



LOS ANGELES CITY PLANNING COMMISSION

200 N. Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
<http://planning.lacity.org/>

Determination Mailing Date: MAY 19 2015

CASE NO.: ~~CPC-2008-596-GPA-ZC-SPR~~
CEQA: ENV-2008-386-MND

Location: 233, 235, 243 W. Washington Blvd.,
1841, 1843 S. Olive Street
Council Districts: 14 – Huizar
Plan Area: Southeast Los Angeles

Requests: General Plan Amendment,
Zone Change, Site Plan Review

Applicant: 233 W. Washington, LLC
Representative: Donna Tripp, Craig Lawson & Co.

At its meeting of March 12, 2015, the Los Angeles City Planning Commission took the following action:

1. **Approved a General Plan Amendment** to the Southeast Los Angeles Community Plan from Light Manufacturing to **Community Commercial** for the subject property and to footnote number 1 as follows: "The provisions of this Footnote shall not apply to the property located at 233 W. Washington Blvd., as identified per City Planning Case No. CPC-2008-596-GPA-ZC-SPR."
2. **Approved a Zone Change** from M2-2-O to **(T)(Q)C2-2D-O** for the subject property.
3. **Approved a Site Plan Review** for a 160-unit mixed-use building, for a total building floor area of 167,651 square feet.
4. **Adopted** the attached modified **Conditions of Approval**.
5. **Adopted** the attached **Findings**.
6. **Adopted** Mitigated Negative Declaration No. **ENV-2008-386-MND** and associated Findings, as the project's environmental clearance pursuant to Section 21082.19(c)(3) of the California Public Resources Code.
7. **Advised** the applicant that, pursuant to 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 Notice of Determination (NOD) filing.

Recommendations to City Council:

1. **Recommend** that the City Council **adopt a General Plan Amendment** to the Southeast Los Angeles Community Plan from Light Manufacturing to **Community Commercial** for the subject property and to footnote number 1 as follows: "The provisions of this Footnote shall not apply to the property located at 233 W. Washington Blvd., as identified per City Planning Case No. CPC-2008-596-GPA-ZC-SPR."
2. **Recommend** that the City Council **adopt a Zone Change** from M2-2-O to **(T)(Q)C2-2D-O** for the subject property.
3. **Recommend** that the City Council **adopt** Mitigated Negative Declaration No. **ENV-2008-386-MND** and associated Findings, as the project's environmental clearance pursuant to Section 21082.19(c)(3) of the California Public Resources Code.

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

This action was taken by the following vote:

Moved: Dake-Wilson
Seconded: Katz
Ayes: Ahn, Ambroz, Choe, Mack, Perlman, Segura
Absent: Cabildo

Vote: 8 - 0



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

Effective Date/Appeals: The Los Angeles City Planning Commission's determination is appealable. Any aggrieved party may file an appeal within 20-days after the mailing date of this determination letter. Any appeal not filed within the 20-day period shall not be considered by the City Council. All appeals shall be filed on forms provided at the Planning Department's Public Counters at 201 N. Figueroa Street, Fourth Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys.

FINAL APPEAL DATE: JUN 08 2015

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

Attachments: Modified Conditions of Approval, Findings, Ordinance, Maps, Resolution
City Planning Staff: Michelle Singh
Senior Planner: Simon Pastucha

General Plan/Charter Findings

1. **General Plan Land Use Designation.** The subject property is within the Southeast Los Angeles Community Plan adopted on March 22, 2000, which designates the site for Light Manufacturing land use with corresponding Zones of CM, MR 1, MR 2, M1 and M2. The recommended General Plan Amendment would change the land use designation to the Community Commercial Land Use designation with corresponding zones of CR, C2, C4, and RAS3 and Zone Change to C2-2D-O.

The proposed Project is not consistent with the General Plan Land Use as it is currently, because it is designated as Light Manufacturing, and the Project includes residential dwelling units, which are not permitted in industrial zones. The Project proposes a condominium tract subdivision through a Tentative Tract Map for the creation of 160 residential dwelling units. However, with the proposed General Plan Amendment from Light Manufacturing to Community Commercial in conjunction with the request to exclude the subject site from Footnote No.1 in the Southeast Los Angeles Community Plan, the Project will be consistent with the land use designation. The corresponding commercial zone of C2-2 allows the number and type of residential units requested.

