

PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL CASE:	COUNCIL DISTRICT:
CPC-2018-1511-ZC-ZAA-CU-CUB-SPR	ENV-2018-1512-ND	10-Hutt
RELATED CASE NOS.:	COUNCIL FILE NO:	PROCEDURAL REGULATIONS:
<input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Ch. 1 as of 1/21/24 (Not subject to Processes & Procedures Ord.) <input type="checkbox"/> Ch. 1A (Subject to Processes & Procedures Ord.)
PROJECT ADDRESS / LOCATION:		
3216 W. 8 th Street (primary address) 3218, 3220, 3220 W. 8 th Street and 800, 810, 812, 812 ½, 814, 814 ½ S. Mariposa Avenue Los Angeles, 90005		
APPLICANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Mike Barry <input type="checkbox"/> N/A <input type="checkbox"/> New/Changed	(818)590-4728	mhbarry7@gmail.com
APPLICANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Bill Robinson <input type="checkbox"/> N/A	(213) 999-6711	er4913@gmail.com
APPELLANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
<input checked="" type="checkbox"/> N/A	NA	NA
APPELLANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
<input checked="" type="checkbox"/> N/A	NA	NA
PLANNER CONTACT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Griselda Gonzalez	213-978-1414	Griselda.gonzalez@lacity.ort
ITEMS FOR CITY COUNCIL CONSIDERATION (IE. ENTITLEMENTS, LEGISLATIVE ACTIONS):		
<input type="checkbox"/> <i>The preparation of a draft ordinance by the City Attorney will be required.</i> (ZC) Zone Change Entitlement.		
FINAL ENTITLMENTS NOT ADVANCING FOR CITY COUNCIL CONSIDERATION:		

(UNAPPEALED OR NON-APPEALABLE ITEMS)			
<input type="checkbox"/> N/A			
ITEMS APPEALED:			
<input checked="" type="checkbox"/> N/A			
ATTACHMENTS:	REVISED:	ENVIRONMENTAL DOCUMENT:	REVISED:
<input checked="" type="checkbox"/> Letter of Determination <input type="checkbox"/> Findings of Fact <input type="checkbox"/> Staff Recommendation Report <input checked="" type="checkbox"/> Conditions of Approval <input checked="" type="checkbox"/> T Conditions <input type="checkbox"/> Proposed Ordinance <input checked="" type="checkbox"/> Zone Change Map and Ordinance <input type="checkbox"/> GPA Resolution <input type="checkbox"/> Land Use Map <input type="checkbox"/> Exhibit A – Plans <input type="checkbox"/> Mailing List (both Word and PDF) <input checked="" type="checkbox"/> Interested Parties List <input type="checkbox"/> Appeal <input type="checkbox"/> Development Agreement <input type="checkbox"/> Site Photographs <input type="checkbox"/> Other:	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Categorical Exemption (CE) (Notice of Exemption) <input type="checkbox"/> Statutory Exemption (SE) (Notice of Exemption) <input type="checkbox"/> Negative Declaration (ND) <input type="checkbox"/> Mitigated Negative Declaration (MND) <input type="checkbox"/> Environmental Impact Report (EIR) <input type="checkbox"/> Mitigation Monitoring Program (MMP) <input type="checkbox"/> Sustainable Communities Project Exemption (SCPE) <input type="checkbox"/> Sustainable Communities Environmental Assessment (SCEA) <input type="checkbox"/> Sustainable Communities Environmental Impact Report (SCEIR) <input type="checkbox"/> Appendices <input type="checkbox"/> Other:	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
NOTES / INSTRUCTIONS:			
<input type="checkbox"/> N/A			
CITY COUNCIL NOTICE TIMING:	NOTICE LIST (SELECT ALL):	NOTICE PUBLICATION:	
<input type="checkbox"/> 10 days <input type="checkbox"/> 15 days <input type="checkbox"/> 24 days <input checked="" type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable]	<input type="checkbox"/> Owner <input type="checkbox"/> Applicant <input type="checkbox"/> Adjacent/Abutting <input type="checkbox"/> 100' radius <input type="checkbox"/> 300' radius <input type="checkbox"/> 500' radius <input type="checkbox"/> Neighborhood Council <input type="checkbox"/> Interested Parties <input type="checkbox"/> Other: [enter here if applicable]	<input type="checkbox"/> 10 days <input type="checkbox"/> 15 days <input type="checkbox"/> 24 days <input checked="" type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable]	
FISCAL IMPACT STATEMENT:			

<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
*If determination states administrative costs are recovered through fees, indicate "Yes."	
PLANNING COMMISSION:	
<input checked="" type="checkbox"/> City Planning Commission (CPC) <input type="checkbox"/> Cultural Heritage Commission (CHC) <input type="checkbox"/> Central Area Planning Commission <input type="checkbox"/> East LA Area Planning Commission <input type="checkbox"/> Harbor Area Planning Commission	<input type="checkbox"/> North Valley Area Planning Commission <input type="checkbox"/> South LA Area Planning Commission <input type="checkbox"/> South Valley Area Planning Commission <input type="checkbox"/> West LA Area Planning Commission
PLANNING COMMISSION HEARING DATE:	COMMISSION VOTE:
July 11, 2024	Aye: 5 Nay: 2
LAST DAY TO APPEAL:	DATE APPEALED:
November 12, 2024	N/A
COUNCIL TIME TO ACT:	TIME TO ACT START:
<input type="checkbox"/> 30 days <input type="checkbox"/> 45 days <input checked="" type="checkbox"/> 60 days <input type="checkbox"/> 75 days <input type="checkbox"/> 90 days <input type="checkbox"/> 120 days <input type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable]	<input type="checkbox"/> Appeal Filing Date <input checked="" type="checkbox"/> Received by Clerk <input type="checkbox"/> Last Day to Appeal <input type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable]
TRANSMITTED BY:	TRANSMITTAL DATE:
Ari Briski	November 22, 2024



LOS ANGELES CITY PLANNING COMMISSION

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

LETTER OF DETERMINATION

MAILING DATE: OCTOBER 23, 2024

Case No.: CPC-2018-1511-ZC-ZV-ZAA-CU-CUB-SPR-HCA
CEQA: ENV-2018-1512-ND
Plan Area: Wilshire

Council District: 10 – Hutt

Project Site: 3216, 3218, 3220, 3222 West 8th Street;
800, 810, 812, 812 ½, 814, 814 ½ South Mariposa Avenue

Applicant: Mike Barry
Representative: Bill Robinson

At its meeting of **July 11, 2024**, the Los Angeles City Planning Commission took the actions below in conjunction with the following Project:

Demolition of a four-unit residential building and construction, use and maintenance of a seven-story mixed-use hotel and apartment project totaling approximately 66,915 square feet in floor area, three-levels of subterranean parking, a 60-guest room hotel with a 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 1,435 square feet of indoor dining area on roof level. The Project also proposes 20-dwelling units including four affordable units that will be designated for Extremely Low Income Households. The proposed building is approximately 92 feet six inches in height with a Floor Area Ratio (FAR) of 5.50:1 (for the hotel) and 2.99:1 (for the residential uses). A total of 71 automobile parking spaces and 38 bicycle parking spaces are provided. The Project 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.

