



## DEPARTMENT OF CITY PLANNING

### RECOMMENDATION REPORT

#### City Planning Commission

**Date:** February 13, 2025

**Time:** After 8:30 a.m.\*

**Place:** Los Angeles City Hall  
Council Chambers, Room 340  
200 North Spring Street  
Los Angeles, CA 90012

**Public Hearing:** November 13, 2024

**Appeal Status:** Transfer of Floor Area Rights  
(TFAR) appealable to City Council  
by applicant if disapproved in whole  
or in part. All other entitlements  
appealable to City Council

**Expiration Date:** February 13, 2025

**Multiple Approval:** Yes

**Case No.:** CPC-2018-2600-ZV-TDR-  
DD-SPR-MCUP

**CEQA No.:** ENV-2018-2601-SCEA

**Related Cases:** VTT-82109

**Council No.:** 14 – Jurado

**Plan Area:** Central City

**Specific Plan:** N/A

**Certified NC:** Downtown Los Angeles

**GPLU:** Regional Center  
Commercial

**Zone:** C2-4D-O

**Applicant:** Kevin Lindquist, MREG  
1105 Olive LLC

**Representative:** Paul Garry, PSOMAS

#### PROJECT

**LOCATION:** 1105-1123 South Olive Street

#### PROPOSED PROJECT:

The proposed development involves the demolition of existing surface parking lot and the construction, use, and maintenance of a 51-story mixed-use development comprised of 536 residential dwelling units and up to 4,178 square feet of ground floor commercial uses on a 36,120 square foot area lot pre-dedication and 35,734 square feet of lot area post-dedication. The project will include 89 studio, 268 1-bedroom, 176 2-bedroom, and three 3-bedroom units on Levels 5-51. The Project would provide 581 automobile parking spaces for residential use in six (6) subterranean levels and three (3) above-grade levels. The building would have a maximum height of 603 feet, a floor area ratio of 9.13:1 (491,515 square feet), the removal of one (1) street tree on Olive Street and replacement with six (6) new London plane trees; the removal of two (2) street trees on 11th Street and replacement with two (2) Chinese flame trees; and would require the export of approximately 118,543 cubic yards of soil.

#### REQUESTED ACTIONS:

1. Pursuant to Public Resources Code Section 21155.2(b), in consideration of the whole of the administrative record, adopt the Sustainable Communities Environmental Assessment, No. ENV-2018-2601-SCEA, considered and adopted by the City Council on December 11, 2024, ("SCEA"), and adopt Findings pursuant to PRC 21155.2; adopt the mitigation monitoring and reporting program;
2. Pursuant to Section 12.27 of Chapter 1 of the LAMC, a Zone Variance to allow a reduced parking stall size to a minimum of 8 feet 6 inches with a depth of 16 feet, in lieu of 9 feet, 4 inches by 18 feet, as otherwise required by Section 12.21 A.5(c) of Chapter 1 of the LAMC;
3. Pursuant to Section 12.27 of Chapter 1 of the LAMC, a Zone Variance to allow a reduced driveway width to a minimum of 25 feet and one inch, in lieu of the required 27 feet 4 inches driveway width as required by Section 12.21 A.5(c) of Chapter 1 of the LAMC;

4. Pursuant to Section 14.5.6 B of Chapter 1 of the LAMC, a Transfer of Floor Area Rights (TFAR) of up to 274,795 square feet of floor area from the Los Angeles Convention Center (Donor Site), located at 1201 South Figueroa Street, to the Project Site (Receiver Site), thereby permitting a maximum 9.13:1 FAR in lieu of the otherwise permitted 6:1 FAR;
5. Pursuant to Section 12.21 G.3 of Chapter 1 of the LAMC, a Director's Determination to allow 115 trees to be planted on-site in lieu of the otherwise required 134 trees pursuant to Section 12.21 G.2(a)(3) of Chapter 1 of the LAMC;
6. Pursuant to Section 16.05 of Chapter 1 of the LAMC, a Site Plan Review for a project that results in net increase of 50 or more dwelling units;
7. Pursuant to Section 12.24 W.1 of Chapter 1 of the LAMC, a Main Conditional Use Permit to allow the sale and dispensing of a full-line of alcoholic beverages within a total of four establishments comprised of two (2) on-site consumption and two (2) off site consumption; and

#### RECOMMENDED ACTIONS:

1. **Find**, pursuant to Public Resources Code Section 21155.2(b), in consideration of the whole of the administrative record, adopt the Sustainable Communities Environmental Assessment, No. ENV-2018-2601-SCEA, considered and adopted by the City Council on December 11, 2024, ("SCEA"), and adopt Findings pursuant to PRC 21155.2; adopt the mitigation monitoring and reporting program; and
2. **Approve** a Zone Variance to allow relief to allow a reduced parking stall size to a minimum of 8 feet and 6 inches with a depth of 16 feet; and
3. **Approve** a Zone Variance to allow relief to allow reduced drive aisle widths of a minimum of 25 feet and one inch in lieu of the required drive aisle width;
4. **Recommend** that the City Council approve a Transfer of Floor Area Rights (TFAR) greater than 50,000 square feet of floor area, for the transfer of up to 274,795 square feet of floor area from the Los Angeles Convention Center (Donor Site), located at 1201 South Figueroa Street, to the Project Site (Receiver Site), thereby permitting a maximum 9.13:1 FAR in lieu of the otherwise permitted 6:1 FAR;
5. **Request** that within six months of the receipt of the Public Benefits Payment by the Public Benefit Trust Fund, the Chief Legislative Analyst convene the Public Benefit Trust Fund Committee, pursuant to LAMC Section 14.5.12;
6. **Approve** a Director's Determination to allow 115 trees to be planted on-site in lieu of the otherwise required 134 trees;
7. **Approve** a Site Plan Review for a development project which creates an increase of more than 50 dwelling units;
8. **Approve** a Main Conditional Use Permit to allow the sale and dispensing of a full-line of alcoholic beverages within a total of four establishments comprising two (2) on-site consumption and two (2)-off site consumption;
9. **Adopt** the attached Conditions of Approval; and

10. **Adopt** the attached Findings.

VINCENT P. BERTONI, AICP  
Director of Planning

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Jane Choi, AICP, Principal City Planner

*Sophia Kim*  
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Sophia Kim, City Planner

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**ADVICE TO PUBLIC:** \*The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *Commission Secretariat, Room 272, City Hall, 200 North Spring Street, Los Angeles, CA 90012* (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendaized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to these programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1299.

# TABLE OF CONTENTS

<b>Project Analysis .....</b>	<b>A-1</b>
Project Summary	
Background	
Issues and Considerations	
Conclusion	
<b>Conditions of Approval.....</b>	<b>C-1</b>
<b>Findings .....</b>	<b>F-1</b>
General Plan/Charter Findings	
Entitlement Findings	
<b>Public Hearing and Communications.....</b>	<b>P-1</b>
<b>Exhibits:</b>	
Exhibit A – Architectural and Landscaping Plans	
Exhibit B – Maps (Radius Map, Vicinity Map, ZIMAS Parcel Profile Report, Site Photos )	
Exhibit C – Sustainable Communities Environmental Assessment (SCEA)	
Appendix A: Air Quality and Greenhouse Gas Modeling Data	
Appendix B: Arborist Reports	
Appendix C: Cultural and Tribal Cultural Resources	
Appendix D: Energy Consumption Model Data	
Appendix E: Geology and Soil Geotechnical Investigations; Geology and Soils Report Approval Letters	
Appendix F: Hazards and Hazardous Materials	
Appendix G: Hydrology and Water Resources Technical Report	
Appendix H: Land Use Plan Policy Consistency Tables	
Appendix I: Noise Measurement Data and Worksheets	
Appendix J: Transportation Study	
Appendix K: Utilities and Service Systems	
Exhibit D – Decision Letter VTT-82109	
Exhibit E – Public Correspondence	

## PROJECT ANALYSIS

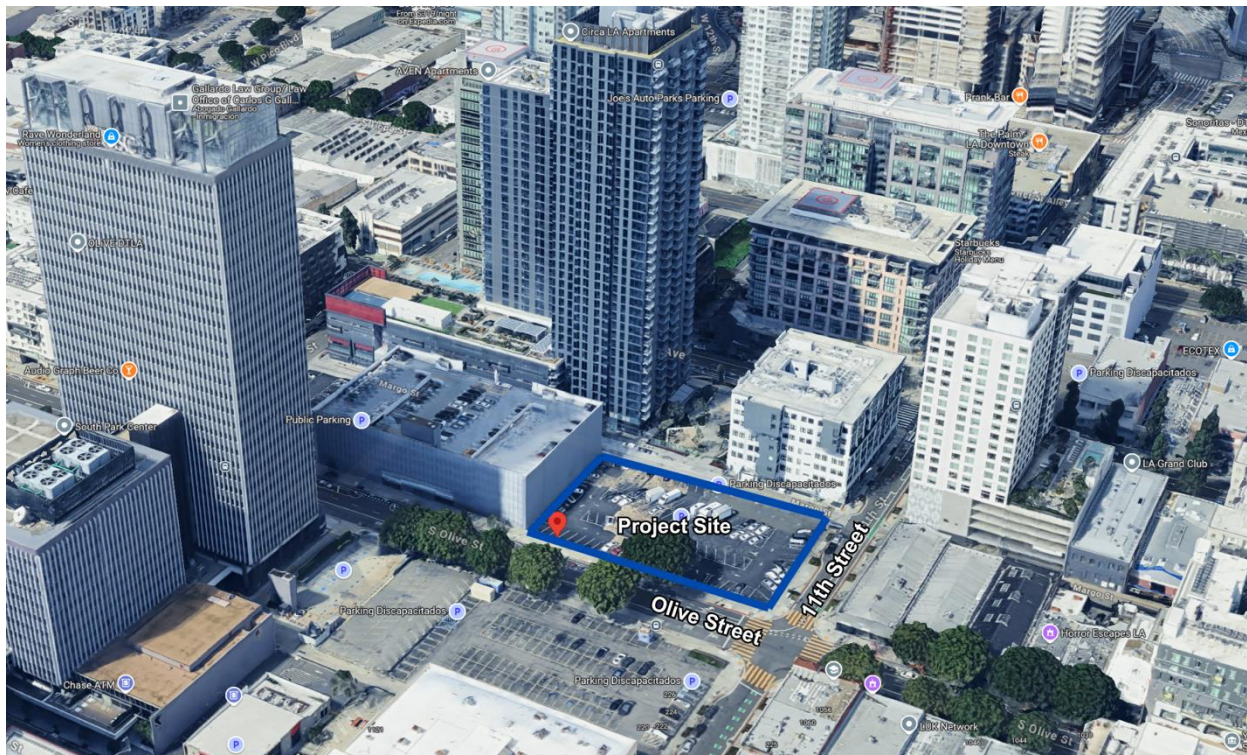
### Project Summary

The proposed development includes the demolition of an existing surface parking lot; removal of one (1) street tree on Olive Street and replacement with six (6) new London plane trees; removal of two (2) street trees on 11th Street and replacement with two (2) Chinese flame trees; export of approximately 118,543 cubic yards of earth; and construction, use, and maintenance of a 51-story mixed-use building containing 536 dwelling units and 4,178 square feet of ground floor commercial space. The proposed project would include a total floor area of 491,515 square feet with a floor area ratio (FAR) of 9.13:1. The building would be a maximum of 603 feet in height as measured from grade to the top of the roof structure. The project includes 581 automobile parking spaces for residential use in six (6) levels of subterranean parking and a three (3) levels of above-grade parking podium. A total of 234 bicycle parking spaces, including 23 short-term and 211 long-term spaces, would be provided. The Project would provide a minimum of 58,275 square feet of usable open space.

### Background

#### Location and Setting

The Project Site is located in South Park within the Central City Community Plan area. The immediate vicinity of the Project Site is urbanized and characterized by other high-rise buildings including a mix of multi-family residential, commercial, retail, restaurants, and parking uses. Additionally, the Los Angeles County Metropolitan Transportation Authority (Metro) 7th Street/Metro Center Station, which serves the Metro A, B, D, and L Lines is located approximately one mile north of the Project Site.



Aerial View of the Project Site

## **Project Site and Characteristics**

The subject property is a level, rectangular shaped site consisting of five (5) lots with 36,120 square feet of lot area pre-dedication and 35,734 square feet of lot area post-dedication. The site is located at the southwest corner of the Olive Street and 11<sup>th</sup> Street intersection with street frontages of approximately 203 feet along the west side of Olive Street and approximately 150 feet along the south side of 11<sup>th</sup> Street. The site abuts a 20-foot alley to the west.

The project site is zoned C2-4D-O and designated for Regional Center Commercial Land Uses by the Central City Community Plan. The Development “D” Limitation in Ordinance No. 164,307, Subarea 2915 limits the maximum Floor Area Ratio (FAR) of the site to 6:1. The project site is located within the Greater Downtown Housing Incentive Area, which allows unlimited density, no setback requirements, and buildable area to be the same as lot area. The site is also located in the Los Angeles State Enterprise Zone, City Center Redevelopment Project Area, the City of Los Angeles Transit Priority Area, and is eligible for AB 2097. The proposed project is subject to the Downtown Design Guidelines and Downtown Street Standards.

## **Project Vicinity**

Immediate surrounding properties include a mix of residential, commercial, retail, office, surface parking and mixed-use buildings that range in height from low-rise to high-rise.

North: The property to the north, across 11<sup>th</sup> Street includes a 38-story residential tower and one-story commercial building and is zoned [Q]R5-4D-O, designated for High Density Residential Land Uses.

South: The property to the south, abutting the Project site, is currently developed with a six-story public parking garage.

East: Properties to the east, across Olive Street, are currently developed with surface parking lots, one- to two-story commercial and retail buildings, two high rise office towers and are zoned C2-4D-O, designated for Regional Center Commercial Land Uses.

West: The property to the west, across the alley, is a seven-story residential mid-rise building and the South Park Commons and is zoned [Q]R5-4D-O, designated for High Density Residential Land Uses.

## **Streets and Circulation**

The Project Site is bounded by 11<sup>th</sup> Street to the north, Olive Street to the east, and an alley to the west.

11<sup>th</sup> Street, a designated Modified Collector, is dedicated to a width of 64 feet and improved with curb, gutter, sidewalk, street trees and streetlights.

Olive Street, a designated Modified Avenue II, is dedicated to a width of 90 feet and improved with curb, gutter, sidewalk, street trees and streetlights.

Alley is dedicated to a width of 20 feet and improved with pavement.



## **Freeway Access**

Regional access to the site is provided via State Route 110 (SR-110 or Harbor Freeway) approximately 0.6 miles west of the Project Site; Highway 101 (US-101 or Hollywood Freeway) approximately 1.5 miles northeast of the Project Site; Interstate 10 located approximately 0.5 mile to the southwest; and Interstate 5 located approximately 2.30 miles to the east. The Project Site is served by a comprehensive grid system of downtown surface streets with multiple access points to the various freeways. The closest freeway on and off ramps are on 11th Street approximately 0.6 miles from the site, and at 9th Street approximately 0.5 miles from the Project Site.

