

## FINDINGS

Following is a delineation of the findings and application of the relevant facts as related to the request for Zone Change Findings.

### **General Plan/Charter Findings**

The subject site is located within the area covered by the Wilshire Community Plan adopted by the City Council on September 19, 2001. The Community Plan is part of the City's Land Use Element, which sets forth specific land use requirements and required entitlements for projects in the Wilshire area.

The site is located approximately 1,500 feet south from Wilshire Boulevard. The subject site is comprised of 5 lots, 3 of which are zoned for commercial (C2-1) and have a Neighborhood Office Commercial Land use designation, and two lots are zoned for residential uses (R4-2) have a High Medium Residential land use designation. Although the site not located within the Wilshire Center Regional Commercial Center it is located just outside the boundary. The Regional Center Commercial land use designation allows for the construction of commercial, parking, and high-density multi-family residential uses. The commercial zoned properties directly across the street from the subject site are designated under the Wilshire Community Plan, as Regional Center Commercial land use. The project site fronts 8<sup>th</sup> Street and Mariposa Avenue. The Mobility Plan 2035 identifies 8<sup>th</sup> Street as an Avenue II and Mariposa Avenue a Local Standard Street. The properties fronting 8<sup>th</sup> Street on the north and south side are developed with a mix commercial and residential developments. The neighborhoods to the south, east and west of the subject site are primarily developed with multi-family developments. The Vermont, Normandie, and Western Metro Red Line subway stations are located nearby by along Wilshire Boulevard. Development of the Project would include 60 guest room hotel, 20 apartment units and ground floor restaurant uses. The proposed project is consistent with the density allowed under the R4-2 density. The project is requesting a zone change from the lots zoned C2-1 to RAS4-1. The proposed hotel and restaurant are uses allowed in the Neighborhood Office Commercial land use designation. However, the because the proposed hotel use is on a site that is within 400 feet of an R zone, a Conditional Use Permit is required.

1. **General Plan Land Use Designation.** The Wilshire Community Plan designates a portion of subject site (3 lots of 5) as Neighborhood Office Commercial with corresponding zones of C1, C1.5, C2, C4, P, CR, RAS3 and RAS and the remaining portion (2 lots of 5) as High Medium Residential, with corresponding zones R4.

### **Framework Element**

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

The subject site is located at 8<sup>th</sup> and Mariposa Avenue with the main entrance of the hotel and restaurant along 8<sup>th</sup> Street. This portion of 8<sup>th</sup> street, bounded by Western Avenue on the west and Vermont Avenue on the east is designated by the Framework Element as a Mixed Use Boulevard. Mixed Use Boulevards serve to connect the city's neighborhood districts and community, regional and Downtown centers. Mixed use development is encouraged along these boulevards, with the scale and density and height of development compatible with the surrounding areas. Generally, different types of Mixed-Use Boulevards will fall within a range of floor area ratios from 1.5:1 to 4:1 FAR and generally characterized by 1 to 2 story commercial structure, up to 3 to 6 story mixed use

buildings between centers and higher buildings within centers. Mixed Use boulevards are served by a variety of transportation facilities.

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

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

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

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

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

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

B. *Economic Development Chapter, Framework Element*

***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.***

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

The construction of a new 60-guest room hotel, 20 apartment units and a ground floor restaurant can help sustain economic growth and maintain a viable retail base in the city. The site currently contains 33 parking spaces in an underutilized surface parking lot at the intersection of 8<sup>th</sup> Street and Mariposa Avenue and four (4) units within a two story multifamily apartment building (fronting Mariposa Avenue, just south of 8<sup>th</sup> Street). The development of sites and structures integrating mixed use is encouraged in concert with supporting services, recreational uses, open spaces, and

amenities. The hotel is consistent with ongoing redevelopment efforts in the community and is in an area well suited to visitor-serving uses. The Project will also add to the Wilshire Center/Koreatown area by providing a use that specifically caters to the business and residential community nearby the site. The proposed new 20 units, will also allow tenant of the apartments access to the restaurant which will be open to the public. The Project supports revitalization by developing a surface parking lot with a use that will provide an economic and social benefit to the residential, commercial, and other types of businesses located in the area. The proposed project will generate an additional influx of guests to the area who will likely patronize the various retail and restaurant businesses along 8<sup>th</sup> Street, a Mixed-Use Boulevard.

## Housing Element

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

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

The Project will provide an increase in the number of hotel guest rooms in an urban setting along with a street level restaurant that is accessible from the street. This project will activate the street by generating pedestrian activity during and after normal commercial business hours. The development will replace currently under-utilized surface parking areas with a building that improves the quality of the public realm with pedestrian-scale design in an urban setting. At the street level the Project proposes a combination of street trees, shrubs and ground cover to enhance the public realm.

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

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

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

The Project location is identified as a site in a Transit Priority Area and is within Tier 3 of a Transit Oriented Commercial (TOC) area and therefore well served by a large variety of transit options. The site is located near a major transit corridor, Wilshire Boulevard, which is served by Metro bus lines and DASH routes. The site is also less than a half mile from the Vermont Metro subway station along Wilshire Boulevard. Its proximity to local and rapid public transit routes will facilitate a reduction of vehicle trips and vehicle miles traveled, thus helping to mitigate traffic congestion, air pollution, and urban sprawl. Also, the Project will provide for the development of land use patterns that emphasize bicycle access and use. The proposed project will include bike racks for the commercial uses and secured bicycle storage for the residential tenants.

**State Housing Element Law Findings:** The Proposed Project is located on a lot that is not identified as a potential site for housing in the Inventory of Sites prepared for the 2021-2029 Housing Element. Therefore, the ability for the City to meet its share of the regional housing need pursuant to Section 65584 is not affected by the project.

## **Transportation Element**

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

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

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

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

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

The Project advances these policies because it will be located within a half mile from an existing Metro subway station and just north of a major transportation corridor that provides substantial public transit opportunities and facilities. The development of the hotel, residential units, and restaurant with an outdoor patio would promote ground floor pedestrian activity and circulation and would create direct pedestrian connections between the new Project and the street, in express conformity with the Transportation Element's policies and objectives. The proposed development contributes to the General Plan's goal to increase development within commercial districts that centralizes both housing and commercial uses while enhancing the accessibility of such uses to public transit.

## **Land Use Element – Wilshire Community Plan**

The Project site is located in the Wilshire Community Plan area, which is one of 35 community plans in the City of Los Angeles. Together, these plans comprise The Land Use Element of the General Plan and regulate how land is to be utilized. Each plan contains goals and policies to guide development in the plan area. The Wilshire Community Plan Area is often spoken of as the Mid-City Section of Los Angeles - the eastern edge of the approximately 2.5-mile wide by 6-mile long plan area is about 6 miles west of downtown Los Angeles, while the western edge abuts the City of Beverly Hills. The area includes about 8,954 acres, which is approximately 3 percent of the total land in the City of Los Angeles.

The Wilshire Community Plan designates a portion of subject site (3 lots of 5) as Neighborhood Office Commercial with corresponding zones of C1, C1.5, C2, C4, P, CR, RAS3 and RAS and the remaining portion (2 lots of 5) as High Medium Residential, with corresponding zones R4. The Project will advance numerous objectives and policies contained in the Wilshire Community Plan, including:

### *Residential Policies and Objectives:*

*Objective 1-2. Reduce vehicular trips and congestion by developing new housing in close proximity to regional and community commercial centers, subway stations, and existing bus routes.*

*Policy 1-2.1 Encourage higher density residential uses near major public transportation centers.*

*Policy 1.4-3 Encourage multiple family residential and mixed use development in commercial zones.*

### *Commercial Policies and Objectives*

*Objective 2-1: Preserve and strengthen viable commercial development and provide additional opportunities for new commercial development and services within existing commercial areas.*

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

*Policy 2-1.3: Enhance the viability of existing neighborhood stores and businesses which support the needs of local residents and are compatible with the neighborhood.*

*Objective 2-2: Promote distinctive commercial districts and pedestrian-oriented areas.*

*Policy 2-2.1: Encourage pedestrian-oriented design in designated areas and in new development.*

*Policy 2-2.3 Encourage the incorporation of retail, restaurant, and other neighborhood serving uses in the first floor street frontage of structures, including mixed use projects located in Neighborhood Districts.*

*Objective 2-3: Enhance the visual appearance and appeal of commercial districts.*

*Policy 2-3.1: Improve streetscape identity and character through appropriate controls of signs, landscaping, and streetscape improvements; and require that new development be compatible with the scale of adjacent neighborhoods.*

The Project is a seven-story apartment/ hotel mixed use project located on 8<sup>th</sup> Street and Mariposa Avenue just south from Wilshire Boulevard. It will contain 60 guest rooms with a ground floor restaurant and twenty (20) apartment residential units. The Project provides hotel and residential units in close proximity to existing jobs and services. The Project will be located within three blocks from an existing Metro subway station and just north of a major transportation corridor that provides substantial public transit opportunities and facilities.

The Project site is located within a Mixed-Use Boulevard which is developed with a mix of commercial and residential uses. The proposed project is a mixed-use project providing commercial and residential uses to an area to a site that is underutilized. Therefore, the proposed mixed use hotel and apartment project is appropriate for this area.

