



DEPARTMENT OF CITY PLANNING
RECOMMENDATION REPORT



Los Angeles City Planning Commission

Date: October 9, 2014
Time: After 8:30 a.m.
Place: City Hall, 3rd Floor
Board of Public Works Hearing Room
200 North Spring Street, Room 350
Los Angeles, CA 90012

Public Hearing: August 28, 2014
Appeal Status: Appealable to City Council
Expiration Date: October 13, 2014

ITEM 6

Case No.: CPC-2013-4134-TDR-
MCUP-ZV-SPR
CEQA No.: ENV-2013-4135-MND
Related Cases: VTT-72566
Council No.: 14 – Huizar
Plan Area: Central City
Specific Plan: None
Other Overlay: Downtown Design Guide
South Park/Historic
Downtown Districts
Certified NC: Downtown Los Angeles
GPLU: High Density Residential
Zone: [Q]R5-4D
Applicant: Rossano De Cotiis, Onni
Real Estate IX, LLC
Representative: Jim Ries, Craig Lawson &
Co., LLC

PROJECT LOCATION: 820, 826 South Olive Street, 817, 819, and 825 South Hill Street. Legally described as Lots: FR LT 16 and FR LT 17, Block: None, Tract: Portion of Block 53 Huber Tract; Lot: FR 6, Block: BLK 53, Tract: Huber Tract; and Lot: Unnumbered LT, Block: None, Tract: TR 153.

PROPOSED PROJECT: The Project Site has a total lot area of 39,921 square feet and is zoned [Q]R5-4D. The Project Site currently contains a surface parking lot, which would be removed in order to accommodate the Project. The Project proposes a mixed-use development consisting of a 50-story, 636-foot tall, high-rise residential tower with associated support spaces such as parking, resident amenity facilities, storage rooms, bicycle storage, lobby circulation, and service spaces. The Project would include 522 residential units and 4,500 square feet of commercial/retail space located at the ground level. A total of 533 parking spaces will be provided in two subterranean and five podium levels. The proposed Project consists of a total of 529,083 square feet of floor area. The Project would export approximately 65,000 cubic yards of dirt.

REQUESTED ACTIONS:

1. Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, Find the previously adopted Mitigated Negative Declaration (ENV-2013-4135-MND) adequately serves as the environmental clearance.
2. Pursuant to Sections 14.5.6 of the Municipal Code, a Transfer of Floor Area Rights from the Los Angeles Convention Center (Donor Site) at 1201 S. Figueroa Street for the approximate amount of 266,928 square feet and from a private transfer (Donor Site) at 830 S. Olive Street for the approximate amount of 22,629, to the project site (Receiver Site) permitting an FAR of 10.6:1 and 529,083 square feet of floor area in lieu of a 6:1 FAR which permits 239,526 square feet of floor area.
3. Pursuant to LAMC Section 12.24 W.1, a Master Conditional Use Permit for the sale of a full-line of alcoholic beverages for on-site consumption within up to three premises for approximately 4,500 square feet.

4. Pursuant to Section 12.27 of the Municipal Code, a Variance to deviate from LAMC Section 12.21 G.2 open space requirements to allow a nine (9) percent reduction in open space (53,986 square feet in lieu of 59,325 square feet).
5. Pursuant to Section 12.27 of the Municipal Code, a Variance to deviate from LAMC Section 12.21 G.2(a)(3) to provide one tree per 11.1 dwelling units in lieu of one tree per four dwelling units (47 trees in lieu of 131 trees).
6. Pursuant to Section 12.27 of the Municipal Code, a Variance to deviate from LAMC Section 12.21 A.5(c) to permit compact stalls to be utilized as all required parking, in lieu of a maximum of 40% of compact stalls for non-residential uses, and in lieu of a minimum of one standard space for each residential unit.
7. Pursuant to Section 12.27 of the Municipal Code, a Variance to deviate from LAMC Section 12.21 A.16(e)(2)(iii) to deviate from the location and access requirements for long-term bicycle parking, which requires specific locations for long-term bicycle parking in parking garages.
8. Pursuant to Section 16.05 of the Municipal Code, a Site Plan Review for a project that creates or results in an increase of 50 or more dwelling units.

