

PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
CPC-2020-6192-GPAJ-VZCJ-HD-CU-MCUP-SPR-HCA	ENV-2018-3986-SCEA-REC1	13 – O'Farrell
PROJECT ADDRESS:		
514-550 South Shatto Place & 3119 West 6 th Street		
APPLICANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
TF Shatto Limited Partnership 11400 West Olympic Boulevard Los Angeles, CA, 90064 <input type="checkbox"/> New/Changed	N/A	N/A
APPLICANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
Tim Moran Irvine & Associates, Inc. 660 South Figueroa Street Los Angeles, CA. 90017	(213) 437-3403	tim@irvineassoc.com
APPELLANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A	N/A	N/A
APPELLANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A	N/A	N/A
PLANNER CONTACT INFORMATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Oliver Netburn	(213) 978-1382	oliver.netburn@lacity.org
ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION		
General Plan Amendment (GPAJ); Vesting Zone Change (VZCJ); Height District Change (HD)		

FINAL ENTITLEMENTS NOT ADVANCING:

TBD

ITEMS APPEALED:

TBD

ATTACHMENTS:**REVISED:****ENVIRONMENTAL CLEARANCE:****REVISED:**

- ☒ Letter of Determination
- ☒ Findings of Fact
- ☒ Staff Recommendation Report
- ☒ Conditions of Approval
- ☒ Ordinance
- ☒ Zone Change Map
- ☒ GPA Resolution
- ☒ Land Use Map
- ☒ Exhibit A - Site Plan
- ☒ Mailing List
- ☐ Land Use
- ☐ Other _____

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- ☐ Categorical Exemption
- ☐ Negative Declaration
- ☐ Mitigated Negative Declaration
- ☐ Environmental Impact Report
- ☐ Mitigation Monitoring Program
- ☒ Other _____

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- ☐

NOTES / INSTRUCTION(S):

N/A

FISCAL IMPACT STATEMENT:☒ Yes☐ No

*If determination states administrative costs are recovered through fees, indicate "Yes".

PLANNING COMMISSION:

- ☒ City Planning Commission (CPC)
- ☐ Cultural Heritage Commission (CHC)
- ☐ Central Area Planning Commission
- ☐ East LA Area Planning Commission
- ☐ Harbor Area Planning Commission

- ☐ North Valley Area Planning Commission
- ☐ South LA Area Planning Commission
- ☐ South Valley Area Planning Commission
- ☐ West LA Area Planning Commission

PLANNING COMMISSION HEARING DATE:	COMMISSION VOTE:
April 22, 2021	5 – 2
LAST DAY TO APPEAL:	APPEALED:
June 28, 2021	TBD
TRANSMITTED BY:	TRANSMITTAL DATE:
Cecilia Lamas Commission Executive Assistant	June 8, 2021



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: **JUN 08 2021**

Case No. CPC-2020-6192-GPAJ-VZCJ-HD-CU-MCUP-SPR-HCA

CEQA: ENV-2018-3986-SCEA-REC1
Plan Area: Wilshire

Council District: 13 – O'Farrell

Project Site: 514 – 550 South Shatto Place; 3119 West 6th Street

Applicant: TF Shatto Limited Partnership
Representative: Timothy Moran, Irvine & Associates, Inc.

At its meeting of **April 22, 2021**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following project:

The proposed project involves 440,442 square feet of floor area consisting of a 40-story, mixed-use high rise with a maximum height of 483 feet and the conversion of an existing 19,972 square-foot church building into restaurant uses. The Project would demolish all other existing buildings onsite. The high-rise would contain 367 residential dwelling units, including 11 percent of the total number of dwelling units as affordable housing (Six percent Very Low Income and five percent Extremely Low Income) for a total of 42 affordable dwelling units. Total commercial square footage, inclusive of the re-purposed church building, would consist of 36,400 square feet of office and restaurant floor area. All restaurants seeking to utilize the requested Master Conditional Use Permit would have maximum hours of operation from 11:00 a.m. to 2:00 a.m., daily. The Project proposes up to 470 automobile parking spaces in four levels of subterranean parking, 175 long-term bicycle parking spaces, 25 short-term bicycle parking spaces, and 33,169 square feet of credited open space.

1. **Found**, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the Project was assessed in Sustainable Communities Environmental Assessment ("SCEA") ENV-2018-3986-SCEA, adopted on August 14, 2019; and pursuant to CEQA Guidelines 15162 and 15164, and Public Resources Code Section 21155.2, as supported by the addendum dated February 2021, no major revisions are required to the SCEA; and no subsequent SCEA is required for approval of the Project;
2. **Approved and recommended** that the Mayor and the City Council **adopt**, pursuant to Charter Section 555 and Section 11.5.6 of the Los Angeles Municipal Code (LAMC), a General Plan Amendment change in the land use designation of the project site from Community Commercial to Regional Commercial;
3. **Approved and recommended** that the City Council **adopt**, pursuant to Charter Section 558 and LAMC Sections 12.32 F and 12.32 Q a Vesting Zone Change and Height District Change from CR-1 and C2-1 to (T)(Q)C2-2D, along with the three requested developer incentives:
 - a. Reduction in the required amount of Open Space by 25 percent;
 - b. Reduction in the amount of required Residential Parking to zero; and
 - c. Reduction of required drive aisle width to 24 feet;
4. **Approved**, pursuant to LAMC Section 12.24 W.1, a Main Conditional Use Permit for the sale of a full line of alcoholic beverages for on-site consumption within ten premises;
5. **Denied**, pursuant to LAMC Section 12.24 W.24, a Conditional Use Permit to permit a TORS containing 90 units within the Project consisting of all 54 co-living units and 36 standard

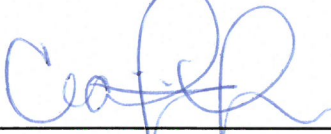
apartment units on the three levels above the co-living units for short-term or long-term occupancy;

6. **Approved**, pursuant to LAMC Section 16.05, a Site Plan Review for the creation of more than 50 dwelling units;
7. **Adopted** the attached Modified Conditions of Approval; and
8. **Adopted** the attached Amended Findings.

