

PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL CASE:	COUNCIL DISTRICT:
CPC-2016-3726-GPA-VZC-HD-DB-MCUP-SPR	ENV-2016-3727-EIR; SCH No. 2018021069	14 – Jurado
RELATED CASE NOS.:	COUNCIL FILE NO:	PROCEDURAL REGULATIONS:
VTT-74549, VTT-74549-1A	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Ch. 1 as of 1/21/24 (Not subject to Processes & Procedures Ord.) <input checked="" type="checkbox"/> Ch. 1A (Subject to Processes & Procedures Ord.) <input checked="" style="color: red;" type="checkbox"/> TBD (Pending Appeal)
PROJECT ADDRESS / LOCATION:		
1100 East 5 th Street and 506 – 530 South Seaton Street		
APPLICANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
WW-5 th & Seaton LLC, XF-5 th & Seaton LLC	(310) 246-6500	Michael@maxxamlc.com
APPLICANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Edgar Khalatian, Mayer Brown	(213) 229-9548	EKhalatian@mayerbrown.com
APPELLANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
<input checked="" type="checkbox"/> TBD	<input checked="" type="checkbox"/> TBD	<input checked="" type="checkbox"/> TBD
APPELLANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
<input checked="" type="checkbox"/> TBD	<input checked="" type="checkbox"/> TBD	<input checked="" type="checkbox"/> TBD
PLANNER CONTACT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Kathleen King	(213) 847-3624	kathleen.king@lacity.org
ITEMS FOR CITY COUNCIL CONSIDERATION (IE. ENTITLEMENTS, LEGISLATIVE ACTIONS):		
General Plan Amendment (GPA); Vesting Zone Change (VZC); Height District Change (HD)		
FINAL ENTITLMENTS NOT ADVANCING FOR CITY COUNCIL CONSIDERATION: (UNAPPEALED OR NON-APPEALABLE ITEMS)		
Density Bonus (DB)		
ITEMS APPEALED:		
Main Condition Use Permit and Site Plan Review TBD (Pending Appeal) <input checked="" type="checkbox"/> TBD		

ATTACHMENTS:	REVISED:	ENVIRONMENTAL DOCUMENT:	REVISED:
<input checked="" type="checkbox"/> Letter of Determination <input checked="" type="checkbox"/> Findings of Fact <input checked="" type="checkbox"/> Staff Recommendation Report <input checked="" type="checkbox"/> Conditions of Approval <input checked="" type="checkbox"/> T Conditions <input checked="" type="checkbox"/> Proposed Ordinance <input checked="" type="checkbox"/> Zone Change Map and Ordinance <input checked="" type="checkbox"/> GPA Resolution <input checked="" type="checkbox"/> Land Use Map <input checked="" type="checkbox"/> Exhibit A – Plans <input checked="" type="checkbox"/> Mailing List (both Word and PDF) <input checked="" type="checkbox"/> Interested Parties List <input type="checkbox"/> Appeal <input type="checkbox"/> Development Agreement <input type="checkbox"/> Site Photographs <input type="checkbox"/> Other:	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Categorical Exemption (CE) (Notice of Exemption) <input type="checkbox"/> Statutory Exemption (SE) (Notice of Exemption) <input type="checkbox"/> Negative Declaration (ND) <input type="checkbox"/> Mitigated Negative Declaration (MND) <input checked="" type="checkbox"/> Environmental Impact Report (EIR) <input checked="" type="checkbox"/> Mitigation Monitoring Program (MMP) <input type="checkbox"/> Sustainable Communities Project Exemption (SCPE) <input type="checkbox"/> Sustainable Communities Environmental Assessment (SCEA) <input type="checkbox"/> Sustainable Communities Environmental Impact Report (SCEIR) <input type="checkbox"/> Appendices <input type="checkbox"/> Other:	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

NOTES / INSTRUCTIONS:

Note: The Instructions below only apply if the related VTT is appealed.

Create Supplemental CF No. "-S1" to CF No. assigned to related VTT-74549-2A.

Copies of the Draft EIR, Final EIR, and Erratum are available on Planning's website:

Draft EIR: <https://planning.lacity.gov/development-services/eir/1100-e-5th-street-project-0>

Final EIR: <https://planning.lacity.gov/development-services/eir/1100-e-5th-street-project-1>

Erratum: <https://planning.lacity.gov/development-services/eir/1100-e-5th-street-project-2>

CITY COUNCIL NOTICE TIMING:	NOTICE LIST (SELECT ALL):	NOTICE PUBLICATION:
<input type="checkbox"/> 10 days <input type="checkbox"/> 15 days <input type="checkbox"/> 24 days <input type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable] <input checked="" type="checkbox"/> TBD	<input type="checkbox"/> Owner <input type="checkbox"/> Applicant <input type="checkbox"/> Adjacent/Abutting <input type="checkbox"/> 100' radius <input type="checkbox"/> 300' radius <input type="checkbox"/> 500' radius <input type="checkbox"/> Neighborhood Council <input type="checkbox"/> Interested Parties <input type="checkbox"/> Other: [enter here if applicable] <input checked="" type="checkbox"/> TBD	<input type="checkbox"/> 10 days <input type="checkbox"/> 15 days <input type="checkbox"/> 24 days <input type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable] <input checked="" type="checkbox"/> TBD

FISCAL IMPACT STATEMENT:	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
*If determination states administrative costs are recovered through fees, indicate "Yes."	
PLANNING COMMISSION:	
<input checked="" type="checkbox"/> City Planning Commission (CPC) <input type="checkbox"/> Cultural Heritage Commission (CHC) <input type="checkbox"/> Central Area Planning Commission <input type="checkbox"/> East LA Area Planning Commission <input type="checkbox"/> Harbor Area Planning Commission	<input type="checkbox"/> North Valley Area Planning Commission <input type="checkbox"/> South LA Area Planning Commission <input type="checkbox"/> South Valley Area Planning Commission <input type="checkbox"/> West LA Area Planning Commission
PLANNING COMMISSION HEARING DATE:	COMMISSION VOTE:
November 14, 2024	6 – 0
LAST DAY TO APPEAL:	DATE APPEALED:
	TBD
COUNCIL TIME TO ACT:	TIME TO ACT START:
<input type="checkbox"/> 30 days <input type="checkbox"/> 45 days <input type="checkbox"/> 60 days <input checked="" type="checkbox"/> 75 days <input type="checkbox"/> 90 days <input type="checkbox"/> 120 days <input type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable]	<input type="checkbox"/> Appeal Filing Date <input type="checkbox"/> Received by Clerk <input type="checkbox"/> Last Day to Appeal <input type="checkbox"/> N/A / None <input checked="" type="checkbox"/> Other: Pursuant to LAMC 12.32 D.3, "The Council shall make its decision within 75 days after the expiration of the appeal period. The 75 day time limit to act on an appeal may be extended by mutual written consent of the applicant and the Council."
TRANSMITTED BY:	TRANSMITTAL DATE:
Cecilia Lamas Commission Executive Assistant II	January 22, 2025



LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: JANUARY 22, 2025

Case No.: CPC-2016-3726-GPA-VZC-HD-DB-MCUP-SPR

Council District: 14 – de León

CEQA: ENV-2016-3727-EIR (SCH No. 2018021069)

Plan Area: Central City North

Related Case: VTT-74549-1A

Project Site: 1100 East 5th Street and 506 – 530 South Seaton Street

Applicant: WW-5th & Seaton LLC, XF-5th & Seaton LLC
Representative: Edgar Khalatian, Mayer Brown

At its meeting of **November 14, 2024**, the Los Angeles City Planning Commission took the actions below in conjunction with the following Project:

The 1100 East 5th Street Project (Project) proposes the demolition of three existing warehouse buildings and a surface parking lot for the construction of an eight-story mixed-use building comprised of 220 live/work units, of which 11 percent (25 units) would be deed-restricted for Very Low Income (VLI) households, 46,548 square feet of commercial uses, and three subterranean parking levels. The Project would total 249,758 square feet of floor area on a 1.2-acre site, resulting in a Floor Area Ratio (FAR) of 4.77:1. The Project includes a Flexibility Option that provides the flexibility to replace 20 live/work units with an additional 17,765 square feet of commercial uses, with no other changes to the scope of the Project.

1. **Found**, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the Project was assessed in the previously certified Environmental Impact Report (EIR) No. ENV-2016-3727-EIR, certified on January 23, 2025; and pursuant to CEQA Guidelines, Sections 15162 and 15164, no subsequent EIR, negative declaration, or addendum is required for approval of the Project;
2. **Approved and Recommended** that the Mayor and City Council **adopt**, pursuant to Charter Section 555 and Section 11.5.6 of the Los Angeles Municipal Code (LAMC), a General Plan Amendment to the Central City North Community Plan to change the land use designations for the Project Site from Heavy Industrial to Regional Commercial;
3. **Approved and Recommended** that the City Council **adopt**, pursuant to LAMC Sections 12.32 F and Q, a Vesting Zone Change and Height District Change from the M3-1-RIO to (T)(Q)C2-2-RIO Zone;
4. **Approved**, pursuant to LAMC Section 12.22 A.25, a Density Bonus Compliance Review for a Housing Development Project setting aside 11 percent (25 units) of the proposed density for Very Low Income (VLI) households for a period of 55 years, and with the following requested incentives and waivers;
 - a. An On-Menu Incentive to allow a six percent reduction in the required amount of open space for the Project (and not the Flexibility Option); and
 - b. An On-Menu Incentive to allow a 10 percent reduction in the easterly side yard setback, for a setback of 10 feet, in lieu of the otherwise required 11 feet at the lowest residential level;

- c. A Waiver of Development Standards to allow a 24 percent reduction in the southerly rear year setback, for a setback of 15 feet, three inches, in lieu of the otherwise required 20 feet at the lowest residential level;
5. **Approved**, pursuant to LAMC Section 12.24 W.1, a Main Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption for up to four establishments;
6. **Approved**, pursuant to LAMC Section 16.05, a Site Plan Review for a development that results in an increase of 50 or more dwelling units;
7. **Adopted** the attached Conditions of Approval; and
8. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Lawshe
Second: Newhouse
Ayes: Diaz, Klein, Saitman, Zamora
Absent: Cabildo, Choe, Mack

Vote: 6 – 0



Cecilia Lamas, Commission Executive Assistant II
Los Angeles City Planning Commission

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

Effective Date/Appeals: The decision of the Los Angeles City Planning Commission as it relates to the General Plan Amendment is not further appealable and will proceed to the City Council for final decision. The decision of the Commission regarding the Density Bonus is final. The Vesting Zone Change and Height District Change are appealable by the Applicant only if disapproved in whole or in part by the Commission. The decision of the Commission regarding the remaining approvals is appealable to the Los Angeles City Council within 20 days after the mailing date of this determination letter. Any Appeal not filed within the 20-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Development Service Centers located at: 201 North Figueroa Street, Fourth Floor, Los Angeles, CA 90012; or 6262 Van Nuys Boulevard, Suite 251, Van Nuys, CA 91401.

FINAL APPEAL DATE: FEBRUARY 11, 2025

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable** and the decision is final.

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

Attachments: Zone Change Ordinance, Conditions of Approval, Findings, Resolution, Appeal Filing Procedures

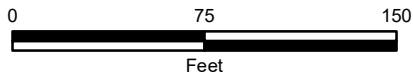
cc: Milena Zasadzien, Principal City Planner
Mindy Nguyen, Senior City Planner
Kathleen King, City Planner
Bob Babajian, Planning Assistant

ORDINANCE NO. _____

An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zone and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:

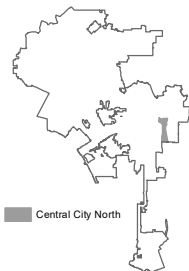


CPC-2016-3726-GPA-VZC-HD-MCUP-DB-SPR

AA/Cf

092324

City of Los Angeles



(Q) QUALIFIED CONDITIONS

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

1. **Site Development.** The use and development of the property shall be in substantial conformance with the plans submitted with the application and marked Exhibit A, dated September 17, 2024 (hereafter referred to as Exhibit A) and attached to the subject case file. No change to the plans (except as conditioned) will be made without prior review by the Department of City Planning, Major Projects Section and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the LAMC or the Project conditions. The project shall be in substantial conformance with the following project description:

Project

- a. 220 live/work units (11 percent Very Low Income units)
- b. 46,548 square feet of commercial space

Flexibility Option

- a. 200 live/work units (11 percent Very Low Income units)
- b. 64,313 square feet of commercial space

2. **Pedestrian Paseos and Courtyard.** A minimum 8,410 square-foot ground floor, publicly accessible, landscaped courtyard and paseos shall provide public access from Seaton Street to 5th Street, as shown in Exhibit A, Project Plans, dated September 17, 2024.
 - a. The courtyard and paseos shall remain open and accessible to the public during business hours, seven days a week.
 - b. No motorized vehicles shall be permitted, except for emergency vehicles used during an emergency.
 - c. The courtyard and paseo areas will be maintained in good condition for the life of the Project.

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

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

Dedications/Improvements and Responsibilities/Guarantees.

Dedications and Improvements herein contained in these conditions which are in excess of street improvements contained in either the Mobility Element 2035 or any future Community Plan amendment or revision may be reduced to meet those plans with the concurrence of the Department of Transportation and the Bureau of Engineering:

1. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.
2. **Bureau of Engineering.** Street Dedications and Improvements shall be provided as outlined in Vesting Tentative Tract Map No. 74549 to the satisfaction of the City Engineer.
3. **Sewer.** Construction of necessary sewer facilities, or payment of sewer fees, shall be to the satisfaction of the City Engineer.
4. **Drainage.** Construction of necessary drainage and storm water runoff drainage facilities to the satisfaction of the City Engineer.
5. **Driveway/Parkway Area Plan.** Preparation of a parking plan and driveway plan to the satisfaction of the appropriate District Offices of the Bureau of Engineering and the Department of Transportation.
6. **Fire.** Incorporate into the building plans the recommendations of the Fire Department relative to fire safety, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit.
7. **Cable.** Make any necessary arrangements with the appropriate cable television franchise holder to assure that cable television facilities will be installed in City rights-of-way in the same manner as is required of other facilities, pursuant to Municipal Code Section 17.05 N to the satisfaction of the Department of Telecommunications.
8. **Recreation and Park Fees.** The Park Fee paid to the Department of Recreation and Parks be calculated as a Subdivision (Quimby in-lieu) fee. The application for Vesting Tentative Tract Map No. 74745 was deemed complete on March 3, 2017.
9. **Lighting.** Street lighting facilities shall be provided to the satisfaction of the Bureau of Street Lighting.
10. **Street Trees.** All trees in the public right-of-way shall be provided per the current Urban Forestry Division Standards.

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

CONDITIONS OF APPROVAL

Pursuant to LAMC Sections 12.22. A.25, 12.24 W.1 and 16.05, the following conditions are hereby imposed upon the use of the subject property. Unless otherwise noted, the Conditions of Approval below apply to both the Project and Flexibility Option.

Density Bonus Conditions

1. **Site Development.** The use and development of the Property shall be in substantial conformance with the plans stamped Exhibit A, dated September 17, 2024. No change to the plans will be made without prior review by the Department of City Planning, Major Projects, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code or the Project conditions.
2. **Residential Density.**
 - a. The Project shall be limited to a maximum density of 220 live/work units.
 - b. The Flexibility Option shall be limited to a maximum of 200 live/work units.
3. **On-Site Restricted Affordable Units.** The Project shall set aside the number and type of Restricted Affordable Units, as defined by State Density Bonus Law in California Government Code Section 65915(C)(2), corresponding to the percentage of Density Bonus and number of Incentives utilized, consistent with LAMC Section 12.22 A.25.
4. **Changes in Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units shall be consistent with LAMC Section 12.22 A.25 (a-d).
5. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing Department (LAHD) to make 11 percent of the proposed dwelling units, available to Very Low Income Households or equal to 11 percent of the Project's total residential density, for sale or rental, as determined to be affordable to such households by LAHD for a period of 55 years. In the event the Applicant reduces the proposed density of the Project, the number of required reserved on-site Restricted Units may be adjusted, consistent with LAMC Section 12.22 A.25, to the satisfaction of LAHD, and in consideration of the Project's Replacement Unit Determination.
6. **On-Menu Incentives.**
 - a. **Open Space.** To allow a six percent reduction in the required amount of open space as required per LAMC Section 12.21 G for the Project only and not the Flexibility Option.
 - b. **Side Yard.** To allow a 10 percent reduction in the easterly side yard setback, for a setback of 10 feet in lieu of the otherwise required 11 feet at the lowest residential level.
7. **Waiver of Development Standard – Reduction in Rear Yard.** To allow a 24 percent reduction in the southerly rear yard setback, for a setback of 15 feet, 3 inches in lieu of the otherwise required 20 feet at the lowest residential level.
8. **Unbundled Parking.** Residential parking shall be unbundled from the cost of the rental

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.

9. **Parking Per AB 2097.** The Project is not subject to any minimum parking space requirements, pursuant to California Government Code Section 65863.2 (AB 2097).

Main Conditional Use Permit for Alcohol Conditions

10. 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, dated September 17, 2024, except as may be revised as a result of this action.
11. Authorized herein is the sale and dispensing of a full line of alcoholic beverages for on-site and consumption, in conjunction with a maximum of four commercial establishments and associated outdoor dining areas.
12. Main Plan Approval (MPA) Requirement. Each individual venue shall be subject to a Main Plan Approval (MPA) determination pursuant to Section 12.24 M of the Los Angeles Municipal Code in order to implement and utilize the Main Conditional Use authorization granted. The purpose of the Main 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.
13. MPA Public Hearing Requirement. A public hearing for any Main Plan Approval (MPA) request may be waived at the discretion of the Chief Zoning Administrator.
14. Notwithstanding approved Exhibit A, dated September 17, 2024, and the Conditions above, this grant recognizes that there may be changes resulting from identified tenants, which may result in smaller or larger restaurants, different locations, and/or a reduced number of restaurants than those originally proposed and identified in Exhibit A. Such outcome is permitted provided that the other conditions noted herein, specifically those related to the combined maximum interior floor areas, maximum interior and exterior seating numbers, maximum (total) number of establishments authorized under this grant, and the maximum number of establishments approved for each type of grant in the Conditions above are not exceeded. The sale and dispensing of beer and wine may be provided in lieu of a full line of alcoholic beverages at any of the establishments approved for a full line of alcoholic beverages (but not the reverse), provided that the maximum (total) number of establishments authorized for alcoholic beverages is not exceeded, and subject to all other conditions of this grant.
15. After hour use shall be prohibited, except routine clean-up. This includes but is not limited to private or promotional events, special events, excluding any activities which are issued film permits by the City.
16. There shall be no Adult Entertainment of any type pursuant to LAMC Section 12.70.
17. 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 Department of City Planning to impose additional corrective conditions, if, it is determined by the Department of City Planning that

such conditions are needed for the protection of person in the neighborhood or occupants of adjacent property.