2. **Framework Element.**

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

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

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

Objective 3.4 of Issue One: Distribution of Land Use: Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.

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

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

The above objectives seek to concentrate commercial development in existing commercial districts and in areas that are able to support such development which are in close proximity to rail and bus transit stations. As conditioned, the Project will be designed in harmony with the existing neighborhood and minimize impacts on neighboring properties. The Project will incorporate measures to reduce impacts to air quality, geology, hazardous materials, noise, and public services for the surrounding community. The character of the area includes a mix of commercial uses, as well as high density institutional, education and public facility uses, and the Project's recommended density and height will be compatible with adjacent land uses.

Objective 3.14.6: Consider the potential re-designation of marginal industrial lands for alternative uses by amending the community plans based on the following criteria:

- a. Where it can be demonstrated that the existing parcelization precludes effective use for industrial or supporting functions and where there is no available method to assemble parcels into a unified site that will support viable industrial development;*
- b. Where the size and/or the configuration of assembled parcels are insufficient to accommodate viable industrial development;*
- c. Where the size, use, and/or configuration of the industrial parcels adversely impact adjacent residential neighborhoods;*
- d. Where available infrastructure is inadequate and improvements are economically infeasible to support the needs of industrial uses;*
- e. Where the conversion of industrial lands to an alternative use will not create a fragmented pattern of development and reduce the integrity and viability of existing industrial areas;*
- f. Where the conversion of industrial lands to an alternative use will not result in an adverse impact on adjacent residential neighborhoods, commercial districts, or other land uses;*
- g. Where it can be demonstrated that the reduction of industrial lands will not adversely impact the City's ability to accommodate sufficient industrial uses to provide jobs for the City's residents or incur adverse fiscal impacts; and/or*
- h. Where existing industrial uses constitute a hazard to adjacent residential or natural areas.*

The subject property satisfies several of the criteria set forth by the Citywide General Plan Framework Policy 3.14.6 for the identification of marginal industrial lands suitable for re-designation for alternative uses. As identified in the Industrial Land Use Policy of 2007, which established a policy to preserve and retain industrial land for job producing uses,

the project site has been designated as a "transition district" which means the viability of industrial use has been compromised and the transition to other uses should be continued. The project site is located where industrial uses are no longer viable due to the surrounding area's conversion to commercial uses over time, and its conversion to a commercial use will not create a fragmented pattern of development nor will it reduce the integrity and viability of neighboring industrial uses and adjacent residential neighborhoods and commercial districts. In fact, the conversion of industrial use to commercial use will help protect the existing neighborhood and surrounding uses from potential adverse impacts that may be caused by more intense industrial uses.

3. **Housing Element**

Policy 2.1.3: Encourage mixed-use development which provides for activity and natural surveillance after commercial business hours.

Policy 2.1.4: Enhance livability of neighborhoods by upgrading the quality of development and improving the quality of the public realm, including streets, streetscape and landscaping to provide shade and scale.

The Project will provide much needed affordable and market-rate housing for all income levels in an urban setting along with commercial ground floor uses that are accessible from the street as conditioned. This project will activate the street by generating pedestrian activity during and after normal commercial business hours. The conditioned development will replace a currently under-utilized surface parking area with a building that improves the quality of the public realm with pedestrian-scale design in an urban setting.

Objective 2.3: Encourage the location of housing, jobs, and services in mutual proximity. Accommodate a diversity of uses that support the needs of the City's existing and future residents.

Policy 2.3.1: Encourage and plan for high-intensity residential and commercial development in centers, districts, and along transit corridors, as designated in the Community Plans and the Transportation Element of the General Plan, and provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled in order to mitigate traffic congestion, air pollution, and urban sprawl.