The vote proceeded as follows:

Moved: Perlman
 Second: Mack
 Ayes: Hornstock, Leung, Millman
 Nays: López-Ledesma, Choe

Vote: 5 – 2



Cecilia Lamas, Commission Executive Assistant
 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 and Height District Change is appealable by the Applicant only, if disapproved in whole or in part by the Commission. The decision of the Los Angeles City Planning 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; 6262 Van Nuys Boulevard, Suite 251, Van Nuys; or 1828 Sawtelle Boulevard, West Los Angeles.

FINAL APPEAL DATE: JUN 28 2021

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, Modified Conditions of Approval, Amended Findings, Resolution, Interim Appeal Filing Procedures

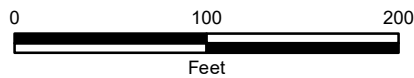
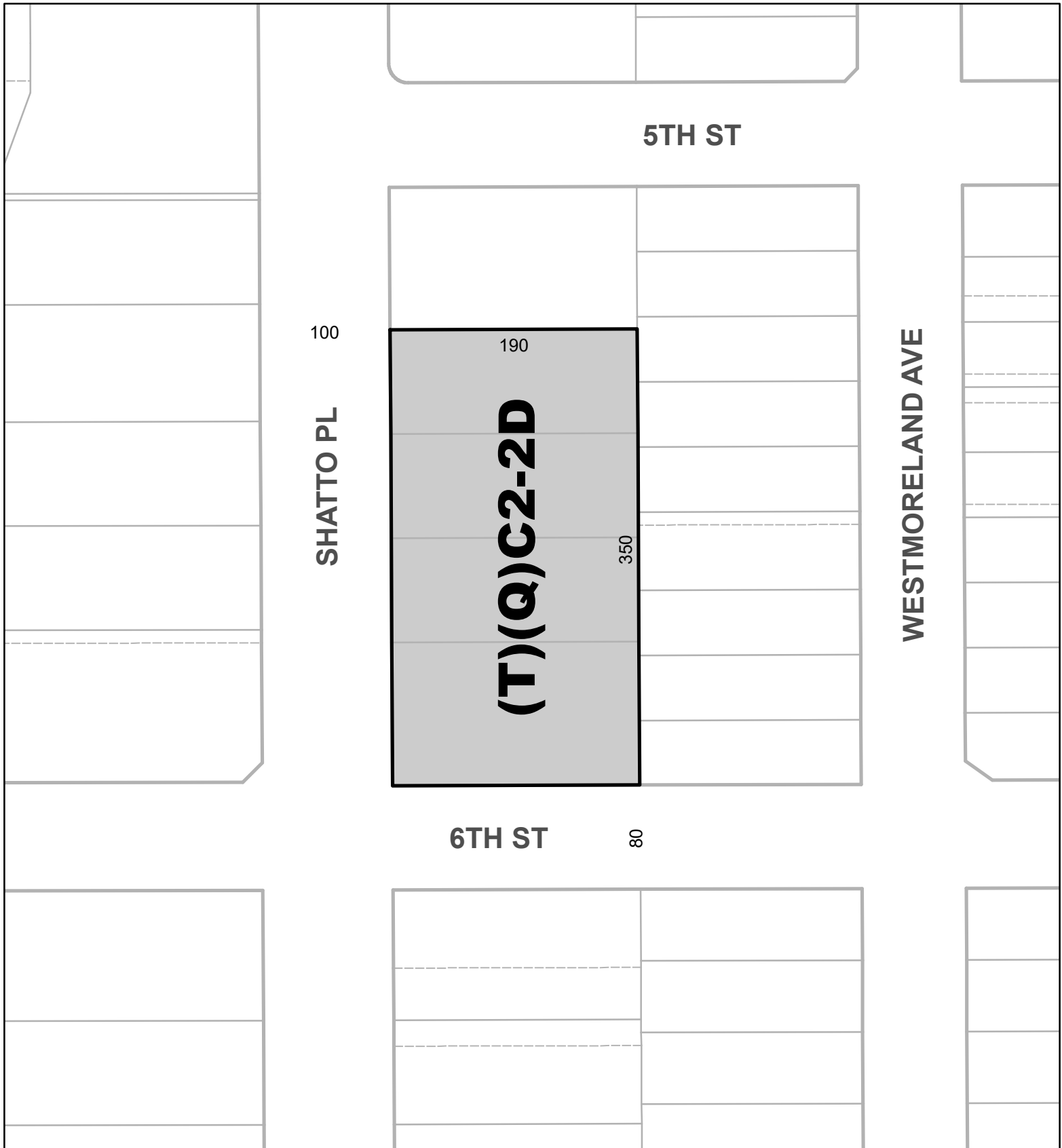
c: Heather Bleemers, Senior City Planner
 Oliver Netburn, City Planner

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-2020-6192-GPAJ-VZCJ-HD-CU-MCUP-SPR-HCA

AA/cf

051421

City of Los Angeles



Wilshire

(Q) QUALIFIED CLASSIFICATIONS

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

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the applicant, stamped “Exhibit A,” and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Expedited Processing Section, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Los Angeles Municipal Code or the project conditions.
2. **Residential Density.** The project shall be limited to a maximum density of 367 dwelling units.
3. **On-site Restricted Affordable Units.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of HCIDLA to make no less than 5% of the total units at rents affordable to Extremely Low Income households, and either 6% of the total units at rents affordable to Very Low Income households or 15% of the total units at rents affordable to Lower Income households, as defined by HCIDLA and as determined to be affordable to such households by HCIDLA for a period of 55 years. In the event, the applicant reduces the proposed density of the project or include for-sale units, the number of required reserved On-site Restricted Units may be adjusted, consistent with LAMC Section 11.5.11, to the satisfaction of HCIDLA. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The applicant shall provide a copy of the recorded covenant to the Department of City Planning for inclusion in this file. On-site restricted affordable units shall be provided in accordance with LAMC Section 11.5.11, to the satisfaction of HCIDLA, and with any monitoring requirements established by HCIDLA.
4. **Developer Incentives.** The project shall be permitted the following:
 - a. Reduction in the required amount of Open Space by 25%;
 - b. Reduction in the amount of required Residential Parking to 0; and
 - c. Reduction of required drive aisle width to 24 feet.
5. **Parking.**
 - a. **Automobile Parking.** Automobile parking shall be provided consistent with LAMC Section 12.21-A,4, except as otherwise permitted herein.
 - b. **Unbundling.** Required parking may be sold or rented separately from the units, with the exception of all Restricted Affordable Units which shall include any required parking in the base rent or sales price, as verified by HCIDLA.
 - c. **Bicycle Parking.** Bicycle parking shall be provided consistent with LAMC Section 12.21-A,16.