18. 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.
19. **STAR/LEAD/RBS 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 or the Responsible Beverage Service (RBS) Training Program. Upon completion of such training, the applicant shall request the Police Department or Department of Alcohol Beverage Control to issue a letter identifying which employees completed the training. STAR or LEAD or RBS training shall be conducted for all new hires within three months of their employment.
20. The Applicant shall be responsible for monitoring both patron and employee conduct on the premises and within the parking areas under his/her/their control to assure such conduct does not adversely affect unreasonably, or detract unreasonably from the quality of life for adjoining residents, property owners, or business.
21. 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.
22. The Applicant shall be responsible for maintaining the premises and adjoining sidewalk free of debris or litter.
23. 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.
24. 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.
25. 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.
26. The outside disposal of glass bottles and shall only occur between the hours of 7:00 a.m. to 6:00 p.m.
27. **MViP – Monitoring Verification and Inspection Program.** Prior to the effectuation of this grant, fees required per L.A.M.C Section 19.01 E.3 - Monitoring of Conditional Use Permits, Inspection, and Field Compliance for Review of Operations and Section 19.04 - Miscellaneous ZA Sign Offs shall be paid to the City.
 - a. Within 24 months from the beginning of operations or issuance of a Certificate of Occupancy, a City inspector will 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 included in the administrative file.

- b. The owner and operator shall be notified of the deficiency or violation and 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, may result in additional corrective conditions imposed by the Zoning Administrator.
28. Should there be a change in the ownership and/or the operator of the business, the property owner and/or the business owner or operator shall provide the prospective new property owner and the business owner or operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination including the conditions required herewith has been provided to the prospective property owner and/or business owner/operator shall be submitted to the Department of City Planning in a letter from the new property owner and/or business owner or operator indicating the date that the new property owner and/or business owner or operator/management began and attesting to the receipt of this approval and its conditions. The new property owner and/or business owner or operator shall submit this letter to the Department of City Planning within 30 days of the beginning day of his/her/their new operation of the establishment along with any proposed modifications to the existing floor plan, seating arrangement or number of seats of the new operation.
29. At any time during the period of validity of this grant, should documented evidence be submitted showing continued violation of any condition of this grant and/or the ABC license of the location, resulting in an unreasonable level of disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator (upon his/her/their initiative, or upon written request by LAPD or Department of ABC) reserves the right to call for a public hearing requiring the applicant to file for a plan approval application together with associated fees pursuant to LAMC Section 19.01 E, the purpose of which will be to review the applicant's compliance with and the effectiveness of these conditions. The Applicant shall prepare a radius map and cause notification to be mailed to all owners and occupants of properties within a 500-foot radius of the property, the Council Office and the Los Angeles Police Department's corresponding division. The applicant shall also submit a summary and any supporting documentation of how compliance with each condition of this grant has been attained. Upon this review, the Zoning Administrator may modify, add or delete conditions, and reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.

Site Plan Review Conditions

30. **Site Development.** The use and development of the Property shall be in substantial conformance with the plans stamped Exhibit A, dated September 17, 2024. No change to the plans will be made without prior review by the Department of City Planning, Major Projects, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code or the Project conditions.
31. **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 September 17, 2024. Minor deviations from the requirements provided below may be permitted by the Department of City Planning to permit the existing landscaping conditions provided that the plantings are well established and in good condition.

32. Vehicular Parking.

- a. All vehicle parking shall be accommodated in the subterranean parking garage.
- b. Entrances, elevators, and stairs for parking structures shall be easily accessible and highlighted architecturally.

33. Pedestrian Paseos and Courtyard. A minimum 8,410 square-foot ground floor, publicly accessible, landscaped courtyard and paseos shall provide public access from Seaton Street to 5th Street, as shown in Exhibit A, Project Plans, dated September 17, 2024.

- a. The courtyard and paseos shall remain open and accessible to the public during business hours, seven days a week.
- b. No motorized vehicles shall be permitted, except for emergency vehicles used during an emergency.
- c. The courtyard and paseo areas will be maintained in good condition for the life of the Project.

34. Tree Wells. The minimum depth of tree wells and planters on the rooftop, any above grade open space, and above a subterranean structure shall be as follows:

- a. Minimum depth for trees shall be 42 inches.
- b. Minimum depth for shrubs shall be 30 inches.
- c. Minimum depth for herbaceous plantings and ground cover shall be 18 inches.
- d. Minimum depth for an extensive green roof shall be three inches.

The minimum amount of soil volume for tree wells shall be based on the size of the tree at maturity as follows:

- a. 220 cubic feet for a tree 15 - 19 feet tall at maturity.
- b. 400 cubic feet for a tree 20 - 24 feet tall at maturity.
- c. 620 cubic feet for a medium tree or 25 - 29 feet tall at maturity.
- d. 900 cubic feet for a large tree or 30 - 34 feet tall at maturity.

35. Tree Maintenance. New trees planted within the public right-of-way shall be spaced not more than an average of 30 feet on center, unless otherwise permitted by the Urban Forestry Division, Bureau of Public Works.**36. Utilities.** All utilities shall be fully screened from view of any abutting properties and the public right-of-way.**37. River Improvement Overlay.** The Project shall comply with the River Improvement Overlay requirements set forth in LAMC Section 13.17. RIO approval shall be obtained prior to the issuance of building permits per the instructions as shown in ZI-2358.

38. **Glare.** The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.
39. **Reflectivity.** Glass used in building façades shall be non-reflective or treated with a non-reflective coating in order to minimize glare from reflected sunlight.
40. **Signage.** There shall be no off-site commercial signage on construction fencing during construction.
41. **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.
 - a. Areas where nighttime uses are located shall be maintained to provide sufficient illumination of the immediate environment so as to render objects or persons clearly visible for the safety of the public and emergency response personnel.
 - b. All pedestrian walkways, storefront entrances, and vehicular accessways shall be illuminated with lighting fixtures.
 - c. Light fixtures located on the Project Site (and not in the public right-of-way) shall be harmonious with the building design. Wall mounted lighting fixtures to accent and complement architectural details at night shall be installed on the building to provide illumination to pedestrians and motorists.
42. **Construction Generators.** The Project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices. The Project construction contractor shall use on-site electrical sources and solar generators to power equipment rather than diesel generators, where feasible.
43. **Mechanical Equipment.** All mechanical equipment shall be fully screened from view of any abutting properties and the public right-of-way.
44. **Trash/Storage.** All trash collecting and storage areas shall be located on-site and not visible from the public right-of-way. Trash receptacles shall be enclosed and/or covered at all times. Trash/recycling containers shall be locked when not in use.
45. **Graffiti Removal.** All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
46. **Construction Traffic Management Plan.** The Applicant shall prepare a Construction Traffic Management Plan which will include a construction work site traffic control plan, DOT recommends that the construction work site traffic control plan be submitted to LADOT's Citywide Temporary Traffic Control Section or Permit Plan Review Section for review and approval prior to the start of any construction work.
47. **Project Access and Circulation.** The Applicant shall contact LADOT for driveway width and internal circulation requirements prior to the commencement of building or parking layout design. Driveway placement and design shall be approved by the Department of City Planning in consultation with LADOT.

48. **Worksite Traffic Control Requirements.** A construction work site traffic control plan shall be submitted to LADOT's Citywide Temporary Traffic Control Section or Permit Plan Review Section for review and approval prior to the start of any construction work. Refer to <http://ladot.lacity.org/businesses/temporary-traffic-control-plans> to determine which section to coordinate review of the work site traffic control plan. The plan should show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties.
49. **Development Review Fees.** LAMC Section 19.15 identifies specific fees for traffic study review, condition clearance, and permit issuance. The Applicant shall comply with any applicable fees per this ordinance.

Environmental Conditions

50. **Implementation.** The Mitigation Monitoring Program (MMP), attached as "Exhibit D" 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.
51. **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.

52. **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.

Administrative Conditions of Approval

53. **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.
54. **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.
55. **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.
56. **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.
57. **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.
58. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.
59. **Project Plan Modifications.** Any corrections and/or modifications to the project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in Site Plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision-making authority including the Director of Planning, City Planning Commission, Area Planning Commission, or Board.
60. **Indemnification and Reimbursement of Litigation Costs.** The Applicant shall do all of the following:

- (i) 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.
- (ii) 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.
- (iii) 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).
- (iv) 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).
- (v) 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.

61. 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

General Plan/Charter Findings

The Director-initiated General Plan Amendment and requested Zone and Height District Change are in substantial conformance with the purposes, intent, and provisions of the General Plan as explained below.

1. General Plan Land Use Designation

The Project Site is located within the Central City North Community Plan, which was adopted by the City Council on December 15, 2000. The Project Site is comprised of eight contiguous parcels, totaling 1.2-acres in size. The Community Plan currently designates the Project Site for Heavy Industrial land uses, corresponding to the M3 Zone. The Site is presently zoned M3-1-RIO, consistent with the range of zones under the land use designation.

As proposed, the General Plan Amendment would re-designate the Project Site from Heavy Industrial to Regional Commercial land uses. In addition, a Vesting Zone Change and Height District Change would modify the existing zoning from M3-1-RIO to (T)(Q)C2-2-RIO. The proposed Regional Commercial land use designation has the following corresponding zones: CR, C1.5, C2, C4, RAS3, RAS4, R3, R4, and R5. Thus, the recommended (T)(Q)C2-2-RIO Zone would be consistent with the adoption of the proposed land use designation and in substantial conformance with the purpose, intent, and provisions of the General Plan as it is reflected within the Central City North Community Plan.

2. General Plan Text

The Los Angeles General Plan sets forth goals, objectives and programs that guide both citywide and community specific land use policies. The General Plan is comprised of a range of State-mandated elements, including, but not limited to, Land Use, Transportation, Noise, Safety, Housing and Conservation. The City's Land Use Element is divided into 35 community plans that establish parameters for land use decisions within those sub-areas of the City. The Project is in compliance with the following Elements of the General Plan: Framework Element, Housing Element, Mobility Element, Housing Element, Health and Wellness Element, Air Quality Element, and the Land Use Element – Central City North Community Plan.

Framework Element

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

The Project is consistent with the objectives and policies of the Framework Element as described below:

Chapter 3: Land Use

The Land Use Chapter of the Framework Element identifies objectives and supporting policies relevant to the Project Site. Those objectives and policies seek, in part, to encourage the development of commercial uses and structures that integrate a mix of commercial uses as well as the integration of housing and commercial uses. The Project supports and will be generally consistent with the General Plan Framework Land Use Chapter as it accommodates development live/work units and commercial uses in accordance with the applicable policies of the Central City North Community Plan. Specifically, the Project would be consistent with the following goals, objective and policies, as set forth in the General Plan Framework Land Use Chapter:

Goal 3A: *A physically balanced distribution of land uses that contributes towards and facilitates the City's long-term fiscal and economic viability, revitalization of economically depressed areas, conservation of existing residential neighborhoods, equitable distribution of public resources, conservation of natural resources, provision of adequate infrastructure and public services, reduction of traffic congestion and improvement of air quality, enhancement of recreation and open space opportunities, assurance of environmental justice and a healthful living environment, and achievement of the vision for a more livable city.*

Objective 3.1: *Accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors.*

Objective 3.2: *Provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled, and air pollution.*

Policy 3.2.3: *Provide for the development of land use patterns that emphasize pedestrian/bicycle access and use in appropriate locations.*

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.*

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

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

Goal 7A: *A vibrant economically revitalized City.*

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

The Project would support the above goal, objectives and policy of the Framework Element through the provision of a complementary mix of uses on site, through the construction of a new, eight-story mixed-use building comprised of 220 live/work units, of which 11 percent (25 units) would be deed-restricted for Very Low Income (VLI) households, 46,548 square

feet of commercial uses, a ground floor outdoor courtyard, and two paseos accessible from 5th Street and Seaton Street.

The Project would include a Flexibility Option to replace 20 live/work units with an additional 17,765 square feet of commercial space for office and art production-related uses, totaling 200 live/work units, of which 11 percent of the live/work units (22 units) would be deed-restricted for VLI households, and 64,313 square feet of commercial uses, with no other changes to the Project.

The Project Site is located in proximity to public transit, including multiple local and regional bus lines, within walking distance to several bus stops along 6th Street, Central Avenue, and Alameda Street. Public transit service in the vicinity of the Project Site is currently provided by multiple local lines and regional lines via stops along Alameda Street and Palmetto Street. Public transit service in the immediate Project vicinity is currently provided by the Los Angeles County Metropolitan Transportation Authority (Metro) and Los Angeles Department of Transportation (LADOT) Downtown Area Short Hop (DASH). The bus lines include Metro Local Lines 18, 53, 62, and Metro Rapid 720, the LADOT DASH A bus, and Commuter Express. Additionally, the Project Site is approximately 0.7 miles southeast of the Metro A and E Line Little Tokyo/Arts District Station.

Both the Project and the Flexibility Option would provide short- and long-term on-site bicycle parking spaces for residents, employees, and visitor use in compliance with the Los Angeles Municipal Code (LAMC). While there are no existing bicycle lanes, paths, or routes adjacent to the Project Site, Class III and II bicycle lanes are located in the Project vicinity. Dedicated Class II bicycle lanes are located along 3rd Street between 4th Place and Santa Fe Avenue and become a Class III bicycle lane east of Garey Street. Dedicated Class III bicycle lanes are located along 2nd Street between Alameda Avenue and Santa Fe Avenue and Class II bicycle lanes are installed along 1st Street from Beaudry Avenue to Mission Street.

The Project Site is located in an urbanized area and generally surrounded by low- to medium-rise industrial and commercial buildings, as well as a few residential buildings. The Arts District neighborhood continues to undergo changes to the development landscape, with new residential, live/work, restaurant, retail, and office uses being introduced within an area previously concentrated with commercial and industrial uses. The neighborhood's existing public infrastructure as well as the City's public services would accommodate the Project's residents, employees, and visitors.

The Project would improve the surrounding area's livability by introducing new live/work units, while the Project's commercial uses would provide on-site and surrounding residents with new general commercial, restaurant, retail and office uses within walking distance of transit and other commercial and residential uses. The introduction of a new mixed-use building, as well as the provision of a publicly accessible outdoor ground floor courtyard and bicycle facilities within close proximity to public transit would provide residences and/or visitors of the Arts District and/or Downtown Los Angeles a new and nearby location to work, eat, and gather, creating a more livable city.

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

- a. *Where it can be demonstrated that the existing parcelization precludes effective use for industrial or supporting functions and where there is no available method to assemble parcels into a unified Site that will support viable industrial development;*

- b. Where the size and/or the configuration of assembled parcels are insufficient to accommodate viable industrial development;*
- c. Where the size, use, and/or configuration of the industrial parcels adversely impact adjacent residential neighborhoods;*
- d. Where the conversion of industrial lands to an alternative use will not create a fragmented pattern of development and reduce the integrity and viability of existing industrial areas;*
- e. Where it can be demonstrated that the reduction of industrial lands will not adversely impact the City's ability to accommodate sufficient industrial uses to provide jobs for the City's residents or incur adverse fiscal impacts; [...]*

As indicated in the Economic Development Chapter of the Framework Element (discussed further below), some existing industrially zoned lands may be inappropriate for new industries and should be converted for other land uses. Where such lands are to be converted, their appropriate use shall be the subject of future planning studies. This is satisfied in several ways. First, the CEQA process included an Environmental Impact Report, which assessed the surrounding land uses, as well as an analysis of the proposed land use in relation to the General Plan and the CEQA Guidelines threshold for land use compatibility. As demonstrated therein, while the majority of properties in the surrounding area are designated and zoned heavy industrial and manufacturing, the implementation of the Adaptive Reuse Ordinance has allowed for residential uses within the live/work components, with neighborhood commercial uses to complement the residential population. The entitlement process further analyzes in detail the Goals, Objectives, and Policies of the General Plan and demonstrates that the Project meets the overall intent of the General Plan. As demonstrated herein, the land use pattern in the immediate neighborhood of the subject property has evolved from its historic industrial and manufacturing uses to light industrial and manufacturing uses and new technologies along with compatible and complementary non-industrial uses including residential, creative office, and related retail, cultural, entertainment uses, reflecting larger employment and economic trends.

Second, around 2007, the Department of City Planning, in conjunction with the Community Redevelopment Agency drafted an Industrial Land Use Policy (ILUP) that was intended to preserve certain industrially-zoned land in the City for industrial use. The ILUP addressed multiple areas of the City, among them the Greater Downtown, which encompasses the Project Site, located within Analysis Area 3 of the ILUP. The ILUP Map for Analysis Area 3 shows that the Project Site land use at the time was predominantly light industrial and auto uses. Currently, the Site is comprised of three warehouse buildings and a surface parking lot. The Project is consistent with and would complement the land use patterns and uses in the immediate area, which is developed with a variety of commercial, residential, and live/work uses on properties zoned for industrial uses. The 1.2-acre Site is also not well-suited for modern large-scale industrial operations as it is developed with three single-story warehouse buildings and a linear and relatively narrow surface parking lot. The Project would include community benefits, such as ground floor courtyard, two paseos accessible from Seaton Street and 5th Street, and EV parking, recommended in the ILUP Memo for approving the conversion of industrially zoned land in designated Industrial/Commercial Mixed Use (IMU) Districts. The IMU District is applied to areas appropriate for a mix of industrial and commercial activities and provides for a full range of goods and services to the community located along portions of industrial/ commercial thoroughfares, in conformance with the general plan. This District allows for a mix of industrial and commercial or just industrial or commercial (standalone) land uses. In addition, the Project would

incorporate ILUP guidelines for providing community benefits through jobs-producing space. Therefore, the Project would not conflict with the policies of the ILUP.

Third, the City began an update in 2014 of the Central City and Central City North Community Plans which includes studying land use and zoning in those plans, as well as the supporting policies and objectives. The Project Site is proposed to be designated "Hybrid Industrial (HI)" under the Downtown Community Plan. According to the Draft Plan, Hybrid Industrial areas preserve existing structures that characterize the existing unique form and development patterns, promote productive, creative, manufacturing, fabrication, and light industrial uses, encourage the development of live/work units, and support walkable neighborhoods with active and livable pedestrian realm.

