

## FINDINGS

(As Amended by the City Planning Commission at its meeting on May 25, 2023)

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

1. **General Plan Land Use Designation.** The project site is located within the Wilshire Community Plan, which was adopted by the City Council on September 19, 2001. The project site is irregularly-shaped, and comprised of eleven lots consisting of approximately 1.45 acres or 63,197 gross square feet of lot area and is located at the end of the block on the northeast corner of Hobart Boulevard and West 8<sup>th</sup> Street. The site occupies several parcels on the north side of West 8th Street, between Hobart Boulevard to the west and Harvard Boulevard to the east. The Community Plan designates the site with a land use designation of Neighborhood Office Commercial which lists C2 and P Zones as the corresponding zones.

As recommended, the amendment would re-designate the project site to the Regional Commercial land use designation, which lists the following corresponding zones: CR, C1.5, C2, C4, P, PB, RAS3, RAS4, R3, R4 and R5. Footnote No. 6 of the Community Plan indicates that the corresponding Height District for the Regional Center Commercial land use designation is Height District 2. A Zone Change is also requested to change all PB lots to C2. The Regional Center Commercial land use designation allows for the construction of commercial, parking, and high-density multi-family residential uses. The area contains a variety of high intensity urban activities 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. The recommended change to the Zone and Height District to (T)(Q)C2-2D for the site would be consistent with the adoption of the recommended Plan Amendment and would be in substantial conformance with the purpose, intent, and provisions of the General Plan as it is reflected within the Wilshire Community Plan. Therefore, the proposed mixed-use project is appropriate for this area.

2. **Charter Finding – City Charter Finding 556 and 558 (General Plan Amendment)**

The proposed General Plan Amendment complies with Sections 556 and 558 in that the plan amendment is consistent with numerous goals, policies and objectives of the Citywide General Plan Framework and the Wilshire Community Plan to provide adequate housing for all economic, age and ethnic segments of the community, to locate higher residential densities and encourage mixed-use development near transit stations, and to develop mixed-use projects along major boulevards.

The General Plan Amendment would increase density and FAR on the site fronting a Mixed-Use Boulevard as identified in the General Plan Framework, encouraging growth within the Wilshire Center Regional Commercial area. The site is adjacent to the Wilshire Center Regional Commercial area, which is an area of the City with its own significant social, economic and physical identity. The site is in proximity to both the Wilshire Center Regional Commercial area and the Koreatown Regional Commercial Center, according to the Wilshire Community Plan, which is a cultural meeting place and nucleus of Korean American businesses, restaurants, and shops in addition to a wide range of community serving commercial uses and large shopping centers. The General Plan Amendment of the site to Regional Commercial Center will contribute to the social, economic and physical significance of both Commercial Centers within the Wilshire Community Plan.

There have been numerous transit investments in the vicinity over the past three decades, and the proposed General Plan Amendment will allow targeted growth for this transit infrastructure. The site is located in one of the City's most developed communities with multiple transit options within one-half mile of the site. Los Angeles Metro Bus Route 66 runs along 8th Street with stops roughly every 2 to 3 blocks. North/south bus routes run on Irolo Street to the east (Route 206) and Western Avenue to the west (Bus Route 207). The LADOT DASH Wilshire Center/Koreatown clockwise and counterclockwise routes also runs on Western Avenue. Metro's Rail Service can be accessed from either the Wilshire/Western Station or the Wilshire/Normandie Station, both roughly 0.3 miles from the project site providing access to the Purple Line, and Bus Routes 720 and 20 both run on Wilshire Boulevard. Further from the site, Bus Route 18 is available on 6th Street, and Route 28 on Olympic Boulevard. Granting the general plan amendment would provide the future residents, employees, and patrons of the project access and convenience to a variety of modes of transportation.

The Framework Element defines Regional Centers as areas intended to provide a significant number of jobs and many non-work destinations and function safely during both day and nighttime hours. The proposed mixed-use project with 251 residential dwelling units, 46,000 square feet of commercial area and 15,500 square feet of office uses will provide a significant number of housing and jobs within approximately one-half mile of a variety of modes of public transit. The project will also improve pedestrian safety, comfort, and well-being of the neighborhood.