“D” DEVELOPMENT LIMITATIONS

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 “D” Development Limitations.

1. **Floor Area.** The total floor area permitted on the subject property shall not exceed a Floor Area Ratio of 6:1.
2. **Height.** The project shall be limited to 41 stories.

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 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 issuance of sign offs 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 project design required by a public agency shall be documented in writing and submitted for review by the Department of City Planning.
 - a. The applicant/developer shall record the final map of Vesting Tentative Tract No. VTT 83213 or shall provide the necessary dedications and public improvements required under VTT-83213.
3. **Department of Recreation and Parks.** Prior to the issuance of building permit, a dedication of land shall be made or assured or a payment in lieu thereof made or guaranteed to the satisfaction of the Department of Recreation and Parks, as required pursuant to LAMC Section 12.33.
4. **Fire Department.** Prior to the issuance of building permit, a plot plan shall be submitted to the Fire Department for approval.
5. **Urban Forestry Division.**
 - a. Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Services. Parkway tree removals shall be replanted at a 2:1 ratio. All street trees plantings shall be brought up to current standards. When the City has previously been paid for tree plantings, the subdivider or contractor shall notify the Urban Forestry Division (213-847-3077) upon completion of construction to expedite tree planting.

CONDITIONS OF APPROVAL

(As modified by the City Planning Commission at its meeting on April 22, 2021)

Pursuant to Sections 12.24-W, 1, and 16.05 of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the subject property:

1. 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.
2. 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.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. 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 ("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.
5. Prior to the effectuation 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 Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for inclusion in case file.

MAIN CONDITIONAL USE CONDITIONS

6. Authorized herein is a Main Conditional Use Permit for the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a maximum of 10 bona-fide restaurants as depicted on approved Exhibit 'A' subject to the following limitations:
 - a. The maximum combined floor area authorized for on-site sales of alcoholic beverages shall not exceed 36,400 square feet. Outdoor patios shall be located on private property and patios directly adjoining the public right-of-way shall be equipped with a defined barrier separating the outdoor dining area from any abutting sidewalk. The barrier will be of such height, design and materials to preclude passersby from obtaining any beverage or food from restaurant tables and/or patrons.
 - b. Any portion of an outdoor patio that encroaches into the public right-of-way shall be subject to the issuance of a revocable permit by the Bureau of Engineering.
 - c. The hours of operation for all tenant spaces authorized for the sale of alcoholic beverages for on-site shall be limited to 11:00 a.m. to 2:00 a.m., daily.

- d. No after-hour use is permitted, except routine clean-up. This includes but is not limited to private or promotional events, special events, excluding any activities which are issued film permits by the City.
7. **Main Plan Approval (MPA) Requirement.** Each individual venue shall be subject to a Main Plan Approval (MPA) determination pursuant to Section 12.24-M of the Los Angeles Municipal Code in order to implement and utilize the Main Conditional Use authorization granted. The purpose of the Main Plan Approval determination is to review each proposed venue in greater detail and to tailor site-specific conditions of approval for each off the premises including but not limited to hours of operation, seating capacity, size, security, live entertainment, the length of a term grant and/or any requirement for a subsequent MPA application to evaluate compliance and effectiveness of the conditions of approval. Unless otherwise stipulated by the conditions of this grant, the Zoning Administrator may impose more restrictive or less restrictive conditions on each individual tenant at the time of review of each Plan Approval application. A public hearing for any Main Plan Approval (MPA) request may be waived at the discretion of the Chief Zoning Administrator.
8. Notwithstanding approved Exhibit A, this grant recognizes that there may be changes resulting from identified tenants, which may result in smaller or larger venues than those identified in Exhibit A, different locations, and/or in a reduced number of venues than those originally proposed. Such outcome is permitted provided that the other conditions noted herein, specifically those related to the combined maximum interior and patio floor areas, maximum interior and patio seating, maximum number of venues approved are not exceeded. Also, beer and wine sales may be provided in lieu of a full line of alcoholic beverages at any of the venues approved for a full line of alcoholic beverages.
9. The premises authorized for the on-site sale of alcoholic beverages shall be maintained as bona fide sit-down restaurants with a kitchen to be used for cooking and preparing of food as defined by Section 91.0403 of the Los Angeles Municipal Code, and shall provide a menu containing an assortment of foods normally offered in such restaurants. Food service shall be available at all times during operating hours. Any take-out service is only incidental to the primary sit-down use.
10. Parking shall be provided in compliance with the Municipal Code and to the satisfaction of the Department of Building and Safety, unless otherwise granted herein.
11. The applicant shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control, including the sidewalk in front of the establishment.
12. 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.
13. 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.
14. Coin operated game machines, pool tables or similar game activities or equipment shall not be permitted. Official California State lottery games and machines are allowed.
15. **Private Events.** Any use of the restaurants 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.

16. 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.
17. **Complaint Log.** 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:
 - a. Entry, visible to pedestrians.
 - b. Customer service desk, front desk or near the cash registers.

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.
18. A camera surveillance system shall be installed and operating at all times to monitor the interior, entrance, exits and exterior areas, in front of and around the premises. Recordings shall be maintained for a minimum period of 30 days and are intended for use by the Los Angeles Police Department.
19. At least one on-duty manager with authority over the activities within the facility shall be on the premises during business hours. The on-duty manager's responsibilities shall include the monitoring of the premises to ensure compliance with all applicable State laws, Municipal Code requirements and the conditions imposed by the Department of Alcoholic Beverage Control (ABC) and the conditional use herein. Every effort shall be undertaken in managing the subject premises and the facility to discourage illegal and criminal activities and any exterior area over which the building owner exercises control, in effort to ensure that no activities associated with such problems as narcotics sales, use or possession, gambling, prostitution, loitering, theft, vandalism and truancy occur.
20. **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.
21. 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.
22. There shall be no Adult Entertainment of any type pursuant to LAMC Section 12.70.
23. No conditional use for dancing has been requested or approved herein. Dancing is prohibited.
24. 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.