The Project includes a request to amend the General Plan land use for the subject property from Heavy Industrial to Regional Commercial. Although the Project Site is currently zoned industrial, as described above, the existing uses of the site are not prime industrial uses that generate a significant number of quality industrial jobs. The Project would include 46,548 square feet of commercial uses, or 64,313 square feet of commercial uses under the Project's Flexibility Option, generating approximately 185 and 255 jobs, respectively. As such, the Project would be consistent with the purpose of the ILUP to implement Goals 7A and 7B of the Framework Element for industrial growth that provides job opportunities for the City's residents and maintains the City's fiscal viability, including the City's intent to: protect industrial zoned land; retain and expand existing businesses (by bringing new customers to existing businesses); attract new uses that provide job opportunities for the City's residents; and maintain a healthy jobs/household ratio that supports the General Fund and its capacity to pay for essential services and programs for the City's existing and future population.

Approval of the land use designation amendment and development of the Project would not result in a fragmented pattern of development. Specifically, the surrounding area is surrounded by low- and medium-rise industrial and commercial buildings. To the north of the Project Site, across 5th Street, are two-story warehouse buildings converted to event space, commercial uses, and residential lofts. To the east of the Project Site are one- and two-story warehouse buildings, housing manufacturing and distribution businesses. To the south of the Project Site is a vacant lot used for film production and staging purposes and to the west of the Project Site, across Seaton Street, are various one- and two-story automotive/truck service, recycling, and wholesale businesses.

Additionally, there are several mixed-use and residential buildings within walking distance of the Site, such as the six-story multi-unit residential building located at 825 East 4th Street, the Amp Lofts (695 South Santa Fe Avenue), the Brick Lofts (562 Mateo street), the Toy Factory Lofts (1855 Industrial Street) and the Biscuit Company Lofts (1850 Industrial Street). Given this mix of surrounding uses, the conversion of industrial land to commercial land uses, will be compatible with and complementary to adjacent land uses.

According to the Central City North Community Plan, there are 914 acres planned for industrial use (approximately 45.5 percent of the 2,010-acre total) in the Community Plan area. The Project Site comprises 1.2 acres or approximately 0.13 percent of the industrially-zoned land in the Community Plan. The Project would result in 185 employees (255 employees under the Flexibility Option) and would generate ongoing revenue to the City in the form of sales and property taxes. Therefore, the Project would not adversely impact the City's ability to accommodate sufficient industrial uses to provide jobs for the City's residents or cause the City to incur adverse fiscal impacts. Furthermore, for this specific Site, as the Site is developed with three single-story warehouse buildings and a linear and relatively

narrow surface parking lot, the Project Site is not suited to a large-scale industrial operation. Therefore, the Project would not conflict with policy listed above.

In sum, the Project is consistent with the directions relative to industrial land set forth in the Framework Element in that it will provide for a mix of job-producing uses that are allowed for in industrial zones, as is recognized in the adopted Central City North Community Plan and the Downtown Community Plan Update. The proposed uses are compatible with and complement the existing mix of industrial, live/work, arts production, and retail uses within the immediately surrounding area.

Chapter 5: Urban Form and Neighborhood Design

Goal 5A: *A livable City for existing and future residents and one that is attractive to future investment. A City of interconnected, diverse neighborhoods that builds on the strengths of those neighborhoods and functions at both the neighborhood and citywide scales.*

Objective 5.5: *Enhance the livability of all neighborhoods by upgrading the quality of development and improving the quality of the public realm.*

Objective 5.9: *Encourage proper design and effective use of the built environment to help increase personal safety at all times of the day.*

Policy 5.9.1: *Facilitate observation and natural surveillance through improved development standards which provide for common areas, adequate lighting, clear definition of outdoor spaces, attractive fencing, use of landscaping as a natural barrier, secure storage areas, good visual connections between residential, commercial, or public environments and grouping activity functions such as child care or recreation areas.*

The Project proposes a number of pedestrian improvements that would enhance the walkability and livable pedestrian realm for residents, visitors, and employees of the Site, including landscaping, lighting, street trees, a publicly accessible ground floor courtyard and two paseos accessible from 5th Street and Seaton Street.

The five existing non-protected trees would be removed and replaced with 18 trees in the courtyard and paseo. Eleven street trees (four trees along 5th Street and seven trees along Seaton Street) would be planted. The Project would result in an increase of 11 street trees and a net increase of 39 on-site trees (some of which would be located in the residential open space areas). Tree removals and replacements would be subject to the approval of the City of Los Angeles Board of Public Works Urban Forestry Division.

As a part of the Project's Vesting Tentative Tract Map (VTTM), the Applicant is also requesting non-standard improvements in the public right-of-way (ROW) along 5th Street and Seaton Street, specifically for "Living Streets" improvements such as parkways, tree wells, and curb extensions designed to preserve the historical form and character of streetscapes in the Arts District neighborhood and build on the neighborhood's strengths.

The Project would include 220 live/work units and 46,548 square feet of commercial uses comprised of commercial, restaurant, retail and office uses. The Project's Flexibility Option would allow for the replacement of 20 live/work units with an additional 17,765 square feet of commercial space for office and art production-related uses, totaling 200 live/work units and 64,313 square feet of commercial uses. Additionally, short-term bicycle parking would be dispersed throughout the ground floor paseo accessible from 5th Street and at the

southern end of the courtyard; the long-term bicycle parking would be located on the first level of subterranean parking.

The proposed building has been designed to embody the distinct urban fabric of the Arts District neighborhood, which includes industrial, arts production, residential, and general commercial uses. The Project's design is a contemporary architectural style that alternates different textures, colors, materials, and distinctive architectural treatments. The Project would utilize gray and black metal panels, perforated metal panels, and clear glass with painted aluminum mullions. The north- and west-facing street façades would incorporate large-scaled windows to allow for unobstructed views and partially enclosed balconies that would provide texture and articulation.

The design of the ground floor incorporates the utilitarian design elements of the surrounding Arts District neighborhood, while increasingly the pedestrian-friendly environment of the area. The ground-floor commercial spaces would have 20-foot ceilings and would extend around the corner onto Seaton Street. The primary pedestrian entry to the live/work units, upper-level commercial space, and courtyard would be from 5th Street. A mid-block break along Seaton Street, would help to break up the massing along the street as well as provide for an additional pedestrian paseo to the courtyard area. On the upper floors, the placement of the live/work unit partially enclosed balconies would create a unique and artful design language appropriate to the artistic nature of the district. Overall, the Project's industrial and contemporary architecture complements and enhances the surrounding developments, originally comprised of low-scale manufacturing and industrial uses, but which now includes proposed and approved projects, including the 670 Mesquit Project with a 32-story tower (proposed), the 4th and Central Project with a 30-story tower (proposed), the Palmetto Project with a 12-story building (proposed) and the 4th and Hewitt 18-story building (approved).

In addition, the Project would introduce new commercial uses to the Project Site, providing for continuous activity during commercial business hours through the development of restaurant, retail, and office uses. The Project has been designed such that the ground floor outdoor courtyard is visible from the 5th and Seaton Street paseos and accessible by Project residents, employees, and visitors. Appropriate lighting and other security measures would be incorporated into the design of the building.

The Project Site is located in proximity to public transit, including multiple local and regional bus lines, within walking distance to several bus stops along 6th Street, Central Avenue, and Alameda Street. The bus lines include Metro Local Lines 18, 53, 62, and Metro Rapid 720, the LADOT DASH A bus, and Commuter Express. Additionally, the Project Site is approximately 0.7 miles southeast of the Metro A and E Line Little Tokyo/Arts District Station.

The Project would include 46,548 square feet of commercial uses, or 64,313 square feet of commercial uses under the Flexibility Option, generating approximately 185 and 255 jobs, respectively.

As such, the Project would be consistent with the Land Use Chapter of the Framework Element as it would provide a complementary mix of live/work and commercial uses on site, is sited near public transit, increases the economic vitality of the area through an increase in jobs, provides public infrastructure improvements, and would incorporate design elements to reflect the Arts District neighborhood's industrial history.

Chapter 7: Economic Development

The Project's consistency with the relevant goals, objectives, and policies in the of the Framework Element (Chapter 7), is provided below:

Goal 7A: *A vibrant economically revitalized City.*

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

Objective 7.2: *Establish a balance of land uses that provides for commercial and industrial development which meets the needs of local residents, sustains economic growth, and assures maximum feasible environmental quality.*

Policy 7.2.2: *Concentrate commercial development entitlements in areas best able to support them, including community and regional centers, transit stations and mixed-use corridors. This concentration prevents commercial development from encroaching on existing residential neighborhoods.*

Consistent with Goal 7A, the Project would include ground floor commercial uses including restaurant, retail, and office uses, and a publicly accessible ground floor courtyard and two paseos that would revitalize the Project Site which is currently developed with three warehouse buildings and a surface parking lot. Further, the public improvements, including new street trees and street lighting along 5th Street and Seaton Street would economically revitalize the Project Site and would contribute to the City's vibrant atmosphere.

The Project would support Goal 7B, Objective 7.2, and Policy 7.2.2 by providing a new eight-story, mixed-use building comprised of 220 live/work units, of which 11 percent (25 units) would be deed-restricted for VLI households, 46,548 square feet of commercial uses, a ground floor courtyard and two paseos accessible from Seaton Street and 5th Street, that would serve the community and future businesses. The Project's Flexibility Option would replace 20 live/work units with an additional 17,765 square feet of commercial space for office and art production-related uses, totaling 200 live/work units, of which 11 percent of the units (22 units) would be deed-restricted for VLI households, and 64,313 square feet of commercial uses, with no other changes to the Project. The ground floor restaurant, retail, and office uses, would complement the employment base of the Central City North Community Plan area, meet the needs of local residents, and foster continued economic investment. In addition, the Project Site would have convenient access to public transit and opportunities for walking and biking, thereby facilitating a reduction in vehicle trips, vehicle miles traveled, and air pollution to ensure maximum feasible environmental quality. Furthermore, the Project would integrate sustainable and green building techniques including low-flow plumbing fixtures, energy-efficient mechanical systems, elevators, glazing and window frames, and the installation of EV ready parking spaces and EV charging stations to reduce resources and energy consumption.

The Project would provide for a balanced mix of job-producing uses that are permitted in commercial zones that provide for productive commercial development including office, retail, and restaurant uses that would result in approximately 185 employees (255 employees under the Flexibility Option) and would generate ongoing revenue to the City in the form of sales and property taxes, and meet the needs of local residents, sustains economic growth, and assures maximum feasible environmental quality.

The proposed uses are compatible with and complement the existing mix of commercial and manufacturing uses within the immediate surrounding area, which is located within an infill

site in proximity to employment, entertainment, and various amenities within the Arts District neighborhood. Access to public transit is provided by multiple local lines and regional lines via stops along Alameda Street and Palmetto Street. Public transit service in the immediate Project vicinity is currently provided by the Metro and LADOT DASH. The bus lines include Metro Local Lines 18, 53, 62, and Metro Rapid 720, the LADOT DASH A bus, and Commuter Express. Additionally, the Project Site is approximately 0.7 miles southeast of the Metro A and E Line Little Tokyo/Arts District Station. The availability and proximity of various bus lines and the Little Tokyo/Arts District Station would provide residents, employees, and visitors opportunities to use public transit to access the Site, in place of a vehicle.

The Project would demolish three warehouse buildings and a surface parking lot and construct new commercial uses that would sustain economic growth and a robust commercial base in an area where similar uses currently exist, all of which satisfies numerous objectives and policies regarding the provision of new housing and productive commercial uses within proximity to existing activity centers and transit.

Goal 7C: *A City with thriving and expanding businesses.*

Objective 7.3: *Maintain and enhance the existing businesses in the City.*

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

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

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

While the Project would require the demolition of three warehouse buildings, the Arts District neighborhood continues to undergo changes to the development landscape, with new residential, live/work, restaurant, retail, and office uses being introduced within an area previously concentrated with commercial and industrial uses. The Project would construct a new eight-story, mixed-use building comprised of 220 live/work units, of which 11 percent (25 units) would be deed-restricted for VLI households, 46,548 square feet of commercial uses or 200 live/work units of which 11 percent (22 units) would be deed-restricted for VLI households and 64,313 square feet of commercial uses, including office and art production-related uses, under the Flexibility Option, and a ground floor courtyard and two paseos accessible from Seaton Street and 5th Street, thus supporting a City with thriving and expanding businesses.

The introduction of new live/work units and commercial uses would continue to allow residents to live and work in the same area. Additionally, the Project Site is located in proximity to public transit, including multiple local and regional bus lines, within walking distance to several bus stops along 6th Street, Central Avenue, and Alameda Street. Additionally, the Project Site is approximately 0.7 miles southeast of the Metro A and E Line Little Tokyo/Arts District Station.

These commercial activities would be sited in proximity to existing residential and employment centers in the adjacent Downtown Center, as well as to mixed-use buildings and residential uses within walking distance of the Site, such as the six-story multi-unit residential building located at 825 East 4th Street, the Amp Lofts (695 South Santa Fe Avenue), the Brick Lofts (562 Mateo street), the Toy Factory Lofts (1855 Industrial Street)

and the Biscuit Company Lofts (1850 Industrial Street). The proposed mix of commercial uses would support the goal of a City with a renewed and enhanced base of expanding businesses in a manner that is complementary to the existing mix of uses which would be retained onsite and in the immediately surrounding area.

Housing Element

The City's Housing Element for 2021-2029 (Housing Element) was adopted by the Los Angeles City Council on November 24, 2021. While the Project does not propose any Low Income and Above Moderate Units, it would be in conformance with Senate Bill (SB) 166, which was adopted on September 29, 2017 and amended Government Code Section 65863, and also known as the No Net Loss Law, to require sufficient adequate sites to be available at all times through the Housing Element Planning period to meet a jurisdiction's remaining unmet Regional Housing Needs Assessment (RHNA) goals for each income category. Pursuant to SB 166, as jurisdictions make decisions regarding zoning and land use, or development occurs, jurisdictions must assess their ability to accommodate new housing in each income category on the remaining sites in their housing element site inventories. A jurisdiction must add additional sites to its inventory if land use decisions or development results in a shortfall of sufficient sites to accommodate its remaining housing need for each income category. In particular, a jurisdiction may be required to identify additional sites if a jurisdiction rezones a site or approves a project at a different income level or lower density than showing in the site's inventory.

State Housing Element Law Findings

The Project is located on parcels identified in the Inventory of Sites prepared for the 2021-2029 Housing Element to which 3.1 Very Low Income Units, 3.1 Low Income Units, and 56.2 Above-Moderate Income Units have been allocated. SB 166 requires that the reduction on an individual project site in allocated density is consistent with the City's General Plan and that the remaining sites identified in the Housing Element are adequate to meet the City's RHNA's allocation, which are demonstrated below.

The reduction is consistent with the adopted general plan, including the housing element.

Pursuant to Government Code (GC) Section 65863(b)(2), the City finds that while the Project would result in fewer units by income category than those identified in the Inventory of Sites prepared for the 2021-2029 Housing Element, the remaining sites identified in the Housing Element of the General Plan are adequate to meet the requirements of GC Section 65583.2 and to accommodate the jurisdiction's share of the regional housing need pursuant to GC Section 65584. Based on the sites inventory and inventory of candidate sites included in the 2021-2029 Housing Element of the General Plan, as well as the most recent Annual Progress Report on the Housing Element submitted to the California Department of Housing and Community Development (HCD) as of April 1, 2024, the City's remaining RHNA Allocation for the 2021-2029 Planning period is as follows: 111,247 Very Low Income Units, 65,133 Low Income Units, 74,766 Moderate Income Units, and 153,459 Above-Moderate Income Units. As of April 1, 2024, the City has a remaining capacity of 329,022 Very Low Income Units, 330,143 Low Income Units, 62,909 Moderate Income Units, and 892,033 Above-Moderate Income Units. The excess Above-Moderate Income Unit capacity may accommodate both Moderate and Above-Moderate Unit RHNA Allocations. Therefore, the City's remaining RHNA Allocation for the 2021-2029 Planning period for Very Low Income Units represents 3.41 percent of the City's total remaining capacity of Very Low Income Units. The City finds that there are adequate remaining sites in the Housing Element to

accommodate the remaining RHNA Allocation for the planning period, and in compliance with the requirements of GC 65583.2.

Consistency with the Housing Element

Goal 1: *A City where housing production results in an ample supply of housing to create more equitable and affordable options that meet existing and projected needs.*

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

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.*

Policy 1.2.1: *Expand rental and for-sale housing for people of all income levels. Prioritize housing developments that result in a net gain of Affordable Housing and serve those with the greatest needs.*

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.*

The Project would include 220 live/work units, of which 11 percent (25 units) would be deed-restricted for VLI households or 200 live/work units of which 11 percent (22 units) would be deed-restricted for VLI households under the Flexibility Option. The requested General Plan Amendment, Vesting Zone Change, and Heigh District Change would help facilitate the additional provision of housing on a site where housing would not have been previously permitted.

The Project would provide a range of live/work unit types, including studio, one, and three-bedroom units. The requested On-Menu Incentives and Waiver of Development Standards would allow for the construction of additional live/work units and ensure VLI households will be included as part of the Project.

Mobility Plan 2035

The Mobility Element 2035 (Mobility Element), adopted in September 2016, guides development of a citywide transportation system with the goal of ensuring the efficient movement of people and goods and recognizes that primary emphasis must be placed on maximizing the efficiency of existing and proposed transportation infrastructure through advanced transportation technology, reduction of vehicle trips, and focused growth in proximity to public transit. The Mobility Plan 2035 includes goals that define the City's high-level mobility priorities and sets forth objectives and policies to establish a citywide strategy to achieve long-term mobility and accessibility within the City of Los Angeles. The Project would be in conformance with following objectives and policies of the Mobility Element as described below.

Chapter 2: World Class Infrastructure

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.*

Chapter 3: Access for All Angelenos

Policy 3.1: Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes - including goods movement - as integral components of the City's transportation system.

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 3.5: Support “first-mile, last-mile solutions” such as multi-modal transportation services, organizations, and activities in the areas around transit stations and major bus stops (transit stops) to maximize multi-modal connectivity and access for transit riders.

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

The Project would provide access for all modes of travel, including vehicular, pedestrian, and bicycles. The Project Site is located in a Transit Priority Area and adjacent to several bus lines and in the vicinity of the Metro A and E (formerly Gold) Line Little Tokyo/Arts District Station (0.7 miles northwest of the Project Site), increasing accessibility to and from the Site via walking and transit. The Project would also introduce new live/work units and commercial uses such as new restaurant, retail, and office uses to the area, which would reduce the vehicle miles travelled to the Site as on-site and nearby residents, employees, and visitors would be able to walk to the commercial uses.