The Wilshire Community Plan encourages mixed-use developments along designated Mixed Use Boulevards. The Wilshire Community Plan Objective 2-1 encourages the City to preserve and strengthen viable commercial development and provide additional opportunities for new commercial development and services within existing commercial areas. The area contains a variety urban activity in a compact built environment that includes commercial, residential, cultural, recreational, and hotel uses. These diverse uses support balanced community development and create increased interest for a variety of visitors who come to the area.

### **ZONE CHANGE FINDINGS**

- 1) Pursuant to Section 12.32 C of the Municipal Code, and based on these findings, the recommended action is for the proposed Zone Change from C2-1 TO RAS4-1 for a portion of the project site is deemed consistent with public necessity, convenience, general welfare, and good zoning practice.**

The project site consists of five lots totaling approximately 21,614 square feet in total lot size. The subject site is a multi-lot, dual zoned site with approximately 5,147 square feet zoned with an R4-2 zone designation and approximately 12,868 square feet zoned with a C2-1 designation. The proposed zone change is only for portion of the subject site including the existing C2-1 zoned lots. The applicant is requesting a zone change for three lots, (Lot FR 45, arb. cut 2 and Lot FR 46 arb cut 2, both in Tract No. TR 2140) from C2-1 to RAS4-1. The two lots (Lot FR 46 arb. cut 1, Lot FR 48 and Lot FR 48 in Tract No. TR 2140) zoned R4-2 are not proposed for a

zone change or land use change. The R4-2 Zone and High Medium Residential land use designation will remain unchanged. The subject site is located at the southeast intersection of 8<sup>th</sup> Street and Mariposa Avenue with street frontage of approximately 135 feet on the south side of 8<sup>th</sup> Street and 159 feet 11 inches fronting along the east side of Mariposa Avenue. The R4-2 zoned portion of the site is improved with a two-story, four-unit apartment building and the C2-1 portion of the project site is improved with a surface parking lot with 33 vehicular parking spaces. The proposed project is designed as one building, with the hotel and restaurant uses built over the existing commercial zoned lots and the residential uses are proposed to be built on the R4-2 portion of the site. The uses are connected via a hallway within the building. However, the applicant states that access through these hallways on each floor will be for maintenance services.

The proposed project involves the demolition of a two-story, four-unit multi-family residential building and the construction, use and maintenance of a seven-story mixed use hotel and apartment project totaling approximately 66,915 square feet in floor area and three levels of subterranean parking. The project proposes a 60-guest room hotel and 5,385 square foot restaurant, including 2,700 square feet of indoor dining space, 1,250 square feet in an outdoor covered patio on the ground level and approximately 1,435 square feet of indoor dining area on the 7<sup>th</sup> floor roof level. The project also proposes twenty (20) residential units including four (4) units set aside for Extremely Low Income Households. The proposed building ranges in height from the lowest point at 82 feet and highest point at 92 feet 6 inches in height. The project will provide 71 automobile parking spaces and 38 bicycle parking spaces (28 long-term, and 10 short term). The project also proposes the sale and dispensing of a full line of alcohol in conjunction with the operation of the proposed hotel and restaurant. The project proposes the export of approximately 32,396 cubic yards of dirt.

Pursuant to LAMC Section 12.11.5, the purpose of the RAS4 (Residential/Accessory Service Zone) zone is to provide a mechanism to increase housing opportunities, enhance neighborhoods, and revitalize older commercial corridors. The RAS 4 Zone is intended to provide a tool to accommodate projected population growth in mixed use and residential projects that is compatible with existing residential neighborhoods. RAS4 is limited to R4 uses, limited commercial uses including, bakery goods, shops, bank, barber shop, beauty parlor, book or stationery store, childcare facility, clothes cleaning agency or pressing establishments, (excluding chemical processing, clothes store, clubs lodges, bridge clubs, fraternal or religious associations, community facilities, as denied in 12.09B3, Recreation centers, operated by government agencies, confectionary stores, counseling and referral facilities, Hotel and restaurant uses are allowed by right in the C2 zone. Hotel and restaurant uses are allowed in the proposed new zone RAS4-1 with a conditional use permit. The minimum lot area per dwelling unit shall be 400 square feet of lot area per dwelling unit and 200 square feet of lot area per guest room.

The project site totals approximately 18,015 square feet of lot size, with approximately 13,512 square feet allocated to the existing commercial zoned area, (proposed for zone Change from C2-1 to RAS4) and approximately 8,102 square feet in the R4 zoned lots which allows for 20 units by right (1 unit per 400 square feet) Therefore, the maximum allowable guest rooms for the proposed hotel is 67 units (1 guest room per 200 square feet). The project proposes approximately 38,601 (In PZA form) of commercial (hotel/restaurant) uses on the existing commercial zoned lots which is approximately, 2.99:1 FAR. The maximum allowable FAR in the RAS4-1 zone is 3:1, and 1.5:1 in the C2-1 zone. With the approval of the zone change to RAS4-1 the proposed hotel/and restaurant floor area is consistent with the allowable FAR. The proposed floor area for the residential uses (on the existing R4-2 zone) is approximately 28,314 (PZA) which is approximately, 5.1:1 FAR. The R4-2 zone allows a maximum of 6:1. Therefore the FAR for both uses are consistent with the allowable FAR.

*Convenience*

The applicant has requested a zone change from C2-1 to RAS4-1. The granting of this zone change would allow the development of an otherwise underutilized parking lot into a mixed-use hotel/restaurant and apartment project. While the zone change would not increase the allowable number of hotel guest rooms, the allowable FAR for the site would increase from the 1.5:1 FAR (allowed in the C2-1 Zone) to a 3:1 FAR which is allowed in the RAS4-1 zone. The project will aid in revitalizing 8<sup>th</sup> Street, which is designated as a Mixed-use Boulevard in the Framework Element. This mixed-use project would be consistent with the mixed use boulevard, designation.

*General Welfare*

Granting the requested zone change would be consistent with the general welfare. With the conditions of approval required under the CUP process, the proposed hotel would be beneficial to the community's general welfare as it would introduce a well-designed structure, that will provide an amenity of the neighborhood, by providing a sit-down restaurant that will be open to the general public. The entrance to the restaurant, is located on 8<sup>th</sup> Street, which helps promote pedestrian activity in the area. The proposed restaurant is a use that is considered neighborhood orientated service, with is consistent with the Neighborhood Office Commercial land use designation. The proposed uses would not be detrimental to the neighborhood.

*Good Zoning Practice*

The requested zone change from C2-1 to RAS4-1, is in substantial conformance with the purpose, intent and provisions of the General Plan, and is consistent with good zoning practice because it will provide a development of a mixed-use project that complements both the commercial and residential character of the area. As requested, the zone change would allow for a mixed use project, with ground level restaurant. The new zone would limit the allowable commercial uses, to only those consistent to neighborhood service and goods. The current Zoning C2 allows a wide variety of commercial uses. The new zone would limit commercial uses to specific neighborhood goods and services. Restaurant is a use allowed by right in the RAS4 zone. The project proposes a ground level restaurant with an outdoor covered patio along 8<sup>th</sup> Street and Mariposa Avenue. The proposed restaurant will serve hotel guests, apartment unit residents, and the surrounding neighborhood. The proposed zone change would allow a mixed use project, commercial/residential project which is consistent the Mixed-use Boulevard objectives under the Framework Element.

**Zone Variance Findings**

Pursuant to Charter Section 562 and LAMC Section 12.27, the Planning Department recommends granting the requested Zone Variance to allow vehicular and pedestrian access from a less restrictive zone (RAS4) to a more restrictive zone (R4), to allow access to guest parking and common vehicular driveway and pedestrian access across the project site. I

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

The project site is dual zoned. LAMC Section 12.21 C 5 (h) limits an accessory building or use from being located in a more restrictive zone than that which is required for the main building or main use to which it is accessory. The subject site is dual zoned, with the majority of the site being in the C2-1 Zone, which is a more permissive zone than the R4 Zone. This remains true in the event that the zone change is approved; the RAS4 Zone is less restrictive than the R4 Zone. The project is built over two zones, which results in the vehicular and pedestrian access crossing over



to and from each separately zoned portions of the project site. Therefore, as the proposed project is one building to be constructed over a dual-zoned site, pedestrian and vehicular travel from a less restrictive zone (RAS4) to more restrictive zone (R4). The hotel guestrooms and dwelling units are designed over three levels of subterranean parking over the project site. The primary vehicular access to the hotel and restaurant parking area will be from 8<sup>th</sup> Street on the RAS4-zoned portion of the site. The driveway on 8<sup>th</sup> Street will be an egress only driveway and will be the only vehicular entrance for guests arriving at the hotel. This driveway area connects to a down sloped ramp which will be used to access the hotel parking spaces located in the subterranean parking structure. Vehicular and pedestrian access will cross over both the RAS4- and R4-zoned parts of the project site.

The second entry point to the parking structure is located along Mariposa Avenue. This driveway is an ingress/egress driveway which will serve as the main vehicular and pedestrian access to the residential units. This driveway will also serve as the only egress driveway for hotel guests and restaurant customers exiting the parking structure.

In order to park valet staff and guests of the hotel will enter the parking structure which will extend onto the R4-2 zoned portion of the lot. This vehicular access, therefore, will be moving from a less restrictive zone (RAS4) to a more restrictive zone (R4), which is not allowed under the LAMC. Therefore, Zone Variance is needed. The building's parking structure was designed under both lots because it is not practical to build two different parking structures for each zone. Therefore, the subterranean parking structure provides the best design for this mixed-use project. The strict application of LAMC in this case would result in practical difficulties, as the parking areas would not be able to utilize the full length of the site underneath the building.