25. Entertainment in conjunction with each restaurant is limited to background ambient music to complement the dining experience. Independent, professional or amateur disc jockeys are not allowed. Live entertainment limited to acoustical instruments and to a maximum of four musicians may be requested and considered by individual Main Plan Approval applications within the interior of the premises only.
26. There shall be no live entertainment, or amplified sound system in the outdoor areas except for downward or inward facing speakers playing background music. This restriction to apply to all individual tenants and shall be included in any subsequent Plan Approval applications.
27. All exterior portions of the site shall be adequately illuminated in the evening so as to make discernible the faces and clothing of persons utilizing the space. Lighting shall be directed onto the site and no floodlighting shall be located so as to be seen directly by person on adjacent premises.
28. The applicant shall comply with 6404.5(b) of the Labor Code, which prohibits smoking within any place of employment. The applicant shall not possess ashtrays or other receptacles used for the purpose of collecting trash or cigarettes/cigar butts within the interior of the subject establishment.
29. No smoking of tobacco products including cigarettes, cigars, hookah or water pipes either inside the location or on any outdoor patios is permitted.
30. There shall be no deliveries conducted after 9:00 p.m. or before 7:00 a.m. daily.

SITE PLAN REVIEW CONDITIONS

31. **Driveways.** The two (2) driveways along Shatto Place shall be reduced to the minimum required widths in conformance with LAMC Section 12.21-A,5(f), unless otherwise required by the Department of Transportation.
32. **Landscaping.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning.
33. **Mechanical Equipment.** All mechanical equipment on the roof shall be screened from view. The transformer, if located in the front yard, shall be screened with landscaping.
34. **Maintenance.** The subject property (including all trash storage areas, associated parking facilities, sidewalks, yard areas, parkways, and exterior walls along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.
35. **Lighting.** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way, nor from above.

36. **Electric Vehicle Parking.** All electric vehicle charging spaces (EV Spaces) and electric vehicle charging stations (EVCS) shall comply with the regulations outlined in Sections 99.04.106 and 99.05.106 of Article 9, Chapter IX of the LAMC.
37. **Solar Panels.** Solar panels shall be installed on the project's rooftop space to be connected to the building's electrical or water heating system. A minimum 15% of the total new roof area shall be reserved for the installation of solar panels or a solar photovoltaic system, to be installed prior to the issuance of a certificate of occupancy, in substantial conformance with the plans stamped "Exhibit A".

SUSTAINABLE COMMUNITY ENVIRONMENTAL ASSESSMENT CONDITIONS

38. Project Design Features.

- a. Outdoor lighting related to the Modified Project shall be designed and installed with shielding from adjacent residential properties, the public right-of-way, and from above.
- b. Construction equipment operating at the Project Site shall be subject to a number of requirements. These requirements shall be included in applicable bid documents and successful contractor(s) must demonstrate the ability to supply such equipment. Construction measures would include, but are not limited to the following:
 - Prior to the issuance of a grading or building permit for each phase, an inventory of off-road heavy-duty construction equipment for that phase of construction, equal to or greater than 50 horsepower that will be used an aggregate of 40 or more hours, shall be provided to the Department of Building and Safety and the Department of City Planning. The inventory shall include the horsepower rating, engine production year, and certification of the specified Tier standard. A copy of each unit's certified tier specification or model year specification and California Air Resources Board or South Coast Air Quality Management District operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment.
 - Off-road diesel-powered equipment within the construction inventory shall meet the Tier 4 final off-road emissions standards within the Los Angeles region. Such equipment shall be outfitted with Best Available Control Technology (BACT) devices including a California Air Resources Board certified Level 3 Diesel Particulate Filter or equivalent;
 - All cranes and welders shall be electric-powered;
 - Forklifts shall be natural gas-powered;
 - The Project shall utilize low-VOC coatings where commercially available during construction activities to avoid excessive VOC emissions; and
 - Trucks and other vehicles in loading and unloading queues shall be parked with engines off to reduce vehicle emissions during construction activities.
- c. The Project will not include fireplaces, except within up to 30 dwelling units.
- d. To ensure the retention and appropriate treatment and rehabilitation of all the identified character-defining features of the former church building, that would be retained as part of the Modified Project, a preservation architect or preservation professional would be

retained to monitor the appropriate treatment and rehabilitation of the former church building during construction.

e. Greenhouse Gas Emissions.

- The Project shall use energy efficient appliances;
- The Project shall use low-flow plumbing fixtures;
- The Project shall install 175 long-term and 25 short term bicycle parking spaces;
- The Project shall utilize drought-tolerant plants in its landscaping;
- The Project shall install pre-wiring for EV charging spaces for 30 percent of its parking capacity for future use and;
- Of the 30 percent EV parking spaces, 10 percent of the Project's parking capacity will include installed chargers for immediate use by electric vehicles (EV).

f. In lieu of a dewatering and vent piping system, to attenuate methane risks, the Modified Project shall include design components, such as sloping to the bottom of the mat slab one percent and an active methane detection system tied into the mechanical system. These features, along with a waterproofing/methane membrane, would allow potential methane and vapor to move outside the building limits and eliminate any methane impact. The structural mat slab and subterranean walls would be designed hydrostatically. As part of the alternative design components, LADBS would be consulted as part of the design process of the Modified Project to ensure risks associated with methane would be minimized.

g. The Project shall limit construction and demolition to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturdays or holidays (City observed).

h. The Project will not require or allow the use of impact pile drivers.

i. The Project will not allow any delivery truck idling for more than 5 consecutive minutes in the loading area pursuant to State regulation (Title 13 California Code of Regulations, Section 2485). Signs will be posted in delivery loading areas specifying this idling restriction.

j. The Project will not require or allow operation of any amplified sound system in the outdoor areas except for downward or inward facing speakers playing background music that will be confined to the outside ground-level dining patio areas in the central plaza and along West 6th Street and the amenity decks on levels 3 and 40.

k. The service entryway along 6th Street would be limited to right-turn in/out access.

39. Project Specific Mitigation Measures.

l. Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.