Policy 2.3.3: Encourage the development of new projects that are accessible to public transportation and services consistent with the community plans. Provide for the development of land use patterns that emphasize pedestrian/bicycle access and use in appropriate locations.

The Project location is well served by a large variety of transit options. The site is located near the Metro Blue Line transit station on Washington Boulevard, which is served by Metro bus lines and Metro Rapid Bus lines with easy access to Downtown Los Angeles. Its proximity to local and rapid public transit routes will facilitate a reduction of vehicle trips and vehicle miles traveled, thus helping to mitigate traffic congestion, air pollution, and urban sprawl. Also, the Project will provide for the development of land use patterns that emphasize bicycle access and use. The proposed project will include bike racks for the residential and commercial uses.

4. **Transportation Element**

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

The Project will advance numerous policies contained in the Transportation Element. Chief among them are:

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

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

Policy 3.13: Enhance pedestrian circulation in ... appropriate locations in regional centers and along mixed use boulevards; promote direct pedestrian linkages between transit portals/platforms and adjacent commercial development through facilities orientation and design.

The Project advances these policies because it will be located within a mile of Downtown Los Angeles on Washington Boulevard, a transportation corridor that provides substantial public transit opportunities and facilities and connections to Downtown Los Angeles and beyond. The development of the residential and commercial uses would promote ground floor pedestrian activity and circulation and would create direct pedestrian connections between the new Project and the street, in express conformity with the Transportation Element's policies and objectives. The proposed development contributes to the General Plan's goal to increase development within commercial districts while enhancing the accessibility of such uses to public transit.

5. **Land Use Element.** The Southeast Los Angeles Community Plan text includes the following relevant land use goals, objectives, policies and programs:

GOAL 1: A SAFE, SECURE, AND HIGH QUALITY RESIDENTIAL ENVIRONMENT FOR ALL ECONOMIC, AGE AND ETHNIC SEGMENTS OF THE COMMUNITY.

Objective 1-1: To provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area to the year 2010.

Policy 1-1.1 Designate specific lands to provide for adequate multi-family residential development.

Policy 1-1.4 Require that new single-family and multi-family residential development be designed in accordance with the design standards.

Objective 1-2: To locate new housing in a manner which reduces vehicular trips and makes it accessible to services and facilities.

- Policy 1-2.1** Locate higher residential densities near commercial centers, light mass transit stations, and major bus routes where public service facilities, utilities and topography will accommodate the development.

GOAL 2: A STRONG AND COMPETITIVE COMMERCIAL SECTOR WHICH BEST SERVES THE NEEDS OF THE COMMUNITY THROUGH MAXIMUM EFFICIENCY AND ACCESSIBILITY WHILE PRESERVING THE HISTORIC COMMERCIAL AND CULTURAL CHARACTER OF THE DISTRICT.

Objective 2-1: To conserve and strengthen viable commercial development.

- Policy 2-1.3** Commercial areas should be consolidated and deepened to stimulate existing businesses, create opportunities for new development and off-street parking, expand the variety of goods and services, and improve shopping convenience as well as offer local employment.

GOAL 12: A COORDINATED INTEGRATION OF DEVELOPMENT AROUND TRANSIT STATIONS IN ORDER TO IMPROVE SERVICES, ACCESS, AND ECONOMIC VITALITY OF THE COMMUNITY.

Objective 12-1: To reflect the objectives and guiding principles of the City Council adopted Land Use-Transportation policy.

- Policy 12-1.1** Target growth, as appropriate, around transit stations when these become operational.

The proposed Project will meet the above objectives and policies by providing additional housing at an appropriate density and sited near an existing transit station and major bus routes to meet the plan area's needs. The proposed C2-2D-O zone will replace the underutilized industrially-zoned site and the new mix of residential and commercial uses will revitalize the neighborhood by infilling what was once a large surface parking lot lacking street life and activating the sidewalks with landscaping and street furniture along the Project's three main street frontages to complement the commercial uses at the ground level. Additionally, the Project has proposed to dedicate and improve the surrounding public right-of-ways with enhanced sidewalks, street lighting and a tree-planting plan to provide for better connectivity to the transit station and to improve safety for pedestrians.