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

As mentioned above, the project site is dual-zone site. LAMC Section 12.21 C 5 (h) limits an accessory building or use from being located in a more restrictive zone than that which is required for the main building or main use to which it is accessory. Much of the project site is currently zoned C2-1 Zone, which is a more permissive zone than the R4 Zone. In the event that the zone change is approved from C2 to RAS4 the conflict with this LAMC Section remains, because the RAS4 Zone is less restrictive than the R4 Zone. The proposed project site is approximately 21,614 in lot size and is comprised of five lots, two of the lots have an existing R4-2 zone designation which will remain unchanged. The total square footage for the R4-2 portion of the site is approximately 8,102 square feet. The remaining lots comprising the project site, are zoned C2-1 and are proposed to be changed to RAS4-1. This portion of the site totals approximately 13,512 square feet.

The proposed project is a mixed-use project designed as one building with three subterranean parking levels built over the entire project site. The hotel, restaurant will be built on the new R4-2 zone while the apartments will be on the R4 zone. The residential and hotel uses will function independent of each other. However, because the proposed building is designed as one building over a three-level subterranean parking structure, vehicular and pedestrian access will cross over both zones thus creating a conflict with the LAMC Section 12.21 C 5(h). The dual zoned development could not function as proposed without a zone variance granting vehicular and pedestrian access from a more permissive zone to less permissive zone would allow the project to move forward with the current design. Therefore, the special circumstance of a dual-zoned site merits the approval of this variance to achieve a cohesive project.

**3. The Variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which,**



**because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question;**

The proposed project is a 7-story mixed use project with three levels of subterranean in a multi lot, multi zoned property. In order to maximize the project site's potential, and provide one cohesive development, the granting this variance would be necessary to keep the project's design. The granting of this variance would allow the project's pedestrian and vehicular access and pathways to function as one project site over two zones. This will aid in the preservation and enjoyment of substantial property right and not approving this variance, would result in practical difficulties in the operation of the parking structure.

**4. The granting of the Variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located; and**

The proposed project is a 7-story mixed use project with three levels of subterranean in a multi lot, multi zoned project site. The requested variance is to allow vehicular and pedestrian access from a less restrictive zone (RAS4) to a more restrictive zone (R4), to allow access to guest parking and common vehicular driveway and pedestrian access across the project site. This will occur within the proposed subterranean parking structure, and within the proposed building. Thus, in granting this request the variance will not be detrimental to the public welfare. Rather, it will be beneficial to the vicinity as less grading is required to create one cohesive parking plan, rather than two separate parking plans within each zone for the hotel use and dwelling unit uses.

**5. The granting of the Variance will not adversely affect any element of the General Plan.**

The proposed project is a 7-story mixed use project with three levels of subterranean in a multi lot, multi zoned project site. The requested variance is to allow vehicular and pedestrian access from a less restrictive zone (RAS4) to a more restrictive zone (R4), to allow access to guest parking and common vehicular driveway and pedestrian access across the project site. This variance will not result in any impacts to the neighborhood and does not adversely affect any element of the General Plan.

## **ZONING ADMINISTRATOR ADJUSTMENT FINDINGS**

Pursuant to Section 12.28, the project is seeking a Zoning Administrator Adjustment (ZAA) to reduce the required rear yard setback, in the R4 zone portion of the lot, to allow a nine (9) foot setback in lieu of the required 19-foot setback. The purpose of yard setbacks is to provide adequate separation between neighboring properties and to provide light and air to residents of these homes. The project site has requested to allow a nine 9-foot rear yard setback in lieu of the required 19-foot rear yard setback in the southerly portion of the property.

- 1. While site characteristics or existing improvements make strict adherence to the zoning regulations impractical or infeasible, the project nonetheless conforms with the intent of those regulations.**

The subject property is a level, rectangular shaped corner property comprised of five parcels. The project site is currently developed with a surface parking lot and a four-unit residential building. The project site fronts 8<sup>th</sup> Street and Mariposa Avenue. The project proposes to demolish the existing 4-unit, two story residential building, remove an existing surface parking lot and construct a seven (7) story mixed use (Apartment/Hotel) project.

This rear setback relief to allow a nine (9) foot setback in lieu of the required 19 foot setback, would allow the project to maximize the floor area of residential units within R4 zoned lot. The requested yard reduction is in line with the public need and convenience to provide as many residential units as possible to the community. The buildable area for residential units in R4 zoned lot is already reduced due to the 15-foot building line along Mariposa Ave. The additional 19 feet required rear setback would further reduce the buildable area which is inconsistent with our goal of providing residential units as many as possible. A requested rear setback relief is to allow 9' in lieu of required 19'. All other required setbacks are met.

The proposed 20 residential units are located on the R4-2 portion of the site. The uses are therefore consistent with the allowed uses within the R4 Zone that would otherwise only require a seven-to-eight-foot side yard setback. However, LADBS determined that the yard along the R4 site, is considered a rear yard of the entire development, thus, the required setback is 19 feet (15 feet, plus an additional foot for every floor above the 3<sup>rd</sup> floor). By granting the adjustment to a nine-foot rear yard setback would allow the project to continue to meet the intent of the setback regulations. The subject building will be in compliance with the code and meet all other Building Code standards.

- 1. In the light of the project as a whole, including any mitigation measures improved, 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 purpose of yard setbacks is to provide adequate separation between neighboring properties and to provide light and air to residents of these homes. The project site has requested to allow a nine 9-foot rear yard setback in lieu of the required 19-foot rear yard setback in the southerly portion of the property. The proposed mixed use project will provide 60 hotel guest rooms, a ground floor restaurant, 20 residential units, 77 on-site vehicular parking spaces and 39 bicycle parking spaces within a three level subterranean parking structure.

The subject property is comprised of 5 contiguous lots, two of which are zoned R4-2, and the remaining are zoned C2-1. Property in the surrounding area is primarily zoned C2-1, C4-1, and R4-2 and is improved with a mix of commercial uses, multi-family residential uses. The proposed project will be consistent and compatible with existing and future uses in the surrounding area.

The site is located at the southeast corner of 8<sup>th</sup> Street and Mariposa Avenue. Vehicular access to the project site will be from the 8<sup>th</sup> Street and Mariposa Avenue. The rear yard reduction will be along the existing R4 zoned lots. This R4 zone portion of the project site will only contain 20 residential units. Therefore, the proposed use at the rear lot line is consistent with the adjacent 33 unit apartment complex. Therefore, the granting of the southerly rear yard setback adjustment will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

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

The General Plan is the City's roadmap for the future growth and development. The General Plan elements establish goals, policies, purposes, and programs that provide for the regulatory environment in managing the City, and for addressing environmental concerns and problems. The majority of the policies derived from the City's elements. The project is consistent with the following Framework residential objectives and policies:

GOAL 2: A City that preserves and enhances the quality of housing and provides greater housing stability for households of all income levels.

Policy 3.1.6: Establish plans and development standards that promote positive health outcomes for the most vulnerable communities and populations.

The Land Use Elements of the City's General Plan divides the City into 35 Community Plan areas. The Wilshire Community Plan designates the property for General Commercial land uses with corresponding zones of C1.5, C2, C4, RAS3, RAS4, P, and PB. The property is not located with any specific plan. The project is consistent with the following goals and objectives of the Wilshire Community Plan:

Policy 2-2.2 - Encourage large mixed-use projects to incorporate facilities beneficial to the community.

The granting of this request meets the goals and objectives of the Community Plan. The use and development of the property conforms to the land use designation. The proposed facility will benefit the community in health and housing. Therefore, as conditioned, the project is in conformance with the purpose, intent, and provisions of the General Plan and the Wilshire Community Plan.

### **Conditional use Permit (Hotel within 500 feet of R zone) Findings**

Pursuant to LAMC Section 12.24 W 24 a Conditional Use Permit is required to allow the construction use and maintenance of a Hotels (including motels), apartment hotels, or hostels in the CR, C1, C1.5, C2, C4, and C5 Zones when any portion of a structure proposed to be used as a hotel (including a motel), apartment hotel, or hostel is located within 500 feet of any A or R Zone and Hotel, Motels, apartment hotels, in the R4 or R5 zones also require Conditions Use Permit. The proposed project proposed a 60-guest room hotel and apartment building built over property with existing zoning R4-2 and C2-1 (The C2-1 zoned lots are proposed for a zone change to RAS4-1).

- 1. 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 proposed project involves the demolition of a two-story, four-unit multi-family residential building and the removal of surface parking lot, to allow for the construction, use and maintenance of a seven-story mixed use hotel and apartment project totaling approximately 66,915 square feet in floor area with three levels of subterranean parking. The project proposes a 60-guest room hotel with ground level 3,950 square foot restaurant at the ground level and associated 1,435 square foot dining room at the hotel's roof top level and 20 new apartment units. The proposed mixed-use project will provide a service to the community, by providing a hotel use with a several amenities including two swimming pools, lounge areas, fitness center, room service which are uses that are typical of well-designed quality hotels. The proposed ground level restaurant is designed with spacious outdoor covered patio areas along 8<sup>th</sup> Street and Mariposa Avenue. The restaurant patio area will provide a comfortable outdoor dining experience which will promote an active pedestrian friendly environment. Currently the lots fronting 8<sup>th</sup> Street, are underutilized with a surface parking lot striped for 33 parking spaces with two driveways used for vehicular ingress and egress into the parking lot. The existing surface parking lot does not promote a pedestrian friendly environment. Removing this underutilized surface parking lot by relocating the 8<sup>th</sup> street driveway, removing one driveway and adding a mixed-use hotel with commercial use on the

ground floor will benefit the community. The proposed restaurant will serve as a casual, communal establishment where patrons residing, working, or visiting the area can enjoy a dining experience. Primary access to the restaurant will be from the public right away but can also be accessed through the hotel lobby. The project will provide 71 automobile parking spaces and 38 bicycle parking spaces, 28 long-term, and 10 short term. The project will increase the number of dwelling units in the area from 4 to 20 units. Thus, providing much needed housing to the community. Therefore, as designed this mixed use hotel and apartment project will be a benefit to the community.

