

**PLANNING DEPARTMENT TRANSMITTAL
TO THE CITY CLERK'S OFFICE
SUPPLEMENTAL
*CF 22-0410***

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
CPC-2019-4983-GPA-VZC	ENV-2019-4984-ND	14 – Kevin de León
PROJECT ADDRESS:		
2417-2455 North Thomas Street and 2428-2436 North Gates Street		
PLANNER CONTACT INFORMATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Nicole Sánchez	(213) 978-3034	nicole.sanchez@lacity.org

NOTES / INSTRUCTION(S):	
<p>Revised Conditions and Findings as adopted by PLUM on June 7, 2022.</p>	
TRANSMITTED BY:	TRANSMITTAL DATE:
Linda Lou	6/14/2022

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

As amended by the Planning and Land Use Management Committee on June 7, 2022.

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 –

Thomas Street (Hillside Local Street) – A 10-foot by 10-foot cut corner or a 15-foot radius property line return at the intersection with Altura Street.

Altura Street (Hillside Local Street) – None.

Gates Street (Hillside Local Street) – None.

C. Improvement Required –

Gates Street – Repair and/or replace all broken, off-grade or bad order curb and gutter, concrete sidewalk and roadway pavement. Close all unused driveways and reconstruct all open driveways to comply with ADA requirements.

Note: Broken curb and/or gutter includes segments within existing score lines that are depressed or upraised by more than ¼ inch from the surrounding concrete work or are separated from the main body of the concrete piece by a crack through the entire vertical segment and greater than 1/8 inch at the surface of the section.

Non- ADA compliant sidewalk shall include any sidewalk that has a cross slope that exceeds 2% and/or is depressed or upraised by more than ¼ inch from the surrounding concrete work or has full concrete depth cracks that have separations greater than 1/8 inch at the surface. The sidewalk also includes that portion of the pedestrian path of travel across a driveway.

All new sidewalk curb and gutter shall conform to the Bureau of Engineering Standard Plans S410-2, S410-4, S442-5 and S444-0.

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.

Notes: Street lighting will be required satisfactory to the Bureau of Street Lighting (213) 847-1551.

Department of Transportation may have additional requirements for dedication and improvements.

Refer to the Department of Water and Power regarding power pole (213) 367-2715.

Refer to the Fire Department regarding fire hydrants (213) 482-6543.

Contact the Department of Transportation regarding any conflicts with parking spaces, meters, traffic signs, colored curbs, or traffic control devices (213) 482-7024.

2. 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 or through curb drains connected to the catch basins.
3. Sewer lines exist in Thomas Street and Gates Street. Extension of the 6-inch house connection laterals to the new property line may be required. All Sewer Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit at (213) 482-7030.
4. 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) 482-7030.
5. Submit parking area and driveway plans to the Central District Office of the Bureau of Engineering and the Department of Transportation for review and 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 CONDITION

As amended by the Planning and Land Use Management Committee on June 7, 2022.

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 Development.** Site Plan. The use and development of the subject property shall be in substantial conformance with the site plan labeled Exhibit "A". 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 Division 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. No change to the plans shall be made without prior review by the Department of City Planning Central Project Planning Division, and written approval by the Director of Planning, with each change being identified and justified in writing. Minor deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
2. **Use.** The subject site shall only contain storage, office and motion picture/television production uses as allowed in the C4 Zone and shown in Exhibit A; or the site may be developed with residential uses allowed and in accordance with the density and all other development standards of the [Q]R1-1D zone (Ordinance No. 180,403).
 - a. The subject site shall only contain storage, office and motion picture/television production uses as allowed in the C4 Zone.
 - b. A maximum of 15,792 square feet of office and motion picture/television uses and 1,526 square feet of storage use, for a total of 17,318 square feet shall be permitted.
 - c. A maximum additional 10,000 square feet of office and motion picture/television uses shall be permitted.
3. **Automobile Parking.** Automobile parking for the office use shall be provided consistent with LAMC Section 12.21 A.4. Based upon the size of the proposed office use, a minimum of 35 automobile parking spaces shall be required for project. Based upon the size of the additional future office use, 10 automobile parking spaces shall be required for the additional development.
4. **Bicycle Parking.** Bicycle parking for the additional 10,000 square feet of office use shall be provided consistent with LAMC Section 12.21 A.16. Based upon the size of the addition office development, a minimum of 53 bicycle parking spaces shall be required for the project.
5. **Electric Vehicle Parking.** All electric vehicle charging spaces (EV spaces) and electric vehicle charging stations (EVCS) shall comply with the regulations outlined in Sections 99.04.106 and 99.05.106 of Article 9, Chapter IX of the LAMC. Any parking spaces provided above LAMC requirements shall be provided with EV chargers to immediately accommodate electric vehicles within the parking areas.
6. **Solar.**
 - a. **Solar and Electric Generator.** Generators used during the construction process shall be electric or solar powered. Solar generator and electric generator equipment shall be located as far away from sensitive uses as feasible.