The Plan also requires compliance with the Citywide Design Guidelines, in particular with the recently adopted Residential Citywide Design Guidelines and the Commercial Citywide Design Guidelines, which include the need for strong street walls and an active street presence at the ground level including prominent first floor entries that are visible from the street, highly articulated and well-detailed facades that use quality and long-lasting building materials and convey a sense of timeless design, usable open space for residents, and attention to pedestrian safety, comfort and connectivity in and around the Project. Building entrances for residents will be provided via a main lobby off Olive Street and commercial entrances will be located at the southwest corner of the building at the intersection of Grand Avenue and Washington Boulevard. A commercial lobby will be located at the center of the south façade along Washington Boulevard and several commercial entrances will be located along Olive Street to serve the smaller commercial

tenants. Abandoned driveways will be reconstructed as sidewalks with only one curb cut located on Olive Street, and street trees will be regularly spaced and located at the outer edge of the sidewalks to buffer pedestrians from moving vehicles. Off-street parking is provided within two subterranean parking levels that are accessible via one driveway located at the rear of the building on Olive Street, allowing parking to be hidden from view. Open space amenities will be provided on top of the podium on the first and second residential levels in the form of two enclosed community rooms at the first level and a large outdoor deck with ample landscaping, outdoor seating and covered BBQ areas.

Although the submitted building plans are consistent with the bulk of the design standards, the standards for building design and building façade are met only marginally, and could be improved. The building elevations indicate variations in height, depth, modulation and building materiality to achieve an articulated façade but the architectural style or theme is unclear and the building facades seem unnecessarily complicated. The use of building materials also do not convey a sense of timelessness and the scale of the Project feels out of place in an urban context and appears more appropriate as a suburban mixed-use typology.

The site is subject to a Community Plan Footnote that limits commercially designated sites to Height District 1. This height district limits the floor area ratio to 1.5:1. The majority of the commercially designated sites in this Community Plan are located immediately adjacent to low density residential zones and uses, and thus this plan footnote was intended to protect those residential sites. The closest lower density residentially zoned and used lots to the subject site in this Community Plan Area are located to the south of 23rd Street (over 1/3 of a mile away) and to the east of Maple Avenue (over a ¼ of a mile away). Currently, the FAR allowed on the subject site is 6:1.

In addition, the project site is located within the Greater Downtown Housing Incentive Area (GDHIA), which permits numerous incentives to encourage developers to build more housing but also gives a floor area bonus for projects that set aside units for affordable rates. These incentives do not apply to industrially zoned properties. However, with the recommended land use designation of Community Commercial and zone change to C2, the project would be eligible for the floor area bonus. Therefore, a Development "D" limitation is placed on the project site that limits the floor area ratio to 3.8:1. Since the proposal includes setting aside 15 percent of the project's dwelling units for affordable housing for a term of 55 years, it is eligible for the floor area bonus. The project's floor area of 167,651 consist of 136,603 square feet of residential uses and 24,000 square feet of commercial uses. Based on the "D" limitation of a 3.8:1 FAR, the project is granted a floor area of 133,364 (35,096 x 3.8); however, with the floor area bonus of 35 percent applied to the residential portion of the building that is 109,364 (133,364 - 24,000), the project is able to achieve a residential floor area of 147,641 (109,364 x 1.35) for a total project floor area of 171,641 (147,641 +24,000).

The proposed General Plan Amendment to Community Commercial and Zone Change to C2-2D-O Zone are consistent with these provisions in that the new zone will replace marginally viable industrial development with a mixture of commercial space and housing adjacent to a rail station. Eliminating the industrial designation and zoning on this lot will also help to bring in more viable uses such as commercial and residential uses adjacent to a transit rail station with access to major bus routes in an area that is underserved. As conditioned, the recommended development substantially meets the objectives of the Community Plan, is permitted in the C2-2-O Zone and is consistent with the proposed general land use designation.

