela Lopez, spoke on behalf of the Central City East Association (CCEA) and the Downtown Industrial District BID and indicated that neither group has taken a position on the project and requested another meeting with adjacent property owners and the applicant.

At the close of the public comment period, the Subdivision Committee deliberated on the issues raised during the hearing. The representative of the Bureau of Engineering stated that he was amenable to revising the dedication requirements in consideration that the area is currently

undergoing an update of the Community Plan, which may change the land use designation of the area. The representative of the Bureau of Street Lighting verified that the site was located outside of the boundaries of the Downtown Design Guide implementation area and that pedestrian lights are not required.

The Hearing Officer requested clarification from the applicant regarding the concerns raised by the representative of CCEA and the Downtown Industrial BID, to which the applicants stated they would coordinate a meeting as soon as possible.

The Advisory Agency announced that he would take the case under advisement until the end of the public comment period of the Sustainable Communities Environmental Analysis (SCEA), but that he was inclined to approve the map with the revised conditions.