Granting the general plan amendment would allow the redevelopment of an under-utilized site to a Regional Center Commercial Land Use designated site. Regional Centers are intended to contain a diversity of uses such as corporate and professional offices, retail commercial malls, government buildings, major health facilities, major entertainment and cultural facilities and supporting service and the development of sites and structures integrating housing with commercial uses is encouraged. The proposed mixed-use project will provide more much needed housing and attract visitors and tourists to the corporate and professional offices as well as entertainment. The proposed commercial restaurant uses will further support worker and residents and attract visitors to the Wilshire area with additional dining options.

3. **General Plan Text.** The Wilshire Community Plan text includes the following relevant provisions, objectives and policies:

#### **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 an eight-story mixed-use project over two-levels of subterranean parking levels. The development will include 251 dwelling units and approximately 61,500 square feet of commercial/retain space located on 8th Street between Hobart Boulevard and Harvard Boulevard, two blocks south of Wilshire Boulevard. The Project provides residential units near existing jobs and services. The proposed project will be located within proximity to an existing Metro subway station and just south of a major transportation corridor that provides substantial public transit opportunities and facilities.

The project proposes a re-designation from Neighborhood Commercial to Regional Center Commercial, which currently includes a dense collection of high-rise office buildings, large hotels, regional shopping complexes, churches, entertainment centers, both high-rise and low-rise apartment buildings. The Regional Center Commercial land use designation allows for the construction of commercial, parking, and high-density multi-family residential uses. The area contains a variety of high-intensity urban activities in a compact built environment that includes commercial, residential, cultural, recreational, and hotel uses. Accordingly, this Regional Center Commercial area is a proper location for the proposed mixed-use development, because it is a focal point of regional interests, commercial stores, cultural facilities and offices. Therefore, the proposed mixed-use project is appropriate for this area.

The Wilshire Community Plan encourages mixed-use developments in regional and community commercial centers. 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 of high-intensity urban activities 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.

4. **Framework Element.** The Framework Element for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los

Angeles, including the project site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework Element includes the following provisions, objectives and policies relevant to the request:

### Land Use

**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.

### Economic Development

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

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

***Policy 7.9.1:*** Promote the provision of affordable housing through means which require minimal subsidy levels and which, therefore, are less detrimental to the City's fiscal structure.

The project will incorporate measures to reduce impacts for the surrounding community, such as providing more housing, open space, and employment opportunities for the area. 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.

- 5. Housing Element.** The Housing Element of the General Plan contains the following relevant goals, objectives, and policies:

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

**Objective 1.1:** Forecast and plan for existing and projected housing needs over time with the intention of furthering Citywide Housing Priorities.

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

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

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

**GOAL 3:** A City in which housing creates healthy, livable, sustainable, and resilient communities that improve the lives of all Angelenos.

*Policy 3.1.7:* Promote complete neighborhoods by planning for housing that includes open space, and other amenities.

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

*Policy 3.2.1:* Promote the integration of housing with other compatible land uses at both the building and neighborhood level.

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

The Project will provide an increase in the number of housing units in an urban setting along with a restaurant use, open court and commercial retail uses 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 commercial uses with a building that improves the quality of the public realm with a pedestrian-scale design in an urban setting. At the street level the Proposed Project proposes a combination of landscaping and will include a small park area, open to the public which will all enhance the public realm.

The project's location is 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 Western 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.

6. **Mobility Element.** The Mobility Element of the General Plan is not likely to be affected by the recommended action herein. The proposed project, with the requested General Plan Amendment and Vesting Zone Change, proposes to construct a new mixed-use building consisting of 251 residential dwelling units and 61,500 square feet of commercial floor area. 8<sup>th</sup> Street is a designated Avenue II with a dedicated to a width of 86 feet at the project site's street frontage, and is improved with sidewalks, curb and gutter, and street trees. Harvard Boulevard is a designated Collector Street with a half right of way of 30 feet and is fully improved with sidewalks, curb and gutter, and street trees. Hobart Boulevard is a Local Street improved with sidewalk, curb, gutter and street trees. The project will be required to dedicate and improve the public right-of-way to the satisfaction of the Bureau of Engineering. The Project is conditioned to provide a 3-foot dedication and sidewalk improvements along 8<sup>th</sup> Street and Harvard Boulevard, and the construction of a 12-foot sidewalk on Hobart Boulevard. In addition, the Mobility Element encourages "the adoption of low and zero

emission fuel sources, new mobility technologies, and supporting infrastructure” (Policy 5.4). The Project has been conditioned to comply with Building Code requirements for EV parking spaces.