## **Public Transit**

The Project Site is well-served by public transit, including both rail and bus service, and shuttle service in the immediate vicinity. The site is located approximately 0.26 miles from the existing Pico Station on the Metro Blue Line and Expo Line and one mile from the entrance to the 7th/Metro Center Metro Rail Station, which provides connection to the Metro A, B, D, and L Lines. The area is currently served by local and inter-city transit operators. Metro also operates Rapid bus lines, Express lines and 70, 76, and 78 Local lines in the Project vicinity.

## **Land Use Policies**

### *General Plan Framework*

The City of Los Angeles General Plan Framework identifies the site and vicinity as a Downtown Center, which is considered an international center for finance and trade, the largest government center in the region, and the location for major cultural and entertainment facilities, hotels, professional offices, corporate headquarters, financial institutions, high-rise residential towers, regional transportation, and Convention Center facilities. The Downtown Center is generally characterized by floor area ratios of up to 13:1 and high-rise buildings.

### *Central City Community Plan*

The project site is located within the Central City Community Plan area. An update of the Central City Community Plan (now the Downtown Community Plan) was adopted by City Council on December 4, 2024 and went into effect on January 27, 2025. The project was filed and deemed complete with a Vesting Tentative Tract Map, which vests the project to the local planning and zoning rules that were in place at the time the complete application was submitted. Therefore, the project is not subject to the new Downtown Community Plan and its Community Plan Implementation Overlay nor is it subject to the Chapter 1A Processes and Procedures ordinance of the Los Angeles Municipal Code.

The Central City Community Plan Map designates the site for Regional Commercial land uses and allows for a corresponding zone of C2-4D-O. The Project Site's C2 Zone permits an array of land uses including office, hotel, residential and commercial uses. The Project Site's Height District No. 4 has no height limit and permits a FAR of 13:1. However, the "D" limitation restricts the FAR to 6:1 unless a Transfer of Floor Area (TFAR) is approved (Ordinance No. 164,307). There is no limit on the maximum number of dwelling units and the Greater Downtown Housing Incentive Area (ZI 2385) allows for zero setbacks along the front, side and rear property lines. The Downtown Design Guide and Downtown Street Standards regulate street frontage standards, pedestrian walkways, and roadway improvement requirements, among other design requirements. Residential open space shall be provided pursuant to Los Angeles Municipal Code (LAMC) 12.21 G, with certain exceptions provided under the Greater Downtown Housing Incentive Area (pursuant to LAMC Section 12.22 C.3).

### *Greater Downtown Housing Incentive Area*

Residential and mixed-use projects within the Greater Downtown area that comply with Urban Design Standards and Guidelines can utilize the following incentives: unlimited residential density, a floor area bonus for projects that provide a prescribed percentage of affordable housing units, the elimination of yard requirements (unless required by the Downtown Design Guide), flexibility in the allocation of private and common open space areas towards meeting open space requirements, and allowing Tract Maps and Parcel Maps to utilize areas set aside for street and alley purposes for floor area calculations.

### *Transit Priority Area*

In September 2013, California Governor Jerry Brown signed Senate Bill 743 (SB 743), which made several changes to CEQA for projects located in areas served by transit. Among other things, SB 743 added Public Resources Code (PRC) Section 21099, which provides that “aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment.” A Transit Priority Area is defined in PRC Section 21099 as an area within 0.5 miles of a major transit stop that is existing or planned. PRC Section 21064.3 defines major transit stop as “a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.” The Project is a mixed-use residential project and is located on an infill site. The Project Site is also located less than approximately one mile from an existing major transit stop (i.e., 7th/Metro Center Metro Rail Station, which provides connection to the Metro A, B, D, and L Lines, and therefore qualifies as located within a Transit Priority Area.

### *Downtown Design Guide*

The Project is also within the boundaries of the Downtown Design Guide (Design Guide) as a part of the Central City Community Plan. The Design Guide contains standards and guidelines for sustainable design, sidewalks and setbacks, ground floor treatment, parking and access, massing and street walls, on-site open space, architectural detail, streetscape improvements and signage.

The Project includes an array of design solutions to address the following Design Guideline standards:

- Varies setback to respond to building function and to create visual interest (3.B.3).
- Designs ground floor space with a linear frontage equal to at least 50% or 75% of street frontage to accommodate retail (4.B.1).
- Integrates parking to the visible façade (5.A.3.2).
- Includes a maximum of three above-grade parking levels (5.A.4).
- Maintains a consistent street wall along buildings’ street frontages (6.A.2).
- Tower sitting and massing maintains key views to important natural and man-made features (6.D.4).
- Provides site landscaping and residential open space as required by section 12.21.G. (7.4).

### **Relevant Cases**

ON-SITE:



There are no previous or existing permits or other cases relevant to this case.

**OFF-SITE:**

CPC-2018-2599-TDR-MCUP-ZV-DD-SPR: The proposed mixed-use development, known as DTLA South Park Property Site 3 located at 1100-1130 South Olive Street and 218-228 West 11th Street, includes the demolition of an existing surface parking lot and construction, use, and maintenance of a 60-story mixed-use building containing 713 dwelling units and 11,277 square feet of ground floor commercial space. The Site 3 Development would include a total floor area of 608,977 square feet with an FAR of 9:1. The building would be a maximum of 698 feet in height as measured from grade to the top of the roof structure. To enable the Site 3 Development, the Applicant is seeking a variance for parking dimensions, a Transfer of Floor Area Rights to permit the proposed FAR; a Director's Determination regarding on-site trees; and a Vesting Tentative Tract Map, Site Plan Review, and a Main Conditional Use Permit for alcohol sales.

The Site 3 project was analyzed within the same Sustainable Communities Environmental Assessment (SCEA) that was prepared for the proposed project.

**RELATED CASE:**

Case No. VTT-82109: The related request to permit the merger and re-subdivision of five (5) lots into a 19-lot subdivision for the construction of a mixed-use development consisting of 536 residential condominium units and 10 commercial condominium units was approved on December 11, 2024, along with the denial of a vacation request of a portion of the airspace above an alley abutting the site to the northwest and an approval of a haul route to export 118,543 cubic yards of soil from the project site located at 1105-1123 S. Olive Street. The determination was final on December 20, 2024 as no appeal of the Advisory Agency's decision was filed.

**Public Hearing**

A joint public hearing with the Deputy Advisory Agency and Hearing Officer was conducted remotely on Wednesday, November 13, 2024. The hearing was attended by the applicant, the applicant's representative, and members of the public. (See Public Hearing and Communications, Page P-1).

**Project Details**

The Project is the construction a 51-story mixed-use building comprised of 536 residential units and up to 4,178 square feet of ground level commercial uses on a 36,120 square foot area lot pre-dedication and 35,734 square feet of lot area post-dedication. The building will have a maximum floor area of 491,515 square feet with a total FAR of 9.13:1.

As illustrated in Exhibit A, a six-level parking garage will be located beneath the commercial ground floor of the building with three additional levels of above-grade parking located above the commercial ground floor. The commercial component of the ground floor consists of active retail or restaurant uses that will occupy 132 feet of the building's frontage on 11th Street. The ground floor maintains active frontage on Olive Street with approximately 87 feet of retail uses and approximately 73 feet of residential lobby. The 536 residential units are located on levels 5-51 and include 89 studio, 268 1-bedroom, 176 2-bedroom, and three 3-bedroom units. Distributed on levels five and six, the development features residential amenities including an outdoor deck, a swimming pool, outdoor dining areas, outdoor event space, a fitness center, a club/lounge room, a co-working room, and a dog run area. Common open space is distributed throughout the residential tower including indoor lounge areas and terraces on levels twenty-one, forty-one, and

fifty-one. These common open spaces in addition to private balcony open spaces contribute to the required open space for the Project.

### **Residential Open Space**

Based on the proposed 536 residential units and mix of unit types, the Project's common and private open space would total 58,275 square feet comprised of residential amenity terraces, residential fitness areas, outdoor decks, club/lounge rooms, private balconies, and other open space amenities. The Project is required to provide approximately 134 on-site trees (one tree for every four dwelling units). Due to the constrained site area, the Applicant will be seeking approval of a Director's Determination to provide 115 trees on-site in lieu of the 134 required by LAMC Sec. 12.21 G.2. The project has been conditioned to meet the requirement for the balance of the trees through the Off-Site Tree Planting Fee Program.

### **Access and Parking**

The project site is located within a half mile radius of a public transit stop and would be eligible to utilize Government Code Section 65863.2 (AB 2097), a law prohibiting the City from imposing any minimum automobile parking requirements for projects in proximity to a Major Transit Stop. The project proposes 581 parking spaces. These calculations do not utilize permitted bicycle parking credits. A total of 581 parking spaces will be provided on-site within six subterranean basement levels, at ground level, and in three above ground levels occupying the second, third, and fourth floors of the building. Compliant with the required bicycle parking per LAMC 12.21 A.4, the Project provides 211 long-term and 23 short-term bicycle parking spaces located on the ground level in two street adjacent locations, one located off Olive Street and one located off the abutting alley (Margo Street) northwesterly of the Project site.

Access to on-site parking is provided through a driveway entrance on Olive Street and an entrance on the alley to the west, abutting the northwesterly side of the Site. Servicing for the commercial and residential uses is provided by an on-site loading dock, accessible from the alley. The vehicle entrance on Olive Street is located mid-block to prioritize active lobby and retail uses towards the intersection of Olive Street and 11<sup>th</sup> Street. From this entrance, access to subterranean basement levels and above ground parking levels are provided via two ramps located within the center of the building. Vehicular traffic will be able to access and exit the building from both the alley and Olive Street.

### **Professional Volunteer Program**

The Project was reviewed by Urban Design Studio staff on January 30, 2020, and the Professional Volunteer Program (PVP) on February 18, 2020, resulting in the following comments with regard to the pedestrian-first design and climate-adapted design:

#### **Pedestrian-First**

Focus on the design of the pedestrian paseo and entrances to the paseo for a visible, attractive, and welcoming experience with priority for safety and appeal by including interesting lighting, distinct colors, art and/or murals, wayfinding and hardscape elements to define a pedestrian path of travel. The Project team responded by designing the Ground Level parking/drop-off/paseo area to be pedestrian-centric, added emphasis on the lighting, upgraded paving, and color in this area. Parallel parking for the ground floor to allow for a wider paseo was suggested, but was not included in the Project as the Applicant believes it may be a safety concern, with drivers having to pull up and back up to park, this may increase the chance of hitting a pedestrian in addition to vehicular congestion.

### Climate-Adapted design

It was recommended for the Project to consider the idea of a green alley by adding appropriate lighting and green elements, for example, stormwater capture, permeable paving, and native landscaping. The Applicant cited maintenance and liability concerns and concerns regarding adequate sunlight in the existing alley to allow planting to thrive. Instead, the Project proposes to provide appropriate lighting for pedestrian safety and does not recommend current paving and gutters be demolished to provide permeable paving, as feasibility may be an issue). The Applicant cites they are proposing less destructive enhancements in lieu of permeable paving by providing a painted graphic pattern to encourage access to the paseo and serve as an indication for drivers to slow down.

In response to staff's request for additional clarifying information, the Applicant provided information for solar panel locations in updated architectural plans, detailing the integration of solar panels into the roofs of the cabanas along the southeast portion of the Amenity Deck. The Applicant clarified that it is not feasible to locate solar panels on the roof of the building due to limited space with large mechanical units surrounded by tall screening. The Applicant also provided clarification on LID compliance, specifying that LID requirements will be met by providing a drywell for infiltration.

### **Transfer of Floor Area (TFAR) Public Benefits Transfer Plan**

To initiate a TFAR for a project site within the City Center Redevelopment Project Area, the Applicant submits a Transfer Plan identifying the Donor Site, Receiver Site, amount of Floor Area Rights for Transfer, and information about the Public Benefit payment to the Department of City Planning (DCP). In accordance with LAMC Section 14.5.5, the proposal is evaluated in an Early Consultation Session with city staff from various departments, and following a report from the Director of Planning, the CPC then considers the requests and provides a recommendation to the City Council.

The Project Site is located within the Central City Community Plan area, designated as Regional Commercial with a corresponding zone of C2-4D-O (Commercial Zone, Height District 4 with "D" Limitations). The Height District No. 4 permits an FAR of 13:1, and no building height limit. However, the D Limitation restricts the floor area of buildings to a maximum FAR of 6:1, unless a TFAR is approved (Ordinance No. 164,307 – Subarea 2915). The lot area of the Project Site is 36,120 square feet, which would allow for 216,720 square feet of floor area based on a 6:1 FAR. The Applicant has requested a transfer of 274,795 square feet of floor area from a Donor Site, located at 1201 South Figueroa Street (Los Angeles Convention Center), to permit a maximum of 491,515 square feet of floor area and a 9.13:1 FAR on the Receiver Site (the Project Site).

Under a Transfer Plan, a Public Benefit Payment is required for this transfer of floor area. As part of the request, the Applicant has submitted a Transfer Plan indicating the proposed distribution of the Public Benefit Payment required pursuant to LAMC Section 14.5.9. The Public Benefit Payment requires that at least 50 percent of the payment be provided as a cash payment by the Applicant to the Public Benefit Trust Fund, unless otherwise approved by City Council. The remaining 50 percent of the payment may be provided by the direct provision of Public Benefits by the Applicant.

Pursuant to LAMC Section 14.5.5, Planning staff engaged in TFAR Early Consultation Session meetings with representatives from the Mayor's Office and the Office of the Chief Legislative Analyst to discuss any development issues regarding the Project, including parking and transportation requirements, transfers, and public benefits. Pursuant to LAMC Section 14.5.9, a Public Benefit Payment shall be provided as part of an approved Transfer Plan and shall serve a public purpose, such as: providing for affordable housing; public open space; historic

preservation; recreation; cultural; community and public facilities; job training and outreach programs; affordable childcare; streetscape improvements; public arts programs; homeless services programs; or public transportation improvements. The Applicant's proposal for the Public Benefit Payment consisted of 50 percent of the payment to the City's Affordable Housing Trust Fund. Therefore, the public benefit funds are proposed to be redistributed evenly between the Public Benefit Direct Provisions and Public Benefit Trust Fund as follows:

The Public Benefit Direct Provision would allocate a total of \$5,731,235.70 towards the City of Los Angeles Affordable Housing Trust Fund.

<b>Public Benefit Payment Transfer Plan</b>		
Total Public Benefit Payment		\$11,462,471.39
50% Public Benefit Cash Payment		\$5,731.235.70
50% Public Benefit Direct Provision		\$5,731.235.70
<b>Allocation of Public Benefit Direct Provision</b>		
Los Angeles Housing Department Affordable Housing Trust Fund	100%	\$5,731,235.70

In addition, pursuant to LAMC Section 14.5.10, if the Donor Site is owned by the City, the TFAR Transfer Payment shall be the greater of (a) 10% of the Public Benefit Payment, or (b) \$5 multiplied by the number of square feet of Floor Area Rights to be transferred to the Receiver Site. In this instance, the greater is \$5 multiplied by 274,795 square feet of floor area to be transferred, for a total TFAR Transfer Payment of \$1,373,975.00.

## **Requested Entitlements and Analysis**

### Transfer of Development Rights

The project requests a Transfer of Floor Area Rights (TFAR) from the Los Angeles Convention Center (Donor site) to allow a maximum 9.13:1 FAR in lieu of the otherwise permitted 6:1 FAR.