**2. 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 fronts the south side of 8<sup>th</sup> Street. 8<sup>th</sup> Street is designated as Mixed-Use Boulevard in the Framework Element. Mixed use boulevard encourages mixed use project with commercial and retail uses on the ground level. The project site is also located within a designated Transit Oriented Community and is proximate to public transit. The surrounding residential community to the south, west and east of the project site are zoned with R4-2 zone designations, which allow for multifamily developments. Height District 2 allows for unlimited height, unlimited stories, and a floor area ratio of 6:1 FAR. The project proposes a new 60-unit guest room hotel, with a variety of amenities, including ground level restaurant. The project also proposes 20 long term apartment units which are the maximum allowed units on the R4-2 portion of the project site. The surrounding area is zoned with a combination of general commercial and single and multi-residential uses in the C2 and R4 zones. The adjacent properties to the south, east, and west of the subject site are developed with multifamily developments ranging from 2 to 7 stories. Mixed use developments such as the proposed project are consistent with the uses existing and encouraged along 8<sup>th</sup> Street, a mixed use designated boulevard. The uses immediately to the east of the subject site are developed with an existing four -story hotel with commercial uses on the ground level. The lots across the street on the north side of 8<sup>th</sup> street, are developed with commercial uses, and a large LAUSD K-12 school campus. The proposed building is designed in a U shape with 2<sup>nd</sup> floor courtyard open to the sky. The hotel's ground floor restaurant is located at the north/west corner of the project site fronting 8<sup>th</sup> Street. Overall, the project's location, size, height, is compatible with the type of developments currently existing along 8<sup>th</sup> Street, and in the surrounding residential neighborhood. The project will promote commercial activity by contributing to the viability of a local hotel and restaurant. The ground floor restaurant will not feature any live music or dancing on its premises therefore will not negatively impact the surrounding residential community. Therefore, in conjunction with the imposition of operational conditions, the request should result in a use which is compatible with and an asset to the local neighborhood and the community at large.

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

The General Plan is the City's roadmap for future growth and development. The General Plan Elements establish goals, policies, purposes, and programs that provide for the regulatory environment in managing the City, and for addressing environmental concerns and problems. The majority of the policies derived from these elements are implemented in the form of Municipal Code requirements. The General Plan is comprised of the Framework Element, seven state-mandated elements, and four additional elements. The Framework Element establishes the broad overall policy and direction for the General Plan. The Land Use Element of the City's General Plan divides the City into 35 Community Plans. The subject property is located within the Wilshire Community Plan area. The Community Plan Area Map designates the property for Neighborhood Office Commercial land uses, with corresponding zones of C1.5, C2, C4, RAS3, and RAS4 Zones

and for High Medium Residential Uses with corresponding zone R4. The property is zoned C2-1 and is proposed for a zone change to RAS4-1. A portion of the project site is zoned R4-2. The R4-2 zone designation is not proposed for a zone change. The proposed uses which involve a mixed use project with 60 guest room hotel, restaurant, and 20 residential units, are uses allowed in the R4 and RAS4 zones. Therefore, the property's existing and proposed zoning is thus consistent with the General Plan's land use designation for the site.

**GOAL 2** Encourages strong and competitive commercial sectors which promote economic vitality and serve the needs of the Wilshire community through well-designed, safe and accessible areas, while preserving historic and cultural character.

**Objective 2-1:** Preserve and strengthen viable commercial development and provide additional opportunities for new commercial development and within existing commercial areas.

**Policy 2-1.3:** Enhance the viability of existing neighborhood stores and businesses which support the needs of local residents and are compatible with the neighborhood.

The site is located within the Wilshire Community Plan Area along the well-established commercial corridor of 8<sup>th</sup> Street. The proposed project supports the Community Plan Land Use objectives by allowing the use and operation of the hotel and restaurant and apartment units. The proposed hotel which would allow for the growth of local economic activity. Authorizing the use would meet the needs of the Plan Area and improve the economic vitality of the neighborhood.

The applicant is not requesting any incentives or deviations from the LAMC to allow for an increase in density. Therefore, the project density is by right. The proposed hotel is allowed in the proposed RAS4 with conditional use permit. Additionally, the RAS zone limits ground floor commercial uses, to certain neighborhood serving uses including restaurants. The proposed mixed-use project will promote the type of uses encouraged in the Mixed Use Boulevard. Therefore, the project substantially conforms to the purpose, intent, and provisions of the General Plan and the Wilshire Community Plan.

### **Conditional Use Permit (Alcohol) Findings**

- 1. 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 applicant is requesting a conditional use to allow the sale and on-site consumption of a full line of alcoholic beverages in conjunction with the operation of a 5,385 square-foot restaurant operating from 10:00 am to 2:00 am daily. The proposed 5,385 square foot restaurant floor includes 2,700 square feet of ground level indoor floor area, 1,150 square feet of outdoor covered patio on the ground level, and 1,435 square feet of indoor dining area on the hotel roof level. The ground floor interior restaurant dining area includes 120 indoor seats and 60 outdoor seats in an outdoor covered patio on the ground level. The rooftop restaurant will contain 50 interior dining seats. The subject restaurant will serve as a casual, communal establishment where patrons residing, working, or visiting near the area can enjoy a dining experience. The availability of alcoholic beverages ancillary to food service is consistent with the pattern of many neighborhood restaurants in the surrounding community. The alcohol served at the restaurant will supplement the dining experience and will provide nearby residents and the local workforce with a key neighborhood amenity. It will thus contribute to the viability of a local restaurant. Through the approval of this request, the restaurant will be able to provide an additional service, that would enhance the dining experience. The proposed project also proposes the sale and consumption of a full line of alcoholic beverages in conjunction with the operation of the hotel, including within the hotel suites, mini bars, and in the roof top lounge areas. The sale and consumption of alcohol

withing the proposed hotel is common amenity provided by hotels. Therefore, as conditioned, the project will provide a service that is beneficial to the community.

2. **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 surrounding area is zoned with a combination of general commercial and single and multi-residential uses in the C2 and R4 zones. The adjacent properties to the south, east, and west of the subject site is developed multifamily developments ranging from 2 to 7 stories. 8<sup>th</sup> Street is designed as a Mixed-Use Boulevard in Framework Element. Therefore, mixed use project such as this one is consistent with the uses encouraged along 8<sup>th</sup> Street. The uses immediately to the west of the subject site is developed with an existing two-story hotel. The lots across the street on the north side of 8<sup>th</sup> street, are developed with commercial uses, and a large LAUSD K-12 school campus. The proposed building is designed in a U shape with 2<sup>nd</sup> floor courtyard open to the sky. The mixed use building proposes a 66,915 square foot project with a 60 guest room hotel and 20 residential units located along the southern portion of the building. The residential units will be located nearest to the adjacent R4-2 zoned surrounding lots, and will be 6 stories in height, while the portion of the building designated for the hotel use is seven stories in height. The project will increase the number of dwelling units on the R4-2 zone portion of the project site. The hotel's ground floor restaurant is located at the north/west corner of the project site fronting 8<sup>th</sup> Street. Overall, the projects' location, size, height, is compatible with the type of developments currently existing along 8<sup>th</sup> Street, and in the surrounding residential neighborhood.

The business is a part of the fabric of the local commercial activity within the community. Granting the request will assist with the continued activation of the site and promote commercial activity by contributing to the viability of a local hotel and restaurant. Furthermore, the hotel's ground floor restaurant will not feature any live music or dancing on its premises. Security personnel and cameras are required to be installed to assure safety and compatible use to the surrounding residential use. Therefore, in conjunction with the imposition of operational conditions, the request should result in a use which is compatible with and an asset to the local neighborhood and the community at large.

The grant authorized herein incorporates conditions that are intended to ensure that the proposed operation with the addition of alcohol sales will be compatible with other uses in the surrounding community. These conditions represent limitations on the type of activity that is allowed to be conducted on the site as well as explicit advisories about the responsibilities of the applicant. Further, conditions have been imposed to delineate steps to be taken if the operation of the restaurant is found to be noncompliant with these conditions. Conditions have also been recommended to the Department of Alcoholic Beverages Control for consideration as part of their license issuing process, which the applicant may also be subject to. Therefore, based on the facts herein and in conjunction with the imposition of operational conditions, 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.

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

The General Plan is the City's roadmap for future growth and development. The General Plan Elements establish goals, policies, purposes, and programs that provide for the regulatory environment in managing the City, and for addressing environmental concerns and problems. The majority of the policies derived from these elements are implemented in the form of Municipal Code requirements. The General Plan is comprised of the Framework Element, seven state-

mandated elements, and four additional elements. The Framework Element establishes the broad overall policy and direction for the General Plan.