7. **The Sewerage Facilities Element** of the General Plan will not be affected by the recommended action. While the sewer system might be able to accommodate the total flows for the proposed project, further detailed gauging and evaluation may be needed as part of the permit process to identify a specific sewer connection point. If the public sewer has insufficient capacity, then the developer will be required to build sewer lines to a point in the sewer system with sufficient capacity. A final approval for sewer capacity and connection permit will be made at that time. Ultimately, this sewage flow will be conveyed to the Hyperion Treatment Plant, which has sufficient capacity for the project.
8. **Health and Wellness Element and Air Quality Element.** Policy 5.1 and 5.7 of the Plan for a Healthy LA, the Health and Wellness Element, and Policy 4.2.3 of the Air Quality Element are policy initiatives related to the reduction of air pollution and greenhouse gases. As conditioned herein, the Project would be required to provide parking spaces which would be equipped for the immediate installation and use of EV Charging Stations, as well as for future use. The Project has also been conditioned to install solar panels to an operating photovoltaic system. The installation and operation of the solar panels would help to reduce the site’s dependence on fossil fuels and carbon generating public utility electrical power. Taken together, the conditions would provide for the public welfare and public necessity by reducing the level of pollution or greenhouse gas emissions to the benefit of the neighborhood and the City. As conditioned, the Project would be consistent with the aforementioned policies, as well as Policy 5.1.2 of the Air Quality Element, by ensuring that future developments are compatible with alternative fuel vehicles and shift to non-polluting sources of energy. The solar and EV conditions are also good zoning practices because they provide a convenient service amenity to the occupants or visitors who use electric vehicles and utilize electricity on site for other functions. As such, the Project provides service amenities to improve habitability for future residents of the Project and to minimize impacts on neighboring properties.

## 9. **Wilshire Center/Koreatown Redevelopment Project**

The following Wilshire Center/Koreatown Redevelopment Project land use goals are consistent with the proposed restricted affordable housing development:

Goal 3: Promote the economic, social, educational and cultural and physical wellbeing through the revitalization of the residential, commercial and industrial areas.

Goal 4: Promote the livability of the Project Area as a cohesive and sustainable neighborhood.

Goal 5: Encourage the development of housing in a wide range of types, prices, rent levels and ownership options.

Goal 6: Enhance the safety and security of residents, businesses, employees and visitors

Goal 7: Promote and encourage artists, crafts people and entertainers to live and work within the Project Area.

Goal 11: Provide additional open space and recreational activities and facilities.

The redevelopment of the site with a new 8-story mixed-use project with affordable housing would promote community revitalization. The goals of the Redevelopment Plan are met with

a project that would provide green space, live/work housing, 46,000 square feet of commercial area, and 15,500 square feet of office area. The project would provide 20,700 square feet of usable open space with amenities for the residents, workers and visitors within the project area. The immediate vicinity is currently improved with commercial and residential uses that are compatible with the proposed project. The project would also be developed with more uses and architectural design features than what is currently existing and is therefore consistent and compatible with the goals of the Wilshire Center/Koreatown Redevelopment Project.

### **Entitlement Findings**

#### **10. Vesting Zone Change and Height District Change Findings.**

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

The Project Site has a Neighborhood Office Commercial General Land Use Designation of the Wilshire Community Plan area. As described by the Community Plan, the Plan aims to encourage well planned and enlarged mixed use developments in designated Commercial areas which have the potential to benefit from pedestrian-oriented development.