A Transfer of Floor Area Rights (TFAR) allows the transfer of unused allowable floor area of a lot from a Donor Site to a Receiver Site for projects involving transfers of 50,000 square feet or greater. The Applicant requests an approval of a TFAR from the Los Angeles Convention Center (Donor Site) at 1201 South Figueroa Street for up to 274,795 square feet to the Project Site (Receiver Site) permitting a maximum 9.13:1 FAR in lieu of the maximum permitted 6:1 FAR.

### Main Conditional Use Permit

A Main Conditional Use Permit to permit two (2) off-site and two (2) on-site sales and consumption of alcoholic beverages at four establishments within the Project site.

### Zone Variance

Pursuant to LAMC Section 12.21 A.5(a)(1)(ii), 12.21 A.5(a)(2), and 12.21 A.5(b), the Project is required to provide 9 feet 4 inches by 18 feet parking stalls when providing 24 feet wide double-

loaded, two-way drive aisles. Additionally, the LAMC requires 9 feet 4 inches parking stall widths with an additional 10 feet width on the side of an obstruction. The Project proposes to reduce the parking stall size to 8 feet 6 inches by 16 feet as the standard parking stall. The Project is also required to provide 27 feet 4 inches drive aisles for 8 feet 6 inches wide stalls at a 90-degree angle with both single and double loaded aisles with two-way traffic. The Project proposes to reduce the drive aisles to 25 feet 1 inch, in lieu of the Code-required 27 feet 4 inches for all drive aisles in the parking structure of the Project.

#### Director's Determination

Pursuant to LAMC Section 12.21 G.3, the Project is required to plant one tree for every four dwelling units proposed. The Project proposes 536 residential dwelling units, which would require a total of 134 on-site trees. The Applicant requests a Director's Determination to permit the planting of 115 on-site trees, in lieu of the otherwise required 134 on-site trees. As no setbacks are required for properties located within the Greater Downtown Incentive Area (ZI No. 2385), which is to incentivize housing, space that could have been used for tree planting is reduced. The trees that are not planted on site will be accounted for through the payment of the Off-Site Tree Planting fee, as conditioned.

#### Site Plan Review

A Site Plan Review approval for a project that results in the creation of 50 or more dwelling units and/or guest rooms.

#### Vesting Tentative Tract Map

Under and incidental case, this Project includes a Vesting Tentative Tract Map (VTT-82109) to permit the merger and re-subdivision of five (5) lots into a 19-lot subdivision for the construction of a mixed-use development consisting of 536 residential condominium units and 10 commercial condominium units; denial of vacation of a portion of the airspace above an alley abutting the site to the northwest; and permit a haul route to export 118,543 cubic yards of soil from the project site located at 1105-1123 S. Olive Street was approved on December 11, 2024 by the Advisory Agency. The decision of the Advisory Agency became effective on December 20, 2024, as no appeals were filed.

#### **Environmental Analysis**

A Sustainable Communities Environmental Assessment (SCEA) under ENV-2018-2601-SCEA was prepared for the Project to identify potential adverse impact to the surrounding neighborhood and public health as well as the overall impacts of the Project. The City Council held a hearing on and adopted the SCEA on December 11, 2024.

#### **Issues and Considerations**

Pursuant to LAMC Section 12.21 G.3, the Project is required to plant one tree for every four dwelling units proposed. The Project proposes 536 residential dwelling units, which would require a total of 134 on-site trees. The Applicant requests a Director's Determination to permit the planting of 115 on-site trees, in lieu of the otherwise required 134 on-site trees. No setbacks are required for properties located within the Greater Downtown Incentive Area (ZI No. 2385). The Downtown Street Design Guide requires a 3-foot average sidewalk easement along the Project's street frontage on 11th Street, which is provided by the Project. Furthermore, the Downtown Design Guide permits up to five feet of building and balcony projections into these easements at 40 feet above grade of which the Project is in compliance. The Project's limited ground floor area

available for planting trees, the 58,839 square feet buildable lot size, and the placement of the structure within and abutting the required sidewalk easement areas would limit ground floor areas available for planting trees. Therefore, staff recommends that this request be approved, and that the project be allowed to provide the balance of the trees that do not fit on site through the Off-Site Tree Planting Fee Program.

### **Conclusion**

The Project presents an opportunity to provide a high-rise, mixed-use development within the South Park area of Downtown Los Angeles, that provides 536 residential units, active ground-floor commercial uses, and streetscape improvements. The Project will contribute to addressing the shortage of housing in the City, by providing residential and commercial uses within a transit-rich area of downtown, in proximity to major employment centers, amenities, and cultural destinations. By providing new housing options and commercial uses for the growing downtown population, the Project would benefit the community and support the City's goals for housing and economic development. The Project would support the goals of the Framework Element, Central City Community Plan, and is consistent with the site's Financial Core and Regional Commercial designations and is consistent with the growth envisioned in regional plans such as the SCAG RTP/SCS. The project's location, uses, height, and other features would be compatible with the surrounding neighborhood, and would not adversely affect public health, welfare, and safety. The active uses along 11th Street and Olive Street include the commercial uses and the residential lobby area. Furthermore, considerations of economic, social, aesthetic, and environmental benefits for the Project override the project's temporary significant and unavoidable impacts related to construction noise and vibration. Based on the information submitted to the record, the testimony received at the public hearing, the analysis in the SCEA, and the whole of the administrative record, staff recommends that the City Planning Commission adopt and approve the Project as conditioned herein.

## CONDITIONS OF APPROVAL

Pursuant to Section 14.5.6 B and 16.05 of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the subject property:

### **Entitlement Conditions**

1. **Site Development.** The use and development of the property shall be in substantial conformance with the plans submitted with the application, marked Exhibit A, except as may be revised by this action. No change to the plans will be made without prior review by the Department of City Planning, and written approval by the Director of Planning, with each change identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
2. **Transfer of Floor Area Rights**
  - a. **Floor Area.** The Development shall not exceed a maximum Floor Area Ratio (FAR) of 9.13:1 and a total floor area of 491,515 square feet. The Transfer Payment and Public Benefit Payment shall be pro-rated to the amount of TFAR being acquired in the event the maximum amount of TFAR is not required. The buildable area of a Transit Area Mixed Use Project used to calculate the base floor area shall be 216,720 square feet with a 6:1 FAR. Changes to the Project that result in a 20 percent decrease in floor area, or more, shall require new entitlements. The Department of City Planning reserves the right to confirm the accuracy of the requested floor area, and to verify the calculation of the Transfer Payment and Public Benefit Payment at any time prior to the issuance of the building permit, or 24 months after the final approval of the Transfer and the expiration of any appeals or appeal period, or any extensions permitted by the Director in accordance with Section 14.5.11 of the LAMC.
  - b. **TFAR Transfer Payment.** The Project is subject to and shall pay a TFAR Transfer Payment in conformance with Section 14.5.6 through 14.5.12 of the Code. Such payment shall be based on the actual amount of floor area transferred to the Project site.
    - i. The total amount of floor area authorized to be transferred from the Los Angeles Convention Center by this action shall not exceed 274,795 square feet. The total floor area of the Project Site (Receiver Site) shall not exceed 491,515 square feet.
    - ii. The Applicant shall provide a TFAR Transfer Payment consistent with LAMC Section 14.5.10 in the amount of \$5 per square foot, or \$1,373,975.00 for the transfer of 274,975 square feet from the Los Angeles Convention Center located at 1201 South Figueroa Street (Donor Site) to the Project Site (Receiver Site).
  - c. **Public Benefit Payment.** The Project is subject to and shall pay a Public Benefit Payment in conformance with Section 14.5.6 through 14.5.12 of the Code.
    - i. The Applicant shall provide a Public Benefit Payment consistent with LAMC Section 14.5.9 in the amount of \$11,462,471.39 provided that at least 50 percent (or \$5,5731,235.70) of the Public Benefit Payment consist of cash



payment by the Applicant to the Public Benefit Trust Fund. Direct provision payments shall be paid directly to the recipients and not to the City of Los Angeles. Proof shall be provided in the form of a cleared check or bank statement and a letter signed by the Executive Director of each organization. Consistent with the TFAR Ordinance, the Project shall provide 100 percent (or \$11,462,471.39) of the Public Benefit Payment by directly providing the following public benefits:

1. A payment to the City of Los Angeles Housing Department Affordable Housing Trust Fund in the amount of \$5,731,235.70 (50 percent). The funds shall be utilized for construction and operation of affordable housing developments.
- ii. At the time of issuance of the Certificate of Occupancy for the Project, the Applicant shall provide an update to the file from each recipient of direct provisions detailing how the money has been spent thus far.
- iii. The Applicant shall pay the required Public Benefit Payment, less the cost of the Direct Provision of Public Benefits, in cash to the Public Benefit Trust Fund, pursuant to the terms of Transfer of Floor Area Rights Ordinance No. 181,574, Article 4.5 of the LAMC. The Public Benefit Payment proof of cash payment and direct provision of public benefits is required upon the earliest occurrence of either:
  1. The issuance of the building permit for the Project; or
  2. Twenty-four months after the final approval of the Transfer and the expiration of any appeals or appeal period; should the Applicant not make the required payments within the specified time, the subject approval shall expire, unless extended by the Director in writing.

### **3. Sustainability**

- a. The Project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.

### **4. Parking**

- a. Automobile Parking. Pursuant to California Government Code Section 65863.2 and AB 2097, the project shall be allowed to provide a minimum of zero (0) parking spaces. However, 581 parking spaces are being provided.
- b. Bicycle parking. Bicycle parking shall be provided consistent with LAMC 12.21-A,16. In the event that the number of On-Site Restricted Affordable Units should increase or the composition of such units should change, then no modification of this determination shall be necessary and the number of bicycle parking spaces shall be re-calculated consistent with LAMC Section 12.21-A,16.
- c. Unbundling. Required parking may be sold or rented separately from the units, with the exception of all Restricted Affordable Units which shall include any required parking in the base rent or sales price, as verified by LAHD.

- d. **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, to the satisfaction of the Department of Building and Safety

**5. Open Space.** The Project shall provide open space as follows:

- a. A minimum of 58,275 square feet of open space, in substantial conformance with the architectural plans stamped Exhibit A.
- b. A minimum of 6,452 square feet (25 percent) of the common open space areas shall be planted with ground cover, shrubs, and trees within the common open space.

**6. Stormwater/Irrigation.** The project shall implement on-site stormwater infiltration as feasible based on the site soils conditions, the geotechnical recommendations, and the City of Los Angeles Department of Building and Safety Guidelines for Storm Water Infiltration. If on-site infiltration is deemed infeasible, the project shall analyze the potential for stormwater capture and reuse for irrigation purposes based on the City Low Impact Development (LID) guidelines.

**Downtown Design Guide Conditions**

**7. Sidewalk Easement.** The project shall provide an average sidewalk easement of three (3) feet along 11th Street and a street dedication of two (2) feet, as shown on Sheet G0.01b of Exhibit "A." The building shall not project more than five horizontal feet over the required sidewalk easement nor below 40 vertical feet above the sidewalk.

**8. Setbacks.** The project shall observe zero-foot setbacks on Olive Street and on the back of the required sidewalk easement along 11th Street, except for the corner at the intersection of 11th Street and Olive Street, as shown on Sheet A1.04 of Exhibit "A".

**9. Streetwall.**

- a. **11<sup>th</sup> Street.** At least 114 linear feet and six (6) linear inches of the 150-foot building frontage (76%) shall provide a building street wall at the back of the sidewalk easement for a minimum height of 45 feet, as shown on Sheet G0.05 of Exhibit A.
- b. **Olive Street.** At least 164 linear feet and six (6) linear inches of the 203-foot building frontage (81%) shall provide a building street wall at the back of the sidewalk easement for a minimum height of 45 feet.

**10. Parking.** Facades of all above-grade vehicle parking structures shall be enclosed and screened to minimize visual impacts on the public realm in substantial conformance with materials, colors and design as shown on **Sheets A2.01, A2.02, A2.03, A2.04, A4.02, and A4.03** of Exhibit "A." As shown in Exhibit "A," the exterior of the above-grade parking garage shall be screened with solid metal panels, metal screens with angled louvres, tempered glazing, and cement plaster.

**11. Ground Floor Treatment.**

- a. Wall openings shall comprise at least 75 percent of the street level façade on 11th Street.

- b. The building's primary entrance shall be located on a public street.
- c. At least one building entrance shall be provided along each street frontage.
- d. The project shall provide well-marked entrances to cue access and use.
- e. The treatment of primary building entrances or lobbies for mixed-use buildings shall be accentuated and differentiated from other building uses at the street front through changes in building massing, material, treatment and/or articulation.
- f. Awnings and canopies shall be constructed of woven fabric, glass, metal or other permanent material compatible with the building architecture.
- g. Electrical transformers, mechanical equipment and other equipment shall not be located along the ground floor street wall of 11th Street or Olive Street.
- h. Electrical transformers, mechanical equipment, other equipment, enclosed stairs, storage spaces, blank walls and other elements that are not pedestrian-oriented shall not be located within 100 feet of the corner on north-south streets and within 50 feet of the corner on east-west streets.

**12. Active Uses on the Ground Floor.** At least 75 percent of the ground floor street frontages along 11th Street shall be designed to accommodate active uses as defined in Section 4.B.1 of the Downtown Design Guide.

**13. Signage.** The applicant shall submit a final sign plan for the entire project to the Department of City Planning, Central Project Planning Division for review and approval prior to obtaining any sign permits. The final sign plan shall identify all sign types that can be viewed from the street, sidewalk or public right-of-way.

### **Zone Variance Conditions**

**14. Approved herein is a variance to permit:**

- a. **Reduced Drive Aisle Width.** Vehicular drive aisles shall be allowed at a minimum width of 25 feet 1 inch in lieu of the required 27 feet 4 inches.
- b. **Parking Stall Design.** Relief shall be provided from the requirement to provide the otherwise required parking stall, for reduced parking stall size to a minimum 8 feet 6 inches by 16 feet deep in lieu of the required 9 feet 4 inches wide by 18 feet deep.
- c. The project shall comply with all other provisions of LAMC Section 12.21-A-5 including but not limited to back up distance, striping, driveway location, etc.
- d. Prior to any sign-off of building permits by the Development Service Center, pursuant to this grant, the applicant shall submit a copy of the plans to the Department of Transportation for review and approval.
- e. Prior to any sign-off of building permits by the Development Service Center, pursuant to this grant, the applicant shall submit a copy of the plans to the Los Angeles Fire Department for review and approval.

**Director's Determination Conditions**

**15. Landscaping.** Prior to the issuance of a building permit, a landscape and irrigation plan shall be submitted to the Department of City Planning for approval. The landscape plan shall be in substantial conformance with the landscape plan stamped Exhibit A, dated July 13, 2023.

**16. Required Trees.** The Project shall plant 115 trees on-site in lieu of the required 134 on-site trees.

- a. Any trees that are required pursuant to LAMC Section 12.21 G and are planted on any podium or deck shall be planted in a minimum three-foot planter.
- b. Trees. There shall be a minimum of 115 24-inch box trees planted on-site in compliance with Section 12.21 G.2(a)(3) of the Los Angeles Municipal Code (LAMC).
  - i. Final landscape plans shall show the location, height, and caliper of all trees. All required landscaped areas shall be equipped with an automatic irrigation system and be properly drained.
  - ii. The remaining 19 trees that cannot be accommodated on-site shall be provided through the payment of the In-Lieu Fee – Development Tree Planting Requirement, as specified in Article 2, Chapter VI, Section 62.177(b)(1) of the LAMC for each tree to be planted offsite. The priority for the location of off-site plantings shall be within the Central City Community Plan Area, subject to the acceptance of a donor site. A receipt showing proof of payment shall be provided to the Department of City Planning at the time of Building Permit Clearance.
  - iii. In the event that the number of dwelling units should be reduced, then no modification of this determination shall be necessary, and the number of trees shall be recalculated based upon the LAMC Section 12.21 G requirement of one tree per four dwelling units.