1. **City Charter Sections 556 and 558.** Section 556 of the City Charter requires that the City Planning Commission make findings that determine whether the requested General Plan Amendment is either in substantial conformance or is not in substantial conformance with the purposes, intent and provisions of the General Plan. Section 558 of the City Charter establishes the procedures for the adoption, amendment or repeal of ordinances, orders or resolutions proposed by the City Council, City Planning Commission, or Director of Planning or by application of the owner of the affected property if authorized by ordinance. Based on ~~the Findings delineated below the City Planning Commission finds that the requested General Plan Amendment from the Light Manufacturing Land Use Designation to the Community Commercial Land Use Designation~~ is in substantial conformance with the purposes, intent and provisions of the General Plan.

This General Plan Amendment provides for and strengthens existing opportunities for a viable mixed use development and services within an existing commercial corridor. The General Plan Amendment increases the compatibility between a commercial corridor and residential neighborhoods.

2. **Zone Change / Height District Change Findings.**

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

The Applicant is seeking approvals for a Project that involves the demolition of an existing surface parking lot, two (2) on-site pole signs, and two (2) payphones for the construction of a 7-story, 96'-9" maximum high mixed-use building consisting of 160 residential units with a floor area of 136,603 square feet over approximately 24,000 square feet of ground floor retail including two (2) subterranean parking levels for a total floor area of 271,119 square feet. The building will include an office, library, two (2) community recreation rooms, and an outdoor landscaped area with access to passive recreation space for Project guests.

The entire Project site is currently a privately-owned and operated surface parking lot with minimal landscaping. The subject site is currently zoned M2-2-O and the Southeast Los Angeles Community Plan designates the site for Light Manufacturing land uses. The recommended General Plan Amendment would designate the entire property as the Community Commercial Land Use Designation with a corresponding zone of C2-2D-O in order to permit construction of the proposed mixed use development. Development in the area is designed in a variety of architectural styles, with diverse uses, building heights, and land use density. Surrounding zoning and uses include a commercial building and associated parking lot in the M2-2-O zone to the north, a McDonald's fast-food restaurant and associated parking lot in the M2-2-O zone to the east, a 4-story AT&T office building in the M1-2-O zone to the south, the L.A. Superior Court's Central District Metropolitan Courthouse in the PF-1 zone and the L.A. Mart in the [Q]M1-2-O zone to the southeast, the L.A. Trade Technical College campus in the R4-2-O zone to the south, and the Glory Church of Jesus Christ and associated surface parking lot in the M2-2-O to the northwest.

The rezoning of the site to accommodate the conditioned Project will be consistent with public necessity as it will increase residential and commercial opportunities in the Southeast Los Angeles Community Plan area, in close proximity to existing jobs, services, and Downtown Los Angeles. The recommended zone change to C2-2D-O would be consistent with the recommended General Plan Land Use of Community Commercial.

The proposed use of the mixed use development is permitted by the C2 zoning designation which is within the range of corresponding zones for the Community Commercial Land Use Designation. As conditioned, the Project will meet objectives of the Southeast Los Angeles Community Plan, the Los Angeles Municipal Code and the Citywide Design Guidelines. The proposed Project is anticipated to include retail, restaurant and/or other community-serving commercial tenants at the ground floor that would serve to improve the commercial nature and pedestrian walking experience by ~~locating the future commercial tenants along the three primary street frontages along~~ Grand Avenue, Olive Street and the Washington Boulevard commercial corridor. The conditioned design of the Project would be compatible with the neighborhood by introducing the first comprehensive mixed use development in the vicinity and providing much needed housing (affordable rental units and market-rate condominiums), improving the street life with strong street walls and active commercial frontages, and it would provide residents a sense of place and identity within their neighborhood. The recommended Zone Change preserves and strengthens an existing commercial corridor with a new viable mixed use development. The Project is an urban infill development on an existing, underutilized site, near a transit corridor. The proposed Project would therefore be advantageous to the general welfare of the community and good zoning practice.