The Land Use Element of the City's General Plan divides the City into 35 Community Plans. The subject property is located within the Wilshire Community Plan area. The Community Plan Area Map designates the property for Neighborhood Office Commercial land uses, with corresponding zones of C1.5, C2, C4, RAS3, and RAS4 Zones and for High Medium Residential Uses with corresponding zone R4. The property is zoned C2-1 and is proposed for a zone change to RAS4-1. A portion of the project site is zoned R4-2. The R4-2 zone designation is not proposed for a zone change.

The Wilshire Community Plan text is silent with regards to the sale and dispensing of alcohol. In such cases, the Zoning Administrator must interpret the intent of the Plans. Specifically, the project addresses the following goals and policies of the Community Plan:

**GOAL 2** Encourages strong and competitive commercial sectors which promote economic vitality and serve the needs of the Wilshire community through well-designed, safe and accessible areas, while preserving historic and cultural character.

**Objective 2-1:** Preserve and strengthen viable commercial development and provide additional opportunities for new commercial development and within existing commercial areas.

**Policy 2-1.3:** Enhance the viability of existing neighborhood stores and businesses which support the needs of local residents and are compatible with the neighborhood.

The site is located within the Wilshire Community Plan Area along the well-established commercial corridor of 8<sup>th</sup> Street. The proposed project supports the Community Plan Land Use objectives by allowing a business to serve a full line of alcoholic beverages in conjunction with the use and operation of the hotel and restaurant. The proposed hotel which would allow for the growth of local economic activity. Authorizing the use would meet the needs of the Plan Area and improve the economic vitality of the neighborhood.

The project follows an established pattern of zoning and land use that is consistent and compatible with other properties and uses in the surrounding area, which include a variety of commercial and residential establishments. The proposed 20 units will be located on the portion of the site zoned for R4 uses. A maximum of 20 residential units are allowed by right on the R4-2 zoned lots. The applicant is not requesting any incentives or deviations from the LAMC to allow for an increase in density. Therefore, the project density is by right. The proposed hotel is allowed in the proposed RAS4 with conditional use permit. Additionally, the RAS zone limits ground floor commercial uses, to certain neighborhood serving uses including restaurants. The proposed mixed use project will promote the type of uses encouraged in the Mixed Use Boulevard. Therefore, the project substantially conforms to the purpose, intent, and provisions of the General Plan and the Wilshire Community Plan.

## ALCOHOLIC BEVERAGE FINDINGS

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

The applicant seeks a Conditional Use to allow the sale and dispensing of a full line of alcohol for onsite consumption in conjunction with the operation of a 38,601 square foot 60 unit-guest room hotel and a 5,385-ground level restaurant with 120 indoor seats and 60 outdoor seats for patrons on the ground level, and 50 interior dining seats on the rooftop level. The ground floor restaurant includes 2,700 square feet of interior floor area, and 1,250 square feet of covered patio area also on the ground level, and 1,435 square feet of indoor dining area on the roof level, for a total of



5,385 square feet. The ground level restaurant is proposed to be open to the general public with hours of operation from 10:00 a.m. to 2:00 a.m. daily. This dining area on the roof top will only be open to the hotel guests and would have hours operation from 10:00 am to 10:00PM. The sale of alcohol within the restaurant dining areas will be in incidental to the consumption and serving of food. Since the restaurant will be open to the public, the proposed use would be beneficial to the community as it will provide a new sit-down restaurant for the primary purposes of dining.

The sale and consumption of a full line of alcohol will also be within the hotel pool and lounge areas on the 2<sup>nd</sup> Floor and on the roof level, in hotel minibar and room service. The sale of alcohol within a hotel is typical and is an amenity that is common for hotel establishments.

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. Employees will undergo training on the sale of alcoholic beverages, including training provided by the Los Angeles Police Department Standardized Training for Alcohol Retailers (STAR) Program. Other conditions imposed related to excessive noise, litter and noise prevention will safeguard the surrounding sensitive uses that include multi-family residential uses. Additionally, should there be a change in the ownership and/or the operator of the business, the Zoning Administrator reserves the right to require that the new owner or operator file a Plan Approval application if it is determined that the new operation is not in substantial conformance with the approved floor plan, or the operation has changed in mode or character from the original approval, or if at any time during the period of validity of this grant, documented evidence is submitted showing continued violation of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties. As conditioned, approval of the Conditional Use will not adversely affect the welfare of the pertinent community.

5. **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 Department of Alcoholic Beverage Control ("ABC") licensing criteria, three (3) active on-sale retail licenses and zero off-sale alcoholic beverage licenses are allocated for the subject tract (Census Tract No. 2123.05). Data provided on the ABC's License Query System indicates that there are currently three on-sale and zero off-sale licenses within this Census Tract, which include the licenses below.

Type 47 (H Café) Expiration date listed, 6/30/25.

Type 41 (Ondal Restaurant) Expiration date listed 10/31/24.

Type 47 (Simple) Expiration date listed 7/31/24.

The applicant has applied for a Type 47 license for an eating place. In this case, the granting of the application will not result in undue concentration as the number of existing on-site sale licenses will not be exceeded by this grant. The project will enable the provision of an additional service and destination to complement the neighborhood. Alcohol-serving establishments are expected in an area, which functions provide a neighborhood serving use along with other commercial services and amenities. The ABC has discretion to approve an application if there is evidence that normal operations will not be contrary to public welfare and will not interfere with

the quiet enjoyment of property by residents. The project will provide a valuable amenity and a desirable service that is compatible within the surrounding neighborhoods.

As reported by the Los Angeles Police Department, within Crime Reporting District No. 2045, which has jurisdiction over the subject property, a total of 83 (73 Part I crimes and 10 Part II arrests) crimes were reported in 2023, compared to the citywide average of 162 crimes and the high crime reporting district average of 194 crimes for 2023. In 2023, there were 0 Narcotics, 0 Liquor Law, 0 Public Drunkenness, 0 Disturbing the Peace, 0 Disorderly Conduct, 0 Gambling, 2 DUI, 1 Moving Traffic Violations, and 1 Miscellaneous Other arrests. These numbers do not reflect the total number of arrests in the subject reporting district over the accountable year. Arrests for this calendar year may reflect crimes reported in previous years.

The above statistics indicate that the crime rate in the reporting district where the subject site is located is lower than the citywide average. No comments from the community at-large were received concerning the concentration of alcoholic-beverage establishments in the area. The project will not adversely affect public welfare because it is a desirable use and convenient amenity in an area designated for such neighborhood-serving commercial uses. The Los Angeles Police Department did not submit communication in support of or opposition to the project despite the applicant's numerous efforts to receive correspondence from the LAPD. Public safety measures to mitigate nuisance and criminal activities have been incorporated into the grant to assure better oversight. Further conditions may be imposed by the California Department of Alcoholic Beverage Control as conditions on the alcohol license. Therefore, as conditioned, the use is not expected to contribute to the area's crime rate or generate any nuisance activity and will not result in an undue concentration of establishments providing alcohol.

**6. 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 zoned for commercial and residential uses and will be utilized as such with the continuation of residential uses on the R4-2 zone portion on the lot, and hotel and restaurant on the C2-1 (RAS4-1 new zone) lots. The following sensitive uses are located within a 600 to 1,000 feet of the subject site:

<b>Residential (within 600 feet)</b>	
Single-Family Residences	
Multi-Family Residences	
Condominiums	
<b>School, Church, Hospital, Park</b>	
Ambassador School of Global Education Elementary School	3201 W. 8 <sup>th</sup> Street. 90005 (within 600 feet)
Los Angeles High School of the Arts	701 S Catalina St #A414, 90005 (within 600 feet)
Angeles College Nursing School	3440 Wilshire Blvd # 310, 90010
National Bartenders School and Staffing of Los Angeles	3460 Wilshire Blvd #1010, 90010
God's Hands Academy Corporation Day Care Center	727 Irolo Street, 90005
LA United Church LA Christian Church	3470 Wilshire Blvd, # 300, 90010

The following alcohol uses are located within a 600 to 1,000-foot radius of the site:

- Within 600 feet”
- Simple-3208 W 8<sup>th</sup> Street, Type 47
- H Café-3200 W. 8<sup>th</sup> Street, Type 47
- Ondal Restaurant -3160 W. 8<sup>th</sup> Street #101, Type 41
- WLS22 Inc -3328 W. 8<sup>th</sup> Street, Type 41
- West Market-3300 W. 8<sup>th</sup> Street Ste 117, Type 20

Within 601 to 1,000 feet

- Jons Market- 3334 W. 8<sup>th</sup> Street, Type 21
- Moms Restaurant-3126 W. 8<sup>th</sup> Street, Type 41
- Sootbulljip-3126-42 W. 8<sup>th</sup> Street, Type 41
- Catalina Liquor- 3130-32 W. 8<sup>th</sup> Street, Type 21
- Caffè Brass Monkey- 659 S. Mariposa Avenue, Type 48
- Bound/KDK Investment Corp- 3471 Wilshire Blvd-, Type 47
- Shinmi Catering- 698 Irolo Street, Suite 109. Type 41
- The Venue- 3470 Wilshire Blvd, B1, Type 47
- Dave's Hot Chicken- 3460 Wilshire Blvd, A, Type 41
- Lee Bobby Chun, 3446 Wilshire Blvd, Type 41
- Bon Shabu, 3454 Wilshire Blvd, Type 41
- Bon Shabu- 3451 Wilshire Blvd, Type 41
- R Bar 3331 W. 8<sup>th</sup> Street Type 47
- Sabores Oaxaqueños-3337 ½ W. 8<sup>th</sup> Street, Type 47

No negative comments or communications have been received pertaining to the operation of the proposed restaurant. There are medium-density residential uses in the vicinity of the project site, which is densely populated. There are also other establishments which sell alcohol for on-site and off-site consumption. The property is located along a densely developed commercial corridor and a diversity amongst the uses is not uncommon. Consideration has been given to the distance of the subject establishment from the above-referenced sensitive uses. The project has been conditioned to be compatible with such uses as it is only requesting a permit for the on-site sale and consumption of beer and wine. In addition, the project is a medium-sized, neighborhood-serving establishment that is situated along an important commercial node with similar uses nearby. Thus, the project is unlikely to have any direct impact on any sensitive use.