**Site Plan Review Conditions****17. Facade and Parking Structure Design**

- a. Facades of parking structures shall be screened to minimize their visual impact on the public realm.
- b. Entrances, elevators and stairs for parking structures shall be easily accessible and highlighted architecturally.
- c. Any above ground parking structure shall be designed to be utilized and easily repurposed to other uses. The conversion of floor area from parking into new uses may be subject to additional discretionary actions.
- d. Above ground parking structures shall have flat parking levels, not including the driveway ramps.
- e. The height of the above ground parking levels shall have sufficient clearance to be adaptable to non-parking uses. Once converted, the building shall permit a minimum floor to ceiling height of 9 feet for commercial uses and 8 feet for residential uses.

**18. Common and Private Open Space.** Common and Private Open Space shall conform to the requirements of the LAMC and shall not be enclosed or be converted into habitable space.

- 19. Tree Maintenance.** All newly planted trees must be appropriately sized, staked and tied; provided with a watering moat; and shall be properly watered and maintained.
- 20. Lighting.** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.
- 21. Trash Storage and Collection.**  
All trash collection and storage areas shall be located on-site and shall not be visible from the public right-of-way.
- a. Trash receptacles shall be stored in a fully enclosed building or structure.
  - b. Trash/recycling containers shall be locked when not in use.
- 22. Mechanical Equipment.** Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view of any abutting properties and the public right-of-way. All screening shall be setback at least five feet from the edge of the building.
- 23. Construction Signage.** There shall be no off-site commercial signage on construction fencing during construction.
- 24. Maintenance.** The project site (including all trash storage areas, associated parking facilities, sidewalks, yard areas, parkways, and exterior walls along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.
- 25. Lighting.** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way, nor from above.
- 26. Solar Ready.** 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.
- 27. 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.

#### **Main Conditional Use Permit Conditions**

- 28.** All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
- 29.** The use and development of the property shall be in substantial conformance with the plot plan and floor plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
- 30.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Zoning Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

31. Each individual establishment shall be subject to a Zoning Administrator's Approval of Plans determination pursuant to Section 12.24 M of the Los Angeles Municipal Code in order to implement and utilize the Conditional Use authorization granted herein as follows:
  - a. The sale and consumption of a full-line of alcoholic beverages in conjunction with up to two on-site and two off-site establishments.
32. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.
33. **Main Plan Approval (MPA) Requirement.** Each individual venue shall be subject to a Master Plan Approval (MPA) determination pursuant to Section 12.24-M of the Los Angeles Municipal Code in order to implement and utilize the Master Conditional Use authorization granted. The purpose of the Master Plan Approval determination is to review each proposed venue in greater detail and to tailor site-specific conditions of approval for each of the premises including but not limited to hours of operation, seating capacity, size, security, live entertainment, the length of a term grant and/or any requirement for a subsequent MPA application to evaluate compliance and effectiveness of the conditions of approval. The Zoning Administrator may impose more restrictive or less restrictive conditions on each individual tenant at the time of review of each Plan Approval application. A public hearing for any Master Plan Approval (MPA) request may be waived at the discretion of the Chief Zoning Administrator.
34. A camera surveillance system shall be installed and operating at all times to monitor the interior, entrance, exits and exterior areas, in front of and around the premises. Recordings shall be maintained for a minimum period of 30 days.
35. **STAR/LEAD Training.** Within the first six months of operation, all employees involved with the sale of alcohol shall enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR) or Department of Alcoholic Beverage Control "Licensee Education on Alcohol and Drugs" (LEAD) training program. Upon completion of such training, the applicant shall request the Police Department or Department of Alcoholic Beverage Control to issue a letter/certificate identifying which employees completed the training. Thereafter, STAR/LEAD training shall be conducted for all new hires within three (3) months of their employment.
36. The Applicant shall be responsible for monitoring both patron and employee conduct on the premises and within the parking areas under his/her control to assure such conduct does not violate applicable laws.
37. Loitering is prohibited on the premises or the area under the control of the applicant. "No Loitering or Public Drinking" signs shall be posted in and outside of the subject facility.
38. At least one on-duty manager with authority over the activities within the facility shall be on the premises during business hours. The on-duty manager's responsibilities shall include the monitoring of the premises to ensure compliance with all applicable State laws, Municipal Code requirements and the conditions imposed by the Department of Alcoholic Beverage Control (ABC) and the conditional use herein. Every effort shall be undertaken in managing the subject premises and any exterior area over which the building owner exercises control to discourage illegal and criminal activities.

39. The Applicant shall be responsible for maintaining the premises and adjoining sidewalk free of debris or litter.
40. An electronic age verification device shall be purchased and retained on the premises to determine the age of any individual and shall be installed on at each point-of-sales location. This device shall be maintained in operational condition and all employees shall be instructed in its use.
41. The restaurant establishments shall be maintained as a bona fide eating places (restaurants) with an operational kitchen and shall provide a full menu containing an assortment of foods normally offered in such restaurants. Food service shall be available at all times during operating hours. The establishment shall provide seating and dispense food and refreshments primarily for consumption on the premises and not solely for the purpose of food takeout or delivery.
42. The owner or the operator shall comply with California Labor Code 6404.5 which prohibits the smoking of tobacco or any non-tobacco substance, including from electronic smoking devices or hookah pipes, within any enclosed place of employment.
43. All deliveries shall be made in the designated on-site loading area. No loading or unloading of deliveries shall be permitted along 11th Street and Olive Street.
44. Trash pick-up, compacting, loading and unloading and receiving activities shall be limited to 7:00 a.m. to 6:00 p.m. Monday through Friday and 10:00 a.m. to 4:00 p.m. on Saturday. No deliveries or trash pick-up shall occur on Sunday. The outside disposal of glass bottles and contains shall only occur between the hours of 7:00 a.m. to 6:00 p.m.
45. Designated Driver Program. Prior to the utilization of this grant, the applicant shall establish a "Designated Driver Program" which shall include, but not be limited to, signs/cards, notation on websites/social media, notifying patrons of the program. The signs/cards/website/social media shall be visible to the customer and posted or printed in prominent locations or areas. These may include signs/cards on each table, at the entrance, at the host station, in the waiting area, at the bars, or on the bathrooms, or a statement in the menus, a website, or on social media.
46. Any music, sound or noise which is under control of the applicant shall not violate Sections.
47. At any time, a City representative may visit the site during operating hours to measure the noise levels. If, upon inspection, it is found that the noise level exceeds those allowed by the citywide noise regulation, the owner/operator will be notified and will be required to modify or eliminate the source of the noise or retain an acoustical engineer to recommend, design and implement noise control measures within property such as, noise barriers, sound absorbers or buffer zones.
48. MViP – Monitoring Verification and Inspection Program. At any time, before, during, or after operating hours, a City inspector may conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and used to rate the operator according to the level of compliance. If a violation exists, the owner/operator will be notified of the deficiency or violation and will be required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed therein, may result in denial of future requests to renew or extend this grant.



49. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
50. The Zoning Administrator reserves the right to require that the owner or operator file a Plan Approval application, if it is determined that the new operation is not in substantial conformance with the approved floor plan, or the operation has changed in mode or character from the original approval, or if documented evidence be submitted showing a continued violation(s) of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties. The application, in association with the appropriate fees shall be submitted to the Department of City Planning within 30 days of the date of legal acquisition by the new owner or operator. The purpose of the plan approval will be to review the operation of the premise and establish conditions applicable to the use as conducted by the new owner or operator, consistent with the intent of the Conditions of this grant. Upon this review, the Zoning Administrator may modify, add or delete conditions, and if warranted, reserves the right to conduct this public hearing for nuisance abatement/revocation purposes, pursuant to LAMC Section 12.27.1.

### **Environmental Conditions**

51. **Implementation.** The Mitigation Monitoring Program (MMP), attached as "Exhibit B" and part of the case file, shall be enforced throughout all phases of the Project. The Applicant shall be responsible for implementing each Project Design Features (PDF) and Mitigation Measure (MM) and shall be obligated to provide certification, as identified below, to the appropriate monitoring and enforcement agencies that each PDF and MM has been implemented. The Applicant shall maintain records demonstrating compliance with each PDF and MM. Such records shall be made available to the City upon request.
52. **Construction Monitor.** During the construction phase and prior to the issuance of building permits, the Applicant shall retain an independent Construction Monitor (either via the City or through a third-party consultant), approved by the Department of City Planning, who shall be responsible for monitoring implementation of PDFs and MMs during construction activities consistent with the monitoring phase and frequency set forth in this MMP.

The Construction Monitor shall also prepare documentation of the Applicant's compliance with the PDFs and MMs during construction every 90 days in a form satisfactory to the Department of City Planning. The documentation must be signed by the Applicant and Construction Monitor and be included as part of the Applicant's Compliance Report. The Construction Monitor shall be obligated to immediately report to the Enforcement Agency any non-compliance with the MMs and PDFs within two businesses days if the Applicant does not correct the non-compliance within a reasonable time of notification to the Applicant by the monitor or if the non-compliance is repeated. Such non-compliance shall be appropriately addressed by the Enforcement Agency.

53. **Substantial Conformance and Modification.** After review and approval of the final MMP by the Lead Agency, minor changes and modifications to the MMP are permitted, but can only be made subject to City approval. The Lead Agency, in conjunction with any appropriate agencies or departments, will determine the adequacy of any proposed change or modification. This flexibility is necessary in light of the nature of the MMP and the need to protect the environment. No changes will be permitted unless the MMP continues to satisfy the requirements of CEQA, as determined by the Lead Agency

The Project shall be in substantial conformance with the PDFs and MMs contained in this MMP. The enforcing departments or agencies may determine substantial conformance with PDFs and MMs in the MMP in their reasonable discretion. If the department or agency cannot find substantial conformance, a PDF or MM may be modified or deleted as follows: the enforcing department or agency, or the decision maker for a subsequent discretionary project related approval finds that the modification or deletion complies with CEQA, including CEQA Guidelines Sections 15162 and 15164, which could include the preparation of an addendum or subsequent environmental clearance, if necessary, to analyze the impacts from the modifications to or deletion of the PDFs or MMs. Any addendum or subsequent CEQA clearance shall explain why the PDF or MM is no longer needed, not feasible, or the other basis for modifying or deleting the PDF or MM, and that the modification will not result in a new significant impact consistent with the requirements of CEQA. Under this process, the modification or deletion of a PDF or MM shall not, in and of itself, require a modification to any Project discretionary approval unless the Director of Planning also finds that the change to the PDF or MM results in a substantial change to the Project or the non-environmental conditions of approval.

**54. Tribal Cultural Resource Inadvertent Discovery.** In the event that objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities (Ground disturbance activities shall include the following: excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, pounding posts, augering, backfilling, blasting, stripping topsoil or a similar activity), all such activities shall temporarily cease on the Project Site until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

- Upon a discovery of a potential tribal cultural resource, the project Permittee shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project; (2) and the Department of City Planning.
- If the City determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be tribal cultural resource, the City shall provide any effected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Project Permittee and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
- The project Permittee shall implement the tribe's recommendations if a qualified archaeologist, retained by the City and paid for by the project Permittee, reasonably concludes that the tribe's recommendations are reasonable and feasible.
- The project Permittee shall submit a tribal cultural resource monitoring plan to the City that includes all recommendations from the City and any affected tribes that have been reviewed and determined by the qualified archaeologist to be reasonable and feasible. The project Permittee shall not be allowed to recommence ground disturbance activities until this plan is approved by the City.
- If the project Permittee does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist, the project Permittee may request mediation by a mediator agreed to by the Permittee and the City who

has the requisite professional qualifications and experience to mediate such a dispute. The project Permittee shall pay any costs associated with the mediation.

- The project Permittee may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by the qualified archaeologist and determined to be reasonable and appropriate.
- Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton.

Notwithstanding the above, any information determined to be confidential in nature, by the City Attorney's office, shall be excluded from submission to the SCCIC or the general public under the applicable provisions of the California Public Records Act, California Public Resources Code, and shall comply with the City's AB 52 Confidentiality Protocols.

### **Administrative Conditions**

**55. Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.

**56. Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.

**57. 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 Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.

**58. Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.

**59. Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.

**60. Department of Building & 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 & 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 & 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.

**61. Department of Water and Power.** Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Rules Governing Water and Electric Service. Any corrections and/or modifications to plans made subsequent to this determination in order to accommodate changes to the project due to the under-grounding of utility lines, that are outside of substantial compliance or that affect any part of the exterior design or appearance of the project as approved by the Director, 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.

**62. 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.

**63. Indemnification and Reimbursement of Litigation Costs.** The 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, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- 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 includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

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

## FINDINGS

1. **Transfer of Floor Area Rights Findings. Pursuant to LAMC Section 14.5.6 B.2(a) and 4(a), in order to approve a Transfer, the Commission shall find that:**
  - a. **The increase in Floor Area generated by the proposed Transfer is appropriate with respect to location and access to public transit and other modes of transportation, compatible with other existing and proposed developments and the City's supporting infrastructure, or otherwise appropriate for the long-term development of the Central City.**

The Project would involve the construction of a 51-story mixed-use building with a maximum height of 603 feet. The Project's commercial and residential uses would total 491,515 square feet of floor area, consisting of 536 residential units, 4,178 square feet of ground-floor commercial retail and restaurant uses, parking, and residential open space amenities.

The Project Site is close to several bus transit lines, rail lines, and local shuttle services. Specifically, the Project Site is located approximately two blocks away from the 7th/Metro Center Metro Rail station, which contains the Metro B, D, A, and L Lines and is considered a hub of the regional rail network, connecting passengers to Pasadena, East Los Angeles, Long Beach, Culver City, Santa Monica, Hollywood, Koreatown, and North Hollywood. Metro bus lines, including local and rapid lines, as well as Los Angeles Department of Transportation's (LADOT's) Commuter Express lines, with the nearest stop on Olive Street and 11th Street. These bus lines connect passengers to the Project Site from various locations across the City and throughout Los Angeles County. Additionally, the Project Site is within walking distance of various employment opportunities in the Downtown area.

The intensity and mix of the residential and commercial uses are compatible with the current density and mix of uses in the downtown Los Angeles area. The Project Site is located in an area which is developed with low- to high-rise, mixed-use buildings. Properties to the north and west are developed with a seven-story residential mid-rise building, a 38-story residential tower, and one-story commercial buildings. Properties to the east, across Olive Street, and properties to the south are currently developed with surface parking lots, one- to two-story commercial and retail buildings, two high rise office towers, and a six-story public parking garage.