Additionally, the Project incorporates mobility-friendly design and streetscape elements such as expanded, landscaped sidewalks, street lighting, street trees, a ground floor courtyard and two paseos connecting 5th Street and Seaton Street, and bicycle parking facilities consistent with the City's Bicycle Parking Ordinance to provide friendly, safe, and convenient access to nearby neighborhood uses and various nearby transit options. Each of the ground floor commercial tenancies would have its own entrance directly from the street and/or ground floor courtyard. Pedestrian access to the commercial spaces on the second level (or the third level with the Flexibility Option) would be accessible via elevators in the Project's commercial lobby, accessible from the Seaton Street paseo. Pedestrian access to the live/work component would also be accessible from 5th Street and Seaton Street, with 5th Street providing access to the primary live/work lobby.

The Project would further activate the street with a ground floor courtyard and provide a new pedestrian mid-block cut through access point from Seaton Street to 5th Street. The building's orientation would contribute to a walkable environment as the entrances to the commercial uses are located directly on 5th Street, Seaton Street and from the ground floor courtyard. In general, the site design creates an active environment by supporting bicycle and pedestrian activities, and creating a building orientation that is easily accessible. These Project features and improvements would further support the purpose of the Streets Standards Committee's guidelines, while creating a safe and engaging pedestrian environment, and would enrich the quality of the public realm, consistent with the objectives of the Mobility Element.

As such, the Project would be consistent with the Mobility Element through its proximity to public transit options, infrastructure improvements, pedestrian and bicycle amenities, and pedestrian-friendly design.

Health and Wellness Element

Adopted in March 2015, the Plan for a Healthy Los Angeles lays the foundation to create healthier communities for all Angelenos. As the Health and Wellness Element of the General Plan, it provides high-level policy vision, along with measurable objectives and implementation programs, to elevate health as a priority for the City's future growth and development. Through a new focus on public health from the perspective of the built environment and City services, the City of Los Angeles will strive to achieve better health and social equity through its programs, policies, plans, budgeting, and community engagement. The Project is consistent with the following:

Chapter 2: A City Built for Health

Policy 2.2: Promote a healthy built environment by encouraging the design and rehabilitation of buildings and sites for healthy living and working conditions, including promoting enhanced pedestrian-oriented circulation, lighting, attractive and open stairs, healthy building materials and universal accessibility using existing tools, practices, and programs.

Chapter 5: An Environment Where Life Thrives

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 other susceptible to respiratory diseases.

Air Quality Element

Adopted in November 1992, the Air Quality Element sets forth the goals, objectives, and policies which guide the City in its implementation of its air quality improvement programs and strategies. The Project is consistent with the following policies:

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's energy efficiency features and location near major transit facilities would help reduce the energy and emission footprint of the Project and the per capita Greenhouse Gas (GHG) emissions of the employees and visitors from private automobile travel.

A minimum of 30 percent of the total parking spaces would be capable of supporting future electric vehicle supply equipment (EVSE), and 10 percent of the total parking spaces would be equipped with EV chargers, which would provide a convenient service amenity to the employees and visitors who utilize electricity on site for other functions. Additionally, the Project would provide short-term bicycle parking throughout the ground floor and long-term bicycle parking within the third level of subterranean parking.

The addition of 46,548 square feet of commercial uses under the Project, or 64,313 square feet under the Flexibility Option, to a neighborhood that is rapidly adding residential uses and is located 0.7 miles southeast of the Little Tokyo/Arts District Station for the A and E

light rail Metro lines, would provide employment opportunities to nearby residents, thereby, reducing commute times to work and reducing reliance on single-occupancy vehicle trips. The Project would also include a publicly accessible ground floor courtyard and two paseos, one of which would be landscaped to encourage passive recreation activities, and would provide a recreation space for on-site and nearby residents, employees, and visitors to enjoy passive recreational opportunities, while the proposed ground floor restaurant, retail, and office uses would enliven the Project Site frontages and provide a place to enjoy a meal.

In addition to adhering to smart growth principles of locating infill development adjacent to existing employment centers and public transportation options, the Project would comply with applicable provisions of the CALGreen Code and the Los Angeles Green Building Code, which would serve to reduce the Project's energy usage; and would incorporate a wide range of building technologies and design features, such as high efficiency toilet and urinals, low flow showerheads and private and commercial faucets, drought tolerant and native plants, drip/subsurface, zoned irrigation with weather-based irrigation controllers, a cool roof, high-efficiency that would protect the environment by saving energy (which would also reduce air emissions associated with electricity generation), reducing water consumption, making use of recycled materials, and producing better indoor and outdoor environmental quality.

The Project would be consistent with the aforementioned policies by ensuring that future developments are energy efficient and shift to efficient and non-polluting sources of energy. As the Project would provide service amenities to improve habitability for on-site residents and employees of the Project and to minimize impacts on neighboring properties, it would, reduce air pollution and promote land use policies that reduce per capita GHG emissions.

Land Use Element – Central City North Community Plan.

The Central City North Community Plan was adopted in December 2000. The development of the Project would support the overarching goals of the Central City North Community Plan. The proposed development furthers the following Community Plan objectives and policies:

Residential

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

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

Policy 1-2.1: Encourage multiple residential development in commercial zones.

Policy 1-3.2: Consider factors such as neighborhood character and identity, compatibility of land uses, impact on livability, impacts on services and public facilities, and impacts on traffic levels when changes in residential densities are proposed.

Policy 1-4.1: Promote greater individual choice in type, quality, price, and location of housing.

Policy 1-4.2: Ensure that new housing opportunities minimize displacement of the existing residents.

The Project would construction a new, eight-story mixed-use building comprised of 220 live/work units, of which 11 percent would be deed-restricted for Very Low Income (VLI) households, 46,548 square feet of commercial uses, a ground floor outdoor courtyard, and two paseos accessible from 5th Street and Seaton Street.

The Project includes a Flexibility Option to replace 20 live/work units with an additional 17,765 square feet of commercial space for office and art production-related uses, totaling 200 live/work units, of which 11 percent of the live/work units (22 units) would be deed-restricted for VLI households, and 64,313 square feet of commercial uses, with no other changes to the Project.

As there is no existing on-site housing, the Project would not displace any existing residents and instead would demolish three warehouse buildings. Further, the Project Site is located in a Transit Priority Area and adjacent to several bus lines and in the vicinity of the Metro A and E (Formerly Gold) Line Little Tokyo/Arts District Station (0.7 miles northwest of the Project Site), increasing accessibility to and from the Site via walking and transit. The Project would introduce new live/work units and commercial uses such as new restaurant, retail, and office uses to the area, reducing the vehicle miles travel to the Site as on-site and nearby residents, employees, and visitors would be able to walk to the commercial uses.

The Project Site is located in an urbanized area and generally surrounded by low- to medium-rise industrial and commercial buildings, as well as a few residential buildings. The Arts District neighborhood continues to undergo changes to the development landscape, with new residential, live/work, restaurant, retail, and office uses being introduced within an area previously concentrated with commercial and industrial uses. The neighborhood's existing public infrastructure as well as the City's public services would accommodate the Project's residents, employees, and visitors.

The design of the ground floor incorporates utilitarian design elements of the Arts District neighborhood, while also increasingly the pedestrian-friendly environment of the area. The primary pedestrian entry to the live/work units and courtyard would be from the 5th Street paseo. The entry to the upper-level commercial spaces would be from the elevators in the commercial lobby accessible from the Seaton Street paseo. A mid-block break along Seaton Street, would help to break up the massing along the street as well as provide for an additional pedestrian paseo to the courtyard area. On the upper floors, the placement of the partially enclosed balconies of the live/work units would create a unique and artful design language appropriate to the artistic nature of the district. Overall, the Project's industrial and contemporary architecture complements and enhances the surrounding developments, originally comprised of low-scale manufacturing and industrial uses, but which now includes nearby proposed and approved projects, such as the proposed 670 Mesquit Project with a 32-story tower, 4th and Central Project with a 30-story tower, the Palmetto Project with a 21-story building and the 4th and Hewitt 18-story Office Building.

Thus, the Project is consistent with the applicable Central City North Community Plan's residential goals, objectives, and policies.

Commercial

Objective 2-1: *To conserve and strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services.*

Policy 2-1.1: *New commercial uses shall be located in existing established commercial areas or existing shopping centers.*

Policy 2-1.4: *Require that projects be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development.*

Objective 2-2: *To attract uses which strengthen the economic base and expand market opportunities for existing and new businesses.*

Policy 2-2.2: *New development needs to add to and enhance the existing pedestrian street activity.*

Policy 2-2.3: *Require that the first floor street frontage of structures, including mixed use projects and parking structures located in pedestrian oriented districts, incorporate commercial uses.*

Policy 2-4.2: *Preserve community character, scale, and architectural diversity.*

Policy 2-4.3: *Improve safety and aesthetics of parking areas in commercial areas.*

The Project's development of a mixed-use building providing 46,548 square feet of commercial uses under the Project, or 64,313 square feet of commercial uses under the Flexibility Option would strengthen existing nearby commercial development, provide opportunities for new commercial development and services, and strengthen the economic base by expanding market opportunities for existing and new businesses. These commercial activities would be sited in proximity to existing residential and employment centers in the nearby Downtown Center, as well as to existing nearby residential uses located throughout the Arts District neighborhood.

The Project's design is a contemporary architectural style. The proposed building has been designed to blend within the distinct urban fabric of the Arts District community, which includes industrial, arts production, residential, and general commercial uses. The north- and west-facing street façades would incorporate large-scaled windows and partially enclosed balconies throughout the building that would provide texture and articulation. The design of the ground floor incorporates the utilitarian design elements from the surrounding Arts District neighborhood. The ground-floor commercial spaces would have 20-foot ceilings and would extend around the corner onto Seaton Street. Halfway along Seaton Street, a break in the streetwall would help to break up the massing along the street as well as provide for an additional pedestrian paseo to the courtyard. The restaurant uses and ground floor paseos from 5th and Seaton Streets that lead to a ground floor courtyard that would be activated with a variety of seating, trees, planters, and lighting.

According to the Central City North Community Plan, there are 914 acres planned for industrial use (approximately 45.5 percent of the 2,010-acre total) in the Community Plan area. The Project Site comprises 1.2-acres or approximately 0.13 percent of the industrially-zoned land in the Community Plan. The Project's commercial uses which would generate 185 and 255 jobs respectively, which would generate ongoing revenue for the City in the form of sales and property taxes. Therefore, the Project would not adversely impact the ability of the Community Plan Area to provide sufficient land for a variety of industrial uses with maximum employment opportunities.

The Project includes job producing uses that would maximize employment opportunities which are safe for the environment and the work force, and which have minimal adverse impact on adjacent uses. Surrounding uses include industrial and commercial buildings. The proposed uses are compatible with and complement the existing mix of industrial, and commercial uses within the immediately surrounding area.

In sum, the Project is consistent with the above commercial policies in that it would provide for a commercial development with job-producing uses that are allowed for in commercial zones, as is recognized in the adopted Central City North Community Plan and the Downtown Community Plan update.

For the reasons discussed above, the Project would be consistent with the overarching objectives and policies of the Central City North Community Plan.

River Improvement Overlay District

The Project Site is located within the River Improvement Overlay Zone (RIO) and would be required to comply with the Los Angeles River Design Guidelines, which establishes best practices for designing projects located within the RIO District. The Los Angeles River Design Guidelines consist of overarching objectives followed by a list of specific implementation strategies. These strategies address river-adjacent development. Although the Project is located within the boundaries of the RIO District, the Project Site is approximately 0.4 miles west of the Los Angeles River. Nevertheless, the Project would further the relevant objectives of the Los Angeles River Design Guidelines by employing high quality, attractive and distinguishable architecture (Objective 2).

Central Industrial Redevelopment Plan Compliance Findings

Section 502 - Redevelopment Plan Map

This section defers to the General Plan, Community Plan, and any applicable zoning ordinance regarding allowable land uses. The Project Site is designated as Heavy Industrial in the Central City North Community Plan and is located in the M3-1-RIO Zone. The Project includes a General Plan Amendment, Vesting Zone Change, and Height District Change that would change the Site's land use designation from Heavy Industrial to Regional Commercial and the zoning from M3-1-RIO to (T)(Q)C2-2-RIO. Pursuant to Section 502 of the Redevelopment Plan, and pending City Council approval, changes to the General Plan, Community Plan and any applicable Ordinances are automatically incorporated into the Redevelopment Plan. Therefore, the requested actions would be incorporated into the Plan, making the Project request and designation consistent with the Redevelopment Plan Map.

Section 503.1 – Industrial Uses

This section states that industrial areas shown on the Redevelopment Map Plan shall be maintained, consistent with the Community Plan. While the majority of properties in the surrounding area are designated and zoned heavy industrial and manufacturing, the implementation of the Adaptive Reuse Ordinance has allowed for residential uses within the live/work components, with neighborhood commercial uses to complement the residential population.

Specifically, the immediate vicinity includes residential uses located on land designated and zoned for industrial uses. Residential uses within walking distance to the Project Site include the six-story multi-unit residential building located at 825 East 4th Street, the Amp Lofts (695 South Santa Fe Avenue), the Brick Lofts (562 Mateo street), the Toy Factory Lofts (1855 Industrial Street) and the Biscuit Company Lofts (1850 Industrial Street). Immediately to the south of the Project Site is a vacant lot used for film production and staging purposes, across Seaton Street, to the west, are various one- and two-story automotive/truck service, recycling, and wholesale businesses, across 5th Street, to the north, are two-story warehouse buildings converted to event space, commercial uses, and residential lofts, and

to the east, are one- and two-story warehouse buildings housing manufacturing and distribution businesses. Given this mix of surrounding uses, the conversion of industrial land to residential live/work, office and commercial uses, will be compatible with and complementary to adjacent land uses.

According to the Central City North Community Plan, there are 914 acres planned for industrial use (approximately 45.5 percent of the 2,010-acre total) in the Community Plan area. The Project Site comprises 1.2 acres or approximately 0.13 percent of the industrially-zoned land in the Community Plan. The Project would result in an increase of 185 employees under Project and 225 new employees under Flexibility Option and would generate ongoing revenue to the City in the form of sales and property taxes. Therefore, the Project would not adversely impact the City's ability to accommodate sufficient industrial uses to provide jobs for the City's residents or cause the City to incur adverse fiscal impacts. Therefore, the Project would comply with Section 503 of the Redevelopment Plan.

Section 504.2 – Public Street Layout, Rights-of-Way and Easements

This section requires that roadway dedications as illustrated in Exhibit 1 of the Redevelopment Plan Map shall remain substantially in existing configuration, however additional public streets, rights-of-way, and easements may be created in the Project as needed for development and circulation.

The Project incorporates mobility-friendly design and streetscape elements such as expanded, landscaped sidewalks, street lighting, , street trees, a ground floor courtyard and two paseos connecting 5th Street and Seaton Street, and bicycle parking facilities consistent with the City's Bicycle Parking Ordinance to provide friendly, safe, and convenient access to nearby neighborhood uses and various nearby transit options.

The DAA approved BOE's requested dedications as well as City Planning staff's request to permit the dedications in accordance with the Living Streets typology. The Project, like many others in the surrounding area, represents the changing nature of the Arts District from primarily industrial uses to a mix of commercial and residential uses. The Project incorporates mobility-friendly design elements such as expanded, landscaped sidewalks, a ground floor courtyard connecting 5th Street and Seaton Street, and bicycle parking facilities consistent with the City's Bicycle Parking Ordinance to provide friendly, safe, and convenient access to nearby neighborhood uses and various nearby transit options. Therefore, the Project would comply with Section 504.2 of the Redevelopment Plan.

Section 507 – New Construction and Rehabilitation of Properties

This section requires that new construction and rehabilitation of existing structures located in the Project Area shall comply with all existing regulations. The Project is required to comply with all applicable federal, state, and local regulations. Therefore, the Project would comply with Section 507 of the Redevelopment Plan.

Section 509 – Limitation on Type, Size, and Height of Buildings

This section requires that the type, size and height of buildings shall be limited by applicable federal, state, and local statutes, codes, ordinances and regulations and as generally diagrammed in Exhibit No. 4 of the Redevelopment Plan. The Project includes a General Plan Amendment, Vesting Zone Change, and Height District Change to change the land use designation to Regional Center Commercial uses and the existing zone to (T)(Q)C2-2-RIO, (T)(Q)C2-2-RIO, which would permit a maximum FAR of 6:1 and would not establish a maximum building height. The Project proposes a total of 249,758 square feet on a 1.2

acre lot, for a maximum FAR of 4.77:1. Therefore, the Project would comply with Section 509 of the Redevelopment Plan with FAR of 4.77:1.

Section 512.1 – Maximum Floor Area Ratios

This section requires that the maximum floor area ratios for any parcel in the Redevelopment Plan Area to be no more than three times the parcel area. As stated in Section 502 of the Redevelopment Plan, “in the event that the General Plan, the applicable Community Plan, or any applicable City zoning ordinance is amended or supplemented with regard to any land use in the Project Area, the land use provisions of this Plan, including without limitation, all Exhibits attached hereto, shall be automatically modified accordingly without the need for any formal plan amendment process.” In conjunction with the General Plan Amendment, Vesting Zone Change, and Height District Change, the Project would be permitted a maximum 6:1 FAR. In total, the Project would contain up to 249,758 square feet of floor area on a 52,441 net square feet (1.2 acre) lot, for an FAR of 4.77:1. Thus, with approval of the requested entitlements, the Project would comply with Section 512.1 of the Redevelopment Plan.

Section 513 - Open Space, Landscaping, Light, Air and Privacy

This section defines the approximate amount of total open space to be provided in the Redevelopment Plan area and also states that sufficient space shall be maintained between buildings to provide adequate light, air, and privacy. While this provision applies to the entire CRA Project Area and is not meant to be directly applied to individual development projects, the Project would provide open space areas to generally support this plan provision, including a publicly accessible, ground floor courtyard, a second floor lounge, and rooftop amenities that would provide light, air, and privacy to the Project site. Landscaping would be provided in the public courtyard and amenity decks. The Project would also comply with open space requirements under LAMC Section 12.21 G. Therefore, the Project complies with Section 513 of the Redevelopment Plan.

Section 514 – Signs and Billboards

This section prohibits billboards and requires that all other signage conform to the City’s signage standards. No billboards are proposed for the Project, and all future commercial tenant signage would comply with the City’s sign regulations. Therefore, the Project conforms with Section 514 of the Redevelopment Plan.

Section 515 – Utilities

This section requires that all utilities be placed underground if physically and economically feasible. The Applicant would be required to comply with the requirements of the City of Los Angeles Department of Water and Power in regards to the placement of utility lines. Therefore, the Project conforms to Section 515 of the Redevelopment Plan.