- m. 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. All trees in the public right-of-way shall be provided at a 2 to 1 ratio per the standards of the Urban Forestry Division, Bureau of Street Services, Department of Public Works.
- n. The Project will result in the removal of vegetation and disturbances to the ground and therefore may result in take of nesting native bird species. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA).
- Proposed Project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86).
 - If Project activities cannot feasibly avoid the breeding bird season, beginning thirty days prior to the disturbance of suitable nesting habitat, the applicant shall:
 - Arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within properties adjacent to the project site, as access to adjacent areas allows. The surveys shall be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work.
 - If a protected native bird is found, the Applicant shall delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat for the observed protected bird species until August 31.
 - Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest or as determined by a qualified biological monitor, shall be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. The buffer zone from the nest shall be established in the field with flagging and stakes. Construction personnel shall be instructed on the sensitivity of the area.
 - The Applicant shall record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds. Such record shall be submitted and received into the case file for the associated discretionary action permitting the project.
- o. Prior to the issuance of a demolition permit, the Applicant shall retain a qualified Archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards (qualified Archaeologist) to oversee an archaeological monitor who shall be present during construction activities on the Project Site such as demolition, clearing/grubbing, grading, trenching, or any other construction excavation activity associated with the Project. The activities to be monitored shall also include off-site improvements in the vicinity of the Project Site that involve ground disturbance, such as utility, sidewalk, or road improvements which would encounter soils that could potentially contain archaeological resources down to a depth of 5-feet. The monitor shall have the

authority to direct the pace of construction equipment in areas of higher sensitivity. The frequency of monitoring shall be based on the rate of excavation and grading activities, the materials being excavated (younger sediments vs. older sediments), and the depth of excavation, and if found, the abundance and type of archaeological resources encountered. Full-time monitoring may be reduced to part-time inspections, or ceased entirely, if determined adequate by the qualified Archaeologist. Prior to commencement of excavation activities, an Archaeological Sensitivity Training shall be given for construction personnel. The training session, shall be carried out by the qualified Archaeologist, will focus on how to identify archaeological resources that may be encountered during earthmoving activities, and the procedures to be followed in such an event.

- p. In the event that historic (e.g., bottles, foundations, refuse dumps/privies, railroads, etc.) or prehistoric (e.g., hearths, burials, stone tools, shell and faunal bone remains, etc.) archaeological resources are unearthed, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A 25-foot buffer shall be established by the qualified Archaeologist around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. All archaeological resources unearthed by Project construction activities shall be evaluated by the qualified Archaeologist. If a resource is determined by the qualified Archaeologist to constitute a “historical resource” pursuant to State CEQA Guidelines Section 15064.5(a) or a “unique archaeological resource” pursuant to PRC Section 21083.2(g), the qualified Archaeologist shall coordinate with the Applicant and the City to develop a formal treatment plan that would serve to reduce impacts to the resources. If any prehistoric archaeological sites are encountered within the project area, consultation with interested Native American parties will be conducted to apprise them of any such findings and solicit any comments they may have regarding appropriate treatment and disposition of the resources. The treatment plan established for the resources shall be in accordance with State CEQA Guidelines Section 15064.5(f) for historical resources and PRC Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment under CEQA. If in coordination with the City, it is determined that preservation in place is not feasible, appropriate treatment of the resource shall be developed by the qualified Archaeologist in coordination with the City and may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any archaeological material collected shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be donated to a local school or historical society in the area for educational purposes.
- q. Prior to the release of the grading bond, the qualified Archaeologist shall prepare a final report and appropriate California Department of Parks and Recreation Site Forms at the conclusion of archaeological monitoring. The report shall include a description of resources unearthed, if any, treatment of the resources, results of the artifact processing, analysis, and research, and evaluation of the resources with respect to the California Register of Historical Resources and CEQA. The report and the Site Forms shall be submitted by the Project Applicant to the City, the South Central Coastal Information Center, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the development and required mitigation measures.
- r. *Retention of a Qualified Paleontologist.* A qualified paleontologist meeting the Society of Vertebrate Paleontology (SVP) Standards (SVP, 2010) (Qualified Paleontologist) shall be retained prior to the approval of demolition or grading permits. The Qualified Paleontologist shall provide technical and compliance oversight of excavation and grading during construction, recovery of fossil materials, and reporting as related to paleontological resources, shall attend the Project kick-off meeting and Project progress meetings on a

regular basis, and shall report to the site in the event potential paleontological resources are encountered.

Construction Worker Paleontological Resources Sensitivity Training. The Qualified Paleontologist shall conduct construction worker paleontological resources sensitivity training prior to the start of ground disturbing activities (including vegetation removal, pavement removal, etc.). In the event construction crews are phased, additional trainings shall be conducted for new construction personnel. The training session shall focus on the recognition of the types of paleontological resources likely to be encountered within the Project Site and the procedures to be followed if they are found.

Paleontological Resources Monitoring and Plan. Prepare a Paleontological Resource Management Plan (PRMP) to guide the salvage, documentation and repository of representative samples of unique paleontological resources encountered during construction. If unique paleontological resources are encountered during excavation or blasting, use the qualified paleontologist to oversee the implementation of the PRMP. Full-time paleontological resources monitoring shall be conducted for all ground-disturbing activities that exceed 5 feet in depth. Full-time monitoring can be reduced to part-time inspections or ceased entirely if determined adequate by the Qualified Paleontologist. Paleontological resources monitoring shall be performed by a qualified paleontological monitor (meeting the standards of the SVP) under the direction of the Qualified Paleontologist. Monitors shall have the authority to temporarily halt or divert work away from exposed fossils in order to recover the fossil specimens. Any significant fossils collected during Project-related excavations shall be prepared to the point of identification and curated into an accredited repository with retrievable storage. Monitors shall prepare daily logs detailing the types of activities and soils observed, and any discoveries. The Qualified Paleontologist shall prepare a final monitoring and mitigation report to document the results of the monitoring effort.

If construction or other Project personnel discover any potential fossils during construction, regardless of the depth of work or location, work at the discovery location shall cease in a 25-foot radius of the discovery until the Qualified Paleontologist has assessed the discovery and made recommendations as to the appropriate treatment. If the find is deemed significant, it shall be salvaged following the standards of the SVP (SVP, 2010) and curated with a certified repository.