#### **Public Necessity, Convenience, and General Welfare**

The zone change will facilitate a Project that will provide more housing opportunity, a public necessity, for the City's residents. The zone change will also promote public convenience and general welfare by targeting growth in an already urbanized, transit rich corridor. The site is located in one of the City's most developed communities with multiple transit options within one-half mile of the site. Los Angeles Metro bus route 66 runs along 8th Street with stops roughly every 2 to 3 blocks. North/south bus routes run on Irolo Street to the east (route 206) and Western Avenue to the west (bus route 207). The LADOT DASH Wilshire Center/Koreatown clockwise and counterclockwise routes also run on Western Avenue. Metro's rail service can be accessed from either the Wilshire/Western station or the Wilshire/Normandie station, both roughly 0.3 miles from the project site providing access to the Purple Line, and bus routes 720 and 20 both run on Wilshire Boulevard. Further from the site, bus route 18 is available on 6th Street, and route 28 on Olympic Boulevard. Granting the Zone and Height District Change to the (T)(Q)C2-2D Zone would allow the residents, employees, and patrons of the project to access and convenience to a variety of modes of transportation.

#### **Good Zoning Practice**

As recommended, the Zone Change and Height District Change would permit the development of the site with a use that is compatible with the surrounding area and would support the goals, objectives, and policies of the General Plan, as discussed in Finding Nos. 3 through 8. The zone change is in keeping with good zoning practice as it is consistent with the site's designation as being within a Mixed-Use Boulevard according to the General Plan Framework Figure 3-1, titled "Long Range Land Use Diagram – Metro."

- b. Pursuant to Section 12.32 G ("T" and "Q" Classification) and Q (Vesting Zone Change) of the Municipal Code Findings.**

The current action, as recommended, has been made contingent upon compliance with new “T” and “Q” conditions of approval imposed herein for the proposed project. As recommended, the Zone Change has been placed in temporary “T” and “Q” Classification in order to ensure consistency with the amendment to the land use designation from Neighborhood Office Commercial to Regional Center Commercial. The “T” Conditions are necessary to ensure the identified dedications, improvements, and actions are undertaken to meet the public’s needs, convenience, and general welfare served by the actions required. These actions and improvements will provide the necessary infrastructure to serve the proposed community at this site. The “Q” Conditions that limit the scale and scope of future development on the site are also necessary to protect the best interests of and to assure a development more compatible with surrounding properties and the overall pattern of development in the community, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

- c. **Pursuant to Section 12.32 G (D Limitations) and Q (Vesting Zone Change) of the Municipal Code “D” Limitation Findings. The Council shall find that any or all the limitations are necessary: (1) to protect the best interests of and assure a development more compatible with the surrounding property or neighborhood, and (2) to secure an appropriate development in harmony with the objectives of the General Plan, or (3) to prevent or mitigate potentially adverse environmental effects of the Height District establishment or change.**

The recommended FAR would be consistent with the anticipated development of Regional Centers as described within the Framework Element. The proposed setbacks, as well as building design, would make the buildings compatible with the surrounding area and would be consistent with the corresponding Height Districts of the recommended Regional Center Commercial Land Use Designation. As recommended, the “D” Limitation would limit the development of the site to a 4.64:1 FAR and a maximum height of 88’-6”, ensuring that the future development would maintain compatibility with the surrounding area and any future development. As discussed in Finding No. 2 through 8, the “D” Limitation would secure an appropriate development in harmony with the objectives of the General Plan.

## **11. Conditional Use Findings**

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

The applicant is requesting a Main Conditional Use (MCUP) to permit the sale of a full line of alcoholic beverages for on-site consumption in conjunction with three new restaurants on the ground floor of the proposed mixed-use development. The tenant spaces are shown on Sheet A2.02 of the Exhibit A. The restaurants contain approximately 4,600 square feet; 2,490.3 square feet and 4,686.7 square feet for a combined total of 11,777 square feet. Tenant operators have not been identified at this time. The proposed restaurants would provide a beneficial service to residents and employees on the site as well as the surrounding community. Each restaurant shall file a Plan Approval application in order to utilize the instant grant and detailed floor plans and the mode and character of each restaurant will be evaluated in more detail. The restaurants are contemplated to be full-service restaurants with operational kitchen and with hours of operation from 7:00 a.m. to 11:00 p.m. however the hours will be specifically addressed at the time the Plan Approval applications are filed. The property



was previously granted a Conditional Use for the sale of alcoholic beverages for on-site consumption for the existing restaurant per ZA-1991-1161-CUB.