The grant has been well conditioned, which should protect the health, safety, and welfare of the surrounding neighbors. The potential effects of excessive noise or disruptive behavior have been considered and addressed by imposing conditions related to noise and loitering. Alcoholic beverage sales will be strictly monitored and regulated. There is no dancing, karaoke, or live entertainment being proposed. The project is consistent with the zoning and is in keeping with the existing uses adjacent to the development. The project will contribute to the greater community and will serve neighboring residents and local employees as well as visitors. Therefore, as conditioned, the proposed use will not detrimentally affect nearby residentially zoned communities.

### **SITE PLAN REVIEW FINDINGS**

The following is a delineation of the findings related to the applicant's request for Site Plan Review for a proposed project resulting in an increase of 50 or more dwelling units and or more than 50,000 square feet pursuant to Section 16.05 of the Los Angeles Municipal Code.

#### **1. That 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 General Plan sets forth goals, objectives, and programs that serve as the foundation for all land use decisions. The City of Los Angeles' General Plan consists of the Framework Element, seven State-mandated Elements including, Land Use, Mobility, Housing, Conservation, Noise Safety, and Open Space, and optional elements including Air Quality and Service Systems. The Land Use Element is comprised of 35 community plans that establish parameters for land use decisions within those subareas of the City.

The Wilshire Community Plan designates a portion of subject site (3 lots of 5) as Neighborhood Office Commercial with corresponding zones of C1, C1.5, C2, C4, P, CR, RAS3 and RAS and the remaining portion (2 lots of 5) as High Medium Residential, with corresponding zones R4.

The project proposes the demolition of a two-story, four-unit multifamily residential building, removal of an existing surface parking lot with 33 existing parking spaces and the construction, use and maintenance of a seven (7) story mixed-use hotel and apartment building including a 60-guest room

hotel and restaurant and twenty (20) residential dwelling units. The proposed building is 92 feet 6 inches in height at its highest point with a total floor area of approximately 66,915 square feet, including 28,314 square feet designated for residential uses (FAR 5.50:1) and approximately 38,601 square feet of hotel/commercial area including a 3,950 square foot restaurant at the ground level including 1,250 square feet of an outdoor covered patio area. The project also proposes approximately 1,435 square feet of restaurant dining and serving area on the roof level. (FAR of 2.99:1).

The proposed hotel and apartment project is designed as one building with varying heights, six stories for the residential portion and seven stories for the hotel portion of the building. The project proposes a three (3) level subterranean parking structure with 71 parking spaces and 38 bicycle stalls (10 short term and 28 long term stalls). The residential units and all related residential common areas including the rooftop garden area for the residents is located on the southern part of the subject site. As designed, the hotel and residential uses will function independently. The building is designed with hallways on levels 1 through 6 which connect the hotel with the residential levels. Access within the building from and to hotel and residential areas are to be restricted to building maintenance and related building services.

The proposed uses are allowed in the designated zone and land use designations. The project will result in a net increase of 16 units on the R4-2 zoned lots. Currently there are four existing units, proposed for demolition, with 20 new residential units to be added on the site, including four units allocated for Extremely Low-Income Households which aligns with the goals and objectives of the General Plan Elements: Framework Element, Housing Element, Mobility Element, and the Land Use Element – Wilshire Community Plan. The project site is not subject to any specific plans.

### **Framework Element**

The Framework Element is a strategy for long-term growth which sets a citywide context to guide the update of the Community Plan and Citywide Elements. The Framework Element is a comprehensive, long range document containing purposes, policies and programs for the development of the City of Los Angeles. The Citywide General Plan Framework text defines policies related to growth and includes policies for land use, housing, urban form/neighborhood design, open space/conservation, economic development, transportation, and infrastructure/public services.

The primary objectives of the policies in the Framework Element are to support the viability of the City's residential neighborhoods, and when growth occurs, to encourage sustainable growth in a number of higher-intensity commercial and mixed-use districts, centers and boulevards, and industrial districts particularly in proximity to transportation corridors and transit stations.

The project is consistent with the following General Plan Framework Goals and Policies:

***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 3.2 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.***

**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.*

The project site has a land use designation of Neighborhood Office Commercial and High Medium Residential with the surrounding properties zoned C2-1 and R4-2. The proposed project involves the demolition of the existing 4 unit residential structure and removal of a surface parking; and the construction, use, and maintenance seven (7) story mixed-use hotel and apartment building including a 60-guest room hotel and restaurant and twenty (20) residential dwelling units. The proposed building is 92 feet 6 inches in height at its highest point with a total floor area of approximately 66,915 square feet, including 28,314 square feet designated for residential uses (FAR 5.50:1) and approximately 38,601 square feet of hotel/commercial area including a 3,950 square foot restaurant at the ground level including 1,250 square feet of an outdoor covered patio area. The project also proposes approximately 1,435 square feet of restaurant dining and serving area on the roof level. (FAR of 2.99:1) within the Wilshire Community Plan area. The project will reserve four (4) dwelling units for Extremely Low Income Households. The project site is located within one-half mile of the Los Angeles County Metropolitan Transportation Authority (Metro) Local Bus and Rapid transit stops. The project proposes a three (3) level subterranean parking structure with 71 parking spaces and 38 bicycle stalls including 10 short term and 28 long term stalls. The project will provide 2,629 square feet of open space and six (6) 24-inch box trees.

The 20 new apartments are on a site with High Medium Residential land use that is suited for multi-family use due to the proximity to transit, employment opportunities, retail, and restaurants. Of the 20 residential units, 16 will be market-rate units and four (4) will be Extremely Low Income restricted affordable units. The project offers a mix of six (6) one-bedroom units, twelve (12) two-bedroom units and two (2) three-bedroom units, that meet the needs of various resident income levels and family sizes. The project connects to the existing commercial corridor on 8<sup>th</sup> Street while at the same time respects the scale of the existing adjacent commercial, single- and multi-family residential neighborhoods. The proposed project is well-positioned near a major intersection in proximity to sufficient public infrastructure and services to meet the project's demand. As such, the project is in conformance with the purpose of the Framework Element.

### **Housing Element**

The City's Housing Element for 2021-2029 was adopted by City Council on November 24, 2021. The Housing Element identifies the City's housing conditions and needs, establishes the goals, objectives, and policies that are the foundation of the City's housing and growth strategy, and provides an array of programs the City intends to implement to create sustainable, mixed-income neighborhoods across the City. The Housing Element aims to provide affordable housing and amenity-rich, sustainable neighborhoods for its residents, answering the variety of housing needs of its growing population. Specifically, the Housing Element encourages units to accommodate all income groups.

**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.*

The proposed project will replace an underutilized commercial site currently improved with a surface parking lot striped for 33 automobile parking spaces. The proposed project also proposes to demolish an existing 4-unit apartment building, in order to add 20 residential units on the site. The project proposes four (4) for Extremely Low Income Households and the remaining 16 units will be market rate.

The project will provide needed housing in close proximity to job opportunities and an area well-served by public transportation. The project conserves the scale and character of the surrounding commercial and residential neighborhoods. The project is compatible with existing development patterns adjacent to the project site, which are characterized by a variety of commercial, single- and multifamily residential uses. As such, the proposed project substantially conforms to the purpose of the Housing Element of the General Plan.

### **Mobility Element**

The Mobility Plan 2035 includes goals that define the City's high-level mobility priorities. The Mobility Element sets forth objectives and policies to establish a citywide strategy to achieve long-term mobility and accessibility within the City of Los Angeles. Among other objectives and policies, the Mobility Plan aims to support ways to reduce vehicle miles traveled (VMT) per capita by increasing the availability of affordable housing options with proximity to transit stations and major bus stops and offering more non-vehicle alternatives, including transit, walking and bicycling.

***In the Mobility Plan 2035, Chapter 3 entitled "Access for All Angelinos" includes the discussion topic "A transportation system is only useful insofar as it accessible and convenient."***

***Policy 3.3 Land Use Access and Mix: 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 3.4 Transit Services: Provide all residents, workers and visitors with affordable, efficient, convenient, and attractive transit services.***

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

***In the Mobility Plan 2035, Chapter 5 entitled "Clean Environments & Healthy Communities" includes the discussion topic "Transportation is deeply implicated in the health of both human beings and natural systems. Mobility directly impacts human health and wellness, both physical and mental. Active transportation modes such as bicycling and walking can significantly improve personal fitness and create new opportunities for social interaction, while lessening impacts on the environment."***

***Policy 5.1 Sustainable Transportation: Encourage the development of a sustainable transportation system that promotes environmental and public health.***

***Policy 5.2 Vehicle Miles Traveled (VMT): Support ways to reduce vehicle miles traveled (VMT) per capita.***

The proposed mixed use, hotel, restaurant and residential building is a pedestrian-oriented development that provides four (4) affordable units within one-half mile of the Metro Local and Rapid transit stops. The transit services located adjacent to the project site will provide access to employment centers and jobs, local and regional destinations, and other neighborhood services for project



residents. Additionally, neighborhood-serving retail is present in the area surrounding the project site and can be accessed by biking and walking.