The Southeast Los Angeles Community Plan includes a footnote that requires any land designated as Community Commercial to be developed at the Height District 1 Zone Designation and corresponding 1.5:1 FAR. The recommended Height District of 2D would enable the property to develop at an FAR of 3.8:1 in lieu of the 1.5:1. I

In addition, the project site is located within the Greater Downtown Housing Incentive Area (GDHIA), which permits numerous incentives to encourage developers to build more housing, and also grants a floor area bonus for projects that set aside units for affordable rates. These incentives do not apply to industrially zoned properties. However, with the recommended land use designation of Community Commercial and zone change to C2, the project would be eligible for the floor area bonus. Therefore, a "D" Development limitation is placed on the project site that limits the floor area ratio to 3.8:1. Since the proposal includes setting aside 15 percent of the project's dwelling units for affordable housing for a term of 55 years, it is eligible for the floor area bonus. The project's floor area of 167,651 consist of 136,603 square feet of residential uses and 24,000 square feet of commercial uses. Based on the "D" limitation of a 3.8:1 FAR, the project is granted a floor area of 133,364 (35,096 x 3.8); however, with the floor area bonus of 35 percent applied to the residential portion of the building that is 109,364 (133,364 - 24,000), the project is able to achieve a residential floor area of 147,641 (109,364 x 1.35) for a total project floor area of 171,641 (147,641 +24,000).

The Applicant will provide the following affordable unit mix: 15% of the total residential units will be Affordable Rental Units with 8 units that are composed of three (3) Studio, four (4) 1-Bedroom and one (1) 2-Bedroom units dedicated to Extremely Low Income Households, and 16 units that are composed of seven (7) Studio, eight (8) 1-Bedroom and one (1) 2-Bedroom rental units to be occupied by Very low Income households.

The affordable housing component will ensure that the proposed Project serves the needs of the local community by providing much needed amenities and rental housing for all income levels. The recommended Height District change with the associated "D" Development limitation will be conducive to the general welfare of the community and good zoning practice.

The requested Zone Change from M2-2-O to C2-2D-O is therefore compatible with the existing development of the community, consistent with the Southeast Los Angeles Community Plan and is consistent with public necessity, convenience, general welfare and good zoning practice. The action, as recommended, has been made contingent upon compliance with the "Q", "T" and "D" Conditions imposed herein. Such limitations are necessary to protect the best interests of and to assure a development more compatible with surrounding properties, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

3. **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.*

The subject property is located within the Southeast Los Angeles Community Plan, which with the approval of the recommended General Plan Amendment designate the site for Community Commercial land use with corresponding zones of CR, C2, C4, and RAS3. The proposed residential and commercial uses are consistent with the Community Commercial designation and permitted within its underlying zones.

With approval of the recommended General Plan Amendment and Zone Change, the proposed Project complies with all applicable provisions of the Los Angeles Municipal Code. The subject property will be located within the C2 Zone, which allows the proposed residential and commercial uses by right. The proposed reduction in parking for the residential and commercial portion of the Project is permitted through the Bicycle Parking Ordinance No. 182,386. The subject property is not within the area of any adopted specific plan. The Project is also consistent with numerous goals, policies and objectives of the Citywide General Plan Framework and the Southeast Los Angeles Community Plan to provide adequate housing for all economic, age and ethnic segments of the community, and to locate higher residential densities and encourage mixed-use development near transit stations. Per Condition Number 5, the Project will provide 15% of its residential dwelling units to be rented by Extremely Low and Very Low Income Households, ensuring that affordable housing near public transportation is available to the most disadvantaged and underprivileged segment of the population.

- 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 surrounding area is generally characterized by light manufacturing uses to the north, east and west of the site, limited industrial uses to the south and southeast of the site, public facilities to the southeast of the site and multiple dwellings to the southwest of the site. The light manufacturing uses are composed of a one-story kitchens and housewares commercial building with its own surface parking lot located directly north of the proposed site, a one-story McDonald's fast-food restaurant with associated surface parking along Washington Boulevard and Olive Street located east of the proposed site, and the Glory Church of Jesus Christ and associated surface parking lot to the northwest of the proposed site. The limited industrial uses are composed of a four-story AT&T office building located

directly south of the proposed site on Washington Boulevard between Olive Street and Hill Street, and the approximately twelve-story L.A. Mart building located to the southeast of the proposed site along Washington Boulevard between Hill Street and Broadway Avenue. The public facilities use is composed of the approximately eight-story L.A. Superior Court's Central District Metropolitan Courthouse and associated public plaza to the southeast of the proposed site, south of Washington Boulevard between Olive Street and Hill Street. The multiple dwelling use is composed of the L.A. Trade Tech College Campus located to the southwest of the proposed site on Washington Boulevard, between Flower Street and Grand Avenue.