- s. A Site Specific Soil Mitigation Plan (SMP) will be prepared that will provide guidance to contractors for appropriate handling, screening, and management of potentially impacted or impacted soils that may be encountered at the Project Site during grading and excavation activities. These procedures will include training for construction personnel on the appropriate procedures for identification of suspected impacted soils; requirements for testing and collection of potentially contaminated soils; segregation of potentially impacted soils; and applicable soil handling and disposal procedures.

The SMP will also include procedures for handling and transportation of soils with respect to nearby sensitive receptors, such as nearby residential uses and schools. In accordance with SCAQMD Rule 1166 requirements, impacted soil removed from the Project Site must comply with the following:

- Be transported to an approved treatment/disposal facility.
- When loading into trucks is completed, and during transportation, no excavated material will extend above the sides or rear of the truck or trailer.

- Prior to covering/tarpping, loaded impacted soil must be wetted by spraying with dust inhibitors.
 - The trucks or trailers must be completely covered/tarped prior to leaving the Project Site to prevent particulate emissions to the atmosphere.
 - The exterior of the trucks (including the tires) must be cleaned off prior to the trucks leaving the excavation location and leaving the disposal site before returning to the Project Site.
- t. A Groundwater Management Plan (GWMP) will be prepared that includes training and protocol procedures to contractors for avoiding contact with groundwater during excavation and construction of the Project and appropriate disposal protocols of contaminated groundwater. The GWMP will include a requirement for development and implementation of a safety plan to be prepared prior to commencement of construction consistent with Occupational Safety and Health Administration (OSHA) Safety and Health Standards 29 CFR 1910.120 as well as management of groundwater produced through temporary dewatering activities. The safety plan will include necessary training, operating and emergency response procedures, and reporting requirements to regulate all activities that bring workers in contact with potentially contaminated groundwater. In the unlikely event that groundwater contamination occurs, the GWMP will include remedial efforts that may include batch extraction of groundwater using an on-site dewatering system or application of a chemical amendment, such as oxygen or hydrogen source depending on the type of contamination impact. Groundwater attenuation features may include the following: waterproofing the entire subgrade area; use of waterproofing that is compatible with constituents of concern; and sealing of electrical conduits, piping, etc. to close off preferential pathways.
- u. All concrete cuts and utility penetrations into the building pad(s) or concrete slab(s) that underlie the former church building that may occur during the remodeling/repurposing of the existing school building will be sealed via a vapor-barrier type wrap to add an additional measure of protection against potential vapor intrusion. An environmental professional would be on-site to monitor the sealing process. A pathway assessment/visual monitoring of the sealing of penetration shall be conducted after construction.
- v. The Project shall implement construction noise reduction strategies to reduce noise levels from construction affecting the noise-sensitive residential receptors located to the east of the Project Site, with a performance standard of achieving a construction noise level of less than 66 dBA L_{eq} at the noise-sensitive residential receptors adjacent to the east of the Project Site and the university and church use directly to the north of the Project Site. The noise reduction strategies shall include one or a combination of the following to achieve the performance standard.
- Use construction equipment, fixed or mobile, that individually generates less noise than presumed in the Federal Highway Administration (FHWA) Roadway Construction Noise Model (RCNM). Examples of such equipment are medium, compact, small, or mini model versions of backhoes, cranes, excavators, loaders, or tractors; or newer model equipment; or other applicable equipment that are equipped with reduced noise-generating engines. Construction equipment noise levels shall be documented based on manufacturer's specifications. The construction contractor shall keep construction equipment noise level documentation on-site for the duration of Project construction.

- Noise-generating equipment operated at the Project Site shall be equipped with California industry standard noise control devices to effectively reduce noise levels, i.e., mufflers, lagging, and/or motor enclosures. All equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated. The reduction in noise level from noise shielding and muffling devices shall be documented based on manufacturer's specifications. The construction contractor shall keep noise shielding and muffling device documentation on-site and documentation demonstrating that the equipment has been maintained in accordance with the manufacturers' specifications on-site for the duration of Project construction.
- Construction and demolition activities shall be scheduled so as to minimize or avoid operating multiple heavy pieces of equipment such as a large dozer, concrete saw, and excavator, simultaneously at the perimeter of the Project Site along the eastern boundary of the Project Site.
- The Project shall provide temporary minimum 8-foot-tall construction noise barriers along property lines facing adjacent off-site residential buildings to the east and northeast and off-site university and church use adjacent to the north. The temporary barriers shall at a minimum remain in place during early Project construction phases (up to the start of framing) when the use of heavy equipment is prevalent. Standard construction protective fencing with green screen or pedestrian barricades for protective walkways shall be installed along property lines facing streets or commercial buildings. All temporary barriers, fences, and walls shall have gate access as needed for construction activities, deliveries, and site access by construction personnel. The Applicant shall ensure through appropriate postings and frequent visual inspections that no unauthorized materials are posted on any temporary construction barriers or temporary pedestrian walkways that are accessible/visible to the public, and that such temporary barriers and walkways are maintained in a visually attractive manner (i.e., free of trash, graffiti, peeling postings and of uniform paint color or graphic treatment) throughout the construction period. The construction management company's name and telephone number(s) shall be posted at a least one location along each street frontage that borders the Project Site.
- The Project shall stage noise-generating construction equipment as far away from the noise-sensitive receptors adjacent to the east of the Project Site as practicable; minimize the number of noise-generating construction equipment in simultaneous use; and/or provide other noise-reducing techniques.

The effectiveness of the noise reduction strategies to achieve the performance standard shall be documented by on-site noise monitoring conducted by a qualified acoustical analyst using a Type 1 instrument in accordance with the American National Standards Institute (ANSI) S1.4. Noise monitoring shall be conducted during early Project construction phases when the use of heavy equipment is prevalent.

- w. The Applicant shall designate a construction relations officer to serve as a liaison with surrounding residents and property owners who is responsible for responding to any concerns regarding construction. The liaison's telephone number(s) shall be prominently displayed at the Project Site. Signs shall also be posted at the Project Site that include permitted construction days and hours. In addition, no less than 30 days prior to the start of construction, the Applicant shall also meet with the principal, or other designated representatives, of Young Oak Kim Academy, including the LAUSD's Transportation Branch to discuss Project construction dates, the Construction Management Plan, and

provide information regarding the construction relations officer who would serve as the liaison to the community.