1. **Found**, 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"), 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; **Found** the Negative Declaration reflects the independent judgement and analysis of the City; and **Adopted** the Negative Declaration;
2. **Approved**, pursuant to Charter Section 558 and Section 12.32 F of the Los Angeles Municipal Code (LAMC), a Zone Change from C2-1 to (T)(Q)RAS4-1 for a portion of the Project site;
3. **Approved**, pursuant to Charter Section 562 and LAMC Section 12.27, a 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;
4. **Approved**, pursuant to LAMC Section 12.28, Zoning Administrative Adjustments to allow a reduced rear yard of nine feet along the R4 zoned lot in lieu of the required nineteen feet otherwise required for the project in the R4 Zone;
5. **Approved**, pursuant to LAMC Section 12.24 W.24, a Conditional Use to permit to allow the construction, use and maintenance of a hotel within 500 feet of any A or R zones;
6. **Approved**, pursuant to LAMC Section 12.24 W.1, a Conditional Use Permit, to allow the sale and dispensing of a full line of alcohol for on-site consumption in conjunction with the proposed

hotel including within guest rooms, lounge areas and within the ground level sit down restaurant;

7. **Approved**, pursuant to LAMC Section 16.05, a Site Plan Review for a development project that results in an increase of 50 or more guest rooms and/or habitable units and/or for a project that totals more than 50,0000 square feet in floor area;
8. **Adopted** the attached Conditions of Approval; and
9. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Newhouse
Second: Zamora
Ayes: Choe, Diaz, Lawshe
Nays: Cabildo, Mack

Vote: 5 – 2



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

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

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

FINAL APPEAL DATE: NOVEMBER 12, 2024

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

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

Attachments: Zone Change Ordinance, Map, Conditions of Approval, Findings, Appeal Filing Procedure

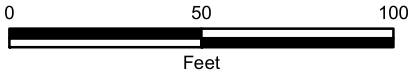
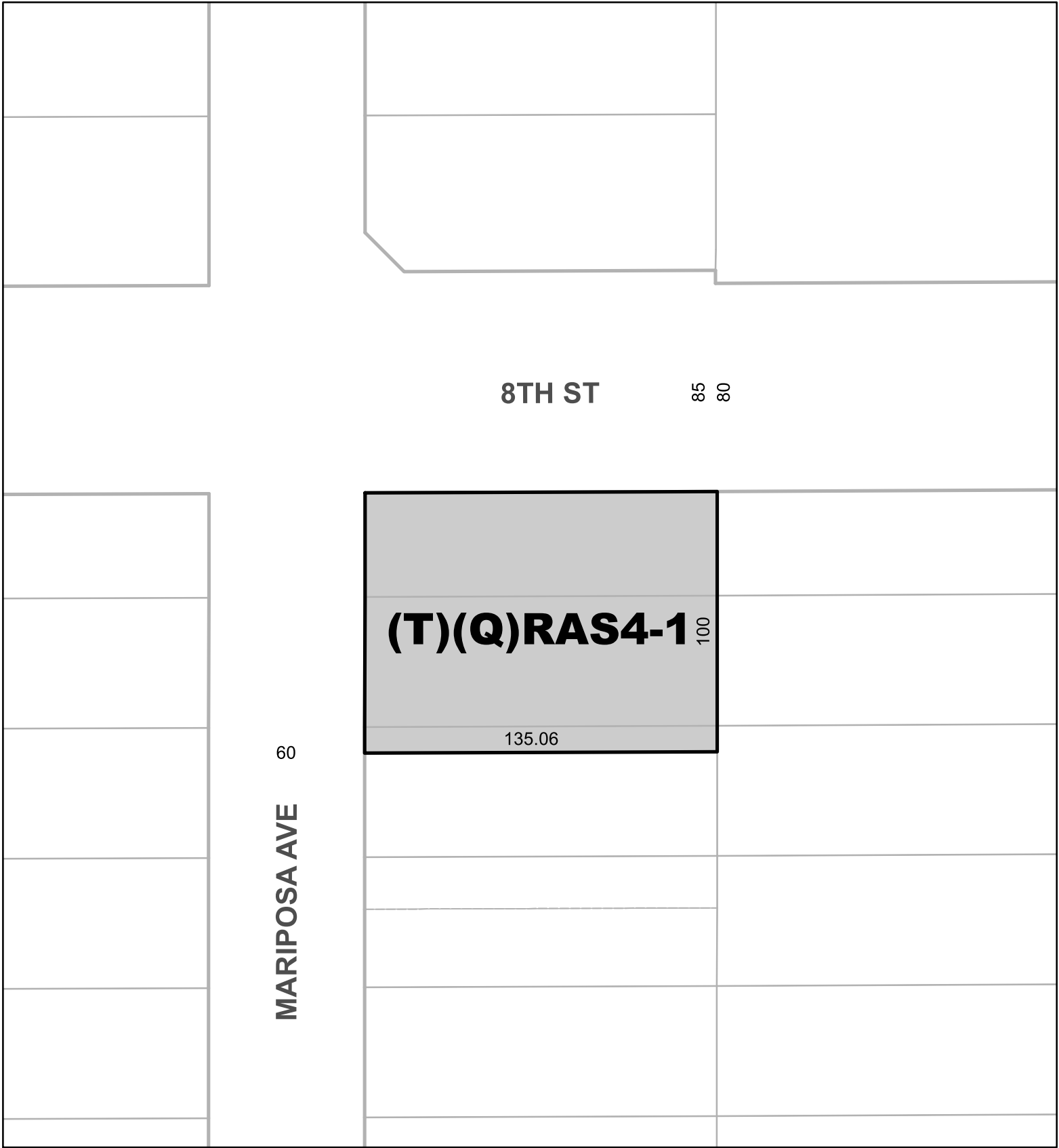
cc: Jane Choi, Principal City Planner
Griselda Gonzalez, City Planner

ORDINANCE NO. _____

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

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

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

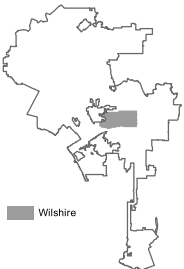


CPC-2018-1511-ZC-ZV-ZAA-CU-CUB-SPR

AA/Cf

062124

City of Los Angeles



(Q) QUALIFIED CONDITIONS

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

Entitlement Conditions

1. **Use.** The subject site shall only contain a hotel use and ancillary uses as allowed in the RAS4 Zone and shown in Exhibit A; or the site may be developed with residential uses allowed and in accordance with the density and all other development standards of the C2-1 Zone.
 - a. Commercial uses that are open to the public, such as restaurant uses, shall occupy the ground floor space(s) facing 8TH Street and S. Mariposa Avenue.
 - b. Residential uses shall be prohibited on the ground floor on the commercial zone (RAS4), except for lobby, office, recreational and other common area uses, and parking.
2. **Site Plan.** The use and development of the subject property shall be in substantial conformance with the site plan labeled Exhibit “A”. Prior to the issuance of building permits, detailed development plans including a site plan illustrating elevations, facades, and architectural treatment, and a landscape/irrigation plan shall be submitted for review and approval by the Department of City Planning. The plans shall comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization. Changes to this site plan and the attached Conditions of Approval may only occur after a public hearing and the issuance of a Q Clarification pursuant to LAMC Section 12.32-H.