The scale and character of the surrounding structures vary in setbacks, height of buildings and bulk, and have little relationship to each other. The proposed site is also immediately surrounded by large surface parking lots located directly to the north, east and west, further exacerbating the lack of strong street continuity along Washington Boulevard and making it impossible for the proposed Project to be compatible with its ad hoc surroundings. However, the design and configuration of the proposed Project has the opportunity to set a positive precedent and guide the future development of the neighborhood. As an infill development, the proposed Project will fill a void in the urban fabric of the city by replacing an existing surface parking lot.

The Project proposes very strong street walls and generous sidewalks ranging from 15 feet to 24 feet with the potential for ample outdoor seating for ground-level tenants. Street-level entrances are located at the corner of Washington Boulevard and Grand Avenue, in addition to the entrances along Olive Street. These primary commercial and residential entrances are directly accessible to people coming to/from the Metro Blue Line which runs along the length of Washington Boulevard with a Metro Blue Line Station located to the southwest of the proposed site, on Washington Boulevard between Flower Street and Grand Avenue. The use of awnings and vertical architectural elements help define the individual entries and lobbies at the ground level. Off-street parking is located in two subterranean parking levels that are accessed via the Project's only driveway on Olive Street. The Project proposes to eliminate two of the three existing curb cuts and to reconstruct them as sidewalks and to relocate the third curb cut to accommodate this driveway located at the rear of the building. The Project proposes landscaped common open space areas on the second and third floors with ample landscaping including low-water usage trees, built-in BBQ areas with outdoor dining/seating, pedestrian paths, and other recreational spaces. A trash room and loading area are centrally located on the first floor and are accessible to each commercial tenant as well as to city sanitation workers via a corridor leading to/from Grand Avenue. The adjacency to the freeway along the north portion of the site results in the U-configuration of the upper levels of the residential use with the majority of the dwelling units facing the east, south or west. The proposed building's north wall does not include any windows due to this freeway adjacency and the balconies that exist on the northern portion of the site are oriented to the east or west and are protected by a wall. Within this U-configuration lies the common area for the residents, with an opening facing the freeway to the north. Where appropriate, trellises and broadleaf canopy trees provide a buffer between the outdoor dining/seating areas and the freeway noise/dust/adjacency.

Although the submitted building plans are consistent with the bulk of the design standards, the standards for building design and building façade are met only marginally, and could be improved. The building elevations indicate variations in height, depth, modulation and building materiality to achieve an articulated façade but the architectural style or theme is unclear and the building facades seem unnecessarily complicated. The use of building

materials also do not convey a sense of timelessness and the scale of the Project feels out of place in an urban context. Per Condition Number 45, the Project will revise its building elevations to address issues of hierarchy, coherent design elements between the upper and lower levels of the Project, and breaks in massing.

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

Proposed amenities include two enclosed community rooms on the first residential level totaling approximately 6,800 square feet and landscaped common areas that are open to the sky totaling approximately 6,700 square feet on the second residential level. Outdoor landscaped open space areas include trellis-covered BBQ areas, artificial turf areas, outdoor seating, an abundance of broadleaf canopy trees and low-growing vegetation.

11. **CEQA Findings.** A Mitigated Negative Declaration (ENV-2008-386-MND) was prepared for the proposed Project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND, there is no substantial evidence that the proposed Project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street. I hereby adopt that the Mitigated Negative Declaration, imposed the conditions shown in that document on this approval.