The proposed project will also allow for the reduction of vehicle trips providing reduced parking stalls and placing a high-density residential development within proximity to public transit. The availability of transit options within the walking distance creates a lesser need for the use of personal vehicles. The project qualifies for AB 2097. Assembly Bill 2097 was signed into law 9-22-22, adding Government Code Section 65863.2, prohibiting public agency from imposing or enforcing any minimum automobile parking requirements for any resident, commercial, or other development that is within one-half mile of a Major Transit stop. As such there is no minimum parking requirement for the hotel and apartment project. However, as shown on the project plans (Exhibit A) project is designed with a three-level subterranean parking structure, which contains 71 vehicular parking spaces which will serve the hotel and apartment uses.

Additionally, the project will provide a total of 28 long-term and ten short-term bicycle parking spaces on site. The short-term bicycle parking stalls will be located in along 8<sup>th</sup> Street easily accessible from the street. As such, the project conforms to the purpose of the Mobility Element of the General Plan.

### **Plan for a Healthy Los Angeles and Conservation Elements**

The Plan for a Healthy Los Angeles includes goals/objectives/policies/programs that relate to the health of the city. The Conservation Element primarily addresses the conservation aspects of the open spaces.

#### **Plan for a Healthy Los Angeles**

***Policy 5.6 Resilience:*** *In collaboration with public, private, and nonprofit partners, increase the city's resilience to risks (increasing temperatures and heat related effects, wildfires, reduced water supply, poor air quality, and sea level rise) resulting from climate change, and target resilience in the most vulnerable communities.*

#### **Conservation Element**

***It is important to conserve natural open space lands and enhance urban open spaces. "Open space" is a broad term that can include virtually anything from a sidewalk or lawn to the mountains and ocean. It is defined by the California general plan law (Government Code Section 65560) as "any parcel or area of land or water that essentially is unimproved and devoted to an open-space use," whether for preservation and protection of natural resources or for human activity.***

The proposed mixed-use hotel and residential building is a pedestrian-oriented development that provides five (5) new 24-inch box trees in parkways along 8<sup>th</sup> Street and Mariposa Avenue. The trees located in the public right-of-way will prevent the heat island effect and provide passive cooling opportunities for the enjoyment of the public. As such, the project conforms to the purpose of the Plan for a Healthy Los Angeles and Conservation Elements of the General Plan.

### **Land Use Element – Wilshire Community Plan**

The Wilshire Community Plan was adopted by the City Council in 2001. The Community Plan's purpose is to enhance neighborhood characteristics while providing housing opportunities, improving commercial areas preserving community identity, development around transit, providing economic base, and improving the quality of the built environment. The Land Use Designations and

corresponding zones in the Community Plan are implemented through zoning regulations in the Los Angeles Municipal Code (LAMC) including applicable ordinances that are codified in the LAMC.

**Goal 1** *Provide a safe, secure, and high-quality residential environment for all economic, age, and ethnic segments of the Wilshire community.*

**Objective 1-1** *Provide for the preservation of existing quality housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and expected new residents in the Wilshire Community Plan Area to the year 2010.*

**Policy 1-1.3** *Provide for adequate multi-family residential development.*

**Objective 1-2** *Reduce vehicular trips and congestion by developing new housing in close proximity to regional and community commercial centers, subway stations and existing bus route stops.*

**Policy 1-2.1** *Encourage higher density residential uses near major public transportation centers.*

**Objective 1-3** *Preserve and enhance the varied and distinct residential character and integrity of existing residential neighborhoods.*

The project site is designated with two zones, with a portion of the site zoned C2-1 and the remaining portion zoned with R4-2. The Wilshire Community Plan designates the site for High Medium Residential Land Uses with the corresponding zone of R4 and Neighborhood Office Commercial corresponding zones, C1, C1.5, C2, C4, P, CR, RAS3, RAS4. The project site is in a Transit Priority Area as defined under Zoning Information (ZI) No. 2452, its within Tier 3 of Transit Oriented Community (TOC) area, in the Redevelopment Project area, Wilshire Center/Koreatown (ZI 2488). The site is also located within the State Enterprise Zone, (ZI 2374), is a ED1 eligible site and qualifies for reduced parking requirements per AB 2097. The site is also subject to (ZI No 2510) Housing Element Inventory of sites-Housing Replacement requirements. The site is not located in any specific plan areas.

The project site is located on the southeast intersection of 8<sup>th</sup> Street and S. Mariposa Avenue. 8<sup>th</sup> Street is commercial corridor developed with a mix of commercial and residential developments. The project site is located within one-half mile of the Metro transit stops. The project site totals approximately 21,614 square feet in lot size and is multi zoned site. The proposed mixed use building will demolish a 4-unit two story apartment building. However, the project will provide a net increase in dwelling units on the RAS4 lot. The project is providing the maximum allowed by right.

The project will contribute to the Wilshire area as a medium-density residential development that provides housing. The project would be compatible with the surrounding single- and multi-family residential and commercial developments which vary in height but are typically, two to 7 stories in height. As such, the project conforms to the purpose of the Wilshire Community Plan.

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

The project site consists of five (5) contiguous lots with a total lot size of 21,614 square feet. The project site is located at the southeast corner of 8<sup>th</sup> Street and Mariposa Avenue and has approximately 135 feet of frontage along the south side of 8<sup>th</sup> Street and 159 feet 11 inches of frontage along the east side of Mariposa Avenue. The project site is zoned RAS4-2 and the existing C2-1 zoned lots changed to RAS4-2. The R4-2 zoned lots are designated for High Medium Residential. The existing lots proposed for RAS4-2 is designated with Neighborhood Office Commercial land uses.

The project proposes demolition of a two-story, four-unit multifamily residential building, removal of an existing surface parking lot with 33 existing parking spaces and the construction, use and maintenance of a seven (7) story mixed-use hotel and apartment building including a 60-guest room hotel and restaurant and twenty (20) residential dwelling units. The proposed building is 92 feet 6 inches in height at its highest point with a total floor area of approximately 66,915 square feet, including 28,314 square feet designated for residential uses (FAR 5.50:1) and approximately 38,601 square feet of hotel/commercial area including a 3,950 square foot restaurant at the ground level including 1,250 square feet of an outdoor covered patio area. The project also proposes approximately 1,435 square feet of restaurant dining and serving area on the roof level. (FAR of 2.99:1).

The project site is located in an urbanized area surrounded primarily by a mix of residential and commercial uses. Properties to east and west of the subject site along 8<sup>th</sup> Street are zoned C2-1 and developed with one to 4 stories commercial and mixed use commercial buildings. The site is located approximately 85 feet diagonally from a Los Angeles Unified School District (LAUSD) school campus, which is located across the street from the subject site fronting the north side of 8<sup>th</sup> Street. The LAUSD site is the Robert F. Academy Community campus with schools allocated for K-12 grades. The school site totals approximately 25.77 acres in lot area and is zoned C4-2 with corresponding Regional Center Commercial land use designation.

### Height

The project site is a multi-zoned property comprised of five (5) contiguous lots with combined lot area of 21,614 square feet. Three of the lots comprising the project site are designated with a C2 zone with a Height District of 1. The project proposes a zone change from C2 to RAS4 and Height District 1. The remaining portion of the project site is zoned R4 with a Height District of 2. Height District of 1 in the RAS4 Zone allows unlimited height and stories. Height District 2 in the R4 zone also allows unlimited height, stories,

The project is proposed with 7 stories in height, and 92 feet 6 inches in height measured from the lowest grade point. The project provides three levels of subterranean automobile parking. The Height District in 1, and 2 in the corresponding zones do not have a height or stories limit. Therefore, the project is within the allowable height.

### Bulk/Massing

Pursuant to LAMC Section 12.03, floor area ratio (FAR) is a ratio establishing relationship between a property and the amount of development permitted for that property and is expressed as a percentage or a ratio of the buildable area. The buildable area for the RAS4-1 lot area is 12,868, The Height District 1, allows up to a 3:1 FAR. The buildable area in the RAS4 zone allows for a maximum floor area of 38,604. The buildable area for the R4-2 zone is 5,147 square feet. The buildable area in the R4 zone with Height District 2 allows a for a 6:1 FAR, which results in a maximum allowable floor area of 30,882 square feet.

The project has been designed as an integrated single structure with articulation and variation consistent with applicable City design guidance. Parking spaces within the building (subterranean levels) and residential units located within the building have been integrated into the overall architectural theme of the Project.

The total proposed floor area for the project is 66,915 square feet. The total floor area in the RAS4 zone portion of the lot, is 38,601 square feet which is a 2.99:1 FAR. The total floor area in the R4 zone portion of the project site is 28,314, which is a 5.50:1 FAR. The proposed floor area is consistent with the allowable FAR.