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

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

Dedication(s) and Improvement(s). Prior to the issuance of any building permits, the following public improvements and dedications for streets and other rights of way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional and federal government agencies, as may be necessary).

Responsibilities/Guarantees.

1. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.
2. Bureau of Engineering. Prior to the issuance of signoffs for final site plan approval and/or project permits by the Department of City Planning, the applicant/developer shall provide written verification to the Department of City Planning from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to the project design required by a public agency shall be documented in writing and submitted for review by the Department of City Planning.
 - a. Street Dedications Required: Dedications shall be provided to the satisfaction of the Bureau of Engineering.
 - b. Improvements Required: Improvements shall be provided to the satisfaction of the Bureau of Engineering.
 - c. Replace all broken, off-grade or bad order concrete curb, gutter and sidewalk along the property frontage.
 - d. Install tree wells with root barriers and plant street trees satisfactory to the City Engineer and the Urban Forestry Division of Bureau of Street Services. Some tree removal in conjunction with the street improvement project may require Board of Public Works approval. The applicant should contact the Urban Forestry Division for further information (213) 847-3077.
 - e. Trees: That Board of Public Works approval shall be obtained, prior to the issuance of the Certificate of Occupancy of development project, for the removal of any tree in the existing or proposed public right-of-way. The Bureau of Street Services, Urban

Forestry Division is the lead agency for obtaining Board of Public Works approval for the removal of such trees.

- f. Removal of street trees is required in conjunction with the street widening for this project.

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

Refer to the Department of Transportation regarding traffic signs, equipment and parking meters (213) 482-7024.

Refer to the Department of Water and Power regarding power pole (213) 367-2715.
Refer to the Fire Department regarding fire hydrants (213) 482-6543.

3. Relocate the existing catch basin 8th Street. Roof drainage and surface run-off from the project shall be collected and treated at the site and directed to the streets via drain system constructed under the sidewalk and through the curb drains connected to the catch basins.
4. Sewer lines exist in 8th Street and Mariposa Avenue. Extension of the house connection laterals to the new property line may be required. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
5. An investigation by the Bureau of Engineering Central District Office Sewer Counter may be necessary to determine the capacity of the existing public sewers to accommodate the proposed development. Submit a request to the Central District Office of the Bureau of Engineering at (213) 482-7050.
6. Bureau of Street Lighting. Street Lighting improvement condition clearance will be conducted at the Bureau of Engineering District office. If new streetlight(s) are required, then prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.
7. Bureau of Sanitation. Satisfactory arrangements shall be made with the Bureau of Sanitation, Wastewater Collection Systems Division for compliance with its sewer system review and requirements. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering.
8. Urban Forestry. Prior to the issuance of a grading permit, the applicant shall submit a tree report and landscape plan prepared by a Municipal Code-designated tree expert as designated by LAMC Ordinance No. 177,404, for approval by the City Planning Department and the Urban Forestry Division of the Bureau of Street Services.
9. Plant Street trees and remove any existing trees within dedicated streets or proposed dedicated streets are required by the Urban Forestry Division of the Bureau of Street Services.

Parkway tree removals shall be planted at a 2:1 ratio. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the applicant or contractor shall notify the Urban Forestry Division at (213) 847-3077 upon completion of construction to expedite tree planting.

Note: Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: (213) 847-3077 for permit information. CEQA document must address parkway tree removals.

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

FIRE DEPARTMENT CONDITIONS

1. Submit plot plans for Fire Department approval and review prior to recordation of CPC Action.
2. Access for Fire Department apparatus and personnel to and into all structures shall be required. Building designs for multi-storied residential buildings shall incorporate at least one access stairwell off the main lobby of the building; But, in no case greater than 150ft horizontal travel distance from the edge of the public street, private street or Fire Lane. This stairwell shall extend unto the roof.
3. Entrance to the main lobby shall be located off the address side of the building.
4. Any required Fire Annunciator panel or Fire Control Room shall be located within 50 feet visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.
5. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
6. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
7. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
8. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel.
9. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.

DEPARTMENT OF TRANSPORTATION CONDITIONS

1. A minimum of 20-foot reservoir space be provided between any security gate(s) and the property line.
2. A parking area and driveway plan must be submitted to the City Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street, Suite 400, Station 3.

CONDITONS OF APPROVAL

1. **Apartment Residential Density.** Not more than twenty (20) Residential apartment units may be constructed on the R4-2 zoned portions of the site, Lots Of FR 45 and FR 46, including the On-Site Restricted Affordable Units, as part of the proposed project and as identified in Exhibit A.
2. **On-site Restricted Affordable Units.** Four (4) units shall be reserved for Extremely Low-Income Household as defined by the California Government Code Section 65915 and by the Los Angeles Housing Department (LAHD). In the event the SB 8 Replacement Unit Determination requires additional affordable units or more restrictive affordability levels, the most restrictive requirements shall prevail.
3. **SB 8 Replacement Units (California Government Code Section 66300 et seq.).** The project shall comply with the Replacement Unit Determination (RUD) letter, dated July 3, 2023, to the satisfaction of LAHD. The most restrictive affordability levels shall be followed in the covenant. In the event the On-site Restricted Affordable Units condition requires additional affordable units or more restrictive affordability levels, the most restrictive requirements shall prevail.
4. **Housing Requirements.** Prior to the issuance of a building permit, the owner shall execute a covenant to the satisfaction of LAHD to make (4) units available to Extremely Low Income Households or equal to 20 percent of the project's total proposed residential density, as determined to be affordable to such households by LAHD for a period of 55 years. In the event the applicant reduces the proposed density of the project, the number of required reserved on-site Restricted Units may be adjusted, consistent with LAMC Section 12.22 A.25, to the satisfaction of LAHD, and in consideration of the project's Replacement Unit Determination. Enforcement of the terms of said covenant shall be the responsibility of LAHD. The applicant shall submit a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by the LAHD.
5. **Rent Stabilization Ordinance (RSO).** Prior to the issuance of a Certificate of Occupancy, the owner shall obtain approval from LAHD regarding replacement of affordable units, provision of RSO Units, and qualification for the Exemption from the Rent Stabilization Ordinance with Replacement Affordable Units in compliance with Ordinance No. 184,873. In order for all the new units to be exempt from the Rent Stabilization Ordinance, the applicant will need to either replace all withdrawn RSO Units with affordable units on a one-for-one basis or provide at least 20 percent of the total number of newly constructed rental units as affordable, whichever results in the greater number. The executed and recorded covenant and agreement submitted and approved by LAHD shall be provided to City Planning for inclusion in the case file.
6. **Floor Area.** The Project shall be limited to a maximum floor area of 66,915 square feet and follows:
 - a. **Hotel Floor Area.** The hotel and restaurant use shall be limited to the RAS4-1 zoned area and shall be limited to 38,601 square feet. The total floor area contained

in all buildings on a lot shall not exceed three times the buildable area, (3:1 FAR) of the lots with an RAS4-1 Zone designation.