RECOMMENDED ACTIONS:

1. Pursuant to Section 21082.19(c)(3) of the California Public Resources Code **Find** that the previously adopted **Mitigated Negative Declaration (ENV-2013-4135-MND) and associated Findings** adequately serve as environmental clearance for the project.
2. **Approve**, and **Recommend** the City Council **Adopt** the requested **Transfer of Floor Area Rights** from the Los Angeles Convention Center (Donor Site) at 1201 S. Figueroa Street, a City-owned property, for the approximate amount of 266,928 square feet and from a private transfer (Donor Site) at 830 S. Olive Street for the approximate amount of 22,629, to the project site (Receiver Site) permitting an FAR of 10.6:1 and 529,083 square feet of floor area in lieu of a 6:1 FAR which permits 239,526 square feet of floor area.
3. **Approve** a **Master Conditional Use Permit** for the sale of a full-line of alcoholic beverages for on-site consumption within up to three premises for approximately 4,500 square feet.
4. **Deny without Prejudice** the requested **Variance** from Section 12.21 G.2 of the LAMC to allow a nine (9) percent reduction in open space (53,986 square feet in lieu of 59,325 square feet) and instead:
5. **Approve** a **Director's Decision** per Section 12.21 G.3 of the LAMC to permit a nine (9) percent reduction to the required open space (53,986 square feet in lieu of 59,325 square feet).
6. **Approve** the requested **Variance** from Section 12.21 G.2(a)(3) of the LAMC to provide one tree per 11.1 dwelling units in lieu of one tree per four dwelling units (47 trees in lieu of 131 trees).
7. **Approve** the requested **Variance** from Section 12.21 A.5(c) of the LAMC to permit compact stalls to be utilized as all required parking, in lieu of a maximum of 40% of

compact stalls for non-residential uses, and in lieu of a minimum of one standard space for each residential unit.

8. **Approve** the requested **Variance** from Section 12.21 A.16(e)(2)(iii) of the LAMC to deviate from the location and access requirements for long-term bicycle parking, which requires specific locations for long-term bicycle parking in parking garages.
9. **Approve** the requested **Site Plan Review** for a project that creates a maximum 529,083 square feet of development on a 39,921 square-foot site including 522 residential units and 4,500 square feet of retail/commercial uses.
10. **Adopt** the attached **Findings**.
11. **Advise** the applicant that pursuant to the State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notices of Determination (NOD) filing.

MICHAEL J. LOGRANDE
Director of Planning



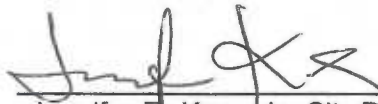
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A – Development Plans for Approval

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- 3D Vicinity Map
- Context Photos
- Survey Plan
- Site Plan
- Parking Level P2
- Parking Level P1
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- Level 2
- Level 3
- Level 4
- Level 5
- Level 6
- Level 7
- Level 8
- Level 7-47 (Typical) Floor Plan
- Level 48 (Sub-Penthouse) Plan
- Level 49 (Penthouse) Plan
- L50 Mechanical Floor Plan
- Roof Plan
- East and West Elevations
- North and South Elevations
- Building Section
- Rendering
- 3D – W. 8th and S. Olive St.

3D- W. 9th St.
3D – Aerial View
Vignettes – Podium Roof
Vignettes – S. Hill St. Podium 1
Vignettes – S. Hill St. Podium 2
Vignettes – S. Olive St. Podium 1
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Level 1 Landscape Plan
Level 6 Landscape Plan
Block Plan

B – Environmental Clearance – ENV-2013-4135-MND

C – Maps

Vicinity Map
Radius Map

PROJECT ANALYSIS

PROJECT SUMMARY

The Applicant, Onni Real Estate IX, is seeking approvals for a Transfer of Development Rights, a Master Conditional Use Permit for the onsite sale of a full line of alcoholic beverages, Variances and Site Plan Review for a Project that includes 522 residential condominium units and 4,500 square feet of ground-floor commercial and retail space in a 50-story, high-rise tower on a 39,921 square foot site. The Site currently contains a surface parking lot which would be removed in order to accommodate the Project.