- b. **Solar-ready Buildings.** 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.

Administrative Conditions

7. **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.
8. **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.
9. **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.
10. **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.
11. **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.
12. **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.
13. **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.
14. **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.

“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” Limitations.

1. **Floor Area.** The existing floor area shall be maintained and shall consist of a maximum of 15,792 square feet of office and motion picture/television uses and 1,526 square feet of storage use, for a total of 17,318 square feet, as conditioned.
 - a. The development of future office and motion picture/television uses shall be limited to an additional 10,000 square feet, as shown in Exhibit A.
2. **Height.** The height of the existing structures shall be maintained and shall not exceed a height of 30-feet.
 - a. The height of future office and motion picture/television buildings shall be limited to a maximum of 30-feet, as shown in Exhibit A.

FINDINGS

As amended by the Planning and Land Use Management Committee on June 7, 2022.

General Plan/Charter Findings

1. **General Plan Land Use Designation.** The project site, located at 2417-2455 N Thomas Street and 2428-2436 N Gates Street, is within the Northeast Los Angeles Community Plan, which was last updated by the City Council in 1999. The project site is an irregular shape, consisting of 11 lots with a total site size of 93,340 square feet. The Community Plan designates the site with a land use designation of Low Residential, which lists the RE9, RS, R1, RU, RD6, and RD5 Zones as corresponding zones. This designation and zone would not currently allow commercial uses.

As recommended, the subject amendment would re-designate the project site to the Neighborhood Commercial land use designation, which lists the following corresponding zones: C1, C1.5, C2, C4, and P. The recommended change to the zone (T)(Q)C4-1D and (T)(Q)C4-1D-HPOZ would be consistent with the adoption of the recommended Plan Amendment, would be in substantial conformance with the purpose, intent, and provisions of the General Plan as it is reflected within the Northeast Los Angeles Community Plan, and would be consistent with the C4 zoning of the surrounding properties along North Broadway.

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 Northeast Los Angeles Community Plan area, north of North Broadway in the Lincoln Heights neighborhood, which is a commercial corridor. It is currently improved with a school, daycare, convent, dormitories, playground, chapel, and surface parking area. All existing structures are currently vacant and unoccupied. Of the total 11 lots that the project site comprises, six (6) of them are within the Lincoln Heights HPOZ, and all 11 are identified as having Contributing Elements to the HPOZ according to the Lincoln Heights Historic Resources Survey. Contributing structures on the property are proposed to be preserved and maintained to allow for their adaptive reuse as storage, office and motion picture/television space. Despite having been designated and zoned for low residential uses, the site has been occupied by these structures since 1941, prior to the enactment of the current General Plan Land Use Element.

The project proposes a change of use from a school, daycare, convent, dormitories, playground, and chapel to storage, office and motion picture/television uses. All existing structures will be adapted to either an office use or an ancillary storage use. Minor improvements to the existing structures that are proposed to remain may be necessary to comply with current codes as part of the change of use process. Any such improvements will be required to be in compliance with the applicable requirements of the HPOZ for those buildings within the HPOZ boundaries. The applicant also requests up to 10,000 square feet of office and motion picture/television uses for a potential future development that will be located on three (3) lots that are currently located outside the boundaries of the HPOZ.