The increase in floor area generated by the proposed transfer will allow the development of a compatible mixed-use project consisting of 536 residential units with varying unit types, and 4,178 square feet of commercial, restaurant, and retail uses on the Receiver Site. The Project is considered an infill development within a highly urbanized area of the City, which is designated for high-density residential development by the Community Plan. The Project Site is approximately 58,839 square feet and is permitted a maximum 6:1 FAR (or 216,720 square feet of floor area) as restricted by the D Limitation pursuant to Ordinance 164,307 - Subarea 2915. The Applicant has requested a Transfer of 274,795 square feet of floor area from the Donor Site located at 1201 South Figueroa Street (Los Angeles Convention Center), to permit a maximum 9.13:1 FAR (491,515 square feet) on the Receiver Site. The Transfer is

appropriate for the long-term development of Central City because it will enable the Project to include residential, retail, and restaurant uses that would complement the other uses in South Park which contains numerous high-rise office buildings, a variety of commercial opportunities, and nearby entertainment attractions such as the Crypto.com Arena, Los Angeles Convention Center, and L.A. Live. The Transfer would allow more residents to live, work, and shop within South Park, while promoting access to the different amenities and attractions and contributing more retail and restaurant options within the area for residents and visitors. The Transfer would also contribute to the revitalization and modernization of Downtown Los Angeles including job creation and increased City tax revenue generation, maintaining the strong image of downtown as the major center of the metropolitan region, and serving as a linkage and catalyst for other downtown development.

The Project will be easily accessible via public transit, is consistent with both existing and proposed development in the Financial Core District, will be near jobs, housing, and a wide range of uses and public services, can be served by the existing utilities, and will support the development planned for the Central City Community Plan Area. Thus, the proposed Transfer will be appropriate for the Receiver Site.

**b. The Project is consistent with the purposes and objectives of the Redevelopment Plan.**

Enacted on June 29, 2011, Assembly Bill 1x-26 (AB 26) revised provisions of the Community Redevelopment Law of the State of California, to dissolve all redevelopment agencies and community development agencies in existence and designate successor agencies, as defined, as successor entities. Among the revisions, the amendments to the law withdrew all authority to transact business or authorize powers previously granted under the Community Redevelopment Law (Section 34172.a.2), and vested successor agencies with all authority, rights, powers, duties and obligations previously vested with the former redevelopment agencies (Section 34172.b). The former CRA/LA, was the Designated Local Authority, and successor agency to the CRA.

In June 2012, the State passed AB 1484, allowing the local city or county to request transfer of all land use related plans and functions of the former redevelopment agency to the jurisdiction that authorized the creation of the redevelopment agency. While ABx1 26 dissolved redevelopment agencies, thereby eliminating redevelopment agencies' economic and financing tools, it did not abolish the Redevelopment Project Areas or eliminate the associated Redevelopment Plans. These Redevelopment Plans, which were adopted by the City Council, remain in effect until their respective expiration dates. While the Redevelopment Plans have continued to be implemented by the former CRA/LA-DLA staff, the City has since assumed the land use functions in order to continue the implementation of the active Redevelopment Plans.

City Planning established the Redevelopment Plan Unit (RPU) to implement the land use plans and functions of the unexpired Redevelopment Plans that were transferred from the former Community Redevelopment Agency of Los Angeles to the City. If a project is in a Redevelopment Plan Area (RPA), it must conform to the land use regulations of the associated Redevelopment Plan.



The Project Site is located in the effective City Center Redevelopment Plan Area. The City Center Redevelopment Plan's primary objective is eliminating and preventing blight in the area. The Project supports and is consistent with the following objectives of the City Center Redevelopment Plan:

Objective 1

*To eliminate and prevent the spread of blight and deterioration and to rehabilitate and redevelop the Project Area in accordance with this plan.*

Objective 2

*To further the development of Downtown as the major center of the Los Angeles metropolitan region, within the context of the Los Angeles General Plan as envisioned by the General Plan Framework, Concept Plan, City-wide Plan portions, the Central City Community Plan, and the Downtown Strategic Plan.*

Objective 3

*To create an environment that will prepare, and allow, the Central City to accept that share of regional growth and development which is appropriate, and which is economically and functionally attracted to it.*

Objective 4

*To Promote the development and rehabilitation of economic enterprises including retail, commercial, service, sports and entertainment, manufacturing, industrial and hospitality uses that are intended to provide employment and improve the Project Area's tax base.*

Objective 5

*To guide growth and development, reinforce viable functions, and facilitate the redevelopment, revitalization or rehabilitation of deteriorated or underutilized areas.*

The Project Site is zoned C2, designated Regional Commercial Center and located in the South Park District within the Central City Community Plan. The Framework Element characterizes Regional Commercial Center Land Use Designation as "intended to serve as the focal points of regional commerce, identity, and activity. They are typically high density places whose physical form is substantially differentiated from the lower-density neighborhoods of the City. The Framework Element includes goals and objectives consistent with this description, which indicate the Project and recent developments in the area are consistent with the intent of the Land Use Designation. The Project will support the greater downtown area and South Park as destinations, and provide additional space for uses that complement the nearby LASED and Convention Center, contributing to its economic vitality.

The proposed development with a floor area ratio of 9.13:1 furthers the development of Downtown as a major center of the Los Angeles metropolitan region by providing high density with a mix of uses. The Project includes the development of 536 dwelling units and 4,178 square feet of commercial floor area on underutilized surface parking lots in South Park, a district envisioned for high density. Development of new housing in South Park is one of the goals of the Redevelopment Plan, and by transforming surface parking lots into mixed-use residential development, no existing business or

residential units will be displaced. The Project's residential dwelling units addresses the need for additional housing in the Central City and the region and provides retail with neighborhood serving venues so that the property will be functionally and economically beneficial to the public and the City.

**Objective 6**

*To create a modern, efficient and balanced urban environment for people, including a full range of around-the-clock activities and uses, such as recreation, sports, entertainment, and housing.*

**Objective 13**

*To provide high and medium density housing close to employment and available to all ethnic, social and economic groups, and to make an appropriate share of the City's low- and moderate-income housing available to residents of the area.*

The Project's mixed-use development and requested entitlements will promote the South Park district as an entertainment hub within the Convention Center sphere of influence by providing an engaged urban environment with around the clock activity. The Project will provide needed high-density housing with a range of unit types close to employment areas in South Park and the downtown region. This Project, which includes a request for residential condominiums, will help provide property ownership opportunities for those who want to own a residence in downtown, which helps resident's gain property assets (Objective 13). Therefore, the Project's new residential, and restaurant uses, employment opportunities, transit-oriented location, and other community benefits make the Project consistent with the Redevelopment Plan's Objectives.

**c. The Transfer serves the public interest. by complying with the requirements of Section 14.5.9 of this Code.**

As part of the Transfer Plan, a Public Benefit Payment is required as stated in LAMC Section 14.5.9 and must serve a public purpose, such as: providing for affordable housing; public open space; historic preservation; recreational; cultural; community and public facilities; job training and outreach programs; affordable childcare; streetscape improvements; public arts programs; homeless services programs; or public transportation improvements. The transfer serves the public interest by facilitating a project that will contribute to the sustained economic vitality of the Central City area, and by contributing a total Public Benefit Payment of \$11,462,471.39 (based on a formula that includes the transfer of 274,795 square feet) and a TFAR Transfer Payment of \$1,373,975.00 (based on the transfer of 274,795 square feet from the Convention Center multiplied by \$5), in accordance with LAMC Section 14.5.10. The Public Benefit Payment consists of a 50 percent cash payment of \$4,914,225 to the Public Benefit Payment Trust Fund, and 50 percent of the payment for public benefits to be directly provided by the Applicant, as indicated in the table below. As such, the Transfer of Floor Area serves the public benefit interest as it complies with the specific requirement for the transfer to occur.

**Public Benefit Payment Transfer Plan**

Total Public Benefit Payment		\$11,462,471.39
50% Public Benefit Cash Payment		\$5,731.235.70
50% Public Benefit Direct Provision		\$5,731.235.70
<b>Allocation of Public Benefit Direct Provision</b>		
Los Angeles Housing Department Affordable Housing Trust Fund	100%	\$5,731,235.70

**d. The Transfer is in conformance with the Community Plan and any other relevant policy documents previously adopted by the Commission or the City Council.**

The project site is located within the Central City Community Plan area. An update of the Central City Community Plan (now the Downtown Community Plan) was adopted by City Council on December 4, 2024 and went into effect on January 27, 2025. The project was filed and deemed complete with a Vesting Tentative Tract Map, which vests the project to the local planning and zoning rules that were in place at the time the complete application was submitted. Therefore, the project is not subject to the new Downtown Community Plan and its Community Plan Implementation Overlay nor is it subject to the Chapter 1A Processes and Procedures ordinance of the Los Angeles Municipal Code.

The Receiver Site (Project Site) of the Transfer is located within the Central City Community Plan, and has a land use designation of Regional Commercial and is zoned C2-4D-O. The Community Plan describes the Transfer of Floor Area Rights (TFAR) as follows (Page III-19): *“The transfer of floor area between and among sites is an important tool for Downtown to direct growth to areas that can best accommodate increased density and from sites that contain special uses worth preserving or encouraging.”*

The Site is subject to Development D Limitation, contained in Subarea 1910 of Ordinance No. 164,307, which limits the FAR of a building to 6:1, unless a transfer of floor area is approved. The transfer will re-allocate 274,795 square feet of unused, allowable floor area from the Donor Site (Los Angeles Convention Center) and permit a maximum FAR of 9.13:1 on the Receiver Site, which will be consistent with the Community Plan and other relevant policy documents, which provides for a transfer of floor area up to a 13:1 FAR.

The Transfer will permit the development of the Receiver Site with a Project that is consistent with the objectives and policies of the Central City Community Plan, including:

Objective 1-2: To increase the range of housing choices available to Downtown employees and residents.

Objective 2-1: To improve Central City’s competitiveness as a location for offices, business, retail, and industry.

Policy 2-1.2: To maintain a safe, clean, attractive, and lively environment.

Objective 2-4: To encourage a mix of uses which create an active, 24-hour downtown environment for current residents and which would also foster increased tourism.

Policy 2-4.1: Promote night life activity by encouraging restaurants, pubs, night clubs small theaters, and other specialty uses to reinforce existing pockets of activity.

The Project will provide up to 536 residential units, including three-bedroom units, two-bedroom units, one-bedroom units, and studio units on a site located in South Park of the Community Plan. In addition, the project would provide 4,178 square feet of ground-floor commercial space, consisting of restaurants and retail stores fronting 11th Street and Olive Street. The Project's supply of residential units and restaurant and retail uses aligns with the Community Plan's vision for South Park, achieving Objective 1-2. The project will bridge the gap between housing and employment by providing homes for the increasing numbers of downtown workers, achieving Objective 2-1 and Objective 2-4.

In addition, the project site is located near the Los Angeles Sports and Entertainment District (LASED) (approximately 0.4 miles to the southwest) and the Convention Center (approximately 0.7 miles southwest) and will be consistent with the Central City Community Plan's vision for the South Park as a Convention Center/Arena Sphere of Influence by developing the site with a mix of uses that complement the entertainment and commercial uses within the LASED and the Convention Center. The proximity of the project site to LASED and the Convention Center will locate patrons and residents within walking distance to various businesses, conventions, trade shows, and tourist destinations and provide a linkage to the other surrounding Central City Community Plan Districts.

The project will provide commercial spaces allowing for restaurant and retail uses, helping to create an active, 24-hour downtown that will serve the residents and employees of South Park, as well as visitors. The addition of new uses, as well as up to 536 residential units in South Park supports the existing retail base by strengthening current and creating new residential demand for goods and services, as well as creating synergy between different commercial uses in the Central City Community Plan area. The project will also improve the streetscape 11<sup>th</sup> Street and Olive Street with trees, landscaping, and bicycle parking, enhancing the overall pedestrian environment. Therefore, the Project is consistent with the applicable Central City Community Plan Objectives and Policies.

2. **Zone Variance Findings.** In order for a variance to be granted, all five of the legally mandated findings delineated in City Charter Section 562 and Los Angeles Municipal Code Section 12.27 must be made in the affirmative. Following (highlighted) is a delineation of the findings and the application of the relevant facts of the case to same:

- a. **That the strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.**

The Project site consists of a 36,120 square-foot (0.83-acres) property which fronts 11<sup>th</sup> Street and Olive Street. The Project involves the construction of a 51-story mixed

use development comprised of 536 residential dwelling units and up to 4,178 square feet of ground floor commercial uses. The Project would provide vehicular parking in six subterranean levels and three above-grade levels, and a total of 581 parking spaces with a mixture of standard and compact spaces, with code required electrical vehicle charging spaces. The building will have a maximum height of 603 feet, and a floor area ratio of 9.13:1 (491,515 square feet).

The Project has requested two Zone Variances: (1) to deviate from the required 9 feet 4 inches parking stall widths to provide the parking stall size of 8 feet 6 inches by 16 feet as the standard parking stall and (2) to deviate from the required driveway aisle width of 27 feet, 4 inches for standard drive aisle widths to provide a 25 feet 1 inch drive aisle for all parking areas.

The Project proposes ingress/egress access to on-site parking to be provided through a driveway entrance on Olive Street and an entrance on the alley abutting the northwesterly side of the Project site. The Project was designed with active ground floor uses that wrap around the building's corner on 11<sup>th</sup> Street and Olive Street. Additionally, the Project has been conditioned to require parking stalls to be designed in compliance with LAMC 12.21 A.

The driveway aisle and 10-inch clear space deviation is imperative to provide the necessary parking which do not change the allowable uses permitted by the land use designation and zone and are instead necessary to provide parking, internal circulation, and the physical building structure for the mixed-use project that would contribute to the supply of market-rate housing and employment within South Park with the Central City Community Plan of the Downtown Area.

The strict application of the provisions of the Zoning Ordinance would not permit the Project to be developed with its proposed density, number of units, or amount of commercial floor area, as proposed. The LAMC requires the size of parking stalls to have a 9 feet 4 inches width by 18 feet depth with a corresponding 24 feet wide drive aisles for double-loaded, two-way parking configurations. The Zone Variance for the reduced parking stall width would allow the Project to include approximately one to four smaller compact spaces on levels two through four of the parking structure with a minimum dimension of 7 feet 6 inches width by 16 feet depth, compliant with the Code required, 7 feet 6 inches width by 16 feet depth, for compact spaces.

Further, the Applicant proposes a Zone Variance for a reduction in drive aisles widths to a minimum 25 feet 1 inch in lieu of the required 27 feet 4 inches drive aisle width to provide for the efficient and adequate structural need for the 51-story building. The Applicant has stated that the parking area for the Project typically positions three parking spaces between two structural columns ranging from 27 feet 2 inches to 32 feet apart so that approximately 75 percent of the parking spaces would have an obstruction on only one side. The proposed parking bay width of 57 feet 1 inch for double loaded aisles will include 16 feet long parking spaces and a minimum of 25 feet 1 inch wide back-up space. For the six below-grade and three above-grade podium levels of parking within the building, only one aisle on each level will require the minimum of 25 feet 1 inch drive aisle width. The proposed positioning and spacing of the structural columns are necessary to provide for an efficient and adequate structural system for the 51-story building. The column bays are designed to have widths ranging

from 27 feet 9 inches to 31 feet 6 inches between column centerlines to support the tower structure. The building's structural grid extends through the podium garage and the subterranean garage and cannot accommodate the required 9 feet 4 inches wide parking stalls that would otherwise be required due to the structural column obstructions.