- b. **Restaurant.** Within the hotel, the proposed restaurant floor area shall be limited to total of 5,385 square feet including, including 2,700 square feet of ground level indoor floor area, 1,250 square feet of outdoor covered patio dining area on the ground level, and 1,435 square feet of indoor dining area on the hotel 7th floor roof level.
 - c. **Residential Floor Area.** The residential area within Apartment Units in the R4-2 Zone shall be limited to 28,314 square feet in total floor area.
- 7. **Height.** The total height of the buildings shall not exceed 92 feet and six (6) inches.
 - 8. **Rear Yard Setback (R4 zoned lot).** The rear yard setback along the project site's southerly property line shall be a limited to minimum of nine (9) feet along the R4 zoned portion of the project site.
 - 9. **Open Space.** A minimum of 2,629 square feet of usable open space shall be provided for the Apartment Dwelling Units.
 - 10. **Hotel Guest Rooms.** Not more than 60 hotel guest rooms may be constructed on the property.
 - 11. **Driveway.** The site design shall be limited to two driveways including one along 8th Street and one along Mariposa Avenue.
 - 12. **Hotel Parking.** A minimum of 45 vehicular parking spaces shall be provided for the hotel use.
 - 13. **Residential and Restaurant Parking.** The project shall be permitted to provide a minimum of zero parking spaces for the residential and restaurant uses, pursuant to California Government Code Section 65863.2 (AB 2097). A total of 77 parking spaces are provided on site, including the required hotel parking spaces.
 - 14. **Increases Noise Levels. (Parking Structure Ramps)**
 - a. Concrete, not metal shall be used for construction of parking ramps.
 - b. The interior ramps shall be textured to prevent tire squeal at turning areas.
 - 15. **Unbundled Parking.** for Dwelling Unit. Parking for residential uses shall be unbundled and leased separately excluding the dwelling units, set aside for Extremely Low Households.
 - 16. **Residential and Restaurant Automobile Parking.** The project qualifies for AB 2097, and no minimum parking is required for the restaurant and apartment units.
 - 17. **Hotel Parking.** A minimum of 45 parking spaces shall be designated for the hotel use.
 - 18. **Bicycle parking.** Bicycle spaces shall be provided pursuant to LAMC Section 12.21 A.4 and 16.

19. **Street Trees.** Street trees shall be provided to the satisfaction of the Urban Forestry Division. Street trees may be used to satisfy on-site tree requirements pursuant to LAMC Section 12.21 G.3 (Chapter 1, Open Space Requirement for Six or More Residential Units).
20. **Building Exterior Colors.** The exterior façade colors shall primarily consist of lighter colors, such as ivory and white, that are compatible with the neighboring residential buildings located along Mariposa Avenue. Other colors may be used to accentuate the building.
21. **Ground level Pedestrian Entrance.** Pedestrian entrances to the residential units shall be accessible directly from Mariposa Avenue. Pedestrian entrances to the hotel and restaurant shall be accessible directly from 8th Street.
22. **No Blank Wall.** A consistent use of architectural and building materials shall be applied throughout all exterior facades of the buildings to avoid creating a "backside" to the site.
23. **Building Articulation.** A consistent use of architectural and building materials shall be applied throughout all exterior facades of the buildings to avoid creating a "backside" to the site.
24. **Short Term Bicycle Parking.** The required short-term bicycle parking spaces shall be provided along 8th Street.
25. **Roof Equipment.** Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from the public right-of-way. All screening shall be setback at least five feet from the edge of the building.
26. **Signage.** On-site signs shall be limited to the maximum allowable under the Municipal Code. Multiple temporary signs in store windows and along building walls are not permitted.
27. **Flood Hazard.** The project shall comply with the requirements of the Flood Hazard Management Specific Plan, Ordinance No. 172,081 (effective 7/3/98)
28. **Electric Vehicle** All electric vehicle charging spaces (EV Spaces) and electric vehicle charging stations (EVCS) shall comply with the regulations outlined in Sections 99.04.106 and 99.05.106 of Article 9, Chapter IX of the LAMC.
29. **Parking Structure Design.** Parking structures or that portion of a building or structure that is used for parking at grade or above grade shall be designed to minimize vehicle headlight and parking structure interior lighting impacts ("spillover") on adjacent streets and properties.
30. **Posting of Construction Activities.** A visible and readable sign (at a distance of 50 feet) shall be posted on the construction site identifying a telephone number for inquiring about the construction process and to register complaints.
31. **Solar Ready.** The project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.

32. Construction Generators.

The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices. On-site power generators shall either be plug-in electric or solar powered.

33. Utilities. All utilities shall be placed underground within the subterranean parking levels, indoors or on the roof behind parapets.**34. Lighting.** All outdoor and parking lighting shall be shielded and down-cast within the site in a manner that prevents the illumination of adjacent public rights-of-way, adjacent properties, and the night sky (unless otherwise required by the Federal Aviation Administration (FAA) or for other public safety purposes).**35. Lighting Design.** Areas where nighttime uses are located shall be maintained to provide sufficient illumination of the immediate environment so as to render objects or persons clearly visible for the safety of the public and emergency response personnel. All pedestrian walkways, storefront entrances, and vehicular access ways shall be illuminated with lighting fixtures. Lighting fixtures shall be harmonious with the building design. Wall mounted lighting fixtures to accent and complement architectural details at night shall be installed on the building to provide illumination to pedestrians and motorists.**36. Loading.**

- a. Commercial loading/trash pick-up/delivery will be located in the first level of the subterranean parking structure, as identified in Exhibit A.
- b. Hours of operation for loading shall be limited to Monday thru Friday, 7:00 a.m.-8:00 p.m., and Saturday and Sunday from 10 a.m.-4:00 p.m.

39. Construction-Related Parking. Off-street parking shall be provided for all construction-related parking generated to employees of the proposed project. No employees or subcontractors shall be allowed to park on the surrounding residential streets for the duration of all construction activities. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any residential street in the immediate area. All construction vehicles shall be stored on site unless returned to their owner's base of operations.**40. Truck Traffic Restricted Hours.** Truck traffic directed to the project site for the purpose of delivering construction materials or construction-machinery shall be limited to the hours beginning at 7:00 a.m. and ending at 4:00 p.m., Monday through Friday. No truck deliveries for construction shall occur outside of that time period. No construction truck staging related to such deliveries to the project site shall occur on any adjacent streets.**41. Maintenance.** The subject property (including any trash storage areas, associated parking facilities, sidewalks, driveways, yard areas, parkways, and exterior walls along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.