Approval of the Conditional Use will contribute to the success and vitality of the proposed full-service restaurants and reinvigoration of the site and vicinity. Approval of alcohol sales will increase the availability of a public convenience for on-site residents and patrons who live, work and play within the surrounding neighborhood. The proposed sell of alcohol for on-site consumption will be an accessory use that will provide a service and convenient access for the surrounding community. Finally, the establishment will benefit the City through generation of additional sales tax revenue, and business license and other fees, and by providing additional short-term and long-term employment opportunities.

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

The addition of alcohol sales will be within restaurants with operating hours between the hours of 7:00 a.m. to 11:00 p.m. daily and will be compatible with the surrounding properties as the subject property will be a mixed-use development located proximate to commercial uses.

The subject site has a land use designation of Neighborhood Office Commercial with the corresponding zones C1, C1.5, C2, C4, P, CR, RAS3 and RAS4 in the Wilshire Community Plan. The site's proposed zoning is (T)(Q)C2-2 and the site is not located within any Specific Plan areas but is located in the Los Angeles State Enterprise Zone, Transit Priority Area and the Wilshire Center/Koreatown Redevelopment Project Area. The sale of alcohol is a typical amenity located in commercial areas and is common and often an expected amenity provided to the surrounding residents, and visitor community.

A variety of commercial uses, including restaurants, are an intrinsic part of the diversity of commercial uses necessary for the conservation, development, and success of a vibrant commercial area. The development in the area caters to a variety of needs and serves a mixture of residential, office and commercial uses, as well as visitors. The sale and dispensing of a full line of alcohol for on-site consumption in conjunction with a restaurant is not an uncommon request and offering such would be an otherwise expected amenity here. The grant authorized herein incorporates conditions that are intended to ensure that the proposed operations with on-site alcoholic beverage sales and service, 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 a restaurant is found to be noncompliant with these conditions. 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.

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

The Wilshire Community Plan designates the property for Neighborhood Office Commercial land uses with corresponding zones C1, C1.5, C2, C4, P, CR, RAS3 and RAS4. The site's proposed zoning is (T)(Q)C2-2, which is consistent with the proposed

land use designation of Regional Center Commercial. The allowance to have alcohol for on-site sales is not specifically addressed in the Wilshire Community Plan. The proposed request will provide a service and amenity in a commercial district of the community, permit the development of the site with a use that is compatible with the surrounding area, and would support the goals, objectives, and policies of the General Plan, as discussed in Finding Nos. 3, 10.a, and 10.b., thereby consistent with a number of goals of the adopted Wilshire Community Plan. Therefore, the proposed request is in substantial compliance with the intent of the General Plan.

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

The project would enhance the surrounding neighborhood by providing new housing opportunities and introduce neighborhood-serving uses to the community in a beautifully redeveloped area. The project would replace the current underutilized uses on the property and would provide 251 apartment units and approximately 61,500 square feet of commercial/retail opportunities for neighborhood amenities and services. The project's well designed and mixed-use character will promote a synergy between commercial corridors along West 8th Street and the residential uses adjacent to major thoroughfares, such as multi-family residences along Harvard and Hobart Boulevards.

Approval of the Conditional Use will contribute to the success and vitality of the proposed uses, and reinvigoration of the site and vicinity. Approval of alcohol sales will increase the availability of a public convenience for on-site residents and patrons who live, work and play within the surrounding neighborhood. The uses will benefit the City through generation of additional sales tax revenue, and business license and other fees, and by providing additional short-term and long-term employment opportunities.

While there may appear to be an overconcentration of licenses in the census tract, the high activity entertainment, retail, government and commercial centers, such as within the Wilshire Regional Center, are supported by a significant visitor/employee population in addition to the resident population base. The uses with normal operations that would not be contrary to public welfare and will not interfere with the quiet enjoyment of property by residents. Within this urban context, the proposed establishments, permitted to sell and dispense of alcoholic beverages, is consistent with the character of development in the area. Therefore, it can be reasonably assured that the economic welfare of the community will not be adversely impacted.

**e. The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages.**

The applicant seeks a main conditional use authorization to allow the sale and dispensing of a full line of alcohol for on-site consumption for three potential restaurants, with proposed with hours of operation from 7 a.m. to 11 p.m., daily.

According to the California State Department of Alcoholic Beverage Control (ABC) licensing criteria, three on-site and two off-site licenses are allocated to the subject Census Tract 2125.02. Currently there are 23 active on-site license and three active off-site licenses in this Census Tract.