The proposed project is a mixed use 7-story building to be developed on a site that is comprised of 5 contiguous lots and is approximately 21,614 square feet in lot area. The project site contains a 15-foot

building line along Mariposa Avenue. The building respects the building line, therefore the bulk of the building along Mariposa Avenue is set back 15 feet, which is consistent with the development in the surrounding properties. The building above the 2<sup>nd</sup> level is also designed in a U shape facing Mariposa Avenue. The mixed-use project proposes a hotel, and residential units in the same building. However, the residential uses are allocated on the southern portion of the site. The building is six stories in height, (...) feet, along the residential side. The proposed hotel uses are allocated on the northern part of the project site, with the massing of the building on 8<sup>th</sup> street, having a 5 foot setback on the ground level. The hotel's restaurant is located on the ground level of the project site of the northwest corner of the building. The restaurant proposes covered outdoor patio areas fronting 8<sup>th</sup> street and Mariposa Avenue. The project proposes three levels of subterranean parking levels, which will be accessed from 8<sup>th</sup> Street, and Mariposa Avenue.

The massing of the building features varied architectural treatments and materials that accentuate the modern building form. The design integrates smooth white plaster, exterior tiles, dark gray, blue metal panels, 42 inch high glass railings, and metal sunshades on the windows along the residential portion of the building. The building is designed as U shaped facing Mariposa Avenue, with the middle portion of the building, above the 2<sup>nd</sup> floor set back from the street. With the entire building setback 15 feet from Mariposa Avenue, the bulk and massing of the building

The ground floor is treated with materials to differentiate it from the rest of the building and the planters were designed seeking to further break up the massing and enhance the overall aesthetic, both from a pedestrian standpoint and the overall building design. The 5-foot-wide landscaped paseo along both street frontages serves to reduce the looming effect of the building on the street while providing a pleasant pedestrian experience. The main entrance of the hotel along 8<sup>th</sup> Street, is prominent. The entrance to the restaurant is from the hotel lobby, as well as from the street. The majority of the ground floor façade facing 8<sup>th</sup> Street is designed with glass doors and windows adding high amount of transparency along the buildings elevations facing the public right of way.

The variety of building materials and articulation as shown on the stamped "Exhibit A" is consistent with the Citywide Design Guidelines. A variety of building materials, finishes, and design features in the facade, as well as landscape and hardscape materials, will result in a design that is complementary to the neighborhood.

### Setbacks

The proposed building is subject to five -foot front yard setback on the ground level facing 8th Street. The levels above the ground levels are built with 0 setback along 8th Street. The western side yard setback along Mariposa Avenue is 15 feet, which respects the building line on the project site. The eastern side yard setback is 10 feet. The project site is complying with the RAS 4 required setbacks.

The rear yard setback is 9 feet. The project is requesting a Zoning Administrator Adjustment reducing the setback to 9 feet from the otherwise required 19 feet required along the R4 zone.

Other buildings on adjoining properties are built along the 15-foot setback on Mariposa Avenue. Additionally, the existing developments along 8th Street are built at or near the property line. The existing patterns of setbacks of surrounding buildings vary. The proposed project complies with all but one LAMC setback requirements. The R4-2 zone property's side yard, is considered by LADBS as the project's rear yard. The side yard for the R4-2 zone would have been nine feet (5 feet, plus 1 foot for every level above 2nd floor). Therefore, in comparison with the adjacent residential developments the setback is compatible with surrounding neighborhood.

### Parking/Loading

The parking garage will be accessible via an ingress driveway located along the northerly property line at 8<sup>th</sup> Street, and along an ingress/egress driveway along western property line fronting Mariposa

Avenue. The main pedestrian access to the hotel and to the restaurant will be from 8<sup>th</sup> Street. The main pedestrian entrance to the residential apartments, is off Mariposa Avenue.

The driveways provide access to the subterranean parking levels which contain 71 parking spaces. The project qualifies for Assembly Bill 2097 (AB 2097) which was signed into law September 22, 2022, adding Government Code Section 65863.2, prohibiting public agency from imposing or enforcing any minimum automobile parking requirements for any resident, commercial, or other development that is within one-half mile of a Major Transit stop. However, hotel uses do not qualify for AB2097. As such there is zero minimum parking requirement for the restaurant and dwelling units. The project proposes 60 hotel guest rooms, 30 1 bedrooms, and 15, studios, which requires 45 parking spaces. Therefore, the project is providing more than the required parking.

In accordance with LAMC Sections 12.21-A, the project is required to provide a minimum of 28 long term, and ten short-term bicycle parking spaces. The project will provide the required bicycle parking spaces. The long-term bicycle stalls are provided on 1<sup>st</sup> parking level near the courtyards, providing easy access for future users. The short-term bicycle stalls are located on the ground floor along 8<sup>th</sup> street, near the restaurant patio area, and in along Mariposa Avenue, near the main residential entrance. but on the easterly edge of the property, open to the sky and with good visibility for visitors.

### Lighting

The project is conditioned so that all pedestrian walkways and vehicle access points will be well-lit with lighting fixtures that are harmonious with the building design. As conditioned, all outdoor lighting provided on-site will be shielded to prevent excessive illumination and spillage onto adjacent public rights-of-way, adjacent properties, and the night sky.

### Landscaping

The project proposes 20 residential units six (6) one-bedroom unit, twelve (12) two-bedroom units, and two three-bedrooms, which require 2,450 square feet of Open Space. The project proposes 2,629 square feet of open space on the ground level, the 2<sup>nd</sup> floor roof level and on the upper roof levels.

The project will provide landscaping in the form of landscaped common open space areas on the ground level and rooftop levels and the public right of way. The project proposes a mix of plants and trees throughout the project site. The façade will be flanked with LID planters of different heights consisting of various shrubs while the parkway will be landscaped with turf and five (5) 36" box street trees including three along Mariposa Avenue and two along 8<sup>th</sup> Street. The 9-foot rear yard setback and 10-foot side setback will be landscaped and will provide usable open space to the ground level residential units. The 2<sup>nd</sup> level roof area contains hotel swimming pool with hardscaped lounge area with five (5) 24" box trees, and a variety of plants within a 30" high CMU stucco planter around the perimeter. The 7<sup>th</sup> floor hotel roof level, contains 4,395 square feet of open space, containing a roof garden, lounge areas, a swimming pool with variety of plants in planters. The roof level of the residential units approximately 2,629 square feet of usable open space containing 24 inch high CMU with stucco planter, built in BBQs, lounge areas with seating and tables., and potted plants.

The landscaping featured on the ground floor along Mariposa Avenue includes a one 24 inch box tree, "Arbus /Strawberry tree, and a variety of plants along the front entrance of the residential units. The project proposes planters along Mariposa Avenue and 8<sup>th</sup> Street along the restaurant patio areas.

The project is conditioned to landscape all open areas not used for buildings, driveways, parking areas, recreational facilities or pedestrian pathways shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or architect and submitted for approval to the Department of City

Planning, Development Services Center. Additionally, the landscape plan must indicate landscape points for the project equivalent to 10 percent more than otherwise required by LAMC 12.40 and Landscape Ordinance Guidelines.

#### Trash Collection

Trash storage and collection are proposed to be enclosed in the first level of the subterranean parking structure and therefore not visible from the public view. Trash collection can only be accessed from 8<sup>th</sup> Street and Mariposa Avenue shall not interfere with traffic on any public street, as conditioned.

#### Building Materials

The building facades consists of a design that integrates smooth white plaster, exterior tiles, dark gray, blue metal panels, 42 inch high glass railings throughout, and metal sunshades on the windows. The building is designed in clean and consistent lines. The façade treatment wraps around the building to all sides. The variety of building materials and articulation as shown on the stamped "Exhibit A" is consistent with the Citywide Design Guidelines and the Urban Design Studio's Design Review meeting on February 2 2023.

#### Electric Vehicle Charging Stations

The project is conditioned to provide electric vehicle charging spaces (EV Spaces) and electric vehicle charging stations (EVCS) per the regulations outlined in Sections 99.04.106 and 99.05.106 of Article 9, Chapter IX of the LAMC, to the satisfaction of the Department of Building and Safety.

#### Mechanical Room

The mechanical room is isolated and enclosed within the subterranean parking structure, therefore it is not seen from the public right of way. This hidden design serves to eliminate the bulky, noise-generating cabling and transformers and protects the equipment from unauthorized entry.

### **3. Any residential project provides recreation and service amenities to improve habitability for its residents and minimizes the impacts on neighborhood properties.**

The project will provide a total of 2,629 square feet of usable open space for its residents within the 6<sup>th</sup> floor roof level and consisting of lounge areas, with seating and tables and built in barbeque areas. The ground floor unit also have access to the private open space located within the 9 foot rear yard, and along the 10 foot side yard setback. The applicant submitted a landscape plan, prepared by Courtland Studio, Landscape Architecture showing that the common open space areas will be attractively landscaped with trees, shrubs, and groundcover. As such, the project will provide recreation and service amenities to improve habitability for its residents and minimize the impacts on neighboring properties.

#### **FLOOD HAZARD FINDING**

The National Flood Insurance Program rate maps, which are part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located outside a flood zone.

**CEQA Findings**

Pursuant to CEQA Guidelines Section 15074 (b), after consideration of the whole of the administrative record, including the Negative Declaration, No, ENV-2018-1512-ND ("Negative Declaration") and errata dated July 1, 2024, and all comments received, there is no substantial evidence that the project will have a significant effect on the environment; The Negative Declaration reflects the independent judgement and analysis of the City.