Section 516 – Parking and Loading Facilities

This section requires that all parking be provided consistent with the standards of the LAMC and that parking and loading areas be screened/out of view from the public. The City cannot require the Project to provide vehicle parking for the proposed commercial and residential uses, as the Site meets the requirements of Government Code Section 65863.2 (AB 2097). However, the Applicant has chosen to voluntarily provide vehicle parking based on the parking regulations that would have otherwise applied to the Project and the Flexibility Option. Parking would be located within a three-level subterranean garage and thus, would

not be visible from the public right-of-way. In addition, the Project would not provide any loading areas as the Site is adjacent to an alley and a dedicated loading space is not required. Therefore, the Project conforms with Section 516 of the Redevelopment Plan.

Section 517 – Setbacks

This section requires that all setback areas be landscaped, paved for accessibility, and maintained by the owner. Pursuant to LAMC Section 12.14, front yard setbacks are not required in the proposed C2 Zone; however, the C2 Zone defaults to the R4 Zone for residential setbacks, measured at the first residential level. As part of the Project's Density Bonus request, the Applicant has requested an On-Menu incentive to allow for 10-foot easterly side yard setback, in lieu of the otherwise required 11 feet at the lowest residential level; and a Waiver of Development Standard to allow a 15-foot rear yard setback, where 20 feet would otherwise be required for the residential portions of the building on the second to eighth level. Pursuant to LAMC 12.22 A.18(c)(3), no yard requirements shall apply to structures with a mix of commercial and residential uses in the C2 Zone and abut a street or alley. Thus, the westerly side yard would not require a yard setback as it abuts Seaton Street.

The Project would include a landscaped and hardscaped ground floor courtyard and two paseos. Therefore, the Project conforms with Section 517 of the Redevelopment Plan.

Section 518 – Incompatible Uses

This section prohibits the construction/operation of incompatible uses with the surrounding area and/or the extraction of oil, gas, or other mineral substances. The Project Site is located within the South Industrial subarea, which is bounded by the City of Vernon to the south, the Los Angeles River to the east, 3rd Street to the north, and Alameda Street to the west, is primarily made up of industrial uses with large warehouses, and truck and railroad yards. The Alameda Corridor terminates in this area of the Community Plan. Numerous warehouses, in the South Industrial subarea, have been recently converted to commercial uses and artists' lofts and studios. This area borders an area commonly referred to as the Arts District of downtown Los Angeles. The Arts District encompasses an area that has been transitioning from predominantly industrial warehouses to also include creative spaces, including live/work units, commercial uses (e.g., retail shops, restaurants, and studios), multi-family residential, etc. The Project Site has frontage along 5th Street and Seaton Street, which are lined with industrial, commercial, and live/work uses. The land uses within the Property's general vicinity are characterized by a mix of low- to medium-intensity industrial, commercial, and live/work uses which vary widely in building style and period of construction. The surrounding properties include industrial, commercial retail, studio, bar, café, restaurant, low-rise and mid-rise adaptive reuse buildings with live/work components, and surface parking lots. In addition, as a mixed-use Project, there would be no oil, gas and other mineral substances extractions. The Project would include 220 live/work units and 46,548 square feet of commercial uses comprised of general commercial, restaurant, retail and office uses. The Project's Flexibility Option would allow for the replacement of 20 live/work units with an additional 17,765 square feet of commercial space for office and art production-related uses, totaling 200 live/work units and 64,313 square feet of commercial uses. Therefore, the Project would not introduce any incompatible uses and/or result in the extraction of oil, gas, or other mineral substances. Therefore, the Project conforms with Section 518 of the Redevelopment Plan.

Section 519 – Resubdivision of Parcels

This section states that no parcel shall be re-subdivided without Agency approval. On August 30, 2024, the Deputy Advisory Agency (DAA) approved the associated VTTM Case No. VTT-74549, for merger of eight lots into one ground lot for residential and commercial condominium purposes; a waiver of dedications and a request for non-standard improvements along 5th Street and Seaton Street; and a Haul Route for the export of up to 81,000 cubic yards of soil. The determination of the DAA was subsequently appealed and is before the City Planning Commission (CPC), concurrent with the subject case. Should the CPC deny appeal and sustain the DAA's approval, the Project would conform with Section 519 of the Redevelopment Plan.

Section 522 – Design Guidelines and Development Controls

This section requires that all new improvements to existing and proposed developments be in accordance with the Redevelopment Plan and any other applicable design guidelines and development controls. As clarified by CRA/LA, land use regulations, shall defer to and are superseded by the underlying General Plan, Community Plan, and Zoning Ordinance, including the codified sections of the RIO Overlay. The Project would include a publicly accessible ground floor courtyard, street trees, and employ high quality and distinguishable architecture while minimizing the quantity and appearance of parking areas. Therefore, the Project conforms to Section 522 of the Redevelopment Plan.

Section 523 - Variances, Conditional Use Permits, Building Permits and Other Land Development Entitlements

This section requires that no zoning variance, conditional use permit, building permit, demolition permit or other land development entitlement be issued without approval from the CRA/LA. As stated in Ordinance No. 186,325, the City Planning Department has assumed the roles and authority of the former CRA/LA. As part of the requirement for this Project, Redevelopment Plan compliance findings have been provided herein. Therefore, the Project conforms to Section 523 of the Redevelopment Plan.

Section 524 – Buildings of Architectural and Historical Significance

This section states that prior to redevelopment or rehabilitation of any parcel within the Project Area, the Agency shall determine if any structures located on the applicable parcel(s) are of architectural or historic significance. As determined in the Project's Cultural Resources Section of the Draft EIR, the existing on-site buildings are not of architectural or historical significance. Therefore, the Project would comply with Section 524 of the Redevelopment Plan.

Section 525 – Design for Development

This section authorizes the Agency to establish FAR, height, setback, design, access, and other applicable development and design controls as necessary for both private and public parcels located within the Project Area. In conjunction with the approval of the requested entitlements, the Project conforms to Section 525 of the Redevelopment Plan.

3. Sewerage Facilities Element

The Sewerage Facilities Element of the General Plan will not be affected by the recommended action. The sewer system will be able to accommodate the total flows for the Project, further detailed gauging and evaluation may be needed as part of the permit process to identify a specific sewer connection point. If the public sewer has insufficient capacity then the Applicant would be required to build sewer lines to a point in the sewer

system with sufficient capacity. A final approval for sewer capacity and connection permit will be made at that time. Ultimately, this sewage flow will be conveyed to the Hyperion Treatment Plant, which has sufficient capacity for the Project.

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

Amendment in Whole or in Part. The requested General Plan Amendment is an Amendment in Part of the Central City North Community Plan, as it is for the subject site and not the entire Community Plan. The Project's requested amendment from Heavy Manufacturing to Regional Commercial, and concurrent Vesting Zone Change and Height District Change from M3-1-RIO to (T)(Q)C2-2-RIO, would support the City's efforts to provide commercial and office uses in appropriate infill locations near existing activity centers.

The Arts District is a neighborhood of Downtown Los Angeles that has historically been characterized by industrial, warehousing, and distribution uses, and is an important part of the City's physical identity. The requested General Plan Amendment would allow the Project Site to provide a mix of live/work and commercial uses to strengthen the economic identity of the surrounding area, which currently includes these uses. The Project would result in an active street life, while also introducing new live/work and commercial uses on the Project Site, thereby contributing to the conservation of the economic identity of the Site and the significant social and physical identity of the district.

The Project Site is comprised of eight contiguous lots totaling 1.2-acres and is currently improved with three vacant warehouse buildings and a surface parking lot that total 35,445 square feet in building floor area. The Project Site is located in an urbanized area, on the northwest corner of Seaton Street and 5th Street, and generally surrounded by low- and medium-rise industrial and commercial buildings, as well as a few residential buildings. The proposed uses are compatible with and complement the existing mix of commercial and industrial uses within the immediate vicinity.

Although the site, as well as several other properties in the immediate area, are designated for heavy industrial uses, the Art's District neighborhood is characterized by a mix of office, residential, industrial, retail, restaurants, and other commercial uses. The Arts District neighborhood continues to undergo changes to the development landscape, including the introduction of taller buildings with a variety of new uses such as residential, live/work, restaurant, retail, and office uses being introduced within an area previously concentrated with commercial and industrial uses such as the proposed 670 Mesquit Project with a 32-story tower, 4th and Central Project with a 30-story tower and the Palmetto Project with a 21-story building. Nearby residential buildings include the six-story multi-unit residential building located at 825 East 4th Street, the Amp Lofts (695 South Santa Fe Avenue), the Brick Lofts (562 Mateo Street), the Toy Factory Lofts (1855 Industrial Street) and the Biscuit Company Lofts (1850 Industrial Street).

The Project Site is located within a Transit Priority Area and would be located in proximity to public transit, including stops along Alameda Street and Palmetto Street. Public transit service in the immediate Project vicinity is currently provided by the Los Angeles County Metropolitan Transportation Authority (Metro) and Los Angeles Department of Transportation (LADOT) Downtown Area Short Hop (DASH). The bus lines include Metro Local Lines 18, 53, 62, and Metro Rapid 720, the LADOT DASH A bus, and Commuter Express. Additionally, the Project Site is approximately 0.7 miles southeast of the Metro A and E Line Little Tokyo/Arts District Station.

The Project represents an opportunity to redevelop the site with a new eight-story, mixed-use building comprised of 220 live/work units, of which 11 percent (25 units) would be deed-restricted for VLI households, 46,548 square feet of commercial uses or 200 live/work units of which 11 percent (22 units) would be deed-restricted for VLI households and 64,313 square feet of commercial uses, including office and art production-related uses, under the Flexibility Option, and a publicly accessible ground floor courtyard and two paseos accessible from Seaton Street and 5th Street.

Re-designating the land use of the Project Site reinforces an area that has its own economic and physical identity by furthering the General Plan Land Use Element's policies to focus development in areas that are accessible to existing activity centers and transit, providing compatible and complementary economically productive uses, which supports the provisions of the Central City North Community Plan.

Therefore, the General Plan should be amended in part through the Central City North Community Plan as the Project would contribute to and strengthen an area which has significant social, economic or physical identity.

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

The Project Site is located within the Central City North Community Plan area, which is one of the 35 community plans that comprise the Land Use Element of the General Plan. The Community Plan designates the Site as Heavy Industrial, which has a corresponding zone of M3. The Site is presently zoned M3-1-RIO, consistent with the land use designation. As proposed, the Project would re-designate the Project Site from Heavy Industrial to Regional Commercial. The General Plan Amendment, and corresponding Vesting Zone and Height District Change, would allow the redevelopment of the Site with an eight-story, mixed-use building comprised of 220 live/work units, of which 11 percent (25 units) would be deed-restricted for VLI households, 46,548 square feet of commercial uses or 200 live/work units of which 11 percent (22 units) would be deed-restricted for VLI households and 64,313 square feet of commercial uses, including office and art production-related uses, under the Flexibility Option, and a publicly accessible ground floor courtyard and two paseos from Seaton Street and 5th Street.

The Project would introduce new, economically productive land uses that are complementary to similar uses that are consistent with the changing land use patterns and uses in the immediate area, which is currently developed with a variety of commercial and industrial uses on properties zoned for industrial uses but more recently has undergone changes to the development landscape, with new residential, live/work, restaurant, retail, and office uses being introduced within an area previously concentrated with commercial and industrial uses; and would enhance the pedestrian environment by activating ground floor uses within proximity to transit and existing employment, amenity, and commercial centers within and around Downtown. Further, the Project's proposed uses are generally consistent with the overarching vision of the adopted Community Plan.

Pursuant to LAMC Section 12.36 D, when acting on multiple applications for a project, when appropriate, findings may be made by reference to findings made for another application involving the same Project. As detailed above in Finding No. 2 the requested General Plan Amendment complies with Los Angeles City Charter Section 556 in that it is in substantial

conformance with the purposes, intent and provisions of the General Plan and its elements, including the Framework Element, Housing Element, Mobility Element, Health and Wellness Element, Air Quality Element, and the Land Use Element – Central City North Community Plan.

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

The recommended General Plan Amendment to the Central City North Community Plan would re-designate the land use from Heavy Industrial to Regional Commercial. In conjunction with the General Plan Amendment, the corresponding Vesting Zone and Height District Change from M3-1-RIO to (T)(Q)C2-2-RIO would allow the redevelopment of the Project Site with a new eight-story mixed-use building comprised of 220 live/work units, of which 11 percent (25 units) would be deed-restricted for Very Low Income (VLI) households, and 46,548 square feet of commercial uses; or 200 live work units of which 11 percent (22 units) would be deed-restricted for Very Low Income (VLI) households, and 64,313 square feet of commercial uses under the Flexibility Option.

Public Necessity, Convenience, and General Welfare. The Project would be an infill development in an area developed with low- and medium-rise industrial and commercial buildings as well as a few residential buildings of widely varying age. To the north of the Project Site, across 5th Street, are two-story warehouse buildings converted to event space, commercial uses, and residential lofts. To the east of the Project Site are one- and two-story warehouse buildings, housing manufacturing and distribution businesses. To the south of the Project Site is a vacant lot used for film production and staging purposes and to the west of the Project Site, across Seaton Street, are various one- and two-story automotive/truck service, recycling, and wholesale businesses. While the area immediately around the Site is generally surrounded by low and medium rise industrial and commercial buildings, the Project Site is located in an urbanized area and the Arts District neighborhood continues to undergo changes to the development landscape, including the introduction of taller buildings with a variety of new uses such as residential, live/work, restaurant, retail, and office uses being introduced within an area previously concentrated with commercial and industrial uses.

According to the Central City North Community Plan, there are 914 acres planned for industrial use (approximately 45.5 percent of the 2,010-acre total) in the Community Plan area. The Project Site comprises 1.2 acres or approximately 0.13 percent of the industrially-zoned land in the Community Plan. The Project would generate 185 jobs and the Flexibility Option would generate 255 jobs, both which would create ongoing revenue for the City in the form of sales and property taxes. Therefore, the Project would not adversely impact the ability of the Community Plan area to provide sufficient land for a variety of industrial uses with maximum employment opportunities. In order to provide the new eight-story mixed-use building, the Project would change the current industrial land use designation to allow for commercial uses in order to maximize employment opportunities which are safe for the environment and the work force, and which have minimal adverse impact on adjacent uses.

The Project would be required to provide 24,125 square feet of open space based on the number of units and bedrooms per LAMC Section 12.21 G.2. However, through the Project's Density Bonus request, an on-menu incentive would reduce the open space requirement by approximately six percent to 22,725 square feet for the Project only. The Flexibility Option would require 20,675 square feet of open space, slightly less than the Project due to the reduction in live/work units and thus would not utilize the on-menu incentive. The Project and Flexibility Option would both provide the 22,725 square feet of open space throughout

the Project Site comprised of common outdoor spaces, indoor communal spaces, and private open space. Common outdoor open spaces would be provided in the publicly-accessible courtyard and the Seaton Street landscape paseo, a second floor outdoor lounge, and the eighth floor pool deck, urban garden, outdoor dining, and barbecue areas. Indoor communal spaces include a fitness center, art gallery, and lounge on the eighth floor. Private outdoor spaces include portions of the live/work balconies. As proposed, the Project would improve the livability and general welfare of the future residents, employees, and visitors of the development through the provision of open space, amenities, and commercial uses. The Project would further promote foot traffic through the development of ground floor restaurant, retail, and office uses, new street trees, and the ground floor courtyard that would provide pedestrian access between 5th Street and Seaton Street.

Approval of the requested General Plan Amendment from Heavy Industrial to Regional Commercial and the associated Zone and Height District Change would allow the Project to make more efficient use of land by providing new residential and employment opportunities, while accommodating for projected population growth in the area that is compatible with its evolving surrounding uses. Therefore, the requested actions would be in conformity with public necessity, convenience, and general welfare.

Good Zoning Practice. Although the site, as well as a number of other properties in the area, are designated for industrial uses, development in the immediate vicinity is characterized by a mix of commercial and industrial uses. Nearby residential uses within walking distance of the Site include the six-story, multi-unit residential building located at 825 East 4th Street, the Amp Lofts (695 South Santa Fe Avenue), the Brick Lofts (562 Mateo Street), the Toy Factory Lofts (1855 Industrial Street) and the Biscuit Company Lofts (1850 Industrial Street).

As the Arts District neighborhood is developed with a mixture of residential, commercial, office and light manufacturing uses, the Project would be compatible with the range of uses that exist in the vicinity. The proposed eight-story (116 foot tall), mixed-use building is similar in height to other buildings in the immediate surrounding area, including the recently approved and proposed projects shown in the table below.

<i>Height and Number of Stories of Proposed/Approved Nearby Projects</i>			
Project Location	Number of Stories/Height	Distance from Project Site	Approved/Proposed
2143 Violet Street	31 stories/343 feet	1 mile	Approved
2045 Violet Street	13 stories/273 feet	0.9 miles	Proposed
1101 East 5 th Street	12 stories/170 feet	0.1 miles	Approved
4 th Street and Central Avenue ¹	2-30 stories/max height of 364 feet	0.2 miles	Proposed
670 Mesquit Street ²	26-32 stories/max height of 378 feet	0.5 miles	Proposed
527 Colyton Street	12 stories/148 feet	0.1 miles	Proposed
401 Hewitt St	18 stories/ 292 feet	0.2 miles	Approved
¹ This project would include 10 buildings.			
² This project would include five buildings.			

As such, approval of the Project would allow for the development and use of a mixed-use building consistent with the scale of existing and proposed developments in the surrounding neighborhood.

The General Plan Amendment and Zone Change and Height District Change would promote a more walkable neighborhood by locating residential, restaurant, retail, and office uses within proximity of transit, existing job centers and services, and similar commercial uses; and would offer amenities that would improve the quality of life for future residents, employees as well as the surrounding community. Furthermore, as discussed in Finding No. 2, the Project is consistent with the objectives and policies of the Central City North Community Plan. Therefore, the requested General Plan Amendment would represent good zoning practices and development patterns in this portion of Downtown Los Angeles.

ENTITLEMENT FINDINGS

7. Vesting Zone Change, Height District Change, and “T” and “Q” Classification

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

Pursuant to LAMC 12.32 the City Planning Commission is required to provide a recommendation regarding the relation of the proposed land use ordinance to the General Plan. The proposed Zone Change from M3-1-RIO to (T)(Q)C2-2-RIO would be consistent with the requested General Plan Amendment to change the Site's land use designation from Heavy Industrial to Regional Commercial, as detailed above in Finding No. 1.

Public Necessity. The subject property is currently designated as Heavy Industrial by the Central City North Community Plan and zoned M3-1-RIO. The Applicant is requesting a General Plan Amendment, Vesting Zone Change, and Height District Change to modify the land use designation to Regional Commercial and the zone to (T)(Q)C2-2-RIO for the entirety of the Project Site. The proposed Zone Change and Height District Change would allow for commercial uses, and a maximum FAR of 6:1.