As the site has historically been occupied by institutional uses, the recommended amendment to the Neighborhood Commercial designation would permit a mix of uses that

is compatible with the proposed change of use and other similar uses in the vicinity and along this commercial corridor in the Lincoln Heights neighborhood. The subject site is surrounded on the north, east, and west by a mix of one- to two-story single and multi-family dwellings. There is an adjacent commercial strip mall located south of the project site. To the east is the Lincoln Senior High School and Pueblo High School. To the south is also the Gates Street Elementary School. The North Broadway corridor is designated for, and consists of neighborhood commercial uses, and serves as the connector to Downtown Los Angeles. Properties to the north are zoned [Q]R1-1D. Properties to the east are zoned [Q]R1-1D, [Q]OS-1XLD, and [Q]PF-1D. Properties to the south are zoned [Q]C4-1VL-CDO and properties to the west are zoned [Q]RD3-1D-HPOZ.

The site is part of a geographic area that has a significant physical identity in Lincoln Heights. As previously mentioned, the project site is located within the Lincoln Heights neighborhood of the Northeast Los Angeles Community Plan. The Community Plan describes the Lincoln Heights and Montecito Heights neighborhoods as containing the oldest traces of urban development in Northeast Los Angeles, dating from the 1870's. It also describes the North Broadway commercial corridor as a challenging opportunity for revitalization efforts due to high vacancy rates and rapid turnover.

Additionally, the campus in its entirety was identified as a Contributing Element to the Lincoln Heights HPOZ, limiting demolition and physical changes to the existing buildings. The existing and contributing structures will not be altered so that they continue to contribute to the historic character of the surrounding community and the HPOZ.

Therefore, the requested amendment would permit the desired change to storage, office and motion picture/television uses while maintaining the existing height district limitations and making the development consistent with the surrounding neighborhood. The site has been part of the community for decades, and the change in the land use would allow for the preservation of the physical characteristics of the property that contribute to the identity of Lincoln Heights, with a new use that will sustain the preservation of the buildings onsite.

3. Charter Finding – City Charter Finding 556. The proposed Amendment is in substantial conformance with the purposes, intent, and provisions of the General Plan.

The project site is located within the Northeast Los Angeles 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 Low Residential, which lists the following corresponding zones: RE9, RS, R1, RU, RD6, and RD5. The site is presently zoned [Q]R1-1D and [Q]R1-1D-HPOZ, which is consistent with the existing land use designation.

As recommended, the amendment would re-designate the project site from Low Residential to Neighborhood Commercial, connecting the land use on the site to the Neighborhood Commercial uses to the south of the property. The amendment of the land use designation, in conjunction with the recommended zone change to (T)(Q)C4-1D and (T)(Q)C4-1D-HPOZ, would allow the adaptive reuse and change of use of the site to storage, office and motion picture/television uses. The site is located on a site designated and zoned for low residential land uses but has continually been utilized for institutional uses. The ability to adaptively reuse the subject site without the recommended amendment and zone change is not possible as commercial uses are not permitted by-right in the existing land use designation and zone. Additionally, the subject site has been identified as containing contributing structures to the Lincoln Heights HPOZ according to the Lincoln Heights Historic Resources Survey, which potentially limits demolition and physical changes to the existing structures within the HPOZ. As further discussed in Finding Nos. 5-9 below, 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 Northeast Los Angeles Community Plan will be in conformance with public necessity, convenience, general welfare, and good zoning practice.

The recommended amendment to the Northeast Los Angeles Community Plan would re-designate the land use designation of the project site from Low Residential to Neighborhood Commercial. In conjunction with the recommended amendment, the recommended zone change from [Q]R1-1D and [Q]R1-1D-HPOZ to (T)(Q)C4-1D and (T)(Q)C4-1D-HPOZ would permit the requested change of use and adaptive reuse of historic structures.

Public Necessity, Convenience, and General Welfare

As recommended, the amendment would re-designate the project site from Low Residential to Neighborhood Commercial. The amendment of the land use designation, in conjunction with the recommended zone change to (T)(Q)C4-1D and (T)(Q)C4-1D-HPOZ, would allow the adaptive reuse, change of use of the site to storage, office and motion picture/television uses, and future addition of office space. The site is located on a site designated and zoned for Low Residential land uses but has continually been utilized for institutional uses. The ability to adaptively reuse the subject site without the recommended amendment and zone change is not possible as commercial uses are not permitted by-right in the existing land use designation and zone. Additionally, the subject site has been identified as containing contributing structures to the Lincoln Heights HPOZ according to the Lincoln Heights Historic Resources Survey, which potentially limits demolition and physical changes to the existing structures within the HPOZ.