42. A Construction Traffic Management Plan will be developed by the contractor and approved by the City of Los Angeles to alleviate construction period impacts, which may include but is not limited to the following measures:

- i. Provide off-site truck staging in a legal area furnished by the construction truck contractor. Anticipated truck access to the project site will be off Mariposa Avenue and 8th Street.
 - ii. Schedule deliveries and pick-ups of construction materials during non-peak travel periods to the extent possible and coordinate to reduce the potential of trucks waiting to load or unload for protracted periods.
 - iii. As parking lane and/or sidewalk closures are anticipated along 8th Street, worksite traffic control plan(s), approved by the City of Los Angeles, should be implemented to route vehicular traffic, bicyclists, and pedestrians around any such closures.
 - iv. Establish requirements for loading/unloading and storage of materials on the project site, where parking spaces would be encumbered, length of time traffic travel lanes can be encumbered, sidewalk closings or pedestrian diversions to ensure the safety of the pedestrian and access to local businesses and residences.
 - v. Ensure that access will remain unobstructed for land uses in proximity to the project site during project construction.
 - vi. Coordinate with the City and emergency service providers to ensure adequate access is maintained to the project site and neighboring businesses and residences.
- b. A Construction Worker Parking Plan will also be developed by the contractor and approved by the City of Los Angeles to ensure that the parking location requirements for construction workers will be strictly enforced. These could include but are not limited to the following measures:
- i. During construction activities when construction worker parking cannot be accommodated on the project site, the plan shall identify alternate parking location(s) for construction workers and the method of transportation to and from the project site (if beyond walking distance) for approval by the City 30 days prior to commencement of construction.
 - ii. Provide all construction contractors with written information on where their workers and their subcontractors are permitted to park and provide clear consequences to violators for failure to follow these regulations. This information will clearly state that no parking is permitted on residential streets.

43. Transportation/Traffic

- a. The developer shall maintain ongoing contact with administrators of RFK Community Schools. The administrators shall be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur. The developer shall obtain school walk and bus routes to the schools from either the administrators or from LAUSD's

Transportation Branch (323) 342-1400 and guarantee that safe and convenient pedestrian and bus routes to the school are maintained.

- b. The developer shall install appropriate construction related traffic signs around the project site to ensure pedestrian and vehicle safety.
 - c. The Applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the applicant to maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding) from workspace and vehicular traffic, and overhead protection, due to sidewalk closure or blockage, at all times.
 - d. Temporary pedestrian facilities shall be adjacent to the project site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.
 - e. Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.
 - f. Applicant shall keep sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction and/or construction staging. Sidewalk shall be reopened as soon as reasonably feasible taking construction and construction staging into account.
44. **Coordination with LAUSD.** Prior to final signoff, the applicant shall communicate with the elementary school administrators to share the construction schedule, establish points of contact, and identify measures to be implemented to avoid disruption of school activities including but not limited to pick-up/drop-off by vehicles and foot, use of the school parking lot, outdoor breaks and recreation, noise beyond codified limits, and any construction activities that have potential to create airborne particulates from grading. A copy of this communication shall be submitted to the case file.
45. The mechanical room in the basement of the project building housing the emergency generators shall be designed with sufficient noise attenuation features (e.g., silencers, generator enclosure, insulation, etc.).
46. The following temporary design features shall be employed during project construction to reduced short-term noise levels of nearby noise sensitive residential receptors.
- a. An 8-foot high temporary barrier with a minimum sound transmission (STC) rating of 26, shall be erected along all sides of the project site boundary. This barrier shall be constructed in one of the following ways:
 - i. From acoustical blankets hung over or from a supporting frame. The blankets shall be firmly secured to the framework. The blankets shall be overlapped by at least 4 inches at seams and taped and/or closed with hook-and-loop fasteners (i.e., Velcore) so that no gaps exist. The largest blankets available shall be used to minimize the number of seams. The blankets shall be draped to the ground to eliminate any gaps at the base of the barrier.

- ii. From commercially available acoustical panels lined with sound-absorbing material (the sound-absorptive faces of the panels should face the construction equipment).
 - iii. Common construction materials such as plywood provided that the barrier is designed with overlapping material of the seams to assure that no gaps exist between the panels.
 - b. On-site vehicle speeds shall be limited to 15 miles per hour or less (except in cases of emergency).
 - c. Construction-related truck traffic shall be routed away from noise-sensitive areas to the extent feasible.
 - d. All construction equipment shall be properly maintained per manufacturer's specifications and fitted with the best available noise suppression devices (e.g., improved mufflers, equipment redesigned, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds silencers, wraps). All intake and exhaust ports on power equipment shall be muffled or shielded.
 - e. Pneumatic tools used at the site shall be equipped with an exhaust muffler on the compressed air exhaust to minimize noise levels.
 - f. Stationary noise sources shall be located as far from adjacent sensitive receptors as possible and shall be muffled and enclosed within temporary sheds or insulated barriers.
 - g. Back-up beepers for all construction equipment and vehicles shall be broadband sound alarms or adjusted to the lowest noise levels possible, provided that Occupations Safety and Health Administration (OSHA) and California OSHA safety requirements are not violated. On vehicles where back-up beepers are not available, alternative safety measures such as escorts and spotters will be employed.
47. To ensure adequate vibration annoyance protection, only small bulldozers shall be permitted to operate within 50 feet of the nearest project structures.

CONDITIONAL USE PERMIT (ALCOHOL CONDITIONS)

1. Authorized herein is Conditional Use to permit the sale and dispensing of a full line of alcohol beverages for on-site consumption, in conjunction with the maintenance, use and operation of 60 guestroom hotels operating 24 hours a day.
 - a. A 3,950 square-foot ground floor restaurant containing 120 indoor seats, a 1,250 square-foot outdoor patio 60 outdoor seats at the ground level and a 1,435 square foot restaurant on the roof level with 50 indoor dining seats.

- b. The individual hotel guestrooms may have accessory hotel uses including in-room mini-bars 24 hours per day.
 - c. The operating hours shall be posted at the entrances of the subject premises, at the outdoor patios, the courtyard and on the menu.
 - d. No glass or chinaware shall be used within the gated and fenced poolside for the purposes of food and beverage services.
 - e. There shall be no after-hours use of the restaurant/bar, other than for routine cleanup and maintenance and activities which are issued film permits by the City.
2. **Hours of Operations.** Hours of operations for proposed ground level restaurant shall be limited to between 10:00 am to 2:00 a.m., daily.
3. **Hours of Operation (Roof Level Dining).** Hours of operation for the 7th floor roof level dining area including in the 2nd level and rooftop pool and lounge areas shall be limited between 10:00 am to 10:00 pm.
4. The restaurant component of the hotel shall be maintained as a bona fide eating place with an operational kitchen and shall provide a full menu containing an assortment of foods normally offered in such restaurants. The kitchen shall be maintained as defined by Municipal Code Section 91.0403. Food service shall be available at all times during operating hours. The establishment shall provide seating and dispense food and refreshments primarily for consumption on the premises and not solely for the purpose of food takeout or delivery.
5. The restaurant/bar management shall not require an admission or cover charge, unless the restricted access is only open to hotel guests and the general public is not allowed admission. Any and all advertisements for admissions or cover charges are likewise prohibited.
6. **Designated Driver Program.** Prior to the utilization of this grant, the applicant shall establish a "Designated Driver Program" which shall include, but not be limited to, signs/cards, notation on websites/social media, notifying patrons of the program. The signs/cards/website/social media shall be visible to the customer and posted or printed in prominent locations or areas. These may include signs/cards on each table, at the entrance, at the host station, in the waiting area, at the bars, or on the bathrooms, or a statement in the menus, a website, or on social media.
7. Any music, sound or noise which is under control of the applicant shall not violate Sections 112.06 or 116.01 of the Los Angeles Municipal Code (Citywide Noise Ordinance). At any time, a City representative may visit the site during operating hours to measure the noise levels. If, upon inspection, it is found that the noise level exceeds those allowed by the citywide noise regulation, the owner/operator will be notified and will be required to modify or eliminate the source of the noise or retain an acoustical engineer to recommend, design and implement noise control measures within property such as, noise barriers, sound absorbers, or buffer zones.