- x. Due to potential noise impacts on the schools, no construction vehicles or haul trucks shall be staged or idled on W. 6th Street between Vermont Avenue and Shatto Place and on Shatto Place between W. 6th Street and Wilshire Boulevard during school hours.
- y. The Project shall install a sound enclosure or equivalent noise attenuation measures for the Project's operational emergency generators that shall provide a minimum noise reduction of 15 dBA. The generator would generate noise levels of approximately 81 dBA (L_{eq}) at 25 feet with the noise attenuation measures. At Plan Check, building plans shall include documentation prepared by a noise consultant verifying compliance with this measure.
- z. The Project shall implement construction vibration reduction strategies to reduce vibration levels from construction affecting vibration-sensitive receptors on the Project Site, to the east of the Project Site, and adjacent to the north of the Project Site, with a performance standard of achieving a construction vibration level of less than 0.5 inches per second PPV at the face of the on-site former church building, less than 0.3 inches per second PPV at the face of the 500 Shatto Place building, 3109 West 6th Street building and the 523 South Westmoreland Avenue building, and 72 VdB or less at occupied vibration-sensitive residential receptors adjacent to the east of the Project Site. Vibration reduction strategies shall include one or a combination of the following to achieve the performance standards.
 - Use construction equipment, fixed or mobile, that individually generates less vibration than presumed in the Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment Manual. Examples of such equipment are medium, compact, small, or mini model versions of bulldozers, drills, or trucks; or newer model equipment with lower vibration levels; or other applicable equipment that are equipped with reduced vibration-generating engines. Construction equipment vibration levels shall be documented based on manufacturer's specifications or other equipment or testing documentation. The construction contractor shall keep construction equipment vibration level documentation on-site for the duration of Project construction.
 - Prior to obtaining a building permit, the effectiveness of the vibration reduction strategies to achieve the performance standard shall be documented in a vibration study conducted by a qualified acoustical/vibration engineer based on detailed Project plans for Plan Check.
- aa. Prior to construction, the Applicant shall retain the services of a qualified acoustical/vibration engineer to review the proposed construction equipment and develop and implement a vibration monitoring program capable of documenting the construction-related ground vibration levels at the on-site former church building, the 500 Shatto Place building, the 3109 West 6th Street building, and the 523 South Westmoreland Avenue building.
 - The Applicant and qualified acoustical/vibration engineer shall conduct a pre-construction survey that visually identifies the existing conditions of the on-site former church building, the 500 Shatto Place building, the 3109 West 6th Street building, and the 523 South Westmoreland Avenue building.

- During construction, the contractor shall install and maintain at least one continuously operational automated vibrational monitors on the on-site former church building, the 500 Shatto Place building, the 3109 West 6th Street building, and the 523 South Westmoreland Avenue building. The monitors shall be capable of being programmed with two predetermined vibratory velocities levels:
 - On-site former church building: a first-level alarm equivalent to a 0.48 inches per second PPV at the face of the on-site former church building and a regulatory alarm level equivalent to 0.5 inches per second PPV at the face of the on-site former church building.
 - 500 Shatto Place building, 3109 West 6th Street building and the 523 South Westmoreland Avenue building: a first-level alarm equivalent to a 0.28 inches per second PPV at the face of the 500 Shatto Place building, the 3109 West 6th Street building and the 523 South Westmoreland Avenue building and a regulatory alarm level equivalent to 0.3 inches per second PPV at the face of the 500 Shatto Place building, the 3109 West 6th Street building and the 523 South Westmoreland Avenue building.
 - The monitoring system shall produce real-time specific alarms (for example, via text message and/or email to on-site personnel) when velocities exceed either of the predetermined levels. In the event of a first-level alarm, feasible steps to reduce vibratory levels shall be undertaken, including but not limited to halting/staggering concurrent activities and utilizing lower-vibratory techniques. In the event of an exceedance of the threshold level, the contractor shall review the construction work in the vicinity and investigate construction methods that would reduce vibration levels in the vicinity. If it is determined that the construction work is causing an exceedance of the vibration threshold level, the contractor shall also visually inspect the on-site former church building, the 500 Shatto Place building, the 3109 West 6th Street building, and the 523 South Westmoreland Avenue building for damage. Results of the inspection shall be logged. In the event damage occurs to finish materials due to construction vibration, such materials shall be repaired in consultation with a qualified preservation consultant, and if warranted, in a manner that meets the Secretary of the Interior's Standards.
- bb. Prior to the issuance of grading permits, the Applicant will provide a shoring plan prepared by a qualified structural engineer who meets the relevant Secretary of the Interior's Professional Standards, for review and approval by the City of Los Angeles. The shoring plan will ensure the protection of the on-site former church building on the Project Site, as well as the potential historic resources adjacent to the Project Site at 3109 West 6th Street and 523 South Westmoreland Avenue, during construction.
- cc. A construction fence shall be constructed around the Project Site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.
- dd. The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W.

1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.

- ee. Prior to the occupancy of the Project, the Applicant shall provide the Olympic Area Commanding Officer with a diagram of each portion of the property, including access routes, and additional information to facilitate potential LAPD responses.
- ff. The Applicant shall prepare a detailed Construction Management Plan that shall include, but not be limited to, the following elements, as appropriate:
 - Requiring workers and construction trucks to generally travel outside of the peak hours;
 - Prohibition of construction worker parking on nearby residential streets;
 - Temporary traffic control during all construction activities encroaching on public rights-of-way to improve traffic flow and safety on public roadways;
 - Scheduling of construction activities to reduce the effect on traffic flow on surrounding arterial streets;
 - Funding to Young Oak Kim Academy to provide an adequate number of crossing guards on school days to assist the safe movement of pedestrians/students at the intersection of 6th Street/Shatto Place when the sidewalks may be closed near Shatto Place and 6th Street for the Project's related construction.
 - Safety precautions for pedestrians and bicyclists through such measures as alternate routing and protection barriers as appropriate;
 - Scheduling of construction-related deliveries so as to generally occur outside the commuter peak hours; and
 - Installation of appropriate traffic signs around the Project Site to ensure pedestrian, bicycle, and vehicle safety.
- gg. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to the school.
- hh. LADBS shall assign specific haul route hours of operation based upon Young Oak Kim Academy's hours of operation.
- ii. Haul route scheduling shall be sequenced to minimize conflicts with pedestrians, school buses and cars at the arrival and dismissal times of the school day. Haul route trucks shall not be routed past the school during periods when school is in session especially when students are arriving or departing from the campus.
- jj. 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, etc) from work space and vehicular traffic and overhead protection, due to sidewalk closure or blockage, at all times. 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. Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects. Applicant shall keep sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction staging. Sidewalk shall be reopened as soon as reasonably feasible taking construction and construction staging into account.