The Project proposes a 50-story residential tower on a 39,921 square-foot through site with frontage along South Hill Street and South Olive Street. The towers would be built upon a five-story parking podium with the parking screened by residential units on levels 4 and 5 along the Hill Street frontage and on levels 2 through 5 on the Olive Street frontage. Commercial/retail spaces will line the ground floor. The Project would contain a total of 529,083 square feet of development, resulting in a Floor Area Ratio (FAR) of 10.6:1. The Project utilizes the Transfer of Floor Area Rights (TFAR) definition of buildable area in Section 14.5.3 of the Los Angeles Municipal Code (LAMC), which allows a mixed-use project within 1,500 feet of a fixed rail transit station to include the lot area plus the area between the exterior lot lines and the centerline of any abutting public right-of-way when calculating the maximum Floor Area Rights available for transfer. The buildable area for the Project Site is 49,919 square feet, which results in a Floor Area Ratio of 10.6:1, however the base Floor Area Rights (FAR of 6:1) are calculated based on the pre-dedication lot area and do not include the area between the exterior lot lines and the centerline of the adjacent right-of-way.

The Applicant is requesting a Transfer of Floor Area Rights (TFAR) of more than 50,000 square feet from the Los Angeles Convention Center (Donor Site) and through a private transfer to the Project Site (Receiver Site), pursuant to Ordinance No. 181,574 and Section 14.5.6 B. of the Los Angeles Municipal Code (LAMC). Projects involving a Transfer of 50,000 square feet or greater on a Receiver Site within the City Center Redevelopment Project Area are required to first obtain action by the Board of Commissioners of the Community Redevelopment Agency of the City of Los Angeles ("Agency Board"). If the Agency Board approves a request for an approval of a Transfer for a Project, the Community Redevelopment Agency of the City of Los Angeles ("Agency") and the Applicant shall then jointly submit the proposed Transfer Plan for the Project to the City Planning Commission of the City of Los Angeles ("Commission"), the initial decision-maker for the City. As of the date of this Staff Recommendation Report, the Project is tentatively scheduled for a hearing with the Agency Board on October 2, 2014. If the Agency Board takes action on October 2nd then the Commission may take action on all requested actions.

In calculating the Public Benefit Payment there are several factors considered including the value of the land for the Receiver Site. The Public Benefit Payment incorporates either the sale price of the Receiver Site, if it has been purchased through an unrelated third-party transaction within 18 months of the date of submission of the request for approval of the Transfer, or an Appraisal, if it has not. The Project Site was sold on July 20, 2012 and the TFAR request was filed on December 23, 2013, therefore the sale price has been used in calculating the Public Benefit Payment.

Requested Actions

Transfer of Floor Area Rights

The Applicant is requesting a Transfer of Floor Area Rights (TFAR) for the amount not to exceed 289,557 square feet. Pursuant to Ordinance No. 181,574 and LAMC Section 14.5.6 B., the TFAR allows the transfer of the unused allowable floor area of a lot from a Donor Site to a Receiver Site for projects involving transfers of 50,000 square feet or greater. The Donor Site in this case is the Los Angeles Convention Center at 1201 S. Figueroa Street, a City-owned property, and 830 South Olive Street, and the Receiver Site is the Project Site. This transfer will result in a project that exceeds the base floor area ratio otherwise permitted, from 6:1 to 10.6:1. The underlying zone and height district classification allow a floor area ratio of 13:1 for this site; however, the current zoning "D" development limitation applied to the site limits the floor area ratio to 6:1. Pursuant to Ordinance 181,574 and Section 14.5.9, a Public Benefit Payment based on a formula is required and must be provided with a cash payment of at least 50 percent by the Applicant to the Public Benefits Trust Fund unless otherwise approved by City Council. The remaining 50 percent may be provided by the direct provision of Public Benefits by the Applicant. Pursuant to Ordinance No. 181,574 and Section 14.5.10, a TFAR Transfer Payment is required for the amount of square feet of Floor Area Rights to be transferred to the Receiver Site.