8. **Private Events.** Any use of the restaurant for private events, including corporate events, birthday parties, anniversary parties, weddings, or other private events which are not open to the general public, shall be subject to all the same provisions and hours of operation stated herein.
9. There shall be no speakers or amplified sound permitted in the outdoor dining area.
10. Partitions separating booth/dining areas shall not exceed 54 inches in height. No obstructions shall be attached, fastened or connected to the booths/dining areas within the interior space of the facility that restrict, limit or obstruct the clear observation of the occupants.
11. No enclosed room, other than restrooms, intended for use by patrons or customers shall be permitted. No private dining room with a separate access door shall be permitted.
12. No live entertainment of any kind including, but not limited to, patron dancing live music, Disc Jockey, jukebox or karaoke nights. The applicant shall not organize any live entertainment at the subject premises.
13. No conditional use for public dancing has been requested or approved herein. Dancing is prohibited.
14. The management shall not sublet any portion of the subject premises to outside "promoters" for nightclub activity. The premises shall not be used exclusively for private parties in which the general public is excluded. Private parties hosted by the management in which the general public is excluded from the entire first floor restaurant, bar and outdoor dining areas are permitted provided that an appropriate one-day permit is submitted for approval to the Los Angeles Police Department (LAPD) and California State Alcoholic Beverages Control (ABC).
15. Any special event taking place on site shall be process through the Temporary Special Event Permit at the Department of Building and Safety.
16. The applicant shall fully comply with all ABC regulations governing the sale of alcoholic beverages for the restaurant.
17. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
18. The use and development of the property shall be in substantial conformance with the plot plan and floor plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
19. Notwithstanding approved Exhibit "A" and the Conditions above, this grant recognizes that there may be changes resulting from identified tenants, which may result in smaller or larger restaurants, different locations, and/or a reduced number of restaurants than those originally proposed and identified in Exhibit "A". Such outcome is permitted provided that the other conditions noted herein, specifically those related to the combined maximum interior floor areas, maximum interior and exterior seating

numbers, maximum (total) number of establishments authorized under this grant, and the maximum number of establishments approved for each type of grant in the Conditions above are not exceeded. The sale and dispensing of beer and wine may be provided in lieu of a full line of alcoholic beverages at any of the establishments approved for a full line of alcoholic beverages (but not the reverse), provided that the maximum (total) number of establishments authorized for alcoholic beverages is not exceeded, and subject to all other conditions of this grant.

20. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Zoning Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
21. The subject property (including any trash storage areas, associated parking facilities, sidewalks, driveways, yard areas, parkways, and exterior walls along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.
22. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
23. Coin operated game machines, pool tables or similar game activities or equipment shall not be permitted.
24. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.
25. An electronic age verification device shall be purchased and retained on the premises to determine the age of any individual and shall be installed on at each point-of-sales location. This device shall be maintained in operational condition and all employees shall be instructed in its use.
26. After hour use shall be prohibited, except routine clean-up. This prohibition includes but is not limited to private events, promotional events, and special events; but it excludes any activities which are issued film permits by the City.
27. There shall be no Adult Entertainment of any type pursuant to L.A.M.C. Section 12.70, at or within any portion of the subject property.
28. No employee or agent of any of the individual retail sites of the commercial building shall be permitted to accept money or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in the premises, nor shall the applicant(s) or business operators provide, permit, or make available, either gratuitously or for compensation, persons who act as escorts, companions, or guests of and for the customer.

29. A security plan for the establishment and any parking area serving the restaurant, shall be approved by the Los Angeles Police Department **prior to the utilization of this grant**. The Applicant shall provide security both inside and outside the premises. Security provisions prepared by a State Licensed security firm, shall be reviewed by the Police Department Vice Unit and their recommendations submitted in writing shall be incorporated into the security plan for on and off-site security. A copy of the approved security plan shall be submitted to the Development Services Center for placement in the case file.
30. All exterior portions of the property shall be adequately illuminated so as to make discernible the faces and clothing of anyone at night. Lighting shall be directed onto the site and no floodlighting shall be located so as to be seen directly by persons on adjacent properties. Lighting shall be shielded from residential uses.
31. Exterior windows and glass doors shall be maintained substantially free of signs and other materials from the ground to at least six feet in height above the ground so as to permit surveillance into the establishment by Police and private security.
32. The property including any adjacent area under the control of the operator and the sidewalk shall be maintained in an attractive condition and shall be kept free of obstruction, trash, litter and debris at all times.
33. The owner or the operator shall comply with California Labor Code 6404.5 which prohibits the smoking of tobacco or any non-tobacco substance, including from electronic smoking devices or hookah pipes, within any enclosed place of employment. Smoking tobacco or any non-tobacco substance including marijuana or electronic or vaping smoking devices, is prohibited in or within 10 feet of outdoor dining areas in accordance with LAMC Section 41.50-B, 2(C). This prohibition applies to all outdoor areas of the establishment if the outdoor area is used in conjunction with food service and consumption or the dispensing for consumption of alcoholic or non-alcoholic beverages. Smoking within rooms with closed doors is permitted if allowed by the management.
34. Smoking tobacco or any non-tobacco substance, including from electronic smoking devices, is prohibited in or within 10 feet of the outdoor areas in accordance with Los Angeles Municipal Code Section 41.50 B 2 C. This prohibition applies to all outdoor areas of the establishment if the outdoor area is used in conjunction with food service and/or the consumption, dispensing or sale of alcoholic or non-alcoholic beverages.
35. All guests and operators shall comply with smoking regulations set forth by the State of California and the City of Los Angeles.
36. Any recorded or background non-live music, sound or noise which is under the control of the applicant shall not violate Sections 112.06 or 116.01 of the LAMC, Citywide Noise Ordinance. At any time, a City inspector may visit the site during operating hours to measure the noise levels. If, upon inspection, it is found that the noise level exceeds those allowed by the citywide noise regulation, the owner/operator will be notified and will be required to modify or, eliminate the source of the noise or retain an acoustical engineer to recommend, design and implement noise control measures within property such as, noise barriers, sound absorbers or buffer zones.