The Applicant claims that without the driveway width Zone Variance, the building would need to be supported with fewer columns, in which columns would need to be larger and lateral beams would need to be deeper to support the long-span column bay. Larger structural columns occupy a larger area both in the parking structure and on each level throughout the tower, which would limit the number and size of dwelling units and parking spaces that could be provided in the Project. The proposed design of the parking spaces will provide adequate room for residents and guests to access and maneuver their vehicles.

The Project as proposed allows the development to be feasible, allows adequate space for vehicle parking, and also supports the City's housing goals and provides economic benefits in employment and tax revenue. Therefore, the Project as proposed would not result in practical difficulties of unnecessary hardship inconsistent with the general purposes and intent of the underlining zone.

- b. That there are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.**

The Project is an infill development within an urban setting and is zoned C2. As the project is eligible for AB 2097, there is no parking requirement. However, the project will be providing 581 parking spaces within six subterranean parking levels and three above-ground parking levels. The C2 zone requires a minimum lot size of 5,000 square feet and a minimum lot width of 50 feet. The existing lot dimensions are 107 feet along Hope Street and 100 feet along Grand Avenue, and 336 feet along 8th Street. This is a relatively wide property compared to its depth compared to other existing high-rise, mixed-use projects in the vicinity. In order to achieve an efficient layout of parking spaces and circulation, the building is oriented lengthwise along Olive Street. As a result, the parking garage is narrow, which limits the amount of parking that can be provided on each level, as well as constraining the drive aisle width and turning radii between the parking stalls. The Project is required pursuant to the Downtown Design Guide to provide 75 percent of its ground floor frontage along 11<sup>th</sup> Street and Olive Street with active uses, and was designed with no driveways on these frontages in order to enhance the pedestrian realm by eliminating vehicular and pedestrian conflicts. Therefore, site access and vehicular ramps could only be located along the alley. This is an additional circumstance that limits the configuration of vehicular circulation in the garage.

The project is required to dedicate a 20-foot radius return, or 15 feet by 15 feet cut corner at the west corner of Olive Street and 11th Street. For 11th Street, the Mobility Element requires a 64-foot-wide right-of-way with a 40-foot roadway and 12-foot sidewalks. Currently, 11th Street has a 60-foot right-of-way with a 40-foot roadway and a 10-foot sidewalk. The Project will require a two-foot dedication to allow for the two-foot widening of the adjacent sidewalk and a three-foot sidewalk easement on 11th

Street. The subject property has two street frontages which, in combination with the lot configuration and driveway access along the alley mentioned above, represents special circumstances that do not apply to other properties in the vicinity.

Therefore, the reduced parking stall width and drive aisle width and reduction in clearance space adjacent to an obstruction allow for a building configuration that is suitable for the lot size shape, and internal circulation. As such, there are special circumstances related to the size, shape, and location of the lot that do not generally apply to other properties in the vicinity. Therefore, the variance requests are necessary to develop the subject site in a manner consistent with the general plan, community plan, and nearby development.

- c. That the variances are necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question.**

The existing lot dimensions are approximately 203 feet along the west side of Olive Street and approximately 150 feet along the south side of 11th Street. In order to achieve an efficient layout of parking spaces and circulation, the building is oriented lengthwise along Olive Street. As a result, the design of the parking garage is narrow, which limits the amount of parking that can be provided on each level, as well as constraining the drive aisle width and turning radii between the parking stalls.

The project is required to dedicate a 20-foot radius return, or 15 feet by 15 feet cut corner at the west corner of Olive Street and 11th Street. For 11th Street, the Mobility Element requires a 64-foot-wide right-of-way with a 40-foot roadway and 12-foot sidewalks. Currently, 11th Street has a 60-foot right-of-way with a 40-foot roadway and a 10-foot sidewalk. The Project will require a two-foot dedication to allow for the two-foot widening of the adjacent sidewalk and a three-foot sidewalk easement on 11th Street. Therefore, the granting of the two requested zone variances are necessary for the preservation and enjoyment of a substantial property right and use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the subject property.

- d. That the granting of the variances will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located.**

The Project involves the construction of a 51-story mixed use development comprised of 536 residential dwelling units and up to 4,178 square feet of ground floor commercial uses on a 35,120 square foot site. The Project would provide vehicular parking in six subterranean levels and three above-grade levels, and a total of 581 parking spaces with a mixture of standard and compact spaces. The Project will improve existing site conditions by redeveloping an underutilized lot and will enhance the public welfare and surrounding neighborhood by providing wider sidewalks and other pedestrian improvements, consolidating vehicular access to the alley located on the east of the site. The Zone Variance requests to reduce the parking stall width and reduce drive

aisle width would be internal to the Project's vehicular parking garage, and therefore, do not constitute an unsafe or hazardous environment for surrounding properties or other properties in the vicinity. The existing site conditions and circumstances which create the need for the variance are unique to the subject property, as is the method of relief from those circumstances. Therefore, the reduced parking stall width, drive aisle width and relief from clearance requirement will not affect other properties or property rights in the vicinity. The Project as conditioned will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone and vicinity in which the property is located.

**e. That the granting of the variance will not adversely affect any element of the General plan.**

The project site is located within the Central City Community Plan area. An update of the Central City Community Plan (now the Downtown Community Plan) was adopted by City Council on December 4, 2024 and became effective on January 27, 2025. The project was filed and deemed complete with a Vesting Tentative Tract Map, which vests the project to the local planning and zoning rules that were in place at the time the complete application was submitted. Therefore, the project is not subject to the new Downtown Community Plan and its Community Plan Implementation Overlay nor is it subject to the Chapter 1A Processes and Procedures ordinance of the Los Angeles Municipal Code.

The Central City Community Plan designates the site for Regional Commercial land uses and allows for a corresponding zone of C2-4D-O. The Project Site's C2 zone permits an array of land uses including residential and commercial uses. The Project Site's Height District No. 4 has no height limit and permits a FAR of 13:1. However, the "D" limitation restricts the FAR to 6:1 unless a Transfer of Floor Area (TFAR) is approved (Ordinance No. 164,307). The Project includes a TFAR entitlement request which would allow an FAR of 9.13:1. Therefore, the Project's proposed maximum FAR would result in 491,515 square feet of floor area. There is no limit on the maximum number of dwelling units and the Greater Downtown Housing Incentive Area (ZI 2385) allows for zero setbacks along the front, side and rear property lines. The Downtown Design Guide and Downtown Street Standards regulate street frontage standards, pedestrian walkways, and roadway improvement requirements, among other design regulations. A stated goal of the Central City Community Plan is the continued economic and social viability of Central City which "depends on the contributions of a stable population and vibrant, cohesive neighborhoods. Therefore, a primary objective of the Central city Plan is to facilitate the expansion of housing choices in order to attract new and economically and ethnically diverse households." Furthermore, the Community Plan includes the following objectives and policies which the proposed project advances:

Objective 1-2: To increase the range of housing choices available to Downtown employees and residents.

Objective 1-3: To foster residential development which can accommodate a full range of incomes.



Policy 1-3.1: Encourage a cluster neighborhood design comprised of housing and services.

The use of the property for a mixed-use residential and commercial purposes is consistent with the Regional Commercial land use designation and corresponding C2 zone and supports Objective 1-2, Objective 1-3 and Policy 1-3.1 of the Central City Community Plan. The variance requests to reduce the parking stall width and reduce drive aisle width requirements do not change the allowable uses permitted by the land use designation and zone and are instead necessary to provide parking and internal circulation for the Project. In conjunction with other entitlement requests, the variance requests for the Project would be in substantial conformance with the General Plan and the Central City Community Plan. Granting the variance would not adversely affect any element of the General Plan and granting of the variances will not adversely affect any element of the General Plan.

### **3. Director Determination Findings**

#### **a. That the open space provided conforms with the objectives of LAMC Section 12.21 G.**

Pursuant to LAMC Section 12.21 G.3, the Project is required to plant one tree for every four dwelling units proposed. The Project proposes 536 residential dwelling units, which would require a total of 134 on-site trees. The Applicant requests a Director Determination to permit the planting of 115 on-site trees, in lieu of the otherwise required 134 on-site trees. The balance of the requirement will be met through the payment of the Off-Site Tree Planting Fee.

The property lies within the Central City Community Plan and the Greater Downtown Incentive Area (ZI No. 2385), and in accordance with the Greater Downtown Incentive Area regulations, no setbacks are required. The Project's limited ground floor area available for planting trees, the 36,120 square foot lot size, and the placement of the structure within and abutting the required sidewalk easement areas would limit ground floor areas available for planting trees. The Project will provide the required common and private open space, and provide as many trees that can feasibly be planted on the site. The balance of the trees will be accounted for through the Off-Site Tree Planting Fee program. Those funds will be used to plant street trees in Downtown and beyond. Therefore, the project is meeting the objectives of the LAMC Section 12.21 G.

#### **b. That the proposed project complies with the total usable open space requirements.**

Pursuant to LAMC Section 12.21 G.3, the Project is required to provide 58,275 square feet of usable open space and 25% of the common open space area is required to be landscaped, which the Project complies with. The Project is also required to plant one tree for every four dwelling units proposed. The Project proposes 536 residential dwelling units, which would require a total of 134 on-site trees.

The Project is a 51-story mixed used development including 536 residential dwelling units on levels 5 through 51. Based on the proposed mix of residential unit types, a

total of 58,275 square feet of on-site open space is required for the Project. The Project is proposing common open space areas on levels five and six, which will include an outdoor deck, swimming pool, spa, lounge area, dining terrace, outdoor event space, a fitness center with indoor and outdoor space, a club and lounge rooms, a business center, and a dog run/lounge area. The Project will include common open space areas on the 21st, 41st, and 51st floors of the tower which will include outdoor decks (included in the open space calculations as indoor open space) and indoor lounge and recreation space. Therefore, the Project would provide 58,275 square feet of open space. Additionally, providing fewer code required trees would not reduce the total usable open space area and therefore the project would continue to meet the usable open space requirements.

- 4. 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.**

**Framework Element.** The General Plan Framework 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's Long-Range Diagram identifies the Project Site as located within the Downtown Center, an international center for finance and trade, the largest government center in the region, and the location for major cultural and entertainment facilities, hotels, professional offices, corporate headquarters, financial institutions, high-rise residential towers, regional transportation, and Convention Center facilities. The Downtown Center is generally characterized by high-rise buildings and floor area ratios up to 13:1.

The Project involves the construction of a 51-story mixed use building with a maximum height of 603 feet above grade. The Project's commercial and residential development would total 491,515 square feet of floor area, consisting of 536 residential units, 4,178 square feet of ground-floor commercial retail and restaurant uses, and approximately 58,275 square feet of residential open space amenities. Vehicle parking would be provided within six subterranean levels and three above-grade levels.

The Project satisfies the following objectives and policies of the Land Use Chapter of the General Plan Framework:

Objective 3.4: 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 3.15: Focus mixed commercial/residential uses, neighborhood-oriented retail, employment opportunities, and civic and quasi-public uses around urban transit stations, while protecting and preserving surrounding low-density neighborhoods from the encroachment of incompatible land uses.

Policy 3.15.3: Increase the density generally within one quarter mile of transit stations, determining appropriate locations based on consideration of the surrounding land use characteristics to improve their viability as new transit routes and stations are funded in accordance with Policy.

Objective 3.16: Accommodate land uses, locate and design buildings, and implement streetscape amenities that enhance pedestrian activity.

The Project will provide new multi-family housing, commercial retail, and restaurants in the City's Downtown Center, as well as providing a public benefit in the way of a contribution towards affordable housing. The Project will support Objective 3.4 and Policy 3.4.1 by providing a high density of residential units and ground-floor commercial/retail/restaurant uses, within a neighborhood that is in close proximity to many transit opportunities. The Project will support Objective 3.15 and Policy 3.15.3 as the site is designated as a Transit Priority Area, and is well-served by public transit, including both rail and bus service. The site is located approximately 0.3 miles from the existing Pico Station on the Metro Blue Line and Expo Line and is approximately one mile from the entrance to the 7th/Metro Center Metro Rail Station, which provides connection to the Metro A, B, D, and L Lines which is considered a hub of the regional rail network. Furthermore, the project would enhance the pedestrian activity of the area through the provision of ground floor commercial uses and along 11<sup>th</sup> Street and Olive Street. The Project's commercial and residential uses, amenities, and proximity to public transit will encourage pedestrian activity and provide an incentive for residents not to use their cars for commuting errands, dining, entertainment, and employment, thereby reducing vehicle trips.

The Project advances numerous goals and policies contained in the Framework Element's Economic Development chapter, including the following:

Goal 7A: A vibrant economically revitalized City.

Goal 7D: A City able to attract and maintain new land uses and businesses.

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

The Project would redevelop the site by replacing an existing surface parking lot and four-story parking structure with a mixed-use high-rise building, which includes residential units and commercial, retail, and restaurant uses. The Project would provide for more housing opportunities in the area with a mixture of unit types, while introducing new commercial, retail and restaurant opportunities, which will serve the

residents of the neighborhood. The mix of uses and additional residents will contribute to the Downtown Center, further supporting nearby businesses and job centers with new residents and shopping and dining opportunities. These components of the Project will contribute to employment opportunities and economic growth, strengthen the commercial sector, and contribute to a balance of land uses that meets the needs of residents.

**Housing Element.** The City's Housing Element for 2021-2029 was adopted by City Council on June 14, 2022. The Proposed Project would meet the objectives and policies set forth in the Housing Element as described below.

Policy 1.1.2: Plan for appropriate land use designations and density to accommodate an ample supply of housing units by type, cost, and size within the City to meet housing needs, according to Citywide Housing Priorities and the City's General Plan.

Objective 1.2: Facilitate the production of housing, especially projects that include Affordable Housing and/or meet Citywide Housing Priorities.

Policy 1.2.2: Facilitate the construction of a range of different housing types that addresses the particular needs of the city's diverse households.

Policy: 3.1.2: Promote new development that furthers Citywide Housing Priorities in balance with the existing architectural and cultural context.

Policy 3.1.3: Develop and implement design standards that promote quality residential development.

Objective 3.2: Promote environmentally sustainable buildings and land use patterns that support a mix of uses, housing for various income levels and provide access to jobs, amenities, services and transportation options.

Policy 3.2.2: Promote new multi-family housing, particularly Affordable and mixed-income housing, in areas near transit, jobs and Higher Opportunity Areas, in order to facilitate a better jobs-housing balance, help shorten commutes, and reduce greenhouse gas emissions.

Policy 3.2.5: Promote and facilitate the reduction of water, energy, carbon and waste consumption in new and existing housing. The Project will further key Housing Element policies and objectives by providing additional supply of housing units by type, cost, and size to meet housing needs and Citywide housing priorities noted in Policy 1.1.2, Objective 1.2, Policy 1.2.2. The Project would provide 536 residential units which include a unit mix consisting of three-bedroom units, two-bedroom units, one-bedroom units, and studio units. The Project also supports Objective 3.2 and Policy 3.2.2 of supporting a mix of units that will accommodate a mixture of incomes, and uses that provide access to jobs, amenities, services and transportation options. The Project would construct a mixed-use building that is close to multiple transit options and include a total of 23 short-term and 211 long term bicycle parking spaces to support multi-modal transportation options for the residential and commercial uses. Additionally, the Project is located in the transit-rich Downtown Center, that is served by many local and rapid bus lines and train lines. By providing residential units,

restaurants, and retail at the site, the Project will encourage walking, active transportation, and public transit usage, thereby reducing vehicular trips and overall vehicle miles traveled. Lastly, the Project supports Objective 3.2., the building would incorporate sustainability features such as incorporating water conservation features, such as water efficient planting with drought tolerant plantings, energy-efficient heating and cooling systems, and Energy Star appliances.