According to statistics provided by the Los Angeles Police Department, within Crime Reporting District No. 2033, which has jurisdiction over the subject property, a total of 315 crimes were reported in 2022 (284 Part I Crimes and 31 Part II Arrests), compared to the Citywide Average of 156 crimes and the High Crime Reporting District Average of 187 crimes. Part II Arrests reported include (14) Other Assaults, (1) Weapon Possession, (1) Prostitution, (1) Sex, (5) Narcotics, (0) Liquor Laws, (1) Public

Drunkenness, (0) Disturbing the Peace, (0) Disorderly Conduct, (0) Gambling, (3) Other Violations, and (6) DUI related 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.

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 because the request does not result in any additional alcoholic beverages licenses within the community.

The above crime statistics indicate that the crime rate in the reporting district where the subject site is located are higher than the citywide average. However, no evidence has been submitted to the record establishing any nexus between the subject site or use and the area's crime rate.

Nevertheless, to safeguard the welfare of the community and provide for a reasonable operation, conditions have been imposed as a part of this approval. Negative impacts commonly associated with the availability of alcohol such as criminal activity, public drunkenness, and loitering are minimized through compliance with public safety measures to mitigate nuisance and criminal activities, such as participation in a STAR/LEAD/RBS Training Program, age verification, security cameras, and staff monitoring, which have been incorporated into the grant by the City Planning Commission to assure better oversight in conjunction with this approval. The ABC also 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. These imposed conditions are a necessary and integral part of this action and requires diligent compliance on the part of the applicant for effectiveness. As conditioned, allowing the sale of alcoholic beverages for on-site consumption at the subject location will benefit the public welfare and convenience because a successful restaurant business supports the economic vitality of the area. Therefore, as conditioned, the granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages in the area of the City involved.

- f. **That 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 following sensitive uses are located within a 1,000-foot radius of the site:

- Iglesia Cristiana Pentecostes (3471 W. 8<sup>th</sup> Street) (approximately 384 feet)
- Global Hope Church (3388 W. 8<sup>th</sup> Street) (approximately 528 feet)
- The Gospel Pre-School (831 S. Kingsley Drive) (approximately 528 feet)
- Pio Pico Library (694 S Oxford Avenue) (approximately 1000 feet)

Consideration has been given to the distance of the subject establishment from the above-referenced sensitive uses. The alcohol uses will be incorporated into the mixed-use development and separated from nearby residential uses by distance and the physical development. The site itself is located across the street from the C2 Zone, however, the area contains a mixture of commercial, office, residential, and surface parking uses. Because the C2 Zone in the Wilshire Community Plan is a corresponding zone in the Regional Center Commercial Land Use designation, the provision of

commercial retail is expected within the Community Plan. The Regional Center Commercial land use category encourages commercial uses, including mixed-use, commercial and higher density residential uses although alcohol is only permitted through a Conditional Use permit.

The number of active on-site ABC licenses within the census tract where the subject site is located does not meet ABC guidelines. In active commercial areas where there is a demand for licenses beyond the allocated number, the ABC has recognized that high-activity retail and commercial centers are supported by a significant employee population, in addition to the resident population base in the area. 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. If granted, conditions can be imposed on the proposed project to minimize potential impacts and possible nuisances for the surrounding area. Therefore, the subject request would not detrimentally affect nearby sensitive uses. The Project will not be detrimental to the character of development in the immediate neighborhood.

## 12. Site Plan Review Findings.

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

The proposed project involves the demolition of the existing buildings and the construction, use, and maintenance of a new eight-story mixed-use building with 251 residential units and 61,500 square feet of commercial floor area. The requested entitlement includes a General Plan Amendment from Neighborhood Office Commercial to Regional Center Commercial and a zone change from C2-1 and PB-1 to (T)(Q)C2-2. The General Plan Amendment and Zone Change are consistent with the overall goals, objectives, policies programs of the Framework of the General Plan and the Wilshire Community Plan. The Framework Element and the Community Plan designates and encourages mixed use development along this portion of West 8th Street. As designated by the Community Plan, the project site is located within the boundaries of the Wilshire Center Regional Center Commercial and is located within Koreatown.