37. Background ambient non-live music is permitted in the outdoor portions of the subject property provided that it is not audible beyond the subject premises and shall not exceed the levels prohibited by the City's noise regulations (Section 116.01 of the LAMC. Music shall only be permitted on the outdoor portions of the site from 8:00 a.m. to 10:00 p.m. daily.
38. There shall be continued placement of legible signs or placards on dining tables throughout the hotel and its open areas alerting patrons entering and exiting the restaurant and outdoor facilities to keep noise to a minimum and to be respectful of the property's surrounding residential neighbors.
39. The property owners and the hotel operator shall coordinate with the local division of the LAPD regarding appropriate monitoring of community complaints concerning activities associated with the subject facility, and also designate a community liaison person who shall meet with representatives of the neighbors and or neighborhood association to resolve any neighborhood complaints regarding the subject facility at their requests.
40. Complaint Log. Prior to the utilization of this grant, a telephone number and email address shall be provided for complaints or concerns from the community regarding the operation. The phone number and email address shall be posted at the following locations:

Entry, visible to pedestrians

Customer service desk, front desk or near the hostess station

41. Complaints shall be responded to within 24-hours. The applicant shall maintain a log of all calls and emails, detailing: (1) date complaint received; (2) nature of complaint, and (3) the manner in which the complaint was resolved. This log shall be made available to law enforcement personnel upon request and presented as part of the application if and when a new application to continue the operation is submitted to the Department of City Planning.
42. Loitering is prohibited within the area under the control of the applicant. The hotel management shall be responsible for ensuring that persons are dissuaded from loitering on or immediately around the subject premises especially adjacent to the patio/decks. Any outdoor areas as well as areas adjacent to the subject site shall be routinely patrolled by employees of the hotel or security personnel for the purpose of monitoring loitering. Any problems associated with the hotel or restaurant operation shall immediately be reported to the hotel manager who shall correct/remedy the problems.
43. There shall be no deliveries, or similar business operations conducted prior to 7 a.m. or after 7 p.m., Monday through Saturday, and prior to 10 a.m. or after 4 p.m. Sunday, or holidays.
44. Trash disposal of restaurant waste into trash bins, including the disposal of bottles, shall not occur prior to 7 a.m. or after 10 p.m. daily. All exterior trash bins shall be closed and locked at all times; the exterior trash unit shall be landscaped appropriately.

45. There shall be no trash pickup conducted prior to 7 a.m. or after 5 p.m., Monday through Friday, or prior to 10 a.m. or after 4 p.m. on Saturday; no trash pickup shall be permitted on Sundays or holidays.
46. At any time during the period of validity of this grant, should documented evidence be submitted showing continued violation of any condition of this grant and/or the ABC license of the location, resulting in an unreasonable level of disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator (Upon his/her initiative, or upon written request by LAPD or Department of ABC) reserves the right to call for a public hearing requiring the applicant to file for a plan approval application together with associated fees pursuant to LAMC Section 19-01-I (Miscellaneous Plan Approval), the purpose of which will be to review the applicant's compliance with and the effectiveness of these conditions. The applicant shall prepare a radius map and cause notification to be mailed to all owners and occupants of properties within a 500-foot radius of the property, the Council Office and the Los Angeles Police Department's corresponding division. The applicant shall also submit a summary and any supporting documentation of how compliance with each condition of this grant has been attained. Upon this review, the Zoning Administrator may modify, add or delete conditions, and reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.
47. 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 documented evidence be submitted showing a continued violation(s) of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties. The application, in association with the appropriate fees, and a 500-foot notification radius, shall be submitted to the Department of City Planning within 30 days of the date of legal acquisition by the new owner or operator. The purpose of the plan approval will be to review the operation of the premise and establish conditions applicable to the use as conducted by the new owner or operator, consistent with the intent of the Conditions of this grant. Upon this review, the Zoning Administrator may modify, add or delete conditions, and if warranted, reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.
48. **STAR/LEAD/RBS Training.** Within the first six months of operation, all employees involved with the sale of alcohol shall enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR) or Department of Alcoholic Beverage Control "Licensee Education on Alcohol and Drugs" (LEAD) training program or the Responsible Beverage Service (RBS) Training Program. Upon completion of such training, the applicant shall request the Police Department or Department of Alcohol Beverage Control to issue a letter identifying which employees completed the training. STAR or LEAD or RBS training shall be conducted for all new hires within three months of their employment.
49. Valet parking shall be provided to restaurant patrons. The availability of said valet parking and the location of said parking shall be made known to the public via the restaurant menu, a posting of the information at readily visible locations and on the

restaurant website. The applicant shall provide a copy of the menu, signs, or web page, for inclusion in the case file.

50. A single valet operator shall be on-site who shall be responsible for enforcement of any conditions of this action regarding valet parking.
51. If valet parking is provided, valet parking shall be required to obtain all applicable licenses and/or permits from the Department of Transportation and the Los Angeles Police Department. Proof of licenses and/or permits shall be submitted to the Department of City Planning.
52. If valet parking is provided, a valid valet parking contract in compliance with this condition shall be submitted to the Department of City Planning. The contract shall be maintained for the life of this grant and shall include the hours of valet service and the number of valet attendants to be provided as well as the valet parking locations. If the valet operator is replaced, a copy of the replacement contract shall be provided to the Development Services Center upon execution of the new contract.
53. If valet parking is provided, the valet operator shall be required to obtain a valid LAPD Commission Investigation Division (CID) Valet Operator Permit pursuant to LAMC Section 103.203 (b) and each valet attendant shall have a valid CID permit along with a valid California Driver License in their possession while on duty. Note: Prior to providing valet services, the applicant should e-mail ladot.valetop@lacity.org to begin the application process, review, and approval of valet operations.
54. Passenger loading shall be limited to the existing passenger loading spaces along 8th Street which shall also apply to any valet service. No other street parking shall be used by the valet service for passenger loading at any time.
55. Valet service shall not utilize any local streets for the parking of vehicles at any time.
56. The applicant shall prepare and implement an incentive program to encourage employees to walk, bike, use public transit or carpool to work. Said program may include but not be limited to subsidies for public transit and installation of bike racks. A copy of the program shall be submitted to the Development Services Center for inclusion in the file.
57. The applicant shall utilize social media, webpages, or other media to provide travel information to the restaurant. Such information shall promote the use of alternate travel means to automotive transportation (walk, bike, public transit, rideshare/service, or carpool). For any patrons desiring to drive a personal vehicle to the venue, parking information must direct them to either use the valet service or park on surface streets within commercial streets (i.e., 8th Street). Further, patrons shall be notified that parking unlawfully within the Permit Parking District will be subject to being ticketed and their vehicles may be towed.
58. All deliveries shall be made in the rear parking area. No loading or unloading of deliveries shall be permitted along Mariposa Avenue.
59. Trash pick-up, compacting, loading and unloading and receiving activities shall be limited to 7 a.m. to 6 p.m. Monday through Friday and 10 a.m. to 4 p.m. on Saturday.

No deliveries or trash pick-up shall occur on Sunday. Deliveries and trash pick-up shall be coordinated with vendors and trash companies so that these activities are not conducted within one-hour of the start time of (RFK School Campus or within one hour of the end time of regular school hours.