The Project would demolish the three warehouse buildings and a surface parking lot and construct a new eight-story, mixed-use building comprised of 220 live/work units, of which 11 percent (25 units) would be deed-restricted for VLI households, 46,548 square feet of commercial uses or 200 live/work units of which 11 percent (22 units) would be deed-restricted for VLI households and 64,313 square feet of commercial uses, including office and art production-related uses, under the Flexibility Option, a publicly accessible ground floor courtyard and two paseos accessible from Seaton Street and 5th Street, thus supporting a City with thriving and expanding businesses.

The Project would be an infill development within the Arts District neighborhood which is rapidly transforming from an area with low-rise warehouses with industrial uses and a few residential buildings to an area with a more intense mix of residential, office, retail, and restaurant uses. The proposed Vesting Zone Change and Height District Change would be consistent with public necessity as it would introduce new live/work units and bring a greater variety of jobs to an area going through extraordinary residential growth; and would allow an increase in FAR for an underdeveloped site that could otherwise support the economic goals for the City and the Community Plan area. As such, the

proposed Vesting Zone and Height District Change would be in conformity with public necessity.

Convenience. Approval of the Vesting Zone and Height District Change would permit the construction of a new mixed-use development with up to 249,758 square feet of floor area on a 1.2-acre site, resulting in an FAR of 4.77:1. The Project would be comprised of 220 live/work units and 46,548 square feet of commercial uses or 200 live/work units of which 11 percent (22 units) would be deed-restricted for VLI households and 64,313 square feet of commercial uses, including office and art production-related uses, under the Flexibility Option, and a publicly accessible ground floor courtyard and two paseos accessible from Seaton Street and 5th Street. The Project would locate new live/work units, employment opportunities, publicly-accessible open space, and commercial uses to a centrally-located neighborhood near housing and transit.

The Project would activate the Project Site frontages by including ground floor restaurant, retail, and office spaces, as well as a courtyard and two paseos accessible from Seaton Street and 5th Street, which would provide places to eat, shop, and recreate for on-site and nearby residents, employees, and visitors.

In sum, the Project locates new residential and employment opportunities, open space, and restaurant, retail, and office uses to a transit-rich, centrally-located neighborhood experiencing a growing residential population. Accordingly, the proposed Vesting Zone and Height District Change would be in conformity with the public convenience.

General Welfare. Approval of the requested Vesting Zone and Height District Change would allow for the construction of a new mixed-use development comprised of 220 live/work units and 46,548 square feet of commercial uses, or 200 live/work units and 64,313 square feet of commercial uses under the Flexibility Option, both totaling 249,758 square feet of floor area on a 1.2-acre site, for an FAR of 4.77:1.

The proposed Vesting Zone and Height District Change would promote the general welfare by locating live/work units and commercial uses in a transit-rich, centrally-located neighborhood within proximity to light rail and local and regional bus lines and an expanding residential base, thus reducing congestion and air pollution in the area. The Project would also include publicly-accessible open space to a dense urban area for use by on-site and nearby residents, employees, and visitors. The residential and commercial uses would introduce new activity to the area, creating a more active and safe neighborhood. As such, the proposed Vesting Zone Change and Height District Change would be consistent with general welfare.

Good Zoning Practice. The Project Site is designated by the Central City North Community Plan for Heavy Industrial land uses, which has a corresponding zone of M3. The Project Site is zoned M3-1-RIO, consistent with the existing land use designation. Although the Site is designated for heavy industrial uses, the immediate vicinity is characterized by a mix of office, residential, restaurant, and retail uses.

The proposed Vesting Zone and Height District Change would allow for the Project to provide 220 live/work units and 185 jobs (255 jobs under the Flexibility Option) to the surrounding area, introducing new live/work units and increasing employment

opportunities in the area. The proposed residential and commercial uses would be in proximity to public transit, including light rail and local and regional bus lines, thereby, reducing the amount of single-occupancy vehicles on the road. The Project would also provide publicly accessible open space which would provide a location for local residents, employees, and visitors to interact and recreate. The Project would be consistent with evolving nature of the Arts District neighborhood, originally comprised of low-scale manufacturing and industrial uses, but which now includes nearby proposed projects, such as the proposed 670 Mesquit Project with a 32-story tower, 4th and Central Project with a 30-story tower and the Palmetto Project with a 21-story building.

In addition, the Project Site is located within the River Improvement Overlay Zone (RIO) and would be required to comply with the Los Angeles River Design Guidelines, which establishes best practices for designing projects located within the RIO Zone by including employing high quality, attractive and distinguishable architecture and minimizing the quantity and appearance of parking and loading areas by locating all parking underground and placing loading areas within the building or away from public view.

Finally, as discussed in Finding No. 2, the redevelopment of the Site with residential and commercial uses that are consistent with the objectives and policies of the Community Plan. Therefore, the Vesting Zone and Height District Change would be in conformity with good zoning practices and with development patterns in the immediate area.

b. “T” and “Q” Classification Findings.

Per LAMC Sections 12.32 G.1 and 2, the current action, as recommended, has been made contingent upon compliance with new “T” and “Q” conditions of approval imposed herein for the Project. The “T” Conditions are necessary to ensure the identified dedications, improvements, and actions are undertaken to meet the public’s needs, convenience, and general welfare served by the actions required. These actions and improvements will provide the necessary infrastructure to serve the proposed community at this site. The “Q” conditions that limit the scale and scope of future development on the site, as well as ensure a publicly accessible paseo, are also necessary to protect the best interests of and to assure a development more compatible with surrounding properties and the overall pattern of development in the community, and to secure an appropriate development in harmony with the General Plan..

8. Density Bonus Findings

In accordance with California Government Code Section 65915 and LAMC Section 12.22 A.25, in exchange for setting aside a minimum of 25 units (22 units for the Flexibility Option) out of the 220 proposed residential units (200 proposed units for the Flexibility Option) (11 percent) for VLI Households, the Project is eligible for a density bonus, reduction in parking, and two incentives allowing for relief from development standards.

- a. **Pursuant to Section 12.22 A.25(c) of the LAMC and Government Code Section 65915(d), the Director shall approve a density bonus and requested incentive(s) unless the director finds that:**
 - i. **The incentives do not result in identifiable and actual cost reductions to provide for affordable housing costs as defined in California Health and**

Safety Code Section 50052.5 or Section 50053 for rents for the affordable units.

On-Menu Incentives

The record does not contain substantial evidence that would allow the City Planning Commission to make a finding that the requested On-Menu Incentives are not necessary to provide for affordable housing costs per State Law. The California Health & Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs for Very Low, Low, and Moderate Income Households. Section 50052.5 addresses owner-occupied housing and Section 50053 addresses rental households. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed 25 percent gross income based on area median income thresholds dependent on affordability levels.

As required by LAMC Section 12.22 A.25(e)(2), the Project and Flexibility Option meet the eligibility criterion that is required for projects requesting on-menu incentives in that they: i) provide facade articulation through the use of varying materials and architectural differentiation between the ground floor and upper stories of the building; ii) provides street orientation by including active street frontages with pedestrian features; iii) does not involve a contributing structure in a designated Historic Preservation Overlay Zone, or a structure listed on the National Register of Historic Places; and iv) is not located on a substandard street in a Hillside Area or Very High Fire Hazard Severity Zone, as recorded in the City's Zoning Information and Map Access System.

The list of On-Menu Incentives in LAMC 12.22 A.25 were pre-evaluated at the time the Density Bonus Ordinance was adopted to include types of relief that minimize restrictions on the size of a project. As such, the Department will always arrive at the conclusion that the Density Bonus On-Menu Incentives will result in identifiable and actual cost reductions that provide for affordable housing costs as the incentives, by their nature, increase the scale of the project.

Based on the Project's set-aside of 11 percent (25 units) of the total 220 units for VLI households and the Flexibility Option's set aside of 11 percent (22 units) of the total 200 units for VLI Households, the Applicant is entitled to two Incentives under Government Code 65915 and the LAMC. The Project will utilize two On-Menu Incentives; (1) to decrease the Project's required open space by six percent applicable to the Project only and not the Flexibility Option; and (2) to allow a 10 percent reduction in the easterly side yard setback.

Open Space

Pursuant to LAMC 12.21 G.2, the Project is required to provide 24,125 square feet of open space based on the proposed live/work unit mix. The Applicant has requested an On-Menu Incentive to reduce the open space requirement for the Project by approximately six percent to 22,725 square feet. The Flexibility Option would require 20,675 square feet of open space, slightly less than the Project due to the reduction in live/work units. Thus, the requested On-Menu Incentive for open space reduction is only for the Project, not the Flexibility Option. The Project and Flexibility Option would both provide 22,725 square feet of open space throughout

the Project Site comprised of common outdoor spaces, indoor communal spaces, and private open space.

The reduction allows the Project to include a feasible mix of dwelling units in order to include the required number of affordable units within its building envelope. Without the incentive, a minimum of two to three dwelling units would need to be removed compromising the feasibility of providing the proposed number of affordable units and the overall feasibility of the Project.

Setback

Pursuant to LAMC 12.14 C.2, the required side yard setback for an eight-story mixed use building would be 11 feet. The Applicant has requested an On-Menu Incentive to allow for an approximately 10 percent reduction in the easterly side yard setback, for a setback of 10 feet in lieu of the otherwise required 11 feet at the lowest residential level. The requested relief would allow the Project to accommodate an additional two dwelling units on the second floor and three residential units on floors three through seven, for a total of 17 live/work units. Without the relief, the design and configuration of 17 units would be compromised. Thus, compromising the feasibility of providing the proposed number of affordable units.

For the Flexibility Option, 16 live/work units would be compromised without the requested Incentive, thus decreasing the number of VLI units from 22 units to 21 units. Additionally, under both the Project and Flexibility Option, without relief, the communal open space on the eighth floor would need to be reduced.

Therefore, there is substantial evidence that the approximately six percent reduction in required open space (for the Project only and not the Flexibility Option) and the 10 percent reduction to the easterly side yard provides actual and identifiable cost reductions to provide for the affordable housing costs of the Project, as the Applicant would be able to build a greater number of market-rate units which would offset the costs associated with providing the VLI units. Therefore, these Incentives support the Density Bonus request by setting aside the 25 units (22 units for the Flexibility Option) for VLI households for 55 years.

- ii. **The Incentive will have a specific adverse impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there are no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.**

There is no substantial evidence in the record that the proposed incentives will have a specific adverse impact. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22 A.25(b)). As required by Section 12.22 A.25(e)(2), the findings to deny an incentive under Density Bonus Law are not equivalent to the findings for determining the existence of a significant and unavoidable impact under CEQA. There is no substantial evidence that the Incentives for the Project will have a specific adverse

impact on the physical environment, or on public health and safety, or on any property listed in the California Register of Historical Resources. Therefore, there is no substantial evidence that the proposed incentives will have a specific adverse impact on public health and safety.

iii. The incentives are contrary to state or federal law.

There is no evidence in the record that the proposed Incentives are contrary to State or Federal law.

b. Density Bonus Off-Menu Waiver of Development Standards Findings

Following is a delineation of the findings related to the request for a Waiver of Development Standards. Government Code Section 65915 and LAMC Section 12.22 A.25(c) state that the Commission shall approve a Density Bonus and requested Waivers of Development Standard unless the Commission finds that:

i. The waivers or reductions of development standards are contrary to state or federal law.

There is no evidence in the record that the proposed Waiver is contrary to State or Federal law. A project that provides 11 percent of base units, or in this case total units, for VLI Households qualifies for two Incentives, and pursuant to Government Code Section 65915(e)(1), and Applicant may request other “waiver[s] or reduction[s] of development standards that will have the effect of physically precluding the construction of a development meeting the [affordable set-aside percentage] criteria of subdivision (b) at the densities or with the concessions or incentives permitted under [State Density Bonus Law]”. Moreover, Government Code Section 65915(e)(2) states that that a proposal for the waiver or reduction of development standards shall neither reduce nor increase the number of incentives or concessions to which the applicant is entitled. The Applicant requests one Off-Menu Waiver of Development Standards to allow a 24 percent reduction in the southerly rear yard setback, for a setback of 15 feet, 3 inches in lieu of the otherwise required 20 feet at the lowest residential level.

Pursuant to LAMC 12.14 C.2, the required rear yard setback for the Project would be 20 feet at the lowest residential level. The requested Waiver of Development Standard would provide a five-foot relief from the otherwise 20 foot required rear yard setback area for the residential portions of the building on the second to eighth floor. The Waiver would provide relief for five units on each of the six levels, impacting a total of 30 units and various residential open space amenities on the eighth floor. The setbacks would impact bedrooms and bathrooms of the affected units, physically limiting the full construction of units in order to maintain a well-balanced project of varied unit types for a range of households and rent levels. The Waiver would also allow for additional area for common open space and residential amenities on the eighth floor which would help the Project meet its residential open space requirements.

Granting the requested Waiver would allow the Project to have comparable, marketable unit sizes, provide sufficient usable open space in compliance with the LAMC, and be able to maximize the total lot area to provide a well-balanced development with the appropriate balance of market-rate and affordable residential units as well as open space and recreational amenities. Therefore, the development standard from which the Waiver is requested would have the effect

of physically precluding the construction of a development meeting the affordable set-aside criteria, and would prevent the Applicant from building the proposed 220 live/work units including 25 units set aside for VLI households for the Project or the proposed 200 live/work units including 22 units set aside for VLI households for the Flexibility Option.

- ii. **The Waiver will have a specific adverse impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there are no feasible methods to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health and safety.**

There is no substantial evidence in the record that the proposed Waiver would have a specific adverse impact. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22.A.25(b)). The findings to deny a Waiver under Density Bonus Law are not equivalent to the findings for determining the existence of a significant and unavoidable impact under CEQA. There is no substantial evidence that the Waiver of Development Standards for the Project will have a specific adverse impact on the physical environment, or on public health and safety, or on any property listed in the California Register of Historical Resources. Therefore, there is no substantial evidence that the proposed Waiver will have a specific adverse impact on public health and safety.

9. Main Conditional Use (On-Site Alcohol Sales) Findings

In conjunction with the development of the Project, the Applicant is requesting a Main Conditional Use Permit (MCUP) to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption within up to four establishments and associated outdoor dining areas. The following are the required findings to permit the sale and dispensing of alcoholic beverages as required by LAMC 12.24 E and 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 would involve the demolition of three existing warehouse buildings and a surface parking lot, and the construction of an eight-story, mixed-use building with 220 live/work units and 46,548 square feet of commercial uses or 200 live/work units and 64,323 square feet of commercial under the Flexibility Option. The Project would total 249,758 square feet of floor area on a 1.2-acre site, resulting in a FAR of 4.77:1. The Main Conditional Use Permit would allow for the sale and dispensing of a full line of alcoholic beverages of alcohol for on-site consumption at four establishments located on the ground floor of the Project totaling 19,609 square feet.

The Project Site is located within the Central City North Community Plan area, and is currently designated for Heavy Industrial land uses corresponding to the M3-1-RIO Zone. The Applicant is requesting a General Plan Amendment to change the land use designation on the Project Site to Regional Commercial, and a corresponding Vesting

Zone and Height District Change to change the zoning on the Project Site to (T)(Q)C2-2-RIO.

The Project Site is located in an urbanized area and generally surrounded by low- to medium-rise industrial and commercial buildings, as well as a few residential buildings. The Arts District neighborhood continues to undergo changes to the development landscape, with new residential, live/work, restaurant, retail, and office uses being introduced within an area previously concentrated with commercial and industrial uses. The Project Site is generally bounded by 5th Street to the north, Seaton Street to the west, warehouse buildings to the east, and a vacant lot to the south. Uses immediately surrounding the Site to the north across 5th Street are two-story warehouse buildings converted to event space, commercial uses, and residential lofts. These parcels are presently designated for Heavy Industrial land uses; however, a 12-story mixed-use residential and commercial project was approved in 2020. To the west of the Project Site across Seaton Street are various one- and two-story automotive/truck service, recycling, and wholesale businesses. To the south of the Project Site is a vacant lot used for film production and staging purposes. To the east of the Project Site are one- and two-story warehouse buildings housing manufacturing and distribution businesses.

The proposed Regional Commercial land use designation and corresponding (T)(Q)C2-2-RIO Zone would allow for the proposed commercial and residential uses, which would be desirable to the public convenience and welfare as they would be located in an infill location accessible to nearby residents, employees, and visitors. The Project would provide and add to the number of available eating establishments to serve the residents, employees, and visitors in the area. The offering of food and alcohol in conjunction with the proposed uses would be a benefit as an amenity to current and future residents and visitors in the area.

The ability for restaurant tenants to offer a full-line of alcoholic beverages would also allow the restaurants to remain competitive with other similar uses serving the same area, since alcohol service is commonly expected by patrons as part of a restaurant. Further, patrons are drawn to the area due to the shopping, entertainment, and dining experiences available to them, and offering a full-line of alcoholic beverages at these uses on the Project Site would enhance the dining and entertainment experience for visitors, employees, and residents of the Project and in the vicinity. Alcohol sales at this location would provide a function and beneficial service to patrons visiting the site, which would enhance the character of the area and would be appropriate in the proposed Regional Commercial land use designation and C2 Zone.

The Main Conditional Use Permit provides an umbrella entitlement with conditions that apply to the Project Site and in general to the restaurant uses. These conditions include, but are not limited to, security measures, such as a camera surveillance system, appropriate lighting in the evening hours, and prohibiting adult entertainment. In addition, all music, sound or noise which is under the control of the individual tenants shall be in compliance with the Citywide Noise Ordinance. Further, loitering is prohibited on and around the premises, and the Applicant would be required to maintain the premises and sidewalk in good condition. These conditions would be supplemented by more specific conditions designed to address the characteristics of each individual establishment, and a Plan Approval would be required, prior to the effectuation of the approval for each respective tenant, including more specific physical and operational restrictions. Under these Plan Approvals, the Zoning Administrator and City of Los Angeles Police Department (LAPD) will have the

opportunity to recommend conditions, including the maximum number of indoor seats, as determined by the City of Los Angeles Department of Building and Safety.