The project is consistent with the objectives of the Community Plan in that it will strengthen viable commercial development in the area. In conjunction with the plan amendment, the project will help to establish and secure a Regional Center “pocket” anchor along the southern boundaries of Wilshire Center and Koreatown. The development will serve as a mechanism to help create and encourage new development and provide additional employment opportunities along an underdeveloped commercial corridor.

The Community Plan contains the following text:

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.

As part of the proposed project, the existing buildings which were constructed between 1909 and 1925 will be demolished. The project will construct a new eight-story mixed-use project that has been redesigned to create a pedestrian friendly environment

through the separation of vehicular and pedestrian access points and the incorporation of a ground floor outdoor open space as part of the proposed project. Currently there is minimal landscaping on the site and within the public rights-of-way. The project will preserve the street trees along West 8<sup>th</sup> Street, as well as utilize landscaping as a screening mechanism along 8<sup>th</sup> Street and Harvard Boulevard. In addition, landscaped green screens will be installed along the property line abutting the apartment buildings to the north and additional landscaping will be provided along the 2<sup>nd</sup> story roof. The retail spaces along 8<sup>th</sup> Street propose outdoor seating areas, which will enhance the pedestrian experience along 8<sup>th</sup> Street. As proposed, the project will be in substantial conformance with the provisions of the General Plan and the Wilshire Community Plan. The project is not in any specific plan area.

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

Building Arrangement (height, bulk and setbacks)

The proposed project involves the demolition of the existing buildings and the construction, use and maintenance of a new eight-story, mixed-use development consisting of 251 apartment units and 61,500 square feet of commercial space that is proposed for retail uses and office use. The project will unify ten independently developed lots with one development, which will eliminate the need for multiple driveway aprons, and will create a pedestrian friendly environment along West 8<sup>th</sup> Street. The project has been designed to carefully consider the circulation of pedestrians and vehicles, by focusing pedestrian access along West 8<sup>th</sup> Street and vehicular access along Harvard Boulevard. The proposed driveways entrance is along Harvard Boulevard and vehicle egress exits onto Hobart, where existing driveway aprons currently exist. The driveway will provide access to the subterranean parking levels and to the ride share drop off/pick up. Pedestrian access to the commercial areas and office will be located along West 8<sup>th</sup> Street and the corner of 8<sup>th</sup> and Harvard Boulevard. The project proposes two residential lobby entrances, one located on Harvard Boulevard and the other on Hobart Boulevard. The vehicular driveway will be improved to meet new standards and is located along Harvard Boulevard, generally where there is currently an existing driveway.

The project proposes an 88'-6" tall eight-story building, as measured from grade to the top of the parapet. The building observes a zero-foot along West 8<sup>th</sup> Street, Harvard Boulevard, and Hobart Boulevard and a 16-foot rear yard setback along the site's northern property line. A row of trees is proposed on the second floor along the northern property line to serve as a landscaping barrier. In order to promote a pedestrian-friendly environment and façade articulation, the project proposes varying setbacks along the commercial ground floor of 8<sup>th</sup> Street, Harvard Boulevard, and Hobart Boulevard to allow for outdoor seating areas.

The proposed project will consist of a development that is complementary to the neighborhood and is consistent with many of the Urban Design Policies for individual projects in the Wilshire Community Plan that are intended to ensure that new projects are compatible with existing and future development on neighboring properties. The project proposes to place art murals on ground floor elevations at the corner of 8<sup>th</sup> Street and Harvard Boulevard and the western elevation along Hobart Boulevard to create an enhanced pedestrian environment. The project has been conditioned to obtain approval

from the Department of Cultural Affairs for the proposed murals prior to the issuance of building permits.

#### Off-Street Parking Facilities and Loading Areas

The project proposes to provide 284 automobile parking spaces, which would be located within two subterranean levels, along with short- and long-term bicycle parking. An off-street loading area is provided internally for the commercial uses that abut the driveway entrance along Harvard Boulevard.

#### Lighting

The proposed plans do not indicate a lighting plan; however, Condition No. 10 of the Conditions of Approval would ensure that the installation of lights would not result in a substantial amount of light that would adversely affect the day or night time views in the project vicinity.