60. The applicant shall be responsible for monitoring both patron and employee conduct on the premises and within the parking areas under his/her control to assure such conduct does not adversely affect or detract from the quality of life for adjoining residents, property owners, and businesses.
61. Loitering is prohibited on or around these premises or the area under the control of the applicant. "No Loitering or Public Drinking" signs shall be posted in and outside of the subject facility.
62. **Additional Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Department of City Planning to impose additional corrective conditions, if, it is determined by the Department of City Planning that such conditions are proven necessary for the protection of person in the neighborhood or occupants of adjacent property.
63. **Lease Agreements.** All establishments applying for an Alcoholic Beverage Control license shall be given a copy of these conditions prior to executing a lease and these conditions shall be incorporated into the lease. Furthermore, all vendors of alcoholic beverages shall be made aware that violations of these conditions may result in revocation of the privileges of serving alcoholic beverages on the premises.
64. **Building Plans.** A copy of this grant and all Conditions and/or any subsequent appeal of this grant and resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
65. **Ownership/Operator Change.** Should there be a change in the ownership and/or the operator of the business, the property owner and the business owner or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination has been provided to the prospective owner/operator, including the conditions required herewith, shall be submitted to the BESt (Beverage and Entertainment Streamlined Program) in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to the BESt (Beverage and Entertainment Streamlined Program) within 30 days of the beginning day of his/her new operation of the establishment along with the dimensioned floor plan, seating arrangement and number of seats of the new operation.
66. **MViP – Monitoring, Verification and Inspection Program.** At any time, before, during, or after operating hours, a City inspector may conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and used to rate the operator according to the level of compliance. If a violation exists, the owner/operator will be notified of

the deficiency or violation and will be required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed therein, may result in denial of future requests to renew or extend this grant.

67. **Covenant and Agreement.** Within 30 days of the effective date of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center or the BESt (Beverage and Entertainment Streamlined Program) for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center or BESt (Beverage and Entertainment Streamlined Program) for inclusion in the case file.

Administrative Conditions

68. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Plans Approved". A copy of the Plans Approved, supplied by the applicant, shall be retained in the subject case file.
69. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet and shall include any modifications or notations required herein.
70. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
71. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
72. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code

compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.

73. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
74. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.

75. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Action includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

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

CONDITIONS IDENTIFIED FOR CONSIDERATION BY THE STATE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL RELATIVE TO THE SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES

In approving the instant grant, the City Planning Commission has not imposed Conditions specific to the sale or distribution of alcoholic beverages, even if such Conditions have been volunteered or negotiated by the applicant, in that the City Planning Commission has no direct authority to regulate or enforce Conditions assigned to alcohol sales or distribution. The City Planning Commission has identified a set of Conditions related to alcohol sales and distribution for further consideration by the State of California Department of Alcoholic Beverage Control (ABC). In identifying these conditions, the City Planning Commission acknowledges the ABC as the responsible agency for establishing and enforcing Conditions specific to alcohol sales and distribution. The Conditions identified below are based on testimony and/or other evidence established in the administrative record, and provide the ABC an opportunity to address the specific conduct of alcohol sales and distribution in association with the Conditional Use granted herein by the City Planning Commission.

- No "Happy Hour" type of reduced-price alcoholic beverage or "2 for 1" promotion shall be allowed at any time. Discounted food promotions are encouraged.
- No alcohol shall be allowed to be consumed on any adjacent property under the control of the applicant.

- There shall be no exterior advertising of any kind or type, including advertising directly to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of this condition.
- The sale of alcoholic beverages for consumption off the premises is prohibited.
- The business operator shall maintain records which reflect these numbers and make them available to the Police Department upon request.
- The off-site sale of alcoholic beverages as a secondary use (i.e., "take out") is not permitted.
- Electronic age verification device(s) which can be used to determine the age of any individual attempting to purchase alcoholic beverages and shall be installed on the premises at each point-of-sale location. The device(s) shall be maintained in an operational condition and all employees shall be instructed in their use prior to the sale of any alcoholic beverages.
- The alcoholic beverage license shall not be exchanged for a public premises type license nor operated as a public premises.

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 8th Street and Mariposa Avenue. The Mobility Plan 2035 identifies 8th Street as an Avenue II and Mariposa Avenue a Local Standard Street. The properties fronting 8th 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 8th and Mariposa Avenue with the main entrance of the hotel and restaurant along 8th Street. This portion of 8th 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 8th Street and Mariposa Avenue and four (4) units within a two story multifamily apartment building (fronting Mariposa Avenue, just south of 8th 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 8th 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 8th 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 8th Street and Mariposa Avenue with street frontage of approximately 135 feet on the south side of 8th 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 7th 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 8th 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 8th 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 8th 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 8th Street on the RAS4-zoned portion of the site. The driveway on 8th 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 8th 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 3rd 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 8th Street and Mariposa Avenue. Vehicular access to the project site will be from the 8th 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 8th 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 8th 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 8th 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 8th Street. 8th Street is designated as Mixed-Use Boulevard in the Framework Element. Mixed use boulevard encouraged 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 proximity 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 8th 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 8th street, are developed with commercial uses, and a large LAUSD K-12 school campus. The proposed building is designed in a U shape with 2nd floor courtyard open to the sky. The hotel's ground floor restaurant is located at the north/west corner of the project site fronting 8th Street. Overall, the projects' location, size, height, is compatible with the type of developments currently existing along 8th 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 8th 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. 8th 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 8th 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 8th street, are developed with commercial uses, and a large LAUSD K-12 school campus. The proposed building is designed in a U shape with 2nd 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 8th Street. Overall, the projects' location, size, height, is compatible with the type of developments currently existing along 8th 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 8th 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 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 2nd 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:

Residential (within 600 feet)	
Single-Family Residences	
Multi-Family Residences	
Condominiums	
School, Church, Hospital, Park	
Ambassador School of Global Education Elementary School	3201 W. 8 th 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 8th Street, Type 47
- H Café-3200 W. 8th Street, Type 47
- Ondal Restaurant -3160 W. 8th Street #101, Type 41
- WLS22 Inc -3328 W. 8th Street, Type 41
- West Market-3300 W. 8th Street Ste 117, Type 20

Within 601 to 1,000 feet

- Jons Market- 3334 W. 8th Street, Type 21
- Moms Restaurant-3126 W. 8th Street, Type 41
- Sootbulljip-3126-42 W. 8th Street, Type 41
- Catalina Liquor- 3130-32 W. 8th 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. 8th Street Type 47
- Sabores Oaxaqueños-3337 ½ W. 8th 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 8th 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 8th 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 8th 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 8th Street and S. Mariposa Avenue. 8th 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 8th Street and Mariposa Avenue and has approximately 135 feet of frontage along the south side of 8th 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 8th 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 8th 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 2nd 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 8th 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 8th street and Mariposa Avenue. The project proposes three levels of subterranean parking levels, which will be accessed from 8th 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 2nd 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 8th 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 8th 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 8th 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 8th 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 1st parking level near the courtyards, providing easy access for future users. The short-term bicycle stalls are located on the ground floor along 8th 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 2nd 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 8th 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 2nd 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 7th 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 8th 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 8th 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 6th 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.



LOS ANGELES CITY PLANNING APPEAL FILING PROCEDURES

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

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

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

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

Metro DSC

(213) 482-7077
201 N. Figueroa Street
Los Angeles, CA 90012

Van Nuys DSC

(818) 374-5050
6262 Van Nuys Boulevard
Van Nuys, CA 91401

West Los Angeles DSC

(CURRENTLY CLOSED)
(310) 231-2901
1828 Sawtelle Boulevard
West Los Angeles, CA 90025

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

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



QR Code to Online
Appeal Filing



QR Code to Forms
for In-Person Filing