As such, the on-site service of alcoholic beverages at up to four establishments within the Project's ground floor restaurant uses, would enhance the built environment in the surrounding neighborhood, and would provide a function that is beneficial and compatible with the character of the community, and the 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 Central City North Community Plan area and the Project includes a General Plan Amendment to amend the Community Plan to Regional Commercial land uses, with a corresponding zone change to (T)(Q)C2-2-RIO. The Project would be an infill development in an area developed with low- and medium-rise industrial and commercial buildings as well as a few residential buildings of widely varying age. To the north across 5th Street are two-story warehouse building with a 12-story mixed-use residential and commercial project approved for the site in 2020. To the east are one- and two-story warehouse buildings, to the south is a vacant lot used for staging of film productions, and to the west across Seaton Street are one- and two-story buildings. While the area immediately around the Site is generally surrounded by low- and medium-rise industrial and commercial buildings, the Project Site is located in an urbanized area and the Arts District neighborhood continues to undergo changes to the development landscape, including the introduction of taller buildings with a variety of new uses such as residential, live/work, restaurant, retail, and office uses being introduced within an area previously concentrated with commercial and industrial uses. Thus, the Project would introduce new commercial and residential uses to the Site, which would provide new amenities to the surrounding businesses and residents in the area, add to the multiple commercial establishments in the area, support the Project's residential uses and those in close proximity to the Site, as well as support projected growth. The proposed hours of operation are typical of establishments of this type and are reasonable to expect in a commercial development in an area that contains commercial uses. Alcohol sales in conjunction with restaurant uses would be compatible with and continue to add to the diversification of commercial activities, which further supports the growing residential population in the neighborhood as well as visitors to the area.

The sales of alcohol would not be detrimental to the Project's residents and nearby residential uses, as the establishments serving alcohol would be carefully controlled and monitored. Residential buildings within one mile of the Site include the six-story multi- unit residential building located at 825 East 4th Street, the Amp Lofts (695 South Santa Fe Avenue), the Brick Lofts (562 Mateo Street), the Toy Factory Lofts (1855 Industrial Street) and the Biscuit Company Lofts (1850 Industrial Street). The conditions recommended herein would ensure that the establishments would not adversely affect or further degrade the surrounding neighborhood, or the public health, welfare, and safety. These conditions would be supplemented by more specific conditions designed to address the characteristics of each individual establishment, and a Plan Approval would be required, prior to the effectuation of the approval for each respective tenant, including more specific physical and operational restrictions. Under these Plan Approvals, the Zoning Administrator and LAPD will have the opportunity to recommend conditions, including the maximum number of indoor seats,

as determined by the City of Los Angeles Department of Building and Safety. Further, the sale of alcohol is regulated by the State of California through the issuance of an Alcohol Beverage Control (ABC) license. Other commercial uses in the area provide similar functions, and no evidence was presented at the hearing or in writing that alcohol-sales would be materially detrimental to the immediate neighborhood.

Thus, the Project would be compatible with development on adjacent properties and its location, size height, and operations will be compatible with and would not adversely affect or further degrade surrounding properties and/or the public health, welfare, and safety.

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

Pursuant to LAMC Section 12.36 D, when acting on multiple applications for a project, when appropriate, findings may be made by reference to findings made for another application involving the same Project. This finding is substantially identical to the finding found earlier in this document as General Plan Finding No. 2 and in accordance with Sections 12.24 E and 12.24 W.1 of the LAMC, is hereby incorporated by reference. As discussed in Finding No. 2, the Project would be consistent with the purposes, intent and provisions of the General Plan and its elements, including the Framework Element, Housing Element, Mobility Element, Health and Wellness Element, Air Quality Element, Sewerage Facilities Element and the Land Use Element – Central City North Community Plan that relate to residential and commercial land uses. Approval of the Project would enhance the built environment in the surrounding neighborhood and would provide a function that is fitting and compatible with the character of the surrounding community and commercial viability of the region as a whole.

The Project Site is located within the Central City North Community Plan area, which designates the Site for Heavy Industrial land uses corresponding to the M3 Zone. The Site is currently zoned M3-1-RIO, consistent with the land use designation. The Project is requesting a General Plan Amendment to change the land use designation from Heavy Industrial to Regional Commercial, and a corresponding Vesting Zone and Height District Change from M3-1-RIO to (T)(Q)C2-2-RIO, in order to implement the Project.

The Community Plan does not contain policies that specifically address requests for the sale of alcoholic beverages; however, the sale of alcohol is inherent in the operation of similar commercial uses within the vicinity of the Site. The proposed request for the sale and dispensing of a full line of alcoholic beverages for on-site consumption at up to four establishments is consistent with the following Central City North Community Plan goal and objective:

Goal 2: *A strong and competitive commercial sector which best serves the needs of the community through maximum efficiency and accessibility while preserving the historic commercial and cultural character of the district.*

Objective 2-1: *To conserve and strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services.*

The Project would contribute to the area's viable commercial development by introducing new restaurant, retail, office, and live/work uses adjacent to other similar uses. The area surrounding the Project Site is urbanized and improved with a range of residential, commercial, and restaurant uses. Alcohol sales for on-site consumption as part of the Project would be desirable to the public convenience and welfare as the uses are in an infill location accessible to nearby residents, workers, and visitors.

The commercial uses would create an active environment for surrounding residents, workers, and visitors by increasing the walkability of the streets. The Project's commercial uses would directly front 5th and Seaton Streets, and a publicly accessible courtyard and two paseos, activating the streets with pedestrian activity and creating an environment that would be safe, clean, attractive and lively. The ability for the Site to offer a full line of alcoholic beverages would allow the restaurant uses to remain competitive with other similar uses serving the same area, as alcohol service is a common as part of restaurant uses. Further, patrons are drawn to the Arts District neighborhood and nearby downtown neighborhoods due to the shopping, entertainment, and dining experiences available to them, and offering a full line of alcoholic beverages at these uses on the Project Site would be an added amenity for patrons of the Project that would help to strengthen economic development, and support a strong and competitive commercial sector in the Community Plan area.

Based on the above, the requested Main Conditional Use Permit for the dispensing of alcohol would substantially conform with the purpose, intent and provisions of the General Plan and the applicable community plan.

Additional findings required per LAMC Section 12.24 W.1 (Conditional Use for Alcoholic Beverages):

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

The Project requests a Main Conditional Use Permit to allow for the sales and service of a full-line of alcoholic beverages for on-site consumption, in conjunction with four commercial establishments and associated outdoor dining areas. While the specific tenants or uses have not yet been identified, the Project would be limited to commercial uses permitted in the C2 Zone, pending approval of the Project's requested General Plan Amendment, Vesting Zone, and Height District Change entitlements. The Main Conditional Use Permit provides an umbrella entitlement with general conditions that apply to up to four commercial establishments serving the Project. These conditions include, but are not limited to, security measures such as a camera surveillance system, appropriate lighting in the evening hours, hours of operation, prohibition of after-hours use, except routine clean-up, and prohibition of dancing and adult entertainment. Additionally, within the first six months of operation, all employees involved with the sale of alcohol shall enroll in the LAPD "Standardized Training for Alcohol Retailers" (STAR) or Department of Alcoholic Beverage Control "Licensee Education on Alcohol and Drugs" (LEAD) training program or the Responsible Beverage Service (RBS) Training Program.

Additionally, the surrounding neighborhood contains similar buildings that provide commercial uses which serve alcohol on-site and off-site; therefore the introduction of another such establishment would not create an adverse or unique condition. The Project's new establishments would help to enhance the availability of dining and entertainment options in the neighborhood, as well as provide options for the Project's commercial and residential tenants. All music, sound, or noise which is under the

control of the tenant shall be in compliance with the Citywide Noise Ordinance. Further, loitering is prohibited on and around the premises, and the Applicant would be required to maintain the premises and sidewalk in good condition. These conditions would be supplemented by more specific physical and operational restrictions to address the characteristics of each individual establishment implemented through a Plan Approval required prior to the effectuation of the grant for each respective tenant. Under these Plan Approvals, the Zoning Administrator and LAPD have the opportunity to recommend conditions, including the maximum number of indoor seats, as determined by the City of Los Angeles Department of Building and Safety.

Therefore, as conditioned, the request to allow the sale of alcoholic beverages for on-site consumption within up to four establishments in conjunction with the proposed uses would not adversely affect the welfare of the 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 Alcoholic Beverage Control (ABC) licensing criteria, two on-site and one off-site licenses are authorized for the subject Census Tract Number 2060.51. Within the subject Census Tract there are currently a total of 69 active licenses, including, 59 on-sale and 10 off-sale licenses. As such, the number of existing on-sale and off-sale licenses within the Census Tract where the Project Site is located exceeds ABC guidelines.

According to statistics provided by the LAPD's Central Division Vice Unit, within Crime Reporting District No. 159, which has jurisdiction over the Project Site, a total of 407 crimes were reported in 2023 (372 Part I and 35 Part II crimes), compared to the Citywide average of 162 crimes and the total High Crime Reporting Districts average of 194 crimes for the same reporting period. The vast majority of Part 1 Crimes are reported as larceny. Part II Crimes reported include Narcotics (7), DUI related (3), moving traffic violations (4), and other offenses (9).

Concentration can be undue when the addition of a license would 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 ABC has discretion to approve an application if there is evidence that normal operations would not be contrary to the public welfare and would 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 stated above, the number of existing on-site licenses within the census tract where the Project Site is located exceeds ABC guidelines. However, as conditioned, allowing the sale, dispensing, and consumption of a full line of alcoholic beverages for on-site consumption in conjunction with the proposed restaurant uses is not anticipated to create a law enforcement issue.

Consequently, this approval would not result in an undue concentration of premises selling, dispensing, and consumption of a full-line of alcoholic beverages.

Additionally, the four proposed establishments are part of a larger development, which would benefit from oversight of the building complex as a whole. Moreover, included in this grant are a number of general conditions that would act to minimize any impacts that might be generated by alcohol serving establishments including that each individual venue seeking to utilize a permit to sell alcoholic beverages for on-site consumption as a part of this Main Conditional Use Permit must apply for a Plan Approval. The Plan Approval process would allow the Department of City Planning to tailor conditions to each individual Applicant and establishment, and create measures, which would minimize impacts. Likewise, concerns associated with any individual establishment can be addressed in more detail through the Plan Approval process, which would provide an opportunity to consider more specific operational characteristics when a tenant is identified and the details of each establishment are highlighted.

The Project would not adversely affect community welfare because the proposed restaurants are desirable uses, and would be located in an area that permits commercial uses. Conditions are in place to ensure security measures and public welfare, such as a camera surveillance system, appropriate lighting in the evening hours, restrictive hours for loading and unloading, and prohibiting loitering. In addition, all music, sound or noise which is under the control of the individual tenants shall be in compliance with the Citywide Noise Ordinance. As such, as conditioned, the proposed uses in conjunction with the on-site sale, dispensing, and consumption of a full-line of alcoholic beverages would 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 located in an urbanized area and generally surrounded by low- and medium-rise industrial and commercial buildings as well as a few residential buildings. The area has been undergoing changes to the development landscape, with new residential, live/work, restaurant, retail, and office uses being introduced within an area previously more concentrated with commercial and industrial use.

The following sensitive uses are located within 1,000-foot radius of the Project Site:

- Arts District Park located at 501 South Hewitt Street
- Barker Block Lofts located at 510 South Hewitt Street
- Lofts at 530 South Hewitt Street
- Lofts at 1300 Factory Place
- Molino Street Lofts at 500-530 Molino Street
- Residential Trailer Lofts located at 428 South Hewitt Street
- Beacon Lofts located at 825 East 4th Street
- Cannabal City Collective at 547 South Seaton Street
- Arts District Dog Park located at 1004 East 4th Street

Consideration has been given to the distance of the subject establishment from the above-referenced sensitive uses, including residential and park uses. As conditioned, the Project would provide adequate security measures to discourage loitering, theft, vandalism and other nuisances as imposed; all sales employees would receive training in responsible alcohol sales; age verification devices and prompts would be part of the Point-of-Sale system to assist cashiers in prevention of sales to minors; and potential effects of excessive noise or disruptive behavior. Furthermore, the surrounding area is an urban environment that contains similar buildings with residents in close proximity to restaurants and other establishments that serve alcohol. While the sale of alcoholic beverages is important to the restaurants that would be located on the Project Site, it would be incidental to primary operations and, as such, no detrimental effects should be expected from the Project.

Plans submitted by the Applicant show that the four potential establishments for which alcohol sales are being requested, would front 5th and Seaton Streets as well as the Project's proposed internal facing courtyard. While properties along 5th and Seaton Streets are developed with industrial and commercial uses, the proposed on-site sale of a full line of alcoholic beverages would be compatible with the existing and proposed neighborhood-serving commercial uses within the Central City North Community Plan area. Moreover, included in this grant are several conditions that would act to minimize any impacts that might be generated by alcohol serving establishments, including that each individual venue seeking to utilize a permit to sell alcoholic beverages for on-site consumption as a part of this Main Conditional Use Permit must apply for a Plan Approval. The Plan Approval process would allow the Department of City Planning to tailor conditions to each individual establishment, which would minimize any impact that may be generated. Therefore, as conditioned, the Project would not detrimentally affect residentially zoned properties or any other sensitive uses in the area.

10. Site Plan Review Findings

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

The Project would involve the demolition of three existing warehouse buildings and a surface parking lot, and the construction of an eight-story, mixed-use building comprised of 220 live/work units, of which 11 percent (25 units) would be deed-restricted for VLI households, 46,548 square feet of commercial uses or 200 live/work units of which 11 percent (22 units) would be deed-restricted for VLI households and 64,313 square feet of commercial uses, including office and art production-related uses, under the Flexibility Option, and a publicly accessible ground floor courtyard and two paseos accessible from Seaton Street and 5th Street. Vehicle ingress/egress would be provided from Seaton Street via one driveway. The Project would total 249,758 square feet of floor area on a 1.2-acre site, resulting in a FAR of 4.77:1. The maximum height of the proposed building would be 116 feet to the top of the parapet.

The Los Angeles General Plan sets forth goals, objectives and programs that guide both Citywide and community-specific land use policies. The General Plan is comprised of a range of State-mandated elements, including, but not limited to Housing and Conservation, Land Use, Noise, Safety, and Transportation. The City's Land Use Element is divided into 35 Community Plans that establish parameters for land use decisions within those sub-areas of the City. The Project is consistent with the following Elements of the General Plan: Framework Element, Housing Element,

Mobility Element, Health and Wellness Element, Air Quality Element, Sewerage Facilities Element, and the Land Use Element - Central City North Community Plan.

Pursuant to LAMC Section 12.36 D, when acting on multiple applications for a project, when appropriate, findings may be made by reference to findings made for another application involving the same Project. This finding is substantially identical to the finding found earlier in this document as General Plan No. 2 and in accordance with Section 16.05 F of the LAMC, is hereby incorporated by reference. As discussed in Finding No. 2, the Project would be consistent with the purposes, intent and provisions of the General Plan and its elements, that relate to commercial land uses. Approval of the Project would enhance the built environment in the surrounding neighborhood and would provide a function that is fitting and compatible with the character of the surrounding community and commercial viability of the region as a whole.

As discussed in Finding No. 2 above, the Project Site is located within the River Improvement Overlay Zone (RIO) and would be required to comply with the Los Angeles River Design Guidelines, which establishes best practices for designing projects located within the RIO Zone. The Los Angeles River Design Guidelines consist of overarching objectives followed by a list of specific implementation strategies. These strategies address river-adjacent development. Although the Project is located within the boundaries of the RIO Zone, the Project Site is separated from the Los Angeles River by buildings, roads, and railroad tracks and is not immediately adjacent or accessible from the River. Nevertheless, the Project would further the relevant objectives of the Los Angeles River Design Guidelines, including employing high quality, attractive and distinguishable architecture and minimizing the quantity and appearance of parking by locating all parking areas underground (Objectives 2 and 4).

Based on the above, the Project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific 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 in neighboring properties.**

The Project Site is located within the Central City North Community Plan area. The Project would be an infill development in an area developed with low- and medium-rise industrial and commercial buildings as well as a few residential buildings of widely varying age. The Project Site proposes to demolish three existing warehouse buildings and a surface parking lot to accommodate the construction of an eight-story, mixed-use building with 220 live/work units, 46,548 square feet of commercial uses, or 200 live/work units and 64,313 square feet of commercial uses, 22,725 square feet of open space for residents, and three subterranean parking levels. Eleven percent of the live/work units (25 units under the Project and 22 units under the Flexibility Option) would be deed-restricted for VLI households. The Project would also include a publicly accessible ground floor outdoor courtyard and two paseos accessible from 5th Street and Seaton Street.

Height, Bulk, & Mass

The Project Site is located in an urbanized area and generally surrounded by industrial and commercial buildings as well as a few residential buildings. To the north across

5th Street are two-story warehouse buildings converted to event space, commercial uses, and residential lofts with a 12-story mixed-use residential and commercial project approved for the site in 2020. To the east are one- and two-story warehouse buildings, to the south is a vacant lot used for staging of film productions, and to the west across Seaton Street are one- and two-story buildings. While the area immediately around the Site is generally surrounded by low- and medium-rise industrial and commercial buildings, the Project Site is located in the Arts District neighborhood which continues to undergo changes to the development landscape, including the introduction of taller buildings with a variety of new uses such as residential, live/work, restaurant, retail, and office uses being introduced within an area previously concentrated with commercial and industrial uses.

Several proposed and approved projects located within one mile of the Site, including the height/number of stories of each project, are provided in the table below. As shown, the recently approved and proposed projects range in height from 148 feet to a maximum of 378 feet. With a proposed maximum height of 116 feet, the Project would be slightly below the height of the shortest approved/proposed project included in the table below.

<i>Height and Number of Stories of Proposed/Approved Nearby Projects</i>			
Project Location	Number of Stories/Height	Distance from Project Site	Approved/Proposed
2143 Violet Street	31 stories/343 feet	1 mile	Approved
2045 Violet Street	13 stories/273 feet	0.9 miles	Proposed
1101 East 5 th Street	12 stories/170 feet	0.1 miles	Approved
4 th Street and Central Avenue ¹	30 stories/max height of 364 feet	0.2 miles	Proposed
670 Mesquit Street ²	26-32 stories/max height of 378 feet	0.5 miles	Proposed
527 Colyton Street	12 stories/148 feet	0.1 miles	Proposed
401 Hewitt Street	18 stories/292 feet	0.2 miles	Approved
¹ This project would include 10 buildings.			
² This project would include five buildings.			

The proposed eight-story, 249,758 square-foot mixed-use building has been designed to embody the distinct urban fabric of the Arts District neighborhood, which includes industrial, arts production, residential, and general commercial uses. The Project's design is a contemporary architectural style that alternates different textures, colors, materials, and distinctive architectural treatments. The Project would utilize gray and black metal panels, perforated metal panels, and clear glass with painted aluminum mullions. The north- and west-facing street façades would incorporate scaled windows and partially enclosed balconies throughout the building. The design of the balconies would provide a texture and articulation to the façade.