**Plan for a Healthy Los Angeles.** The Project meets the policies set forth in the General Plan's Health and Wellness Element.

Policy 5.1: Reduce air pollution from stationary and mobile sources; protect human health and welfare and promote improved respiratory health.

Policy 5.7: Promote land use policies that reduce per capita greenhouse gas emissions, result in improved air quality and decreased air pollution, especially for children, seniors, and others susceptible to respiratory diseases.

**Air Quality Element.** The Project meets the policies set forth in the General Plan's Air Quality Element.

Policy 4.2.3: Ensure that new development is compatible with pedestrians, bicycles, transit, and alternative fuel vehicles.

Policy 5.1.2: Effect a reduction in energy consumption and shift to non-polluting sources of energy in its buildings and operations.

The Project would include EV parking and charging stations in accordance with LAMC requirements to encourage reduction in transportation fuel usage. Taken together, the conditions would provide for the public welfare and public necessity by reducing the level of pollution and greenhouse gas emissions to the benefit of the neighborhood and the City. As conditioned, the Project will be consistent with the aforementioned policies, as well as Policy 5.1.2 of the Air Quality Element, by ensuring that future developments are compatible with alternative fuel vehicles and shift to non-polluting sources of energy. EV project features are also good zoning practices because they provide a convenient service amenity to the occupants or visitors who use electric vehicles and utilize electricity on site for other functions. In addition, the Project promotes usage of public transportation and active transportation to support California's greenhouse gas emission reduction targets. As such, the Project improves habitability for future residents of the Project and minimizes impacts on neighboring properties. Mobility Plan 2035. The project also meets the policies set forth in the General Plan's Mobility Element.

Policy 2.3: Recognize walking as a component of every trip and ensure high-quality pedestrian access in all site planning and public right-of-way modifications to provide a safe and comfortable walking environment.

Policy 3.3: Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.

Policy 3.8: Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.

Policy 5.4: Continue to encourage the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure.

The Project would provide a combination of ground floor commercial, retail, and restaurant uses and a residential lobby area while improving the streetscape conditions along 11<sup>th</sup> Street and Olive Street. The Project is also required to provide full width concrete sidewalks as identified by the Downtown Street Standards, and any upgrades necessary to comply with Americans with Disabilities Act (ADA) requirements. Pedestrian access to the commercial components of the Project would be provided along all street frontages, while access to the residential component of the project is provided via one entrance on Olive Street. The Project also supports Policy 3.3 as it is designated in a Transit Priority Area, and is well-served by public transit, including both rail and bus service. The site is located approximately 0.3 miles from the existing Pico Station on the Metro Blue Line and Expo Line and is approximately one mile from the entrance to the 7th/Metro Center Metro Rail Station, which provides connection to the Metro A, B, D, and L Lines. The area is currently served by local and inter-city transit operators. Metro also operates Rapid bus lines, Express lines and 70, 76, and 78 Local lines in the Project vicinity. In addition, the Project supports Policy 3.8 as it provides short-term bicycle parking located on the ground level in two street adjacent locations, one located off Olive Street and one located off the abutting alley of the Project site. As mentioned previously, the Project would include EV parking and charging stations in accordance with LAMC requirements to encourage reduction in transportation fuel usage.

**Central City Community Plan.** The project site is located within the Central City Community Plan area. An update of the Central City Community Plan (now the Downtown Community Plan) was adopted by City Council on December 4, 2024 and went into effect on January 27, 2025. However, because the project was filed and deemed complete with a Vesting Tentative Tract Map, which vests the project to the local planning and zoning rules that were in place at the time the complete application was submitted. Therefore, the project is not subject to the new Downtown Community Plan and its Community Plan Implementation Overlay nor is it subject to the Chapter 1A Processes and Procedures ordinance of the Los Angeles Municipal Code.

The Central City Community Plan, a part of the Land Use Element of the City's General Plan, states the following objectives and policies that are relevant to the Project:

Objective 1-2: To increase the range of housing choices available to Downtown employees and residents.

Objective 1-3: To increase the range of housing choices available to Downtown employees and residents.

Objective 2-1: To improve Central City's competitiveness as a location for offices, business, retail, and industry.

Policy 2-1.2: To maintain a safe, clean, attractive, and lively environment.

Objective 2-4: To encourage a mix of uses which create an active, 24-hour downtown environment for current residents and which would also foster increased tourism.

Policy 2-4.1: Promote night life activity by encouraging restaurants, pubs, night clubs, small theaters, and other specialty uses to reinforce existing pockets of activity.

The Project would provide up to 536 residential units, including a mix of studio, one-bedroom, two-bedroom, and three-bedroom units on a site located in the South Park neighborhood of the Central City Community Plan. In addition, the project would provide 4,178 square feet of ground floor commercial space, consisting of retail and restaurant use fronting Olive Street and 11<sup>th</sup> Street. The Project's residential units and commercial uses align with the Community Plan's overall vision for the Central City as a community which "creates residential neighborhoods; while providing a variety of housing opportunities with compatible new housing." The Project also furthers the Community Plan's vision by improving "the function, design and economic vitality of the commercial districts, and achieving Objective 1-2, Objective 1-3 and Objective 2-1. The Project will contribute new housing choices and increase employment opportunities by providing a mixture of residential unit types for the growing numbers of downtown workers. Furthermore, the ground floor commercial component would provide additional business opportunities within the Community Plan.

In addition, the Project Site is well-served by public transit, including both rail and bus service. The site is located approximately 0.3 miles from the existing Pico Station on the Metro Blue Line and Expo Line and is approximately one mile from the entrance to the 7th/Metro Center Metro Rail Station, which provides connection to the Metro A, B, D, and L Lines. The Project is also located 0.40 miles southeast from the Los Angeles Sports & Entertainment District (LASED) and approximately 0.7 miles from the Convention Center and will be consistent with the Central City Community Plan's Policy 2-1.2, Objective 2-4 and Policy 2-4.1 by redeveloping a property used solely for parking with a mixed-use residential and commercial development that would add new uses near the LASED and the Convention Center. The Project would contribute to creating a lively environment by activating this part of downtown and fostering a walkable neighborhood proximate to existing businesses, conventions, trade shows, and tourist destinations, and provide a linkage to the other surrounding Central City Districts.

The Project will provide flexibility in commercial spaces allowing for restaurant and retail uses, helping to create an active, 24-hour downtown that will serve the visitors, residents, and employees of the South Park neighborhood. The addition of new commercial uses, as well as up to 536 residential units in South Park supports the existing retail base by strengthening and creating new residential demand for goods and services, as well as creating synergy between different commercial uses in the Central City Community Plan area. The Project's ground floor uses would contribute to pedestrian activity which would further strengthen the walkability of the neighborhood. The Project will improve the streetscape along 11<sup>th</sup> Street and Olive Street with a setback to respond to building function and to create visual interest, maintain a consistent street wall along the buildings' street frontages, enhancing the overall pedestrian environment.

Therefore, based on the above, the Project is consistent with the purposes, intent and provisions of the General Plan, and will serve to implement the goals and objectives of the Central City Community Plan.

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

The Project site is located within the Downtown Center of the City of Los Angeles, and within the Central City Community Plan area of South Park. The immediate vicinity is characterized by a mix of commercial, restaurant, bar, office, surface parking and high-rise residential uses. The approximate 0.83-acre site is currently developed with a surface parking lot.

Surrounding properties include a mix of residential, commercial, retail, office, surface parking and mixed-use buildings that range in height from low-rise to high-rise. Properties to the north and west are developed with a seven-story residential mid-rise building, a 38-story residential tower, and one-story commercial buildings. Properties to the east, across Olive Street are currently developed with surface parking lots, one- to two-story commercial and retail buildings, two high rise office towers, and a six-story public parking garage.

The proposed Project will construct 536 residential units and 4,178 square feet of retail uses, including restaurants. Approximately 581 parking spaces will be provided across six subterranean parking levels and three above-grade parking levels starting on the second floor of the building. Vehicular access to the project would be provided on Olive Street and the north-south alley on the east side of the Site. The designated loading area for the site is located on the ground floor and will be accessed from the alley on the east side of the Project.

The Project will consist of a 51-story, 603-foot-tall mixed-use building. The building is generally consistent with the existing mixed-use buildings in the surrounding area and would be compatible with existing and future development on neighboring properties. The position, bulk and height of the building, will be compatible with the 32-story USC Tower located directly south on the same block as the Project, and the 38-story Aven Apartments on the same block, directly west of the Project Site. The Project will include an amenity deck on the sixth floor with recreational facilities for the building's residents. These amenities include a club/lounge room, an outdoor deck with swimming pool and spa, and a fitness center. The fifth floor will include a fitness center, a co-working area and a pet zone featuring an indoor pet lounge and outdoor dog run area.

As mentioned above, the project area is highly urbanized, with various commercial and residential uses and other similar mid- to high-rise mixed-use developments. The Project site's proximity to major transit stops, and the site's Regional Commercial designation allows for residential and commercial uses. The Project's ground-floor uses would incorporate transparent and active storefront design on the public streets to create a pedestrian oriented retail environment, while encouraging transit usage.



The following Project elements were designed in a manner which is compatible with both existing and future developments in the area:

Building Design. The building's proposed design would be consistent with the design policies set forth in the Citywide Design Guidelines. The building elevations utilizes a consistent architectural design feature, building materials and changes in building step back from Hope Street to break up massing and create a consistent architectural theme for the development. The parking podium would use a screening design covering the above ground parking levels. At the ground floor, the commercial and residential lobby entrances would utilize a mix of glass and aluminum storefront system, ceramic tile, aluminum panels, pre-finished aluminum frame and cap rail with clear continuous glass, and decorative woven metal screen to provide for a varied texture and transparent for the retail uses and residential lobby area. The podiums also utilize pre-finished aluminum frame and continuous clear, opaque and low coating glass and partial vision glass with fritted inner layer. The ceramic tile at the ground level would include a glazed finish to soften the façade of the building and create a warm and inviting experience for visitors and residents. The facade of the Project's tower would primarily use glass to allow for natural lighting into the residential units, while the wrap around projecting balconies on most of residential level would provide shade and minimize solar gain throughout the building, highlighting the Project's energy efficiency and sustainability. The tower would also use the same screening design pattern from the podium to provide variety in the tower façade and highlight the outdoor open space and amenities throughout the tower. As mentioned above, the Project provides open space at various podium levels and at different indoor levels of the tower. The open spaces areas within the top of the podiums and the tiered design would help break the façade of the tower and provide unique focal points. Overall, the Project's contemporary architecture complements and enhances the surrounding developments.

Height/Bulk. The Project would reach a maximum building height of 603 feet above grade (51-stories). The height of the building is consistent with existing and future development in the immediate area. Around the immediate vicinity of the Project Site are existing or proposed high-rise buildings such a directly to the west of the Project Site, separated by an alley is the seven-story Grand Lofts building featuring retail and residential uses. Just south of the Grand Lofts, to the west of the Project Site is the recently constructed 38-story mixed-use residential building featuring a private park open to the public (Aven Apartments). To the north of the Project Site, located directly across 11<sup>th</sup> Street is a vacant single-story commercial building that has recently been proposed for redevelopment of a 70-story mixed-use residential building. On the east corner of the 11<sup>th</sup> Street and Olive Street intersection, located caddy-corner to the Project Site is the two-story YMCA Los Angeles Job Corps building. Across Olive Street to the east of the Project Site is currently a vacant parking lot and the location of a proposed 60-story mixed-use development (Site 3). To the south, directly abutting the Project Site is an existing six-story parking structure. South of the proposed Site 3 and directly across Olive Street from the existing parking structure is the 32-story USC Tower (formerly the AT&T Tower) within the multi-building Transamerica Center. The proposed building would be comprised of The Project will consist of a 51-story, 603-foot-tall mixed-use building. The building is generally consistent with the existing mixed-use buildings in the surrounding area and would be compatible with existing and future development on neighboring properties. The position, bulk and height of

the building, will be compatible with the 32-story USC Tower located directly south on the same block as the Project, and the 38-story Aven Apartments on the same block, directly west of the Project Site.

Loading. Any loading or noise-generating back-of-house uses are located away from the street frontages, via a street level loading area located along an internal loading area, accessed from the alley on the east side of the Project. Mechanical equipment and utilities are also appropriately screened within the building and on the building's roof.

Landscaping. Open space and landscaping for the project is concentrated on the common open space areas located on the fifth, sixth, twenty-first, forty-first, and fifty-first floors of the building. The Project is proposing common open space areas that includes an outdoor deck, swimming pool, spa, lounge area, dining terrace, outdoor event space, a fitness center with indoor and outdoor space, a club and lounge rooms, a business center, and a dog run/lounge area. Of the 536 residential units, 358 will have private balconies (total of 17,900 square feet) as an open space amenity.

Trash Collection. The Project includes an enclosed trash room area on the ground level which would be completely screened from view from adjacent public rights of way. All trash receptacles will be located within the enclosed trash room. Per the LAMC the Project is required to include a recycling area or room for the collection of glass, cans, paper and plastic recyclable materials. Trash and recycling facilities will be kept secure from unauthorized entry.

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

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

The Project will improve habitability for its residents by putting residents in close proximity to recreational facilities and retail amenities on-site that will enhance the residential experience. Residents of the mixed-use Project will be able to enjoy both the public retail amenities and the private residential amenities. The Project will include approximately 480 square feet of residential lobby gathering area and approximately 4,178 square feet of commercial uses, including the shops and restaurants planned for the ground floor and street front of the building. Residents of the mixed-use Project will be able to dine on-site, shop at retail specialty stores, and use the on-site recreational amenities throughout the building. Residents will have exclusive access to an outdoor swimming pool, landscaped courtyard and lounge area, and a combined total of approximately 40,375 square feet of common indoor and outdoor open space located on the fifth, sixth, twenty-first, forty-first, and fifty-first floors of the building. Of the 536 residential units, 358 will have private balconies (total of 17,900 square feet) as an open space amenity. The residential amenities are entirely within the Project Site and are not expected to impact neighboring properties. Conversely, the Project

will contribute its fair share to the surrounding neighborhood by complying with Section 12.33 of the Los Angeles Municipal Code, which will require a parks and recreation fee based on the 536 proposed residential units. Such money will provide more opportunities to develop or program neighborhood parks.

## 5. Conditional Use Findings

The following are the findings for a MCUP as required by LAMC 12.24 W.1.

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

The Project involves the construction of a 51-story mixed use development comprised of 536 residential dwelling units and up to 4,178 square feet of ground floor commercial uses on a 35,120 square foot site. The Project site is located within the Downtown Center of the City of Los Angeles, and within the Central City Community Plan area of South Park. The immediate vicinity is characterized by a mix of commercial, restaurant, bar, office, surface parking and high-rise residential uses. The approximate 0.83-acre site is currently developed with a surface parking lot.

The Applicant is requesting a Master Conditional Use Permit to allow for the sale and dispensing of a full-line of alcoholic beverages within a total of four establishments comprised of two (2) on-site consumption and two (2) off site consumption.