By adaptively re-using the existing vacant structures and planning for additional office space, the proposed project is creating employment opportunities, accommodating a diverse professional/business entity not currently found in the surrounding community, and contributing to a major commercial corridor in the Lincoln Heights neighborhood. The proposed change of use will locate new commercial/office uses within walking distance to single and multi-family neighborhoods as well as multiple schools and institutions. The subject site is also within walking distance of nearby public transit lines which will allow the project to serve a greater public necessity.

Good Zoning Practice

The project site is designated by the Community Plan for Low Residential land uses and is zoned [Q]R1-1D and [Q]R1-1D-HPOZ. As currently zoned, it is consistent with the existing land use designation. However, the existing structures and previous uses utilized at the site do not conform to what the current designation and zone allow by-right. Additionally, the designation of some of the existing structures as part of the Lincoln Heights HPOZ, potentially limits how much the existing structures on the site can physically change. The recommended designation and zone would be compatible with both surrounding commercial designations as well as with the existing structures and previous uses. Due to the proposed project being limited to a change of use with no demolition or exterior construction, the proposed project will create a reasonable transition between the neighboring residences and commercial corridor along North Broadway. The potential future development would be located towards the rear of the site and would be required to comply with the height and floor area requirements that also apply to the surrounding area. Therefore, even the additional floor area will be compatible with surrounding commercial designations.

Introducing new office and motion picture/television uses within existing buildings in an area well served by local transit, complies with current laws and regulations that require project to contribute to reducing greenhouse gas emissions through integrated land use and transportation planning. The proposed project promotes the use of infill and adaptive reuse opportunities which is among the top strategies to reduce such emissions.

5. **General Plan Text.** The Northeast Los Angeles Community Plan text includes the following relevant objectives, policies, and programs:

Objective 1-4: To preserve and enhance neighborhoods with a distinctive and significant historical or architectural character.

Policy 1-4.2: Protect and encourage reuse of historic resources in a manner that maintains and enhances the historic appearance of structures and neighborhoods.

Program: The Plan encourages adaptive reuse of historic buildings when the proposed uses are found to be compatible with existing residential uses.

Objective 2-2: To enhance the identity and appearance of commercial districts.

Policy 2-2.2: Require that projects in commercial areas be designed and developed to achieve a high level of quality, distinctive character, and compatibility with appropriate existing uses and development.

Program: The Plan Map designates land uses, zones, and height districts to achieve compatibility of uses and intensity between new and existing development in commercial areas and preserve viewsheds.

In addition to the above referenced objectives, policies, and programs, the Community Plan describes the North Broadway commercial corridor as a challenging opportunity for revitalization efforts due to high vacancy rates and rapid turnover. Allowing the General Plan Amendment and Zone Change will facilitate new investment into the North Broadway corridor while maintaining the character of the neighborhood through the preservation and reuse of the existing buildings.

The project site is located within the Lincoln Heights neighborhood of the Northeast Los Angeles Community Plan. This neighborhood is characterized by single and multi-family residential uses as well as low scale neighborhood commercial corridors. As recommended, the amendment would re-designate the project site from Low Residential to Neighborhood Commercial. The amendment of the land use designation, in conjunction with the recommended zone change to (T)(Q)C4-1D and (T)(Q)C4-1D-HPOZ, would allow the adaptive reuse and change of use of the site to storage, office and motion picture/television uses. The site is located on a site designated and zoned for low residential land uses but has continually been utilized for institutional uses. The ability to adaptively reuse the subject site without the recommended amendment and zone change is not possible as commercial uses are not permitted by-right in the existing land use designation and zone. Additionally, the subject site has been identified as containing contributing structures to the Lincoln Heights HPOZ according to the Lincoln Heights Historic Resources Survey, which potentially limits demolition and physical changes to the existing structures within the HPOZ.

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:

Economic Development

Goal 7B: A City with land appropriately and sufficiently designated to sustain a robust commercial and industrial base.

Objective 7.2.2: Establish a balance of land uses that provide for commercial and industrial development which meets the needs of local residents, sustains economic growth, and assures maximum feasible environmental quality.

Goal 7C: A City with thriving and expanding business.