CONDITIONS OF APPROVAL

Site Plan Review Conditions

1. **Revised Elevations.** Prior to the Department of City Planning clearance, revised elevations shall be submitted that:
 - a. Align the bays of the commercial ground floor and the second level window openings with the rhythms established on the upper levels for more architectural coherence.
 - b. Establish a hierarchy between the elevations. The Washington Boulevard elevation is the primary elevation and should be more pronounced than the secondary elevations along Grand Avenue and Olive Street. Articulate the north façade with varying material finishes, and or art, to the satisfaction of the Director of Planning.
 - c. Redesign the corner architectural elements so there is a clear aesthetic relationship to each other.
 - d. Highlight the individual entries to the commercial and residential lobbies along Washington Boulevard and Olive Street with stronger, simplified design elements.
 - e. Eliminate arbitrarily placed “tack-on” elements like the flagpole that do not contribute to the overall style and character of the building.
 - f. Provide breaks in the façade that allow views into the interior of the project.
 - g. Residential units on the northern property line shall place the majority of operable windows along the south, east and west walls, minimizing operable windows on the north wall facing the freeway.
 - h. Required parking shall be sold or rented separately from the dwelling units.

Administrative Conditions of Approval

2. **Final Plans.** Prior to the issuance of any building permits for the Project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff “Final Plans”. A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
3. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
4. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions,

shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.

5. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
6. **Department of Building and Safety.** ~~The granting of this determination by the Director of~~ Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the Project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
7. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
8. **Utilization of Concurrent Entitlement.** The subject Zone/Height District Change requires completion of all applicable Conditions of Approval herein to the satisfaction of the Department of City Planning. The applicant/owner shall have a period of six years from the effective date of the subject Zone/Height District Change to effectuate the terms of the entitlements by complying with all conditions of approval.
9. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all of the information contained in these conditions shall be recorded by the property owner in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heir, or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a Certified Copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.
10. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

Pursuant to Section 12.32 G of the Municipal Code, the (T) Tentative Classification shall be removed by 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. Dedication Required:

Washington Boulevard (Major Highway – Class II) – A 2-foot wide strip of land along the property frontage shall be required to complete a 52-foot half right-of-way in accordance with Major Highway – Class II standards, including a 20-foot radius property line return at the intersection with Grand Avenue and Olive Street.

Grand Avenue – A 2-foot wide strip of land along the property frontage to complete a 52-foot wide half right-of-way in accordance with the Major Highway Standards.

2. Improvements Required

Washington Avenue – Reconstruct the existing sidewalks to complete a 10-foot wide concrete sidewalk in the dedicated area with tree wells.

Grand Avenue— Construct a concrete curb and gutter, and a 12-foot concrete sidewalk with tree wells

Olive Street – Construct a concrete curb and gutter, and a 10-foot concrete sidewalk with tree wells.

Trees – Install tree wells with root barriers and plant street trees satisfactory to the City Engineer and the Urban Forestry Division of the Bureau of Street Services. The applicant should contact the Urban Forestry Division for further information (213) 847-3077.

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

3. **Roof drainage** and surface run-off from the property shall be collected and treated at the site and drained to the streets through drain pipes constructed under the sidewalk and through curb drains or connections to catch basins.
4. **Sewer lines** exist in Beacon Avenue. Facilities Charges and Bonded Sewer Fees shall be paid prior to obtaining a building permit.
5. **Sewer.** An investigation by the Bureau of Engineering Central District Office Sewer Counter may be necessary to determine the capacity of the existing public sewers to accommodate the proposed development. Submit a request to the Central District Office of the Bureau of Engineering at (213) 482-7050.

6. **Shoring and lateral support plans** shall be submitted to the Bureau of Engineering Excavation Counter for review and approval prior to excavating adjacent to the public right-of-way (213) 482-7048.
7. **Parking/Driveway Plan.** Prior to the issuance of any building permit, the applicant shall submit a parking area and driveway plan to the Central District Office of the Bureau of Engineering and the Department of Transportation for review and approval.

Notice: Certificates of Occupancies 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.

DETERMINATION LETTER
CPC-2008-596-GPA-ZC-SPR
MAILING DATE: 05/19/15

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