#### Landscaping

Of the 10,300 square feet common open space provided, the project is required to provide a minimum of 25-percent or 2,575 square feet of landscaped common open space area pursuant to LAMC 12.21.G.2.(a)(3). The project proposes 9,308 square feet of landscaping and will provide 63 trees containing a 24" minimum box size. The project proposes 608 square feet of landscaping on the street and 1,472 square feet of landscaping on the ground floor in the form of parkways, planter boxes and planter walls. Several greenscreen trellis panels are proposed on all of the ground floor facades as shown on elevation sheets A3.01 and A3.02 of "Exhibit A". The second floor proposes 3,802 square feet of landscaping that includes a wall of trees proposed along the northern property line, trees proposed in the common open space area, and planters along West 8<sup>th</sup> street facade. The fourth floor will provide 3,426 square feet of landscaping, a wall of vines that will cascade along the West 8<sup>th</sup> street façade and an L-shape line of trees and planters that will surround the outdoor open space area.

#### Trash Collection

The project proposes a recycling area and residential and commercial trash areas within the ground floor of the rear of building that is accessible from the internal driveway. The recycling area and a residential trash area abuts the residential lobby near Hobart Boulevard and the commercial trash area abuts the commercial elevator and commercial space located along Harvard Boulevard.

#### Sustainability

The Project has been conditioned to meet the building code standards for the installation of wiring for current and future installation of electric vehicle charging stations, as well as the installation of an operational photovoltaic system (solar) that would offset the electrical demand of the EV chargers and other on-site electrical uses. The electric vehicle charging spaces and solar panels will improve habitability for residents and neighboring properties by reducing the level of greenhouse gas emissions and fuel consumption from the project site, in spite of increased parking capacity, through encouraging the use of low or zero emission vehicles.

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

The project proposes several active and passive recreational areas appropriate for residents of varied age range, lifestyle, and interests. The variety of recreational amenities would include a pool, jacuzzi with fire pit locations and outdoor seating, private party area for family events, a game room, screen room and a fitness center. A business center is also available for those tenants who wish to utilize the facility. The ground level will house the residential lobby and several commercial/retail units, three restaurants, a promenade area and a 2,339 square-foot open space area which will be open to the public for their enjoyment and relaxation. The second floor will provide creative office spaces, commercial, a large communal area and 18 Live-Work units with loft levels expanded into the third level floor plan area. These recreational and service amenities will improve habitability for residents.

### **Environmental Findings**

- 13. Environmental Finding.** A Sustainable Communities Environmental Assessment (SCEA) dated November 2022, Case No. ENV-2019-2568-SCEA, and Mitigation Monitoring Program have been prepared for the Project, pursuant to Public Resources Code (PRC) Section 21155.2. The SCEA determined that the imposition of mitigation measures would mitigate any potential impacts under the following impact categories: Cultural Resources (archeological resources), Geology and Soils (paleontological resources), Noise (construction noise), and Tribal Cultural Resources (tribal archeological resources).

The Project is a Transit Priority Project pursuant to Public Resources Code (PRC) Section 21155:

- (a) The Project is consistent with the general use designation, density, building intensity, and applicable policies specified in the project area in the current SCAG RTP/SCS.
- (b) The Project contains at least 50 percent residential use, based on total building square footage, and if the project contains between, 26 percent and 50 percent non-residential uses, a floor area ratio of not less than 0.75;
- (c) The Project provides a minimum net density of at least 20 dwelling units per acre;
- (d) The Project is within one-half mile of a major transit stop or high-quality transit corridor included in a regional transportation plan, consistent with PRC Section 21155(b).

The Transit Priority Project has incorporated all feasible mitigation measures, performance standards or criteria set forth in the 2020-2045 RTP/SCS PEIR.

An initial study has been prepared and circulated in compliance with PRC Section 21155.2(b). On April 14, 2023, the City Council adopted the SCEA dated November 2022 and MMRP, pursuant to PRC Section 21155.2(b)(6). All potentially significant or significant effects required to be identified in the initial study have been identified and analyzed. With respect to each significant effect on the environment required to be identified in the initial study, either of the following apply:

- (a) Changes or alterations have been required in or incorporated into the project that avoid or mitigate the significant effects to a level of insignificance.

(b) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

1. **Flood Insurance.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone X, areas of minimal flooding. Currently, there are no flood zone compliance requirements for construction in these zones.