Objective 7.3.2: Retain existing neighborhood commercial activities within walking distance of residential areas.

As described above, the Lincoln Heights area of the Community Plan consists of a long-standing commercial corridor with a mix of single and multi-family residential uses surrounding it. The proposed project would increase the job supply and commercial and professional services into the area. Because of the existing structures' age and architectural style, they are considered contributing structures to the Lincoln Heights HPOZ; therefore, their size, scale, and overall appearance are character defining features of the HPOZ and inherently related to the overall character of the surrounding neighborhood. Additionally, the adjacent commercial property to the south of the project site is zoned C4. Therefore, the proposed project would support a gradual transition and buffer in scale and character between the new commercial strip mall development and the surrounding historic residential uses on the north, east and west sides of the subject site. By enabling the proposed change of use and adaptive reuse of the existing school and institutional structures into commercial office use in close proximity to existing housing supply, the proposed amendment would be considered consistent with these goals and objectives of the Framework Element of the General Plan.

7. **Housing Element.** The Housing Element of the General Plan is not likely to be affected by the recommended action herein. The site is located on a site designated and zoned for low residential land uses but has continually been utilized for institutional uses. As currently zoned, it is consistent with the existing land use designation. However, the existing structures and previous uses utilized at the site do not conform to what the current designation and zone allow by-right. Additionally, the designation of the existing structures as historic, further limit how much they can physically change. The recommended designation and zone would be compatible with both surrounding commercial designations as well as with the existing structures and previous uses. Due to the proposed project being limited to a change of use with no demolition and a potential future development of additional office space, the proposed project will create a reasonable transition between the neighboring residences and commercial corridor along North Broadway.
8. **Mobility Element.** The Mobility Element of the General Plan is not likely to be affected by the recommended action herein. The proposed project will maintain the existing rights-of-way in support of pedestrian movement and connectivity between the surrounding residential and non-residential uses. The east side of the property is currently unimproved;

however, the Applicant will be working with the Bureau of Engineering to comply with the required improvements to accommodate for an increase in pedestrian connectivity between residential and commercial uses.

9. **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. Introducing a new office use within existing buildings in an area well served by local transit, complies with stated policies that require projects to contribute to reducing greenhouse gas emissions through integrated land use and transportation planning.

Policy 2.2 of the Plan is a policy initiative related to the adaptive reuse of buildings for healthy living and working conditions. The proposed project would comply with applicable provisions of the CALGreen Code and the Los Angeles Green Building Code which will serve to reduce the project's energy use. Furthermore, as conditioned and in compliance with Code requirements, electric vehicle (EV) parking and solar/electric generators will be provided, and the existing buildings will be solar-ready as required by the Department of Building and Safety. Therefore, the project would promote healthy working conditions, reduce air pollution and promote land use policies that help to reduce greenhouse gas emissions.

10. **Vesting Zone Change Findings.**

The proposed zone change is in substantial conformance with the purposes, intent, and provisions of the General Plan and is in conformity with public necessity, convenience, general welfare and good zoning practice. The City of Los Angeles' General Plan consists of the Framework Element, seven required Elements that are mandated by State law, including the Land Use, Mobility, Housing, Conservation, Noise, Safety, and Open Space Elements along with optional Elements such as the Air Quality, Service Systems, and Plan for a Healthy Los Angeles. The Land Use Element is comprised of the 35 individual Community Plans of Los Angeles. This Element provides relevant goals, objectives, policies, and programs that are established in the General Plan that form the basis for staff's recommended actions for the proposed project.

- 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

As previously mentioned, the project site is located within the Lincoln Heights neighborhood of the Northeast Los Angeles Community Plan. The Community Plan describes the Lincoln Heights and Montecito Heights neighborhoods as containing the oldest traces of urban development in Northeast Los Angeles, dating from the 1870's. It also describes the North Broadway commercial corridor as a challenging opportunity for revitalization efforts due to high vacancy rates and rapid turnover. Additionally, several of the existing structures on the site are designated as "Contributing Structures" within the Lincoln Heights HPOZ, potentially limiting demolition and physical changes to the existing buildings within the HPOZ.