Due to the Site's central location in South Park and other Downtown neighborhoods, the ability to order alcoholic beverages in conjunction with food service or retail will allow for the on-site commercial use to compete with the other establishments in downtown which also have commercial uses serving alcohol. A variety of commercial uses is an intrinsic part of the service amenities that are necessary for the conservation, development, and success of a vibrant neighborhood. The ability for the Site to offer a full line of alcoholic beverages will allow the commercial uses of the development to remain competitive with other similar uses serving the same area. Patrons are drawn to South Park due to the shopping, entertainment, and dining experiences available in the vicinity, and offering a full line of alcoholic beverages and will enhance the dining and retail experience for patrons of the Site.

In light of the above, the Project will continue to perform a function that enhances the character of South Park and broader Los Angeles region. The MCUP provides an umbrella entitlement with conditions that apply to the Project Site and in general to all venues, including the retail commercial uses and restaurants. These conditions include, but are not limited to, security measures, such as a camera surveillance system and appropriate lighting in the evening hours. In addition, all music, sound or noise which is under the control of the Project Applicant shall be in compliance with the Citywide Noise Ordinance. Further, loitering is prohibited on and around the premises, the Project Applicant will be required to maintain the premises and sidewalk in good condition. These conditions will be supplemented by more specific conditions designed to address the characteristics of each individual establishment a Plan Approval which will be required, prior to the effectuation of the approval for each respective tenancy identified above, where more specific physical and operational restrictions. Under these Plan Approvals, the Zoning Administrator and LAPD have

the opportunity to comment and recommend any conditions, including the maximum number of indoor seats, as determined by the Department of Building and Safety. The Project will introduce new uses to the currently site comprised of surface parking lots. The addition of ground floor commercial uses will result in a new development that provides an amenity to the existing businesses and residents in the area as well as the projected growth in Downtown Los Angeles. As such, the service of alcoholic beverages within a total of four establishments comprised of two (2) on-site consumption and two (2) off site consumption as part of a mixed-use residential development will enhance the built environment in the surrounding neighborhood and will provide a function that is fitting and compatible with the character of the surrounding community and commercial viability of the region as a whole.

- b. The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.**

The Project site is located within the Downtown Center of the City of Los Angeles, and within the Central City Community Plan area of South Park. The immediate vicinity is characterized by a mix of commercial, restaurant, bar, office, surface parking and high-rise residential uses. The approximate 0.83-acre site is currently developed with a surface parking lot.

Surrounding properties include a mix of residential, commercial, retail, office, surface parking and mixed-use buildings that range in height from low-rise to high-rise. Properties to the north and west are developed with a seven-story residential mid-rise building, a 38-story residential tower, and one-story commercial buildings. Properties to the east, across Olive Street are currently developed with surface parking lots, one-to two-story commercial and retail buildings, two high rise office towers, and a six-story public parking garage.

The proposed Project will construct 536 residential units and 4,178 square feet of retail uses, including restaurants. Approximately 581 parking spaces will be provided across six subterranean parking levels and three above-grade parking levels starting on the second floor of the building. Vehicular access to the project would be provided on Olive Street and the north-south alley on the east side of the Site. The designated loading area for the site is located on the ground floor and will be accessed from the alley on the east side of the Project.

Redevelopment of the site will also increase street activity by introducing a new building with a mix of uses that would remain open 24-hours a day and seven days a week, thereby providing a 24-hour presence and more eyes on the street to create a safer environment. The Project locates residential density and new commercial uses near several transit options that afford easy access to employment centers, entertainment, and services; promotes pedestrian activity in the general area by developing a vacant infill site; and provides a gathering point with new recreational and open space amenities available to residents and visitors utilizing commercial uses. The sale, dispensing, and consumption of alcoholic beverages within the ground floor commercial use areas will be an incidental amenity for residents of the Site and will provide a new amenity for those who are visiting the downtown area. The Project's

conditions will be supplemented by more specific conditions designed to address the characteristics of each individual alcohol establishment at Plan Approval which will be required, prior to the effectuation of the approval for each respective. Under these Plan Approvals, the Zoning Administrator and LAPD will have the opportunity to comment and recommend any additional conditions, as warranted. It should be noted that the sale of alcohol is regulated by the State of California through the issuance of an Alcohol Beverage Control (ABC) license. Thus, as conditioned, combined with the enforcement authority of ABC and LAPD, the approval for the sale of alcohol will not be detrimental to the public health, safety and welfare.

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

The Project Site is located within the Central City Community Plan area, which designates the Site for Regional Center Commercial land uses corresponding to the CR, C1.5, C2, C4, C5, RD, R4, R5, RAS3, and RAS4 and High-Density Residential land uses with corresponding zone of R5.

The Site is zoned C2-4D-O, which is consistent with its current land use designation. The Project involves the construction of a 51-story mixed use development comprised of 536 residential dwelling units and up to 4,178 square feet of ground floor commercial uses on a 35,120 square foot site. The C2 Zone allows for restaurants/bars and the service of alcoholic beverages through a Conditional Use approval. The Central City Community Plan text is silent with regards to alcohol sales. In such cases, the decision-maker must interpret the intent of the Community Plan. The proposed request for the sale and dispensing of a full-line of alcoholic beverages within a total of four establishments comprised of two (2) on-site consumption and two (2) off site consumption are consistent with the following Central City Community Plan objectives, including:

Objective 2-1: To improve Central City's competitiveness as a location for offices, business, retail, and industry.

Objective 2-3: To promote land uses in Central City that will address the needs of all the visitors to Downtown for business, conventions, trade shows, and tourism.

Objective 2-4: To encourage a mix of uses which create an active, 24-hour downtown environment for current residents and which would also foster increased tourism.

The Project is a mixed-use development that will provide residential and commercial uses and will be located in an area mix of commercial, restaurant, bar, office, surface parking and high-rise residential uses. The Community Plan encourages new uses, which strengthen the economic base and promote land uses that address the needs of all downtown visitors. The Project promotes land uses that will be consistent with existing uses, meet the needs of workers, residents, and visitors to downtown, and provide a mix of uses which result in a 24-hour downtown environment. The sale, dispensing, and consumption of a full-line of alcoholic beverages, in conjunction with the operations of the proposed mixed-use residential development with ground floor commercial uses will be an added amenity for residents and patrons of the Project.

The approval of the requested Master Conditional Use Permit for the sale and dispensing of a full-line of alcoholic beverages within a total of four establishments comprised of two (2) on-site consumption and two (2) off site consumption will thus further the downtown neighborhood's role as a major population, employment and entertainment center and will result in a development that addresses the needs of the existing business and residents in the area as well as the projected growth in downtown Los Angeles. Therefore, the Project substantially conforms with the purposes, intent and provisions of the General Plan and the Community Plan.

## **6. Additional Findings for Alcohol Sales**

### **d. The proposed use will not adversely affect the welfare of the pertinent community.**

The approval of the Master Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages on-site and off-site will not adversely affect the welfare of the community. The Project Site is located in South Park, a centrally located District that provides a link to the surrounding Central City Districts. South Park has developed into a revitalized area with a vibrant mix of day-time and nighttime uses that contribute to the vision of a 24-hour downtown. The Project will provide additional amenities that will result in a greater variety of dining options, which will support the growing residential population as well as improve the existing environment and attract new visitors and residents to the area.

Diversity amongst uses is common in the surrounding area and while there are residential uses near the Project Site, as well as residential uses proposed as part of the Project, the proposed establishments open to the public serving alcoholic beverages will be part of a controlled and monitored operation. In addition, numerous conditions have been imposed to ensure that the use is integrated into the community as well as to protect community members from adverse potential impacts. As part of the required Plan Approvals, additional conditions may be recommended for consideration by the California Department of ABC that regulate the sale of alcoholic beverages to prevent adverse impacts to the neighborhood. Other conditions imposed will maintain the order and ensure cleanliness of the Project and its surroundings. In addition, the grant requires the use and maintenance of an age verification device to deter underage purchases and drinking. Employees must also undergo STAR (Standardized Training for Alcohol Retailers) training, provided by the Los Angeles Police Department. Both the Conditions of Approval and the requirements of the State Alcoholic Beverage Control agency are intended to protect the public health, welfare and safety of the community. Thus, the commercial and retail uses as it relates to the sale, dispensing, and consumption of alcoholic beverages for four establishments will not adversely affect the welfare of the pertinent community.

### **e. The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot**

**radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.**

According to the California State Department of ABC licensing criteria, there are eight (8) on-site and four (4) off-site licenses allocated to the subject Census Tract Number 2079.02, based on a population of 7,405 people. Within the subject Census Tract, there are currently 42 active licenses, including 35 on-site and seven (7) off-site licenses. As such, the number of existing on-site licenses within the census tract where the Project Site is located exceeds ABC guidelines.

Concentration can be undue when the addition of a license will negatively impact a neighborhood. Concentration is not undue when the approval of a license does not negatively impact an area, but rather such a license benefits the public welfare and convenience. The Site is located within the Central City Community Plan and in the South Park neighborhood. The area is developed with a mix of government facilities, historic theaters, office buildings, ground floor retail, and commercial buildings which have been converted to residential uses. In active commercial areas where there is a demand for licenses beyond the allocated number, the ABC has recognized that high activity retail and commercial centers are supported by a significant and growing employee, visitor, and resident population in the area. The ABC has discretion to approve an application if there is evidence that normal operations will not be contrary to the public welfare and will not interfere with the quiet enjoyment of property by residents in the area. Negative impacts commonly associated with the sale of alcoholic beverages, such as criminal activity, public drunkenness, and loitering are mitigated by the imposition of conditions requiring responsible management and deterrents against loitering, public drinking, driving under the influence, and public drunkenness. As conditioned, allowing the sale, dispensing, and consumption of a full line of alcoholic beverages in conjunction with the proposed commercial and retail uses for four establishments is not undue or anticipated to create a law enforcement issue. Consequently, this approval will not result in an undue concentration of premises selling, dispensing, and consumption of a full-line of alcoholic beverages.

According to statistics provided by the LAPD's Central Vice Unit within Crime Reporting District No. 182 which has jurisdiction over the Project Site, a total of 892 crimes were reported in 2023 (769 Part I and 123 Part II crimes), compared to the Citywide Average of 162 crimes and the High Crime Reporting District Average of 194 crimes. Alcohol related Part II Crimes reported include Narcotics (17), Liquor Laws (5), Disorderly Conduct (1), DUI related (8), and other offenses (36). These numbers do not reflect the total number of arrests in the subject reporting district over the accountable year. Arrests for this calendar year may reflect crimes reported in previous years.

The project will not adversely affect community welfare because the proposed alcohol uses are a desirable use in an area designated for commercial uses. In this case, the Project will provide a convenience and new amenity to visitors and residents in the immediate neighborhood and, as conditioned, will not negatively impact the area. The project will also increase street activity by introducing a new building with a mix of residential and commercial uses that would provide more eyes on the street to create

a safer environment. As such, the commercial uses in conjunction with the sale, dispensing, and consumption of a full-line of alcoholic beverages for a total of four establishments comprised of two (2) on-site consumption and two (2) off site consumption will be compatible with the surrounding development and will not adversely affect the welfare of the surrounding community.

- f. **The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.**

The Project Site is surrounded by a mix of mixed-use development, office buildings, ground floor retail, and commercial buildings. Properties to the north and west are developed with a seven-story residential mid-rise building, a 38-story residential tower, and one-story commercial buildings. Properties to the east, across Olive Street, and properties to the south are currently developed with surface parking lots, one- to two-story commercial and retail buildings, two high rise office towers, and a six-story public parking garage.

The nearby residential uses are multi-family apartments and several newer condominiums in mixed-use buildings with commercial, restaurant, and bar spaces. There are no single-family homes, churches, hospitals or parks within 600 feet of the Project site.

The following sensitive uses are located within 1,000 feet of the Project Site:

1. Faye Washington Youth Employment Center (1020 S. Olive Street)
2. SIA Tech School (221 W. 11th Street)

The proposed 51-story mixed-use development is located within proximity of sensitive uses, including residences. The Site is located within a commercial corridor along 11<sup>th</sup> and Olive Street in the Downtown Center (as classified by the City's General Plan Framework Element), which has long been a center for cultural and entertainment facilities, professional offices, and high-rise residential towers. As mentioned previously, the proposed mixed-use development with 536 residential units and 4,178 of ground floor commercial use as it relates to the sale, dispensing, and consumption of a full-line of alcoholic beverages have been properly conditioned as to not adversely affect the welfare of the pertinent community. As discussed above, more specific physical and operational conditions will be included as part of the Approval of Plans determination required for each venue as established by the MCUP provisions and the Project's conditions will be supplemented by more specific conditions designed to address the characteristics of each individual establishment at Plan Approval which will be required, prior to the effectuation of the approval for each respective tenancy identified above, where more specific physical and operational restrictions. Under these Plan Approvals, the Zoning Administrator and LAPD have the opportunity to comment and recommend any conditions, including the maximum number of indoor seats, as determined by the Department of Building and Safety.



With the conditions referenced herein, the impacts of the for two on-site and two off-site, dispensing, and consumption of a full-line of alcoholic beverages will be reduced and not detrimentally affect nearby residentially zoned or developed communities and other sensitive uses within the area.

### **Environmental Findings**

7. **Environmental Finding. FIND**, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project, including the approval of the Zone Variance, TFAR, Director's Determination, Main Conditional Use Permit, and Site Plan Review requests, was assessed in Sustainable Communities Environmental Assessment, No. ENV-2018-2601-SCEA, adopted on December 11, 2024; and pursuant to CEQA Guidelines, Sections 15162 and 15164, no subsequent EIR, negative declaration, or addendum is required for approval of the project.
8. **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 outside the flood zone.

## **PUBLIC HEARING AND COMMUNICATIONS**

### **Public Hearing**

A virtual joint Deputy Advisory Agency and Hearing Officer public hearing was held for the Vesting Tentative Tract 82109 and CPC-2018-2600-ZV-TDR-DD-SPR-MCUP on November 13, 2024, and was attended by the Applicant, Applicant Representative, and members of the public. At the public hearing, testimony was provided by the Project team. The Project has garnered public support as summarized below.

### **Summary of Public Hearing Testimony**

At the hearing, the Project team summarized the Project including the entitlement requests through a presentation attached to the administrative record and presented the following:

- Regarding entitlements, the Applicant's Representative summarized the Project's entitlement requests.
- Provided details regarding Site 3 Project and neighboring mixed-use development.
- The Applicant Representative provided background details of the Project's sustainability measures, how massing, street wall, and ground floor treatment and proposed uses impacts the pedestrian experience, parking and access features of the Project.

### **Communications Received**

At the time of the preparation of this report, the following letters were received regarding the project entitlement requests.

- The Project received a letter of support from the South Park Neighborhood Association on August 12, 2024.
- The Project received a letter of support from the Downtown Los Angeles Neighborhood Council, whose Board of Directors voted in favor of the project on August 13, 2024.
- The Project received a letter of support from the Central City Association on February 24, 2020.

Support for the Project centered on the following points:

- The Project benefits the downtown community and brings housing and jobs near transit.
- Project increases area revitalization.
- Project is in close proximity to transit and promotes walkability.

- Project's ground floor commercial uses will stimulate economic growth and provide permanent jobs in South Park.
- Retail and restaurants uses are complementary uses for the Downtown area.
- Project will add new housing and will contribute to meet critical housing needs and within close proximity to existing employment.