The ground floor design incorporates the utilitarian design elements of the Arts District neighborhood while increasing the pedestrian-friendly environment of the area. The ground floor commercial spaces would have 20-foot ceilings and would extend around

the corner onto Seaton Street. An open-air paseo would connect the sidewalk to the ground floor courtyard. A mid-block break along Seaton Street would help to break up the massing along the street as well as provide for an additional pedestrian paseo to the ground floor courtyard. On the upper floors, the placement of the partially enclosed balconies of the live/work units would create a unique and artful design language appropriate to the artistic nature of the neighborhood. Overall, the Project's industrial and contemporary architecture complements and enhances the surrounding developments, originally comprised of low-scale manufacturing and industrial uses, but which now includes nearby proposed and approved projects, such as the proposed 670 Mesquit Project with a 32-story tower, 4th and Central Project with a 30-story tower, the Palmetto Project with a 21-story building and the 4th and Hewitt 18-story Office Building.

A proposed outdoor terrace with landscaping would be located on the second level. An additional outdoor terrace and pool deck are provided at the southwest corner of the building on the eighth level overlooking Seaton Street. The cutouts for the terraces not only provide a unique design element but also soften the building with landscaping and help break up the mass and bulk of the structure. In sum, the proposed bulk and mass of the Project would be consistent with the scale of existing and future proposed developments within the surrounding neighborhood.

Setbacks

Pursuant to LAMC Section 12.14, the C2 Zone defaults to the R4 Zone for residential setbacks, measured at the first residential level. Pursuant to LAMC 12.14 C.1, front yard setbacks are not required in the C2 Zone. Pursuant to LAMC 12.14 C.2, the required rear yard setback for the Project would be 20 feet at the lowest residential level. In exchange for providing 11 percent of the proposed density for VLI households, the Project requests an On-Menu Incentive to provide a 10-foot easterly side yard where 11 feet would otherwise be required at the lowest residential level; and a Waiver of Development Standard to allow a 15-foot, 3-inch rear yard setback where 20 feet would otherwise be required for the residential portions of the building on the second to eighth floor. Pursuant to LAMC 12.22 A.18(c)(3), no yard requirements shall apply to structures with a mix of commercial and residential uses in the C2 Zone that abut a street or alley. Thus, the westerly side yard would not require a yard setback as it abuts Seaton Street.

Off-Street Parking and Loading Area

Ingress/egress vehicular access to the Project Site would be provided from one driveway accessible from Seaton Street. The driveway would be designed in accordance with LADOT standards. As the Project is not required to provide a loading area; no loading area is proposed as part of the Project.

The City cannot require the Project to provide vehicle parking for the proposed commercial and residential uses, as the Site meets the requirements of Government Code Section 65863.2 (AB 2097). However, the Applicant has chosen to voluntarily provide vehicle parking based on the parking regulations that would have otherwise applied to the Project. In addition, the Project would provide 30 percent of its provided parking spaces to be EV ready, and 10 percent of its provided parking spaces would be provided chargers for electric vehicles within the subterranean parking levels.

Landscaping

The Project would both provide 22,725 square feet of open space throughout the Project Site comprised of common outdoor spaces, indoor communal spaces, and private open space. Common outdoor open spaces would be provided in the publicly

accessible ground floor courtyard, an outdoor lounge located on second level, and a pool deck, urban garden, outdoor dining, and barbecue areas located on the eighth level. Overall, 4,781 square feet or 26 percent of the Project's outdoor open space areas would be landscaped with shrubs, groundcover, and trees.

In addition, the five existing non-protected trees would be removed and replaced with 18 trees in the ground floor courtyard. Eleven street trees (four trees along 5th Street and seven trees along Seaton Street) would be planted. Additionally, 10 trees would be planted in containers on the second level outdoor lounge and 16 trees would be planted in containers on the eighth level in the common open space area. The Project would result in an increase of 11 street trees and a net increase of 39 on-site trees.

Trash Collection

As conditioned, all trash and recycling areas would be enclosed and screened from public view, accessed via the service corridor accessible from Seaton Street.

Lighting & Building Signage

The Project would add new restaurant, retail, office, and live/work uses that include accent and security lighting, in compliance with LAMC requirements. Additionally, the Project has been designed and conditioned to incorporate pedestrian lighting that is installed with shielding to ensure the Project's lighting is directed onto the site. All signage shall be required to comply with LAMC requirements. In addition, the Project has been conditioned so that there shall be no off-site commercial signage on construction fencing during construction.

The Project, as an infill commercial and residential project, would be compatible with existing and future development on adjacent and neighboring properties with regards to height, bulk, and setbacks, off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements. Therefore, the arrangement of the development would be consistent and compatible with existing and future development in neighboring properties.

- c. That any residential project provides recreational and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties.**

The Project would include 220 and 200 live/work units, respectively. As previously stated, the Project is required to provide 24,125 square feet of open space based on the number of proposed live/work unit mix, while the Flexibility Option would require 20,675 square feet of open space. As part of the Density Bonus request, the Applicant has requested an On-Menu Incentive to reduce the quantity of open space required to 22,725 square feet.

The Project would provide 22,725 square feet of open space throughout the Project Site comprised of common outdoor spaces, indoor communal spaces, and private open space. Common outdoor open spaces would be provided in the publicly accessible ground floor courtyard, an outdoor lounge located on the second level, and a pool deck, urban garden, outdoor dining, and barbecue areas located on the eighth level. Indoor amenities include a fitness center, art gallery, and lounge on the eighth level. Balconies would be provided for the majority of the live/work units. As the Flexibility Option complies with the LAMC open space requirements, the On-Menu Incentive only applies to the Project.

As such, the Project would provide recreational and service amenities to improve the habitability for the residents and minimize impacts on neighboring properties.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

Introduction

The City of Los Angeles (the "City"), as Lead Agency, has evaluated the environmental impacts of the 1100 E. 5th Street Project by preparing an environmental impact report (EIR) ENV-2016-3727-EIR (SCH No. 2018021069). The EIR was prepared in compliance with the California Environmental Quality Act of 1970, Public Resources Code Section 21000 et seq. (CEQA) and the California Code of Regulations Title 14, Division 6, Chapter 3 (the "CEQA Guidelines").

The 1100 E. 5th Street Project EIR, consisting of the Draft EIR, the Final EIR, and Erratum, is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and environmental impacts of 1100 E. 5th Street Project, located within the Arts District at 1100 East 5th Street and 506-530 South Seaton Street within the Central City North Community Plan area of the City of Los Angeles. The Project would involve the demolition of three existing warehouses and a surface parking lot, and the construction of a mixed-use building including 220 live/work units, of which 11 percent (25 units) would be deed-restricted for Very Low Income households. 46,548 square feet of commercial uses, at least 22,725 square feet of open space for residents, and associated parking facilities including three levels of subterranean parking. The Project also proposes the ability to implement an increased commercial option (Flexibility Option) that would provide the Project the flexibility to replace a certain number of live-work units with an increased commercial square footage provided by the Project within the same building parameters with the same percentage of deed restricted units for Very Low Income households. Under the Flexibility Option, 20 units located on approximately one-half of the third level would be replaced with 17,765 square feet of commercial space to provide a total of 64,313 square feet of commercial space. No other changes to the Project scope would change.

The Draft EIR was circulated for a 47-day public comment period beginning on January 4, 2024 and ending on February 20, 2024. A Notice of Availability (NOA) was distributed on January 4, 2024 to all property owners within 500 feet of the Project Site and interested parties, which informed them of where they could view the document and how to comment. The NOA was also filed with the County Clerk on January 4, 2024. The Draft EIR was available to the public at the City of Los Angeles, Department of City Planning, and the following local libraries: Los Angeles Central Library, Chinatown Branch Library and Echo Park Branch Library. A copy of the document was also posted online at <https://planning.lacity.org/project-review/environmental-review/published-documents> and was available for purchase on a USB through the Department of City Planning.

The Final EIR was then distributed on July 12, 2024. Notices regarding availability of the Final EIR were distributed to property owners and occupants within a 500-foot radius of the Project Site, as well as anyone who commented on the Draft EIR, and interested parties. Responses were sent to all public agencies that made comments on the Draft EIR at least 10 days prior to certification of the EIR pursuant to CEQA Guidelines Section 15088(b).

The Deputy Advisory Agency (DAA) certified the EIR on August 30, 2024 ("Certified EIR") in conjunction with the approval of the Project's Vesting Tentative Tract Map No. VTT-74549. In connection with the certification of the EIR, the Deputy Advisory Agency adopted CEQA findings, as well as a statement of overriding considerations and a mitigation monitoring program (MMP). The DDA adopted the MMP in the EIR as a Condition of Approval. This decision was subsequently

appealed by Lozeau & Drury LLP, on behalf of the Supporter's Alliance for Environmental Responsibility (SAFER), which are addressed in an Appeal Report dated November 14, 2024. All mitigation measures in the MMP are also imposed on the Project through Condition of Approval of CPC-2016-3726-GPA-VZC-HD-MCUP-DB-SPR, to mitigate or avoid significant effects of the Project on the environment and to ensure compliance during implementation of the Project.

An Erratum was posted on the Department of City Planning website in October 2024. The Erratum included the 2024 Phase I ESA Report and concluded that the Project's hazard impacts would remain less than significant and no mitigation measures are required.

NO SUPPLEMENTAL OR SUBSEQUENT REVIEW IS REQUIRED

CEQA and the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, Sections 15000-15387) allow the City to rely on the previously certified EIR unless a Subsequent or Supplemental EIR is required. Specifically, CEQA Guidelines Sections 15162 and 15163 require preparation of a Subsequent or Supplemental EIR when an EIR has been previously certified or a negative declaration has previously been adopted and one or more of the following circumstances exist:

- 1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- 2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- 3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - A. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - B. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

None of the above changes or factors have arisen and there are no substantial changes to the Project, and it is substantially the same as the approved project. No substantial changes have been identified to the surrounding circumstances, and no new information of substantial importance has been identified since the approval of the Project. There is no evidence of new or more severe significant impacts, and no new mitigation measures are required for the project.

Accordingly, there is no basis for changing any of the impact conclusions referenced in the

certified EIR's CEQA Findings. Similarly, there is no basis for changing any of the mitigation measures referenced in the certified EIR's CEQA Findings, all of which have been implemented as part of the conditions of approval. There is no basis for finding that mitigation measures or alternatives previously rejected as infeasible are instead feasible. There is also no reason to change the determination that the overriding considerations referenced in the certified EIR's CEQA Findings, and each of them considered independently, continue to override the significant and unavoidable impacts of the Project.

Therefore, as the Project was assessed in the previously certified EIR, and pursuant to CEQA Guidelines Section 15162, no supplement or subsequent EIR or subsequent mitigated negative declaration is required, as the whole of the administrative record demonstrates that no major revisions to the EIR are necessary due to the involvement of new significant environmental effects or a substantial increase in the severity of a previously identified significant effect resulting from changes to the project, changes to circumstances, or the existence of new information. In addition, no addendum is required, as no changes or additions to the EIR are necessary pursuant to CEQA Guidelines Section 15164.

RECORD OF PROCEEDINGS

The record of proceedings for the decision includes the Record of Proceedings for the original CEQA Findings, including all items included in the case files, as well as all written and oral information submitted at the hearings on this matter. The documents and other materials that constitute the record of proceedings on which the City of Los Angeles' CEQA Findings are based are located at the Department of City Planning, 221 North Figueroa Street, Suite 1350, Los Angeles, CA 90021. This information is provided in compliance with CEQA Section 21081.6(a)(2).

In addition, copies of the Draft EIR and Final EIR are available on the Department of City Planning's website at <https://planning.lacity.org/project-review/environmental-review/published-documents> (to locate the documents, select "Environmental Impact Reports (EIRs)" and search for the environmental case number).

RESOLUTION

WHEREAS, the subject project is located within the area covered by the Central City North Community Plan (“Community Plan”), adopted by the City Council in December 2000; and

WHEREAS, the City Planning Commission, at its meeting on November 14, 2024, recommended approval of a General Plan Amendment to the Central City North Community Plan to change the land use designation from Heavy Industrial to Regional Commercial; and recommended approval of a Vesting Zone Change and Height District Change from M3-1-RIO to (T)(Q)C2-2-RIO, for the Project Site located at 1100 East 5th Street and 506-530 South Seaton Street; and

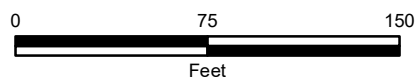
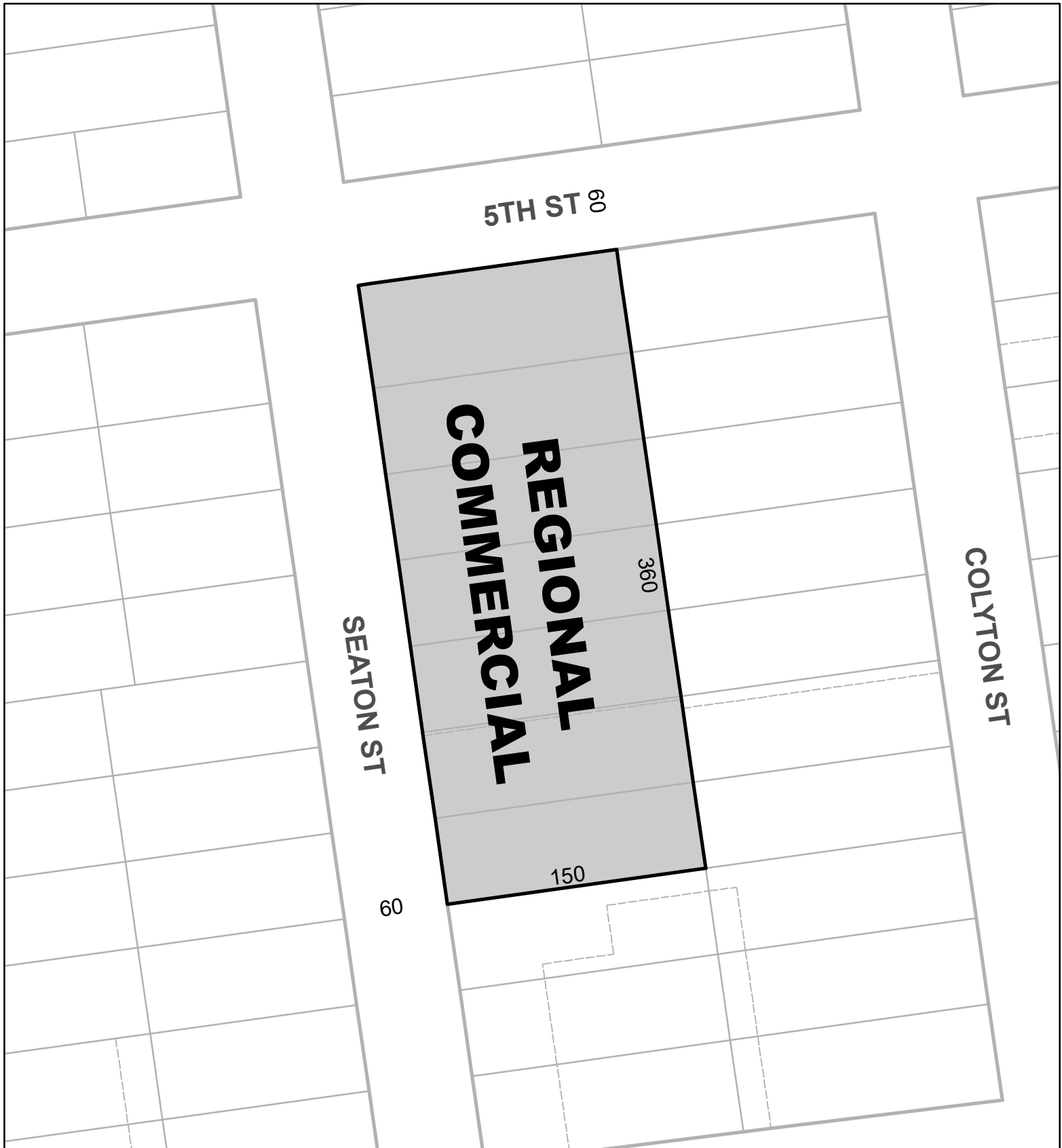
WHEREAS, the approved Project is for the construction of an eight-story, mixed-use building comprised of 220 live/work units, of which 11 percent (25 units) would be deed-restricted for Very Low Income (VLI) households, and 46,548 square feet of commercial uses; and includes a Flexibility Option to replace 20 live/work units with an additional 17,765 square feet of commercial uses, with no other changes to the scope of the Project; and

WHEREAS, pursuant to the provisions of the Los Angeles City Charter, the Mayor, and the City Planning Commission have transmitted their recommendations; and

WHEREAS, the requested General Plan Amendment is consistent with the intent and purpose of the adopted Central City North Community Plan to designate land use in an orderly and unified manner; and

WHEREAS, the subject proposal has been assessed in the Environmental Impact Report (EIR) ENV-2016-3727-EIR (SCH No. 2018021069) (including the Draft EIR, dated January, 2024, and Final EIR, dated July 2024, and Erratum dated October 2024; collectively, 1100 E. 5th Street Project EIR), previously certified on November 14, 2024; and pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15162 and 15164, no subsequent EIR, negative declaration, or addendum is required for approval of the Project.

NOW, THEREFORE, BE IT RESOLVED that the Central City North Community Plan be amended as shown on the attached General Plan Amendment Map.



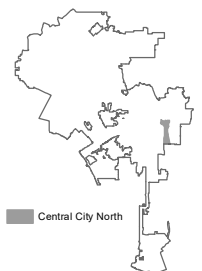
CPC-2016-3726-GPA-VZC-HD-MCUP-DB-SPR

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Central City North

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City of Los Angeles





LOS ANGELES CITY PLANNING APPEAL FILING PROCEDURES

Entitlement and CEQA appeals may be filed using either the Online Application System (OAS) or in person Drop Off at DSC (Development Services Center).

Online Application System: The OAS (<https://planning.lacity.org/oas>) allows appeals to be submitted entirely electronically online; fee payment is by credit card or e-check.

Drop off at DSC: Appeals of this determination can be submitted in person at the Metro or Van Nuys DSC locations, and payment can be made by credit card or check. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications; alternatively, appeal applications can be filed with staff at DSC public counters. Appeal applications must be on the prescribed forms, and accompanied by the required fee and a copy of the determination letter. Appeal applications shall be received by the DSC public counter and paid for on or before the above date or the appeal will not be accepted.

Forms are available online at <http://planning.lacity.org/development-services/forms>. Public offices are located at:

Metro DSC

(213) 482-7077

201 N. Figueroa Street

Los Angeles, CA 90012

Van Nuys DSC

(818) 374-5050

6262 Van Nuys Boulevard

Van Nuys, CA 91401

West Los Angeles DSC

(CURRENTLY CLOSED)

(310) 231-2901

1828 Sawtelle Boulevard

West Los Angeles, CA 90025

City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable Los Angeles Municipal Code provisions.

An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination. Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure that DSC staff members have adequate time to review and accept the documents, and to allow appellants time to submit payment.



QR Code to Online
Appeal Filing



QR Code to Forms
for In-Person Filing