As the site has historically been occupied by institutional uses, the recommended amendment and zone change to the Neighborhood Commercial designation and (T)(Q)C4-1D and (T)(Q)C4-1D-HPOZ zone would not eliminate any existing residential uses. Instead, it would permit a mix of uses that is compatible with the proposed change of use and other similar uses in the vicinity and along this commercial corridor in the Lincoln Heights neighborhood. The amendment of the land use designation, in

conjunction with the recommended zone change would allow the adaptive reuse and change of use of the site to a motion picture/television and office use. The site is located on a site designated and zoned for low residential land uses but has continually been utilized for institutional uses. The ability to adaptively reuse the subject site without the recommended amendment and zone change is not possible as commercial uses are not permitted by-right in the existing land use designation and zone.

The proposed project will not only create employment opportunities within the Northeast Los Angeles Community Plan area, but it will also accommodate a diverse professional/business entity not otherwise currently found in the surrounding community. The proposed project will locate new commercial uses within walking distance of existing single and multi-family residential uses as well as other commercial and institutional uses. The proposed project is also located near public transit such as the Metro Bus Lines 45 and 252 on North Broadway and the Lincoln Heights/Chinatown LADOT Dash Line on North Broadway one block (approximately 150-feet) to the south of the project site. Additionally, the project site is located approximately 0.95 miles away from the Lincoln/Cypress Station, providing service to the Metro Gold Line. As proposed, the project would be consistent with the public necessity, convenience, and general welfare of the surrounding area.

Good Zoning Practice

The Community Plan designates the site with a land use designation of Low Residential, which lists the RE9, RS, R1, RU, RD6, and RD5 Zones as corresponding zones. As recommended, the subject amendment would re-designate the project site to the Neighborhood Commercial land use designation, which lists the following corresponding zones: C1, C1.5, C2, C4, and P. The recommended change to the zone (T)(Q)C4-1D and (T)(Q)C4-1D-HPOZ 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 Northeast Los Angeles Community Plan. The existing land use designation and zone would not currently allow commercial uses. The amendment of the land use designation, in conjunction with the recommended zone change to (T)(Q)C4-1D and (T)(Q)C4-1D-HPOZ would allow the adaptive reuse, change of use of the site to storage, office and motion picture/television production uses, and future addition. The project will be required to follow the provisions of the C4 Zone as it related to motion picture/television production uses. The project is located on a site designated and zoned for low residential land uses but that has continually been utilized for institutional uses. The ability to adaptively reuse the subject site without the recommended amendment and zone change is not possible as commercial uses are not permitted by-right in the existing land use designation and zone.

- 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 temporary “T” and “Q” Classification in order to ensure that necessary public improvements and dedications for future right of way improvements are provided as part of this legislative action. 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, including sidewalk improvements along Gates Street. The “Q” Conditions limit the use of the site to office and motion picture/television production uses

only and ensures that the current buildings on site are retained. These conditions are necessary to ensure that the scale and scope of future development on the site remain as they exist today and 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 the Northeast Hillside Qualified [Q] Conditions and Development [D] Limitations (Ordinance No. 180,403), also known as NEHO. The NEHO area was established in 2008 to place development controls on residential development in the sensitive hillside areas of Northeast Los Angeles. Limitations include grading, floor area, height, landscaping and building design, among others. The NEHO mainly applies to OS, A, single family and low density R and the C1.5 Zones. The NEHO limitations are denoted by the permanent Q and D limitation symbols on the site’s zoning. The site is currently limited by the NEHO as it is zoned R1. The site would not be subject to the regulations of the NEHO as the only commercial zone that the NEHO regulates is the C1.5 Zone. Therefore, in order to ensure that the best interests of the public are furthered, and the character of the hillside and neighborhood does not change with the introduction of the new use, the D Limitation to limit height and floor area to be compatible with the surrounding area is necessary. These limitations will ensure that while the NEHO would no longer apply given the new zone on the site, the scale and character of the development will remain unchanged, securing an appropriate development in harmony with the objectives of the General Plan.

Environmental Findings

11. **Environmental Finding.** A Negative Declaration (ND) (ENV-2019-4984-ND) and Errata, dated January 18, 2022, were prepared for the proposed project in compliance with the California Environmental Quality Act (CEQA). On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached 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 City Planning Department, 221 N. Figueroa Street, Suite 1350, Los Angeles, CA 90021.
12. **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 X, outside of a flood zone.