Master Conditional Use Permit

The Applicant is requesting a Master Conditional Use Permit, per LAMC Section 12.24 W.1, to allow the sale of a full-line of alcoholic beverages for on-site consumption only within up to three premises for an approximately 4,500 square feet.

Variance – Open Space and Trees

The Applicant is requesting a Variance from the open space requirements in LAMC Section 12.21 G.2 to permit a reduction in the amount of open space to be provided and a reduction in the amount of on-site trees to be provided.

Variance – Parking

The Applicant is requesting a Variance from the parking requirements in LAMC Section 12.21 A.5.(c) to permit to permit the use of compact stalls for all required parking. Project parking requirements are based on the requirements outlined for the Downtown Parking District for commercial uses and the Central City Parking District for residential uses.

Variance – Bicycle Parking

The Applicant is requesting a Variance from the bicycle parking location and access standards in LAMC Section 12.21 A.16.(a)(6)(e)(2)(iii) in order to allow the 525 long-term bicycle parking spaces to be located on levels P1, P2, L2, L3, L4 and L5. The code requires long-term bicycle parking to be located along the shortest walking distance to the nearest pedestrian entrance, or on the level of the parking garage closest to the ground floor with direct access to a public street.

Site Plan Review

The Applicant is requesting a Site Plan Review approval given that the development project will create an increase of 50 or more dwelling units. The total mixed use project will measure not

more than 529,083 square feet on a 39,921 square foot site. The Project will create a total of 522 dwelling units, 4,500 square feet of retail/commercial spaces, and 533 parking spaces.

Mitigated Negative Declaration

A Mitigated Negative Declaration was prepared as Case No. ENV-2013-4135-MND.

Case No. ENV-2013-4135-MND was prepared and circulated for public review on July 3, 2014 and the circulation period ended on July 23, 2014. The project will incorporate all mitigation measures set forth in ENV-2013-4135-MND to ensure project impacts remain less than significant with respect to aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, public services, transportation and traffic, and utilities and service systems.

ENV-2013-4135-MND, was adopted by the Deputy Advisory Agency on September 11, 2014. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND (and incorporated into the Conditions of Approval herein), there is no substantial evidence that the proposed project will have a significant effect on the environment, the MND adequately analyzed the project and no additional environmental clearance is necessary. The attached Mitigated Negative Declaration (Exhibit C) reflects the lead agency's independent judgment and analysis.

BACKGROUND

The proposed Project Site is located within the Central City Community Plan Area of the City of Los Angeles. The Central City Community Plan was adopted January 8, 2003. The land use designation for the Project Site is High Density Residential with a corresponding zone of R5. The Project Site has a zoning classification of [Q]R5-4D. The site is permitted to be developed with residential and commercial uses and is in Height District 4.

The "D" designation for the Project Site denotes a development limitation, which subject to certain provisions limits the developable floor area to six times the buildable area of the site (6:1 FAR). Although the Project Site is subject to such provisions, the developable floor area may be increased to 13 times the buildable area of the site (13:1 FAR), through a transfer of floor area request.

Description of the Property

The Project Site consists of four parcels on an approximately 0.9 acre site (39,921 square feet of lot area) and is generally bounded by Olive Street to the west, a parking garage to the north, Hill Street to the east, and an existing three-story SRO and an existing surface parking lot to the south. The Project Site includes addresses 820 and 826 South Olive Street, and 817, 819, and 825 South Hill Street. The Project Site's topography is relatively flat and the site is currently developed with a surface parking lot, which will be demolished to accommodate the proposed project.

Regional access to the Project Site is provided by the Pasadena/Harbor Freeway (I-110/SR 110), located approximately one half mile to the west; the Hollywood Freeway (US - 101), located approximately 1.2 miles to the north; and the Santa Monica Freeway (I-10) located approximately one mile to the south. These three freeways also provide access to the Golden State/Santa Ana Freeway (I-5) to the north, and the San Bernardino Freeway (I-10) and Pomona Freeway (SR-60) to the east and southeast, respectively.