ADMINISTRATIVE CONDITIONS

40. **MViP – Monitoring Verification and Inspection Program.** Prior to the effectuation of this grant, fees required per L.A.M.C section 19.01-E,3 for Monitoring of Conditional Use Permits and Inspection and Field Compliance Review of Operations shall be paid to the City.
- a. Within 24 months from the beginning of operations or issuance of a Certificate of Occupancy, a City inspector will conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and included in the administrative file.
 - b. The owner and operator shall be notified of the deficiency or violation and required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed, may result in additional corrective conditions imposed by the Zoning Administrator.
41. 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 including the conditions required herewith has been provided to the prospective owner/operator shall be submitted to the Department of City Planning 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 Department of City Planning within 30-days of the beginning day of his/her new operation of the establishment along with any proposed modifications to the existing floor plan, seating arrangement or number of seats of the new operation.
42. If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator will have the right to require the petitioner(s) to file for a plan approval application together with the associated fees, to hold a public hearing to review the petitioner's compliance with and the effectiveness of the conditions of the grant. The petitioner(s) shall submit a summary and supporting documentation of how compliance with each condition of the grant has been attained. 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 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.
43. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building & Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building & 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 & Safety shall be stamped by Department of City

Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.

44. **Covenant.** Prior to the effectuation 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 Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for inclusion in case file.
45. **Notations on Plans.** Plans submitted to the Department of Building & 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.
46. **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.
47. **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.
48. **Department of Building & Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building & Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building & Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
49. **Department of Water and Power.** Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Rules Governing Water and Electric Service. Any corrections and/or modifications to plans made subsequent to this determination in order to accommodate changes to the project due to the under-grounding of utility lines, that are outside of substantial compliance or that affect any part of the exterior design or appearance of the project as approved by the Director, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
50. **Enforcement.** Compliance with and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
51. **Expedited Processing Section Fee.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.

52. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS

Applicant shall do all of the following:

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

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

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

FINDINGS

(As amended by the City Planning Commission at its meeting on April 22, 2021)

General Plan/Charter Findings

1. General Plan.

- a. **General Plan Land Use Designation.** The subject property is located within the Wilshire Community Plan which was updated by the City Council on September 19, 2001.

The plan map designates the subject property as Community Commercial land use with corresponding zones of CR, C2, C4, P, PB, RAS3, and RAS4. The subject property is zoned CR-1 and C2-1. The General Plan Amendment to Regional Commercial is consistent with the Community Plan, as discussed below, and the Zone and Height District Change to the (T)(Q)C2-2D Zone is consistent with the range of zones within the Regional Commercial land use designation.

Therefore, the project is consistent with the General Plan as reflected in the adopted Community Plan.

b. Land Use Element.

Wilshire Community Plan. The Community Plan text includes the following relevant land use goals, objectives and policies:

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 Multiple Family residential development.

Policy 1-1.4: Provide for housing along mixed-use boulevards where appropriate.

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.

Policy 1-3.3: Promote the preservation and rehabilitation of individual residential buildings of historic significance.

Objective 1-4: Provide affordable housing and increased accessibility to more population segments, especially students, the handicapped and senior citizens.

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

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

Policy 1-4.3: Encourage multiple family residential and mixed use development in commercial zones.

The General Plan Amendment to re-designate the subject property to Regional Commercial, along with the Zone and Height District Change to (T)(Q)C2-2D protects surrounding stable single-family and low-density residential neighborhoods from encroachment by higher density residential uses by allowing for the development of 367 residential dwelling units, on lots designated and zoned for multi-family and commercial uses.

The project is located approximately 750 feet from Vermont/Wilshire Metro Station, with direct access to both the Metro B (Red) and D (Purple) Lines, thereby reducing vehicular trips to and from the project site and congestion around the site.

Lastly, as the project will provide a total of 367 residential units, including 11 percent of the total number of dwelling units as affordable housing for a total of 42 affordable dwelling units, the project increases the housing stock and promotes greater individual choice in housing without displacing any existing residents.

Goal 2: Encourage 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 services within existing commercial areas.

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

Policy 2-1.2: Protect existing and planned commercially zoned areas, especially in Regional Commercial Centers, from encroachment by standalone residential development by adhering to the community plan land use designations.

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 2-2.1: 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 General Plan Amendment to re-designate the subject property to Regional Commercial, along with the Zone and Height District Change to (T)(Q)C2-2D facilitates the construction of 36,400 square feet of office and restaurant floor area thereby avoiding the encroachment of standalone development within a commercially zoned area.

The project will renovate and re-purpose an existing, 19,972 square-foot church building (built in 1936) into commercial (retail/restaurant) uses and will remove an existing surface parking lot along the Shatto Place frontage with a new public plaza that will be nicely landscaped and lined with neighborhood serving commercial uses. This new public plaza will enable the development to more appropriately fit into the existing neighborhood.

Goal 17: Preserve and restore cultural resources, neighborhoods and landmarks which have historical and/or cultural significance.

Objective 17-1: Ensure that the Wilshire Community's historically significant resources are protected, preserved, and/or enhanced.

Policy 17-1.1: Encourage the preservation, maintenance, enhancement and reuse of existing historic buildings and the restoration of original facades.

Objective 17-3: Encourage private owners of historic resources to maintain and enhance their properties in a manner that will preserve the integrity of such resources.

Policy 17-3.1: Assist private owners of historic resources to maintain and enhance their properties in a manner that will preserve the integrity of such resources.

While the existing church building (formerly the First English Evangelical Lutheran Church) is not an Historic-Cultural Monument, it is identified in SurveyLA as an "as an excellent example of Spanish Colonial Revival institutional architecture." The General Plan Amendment to re-designate the subject property to Regional Commercial, along with the Zone and Height District Change to (T)(Q)C2-2D supports the preservation and reuse of the church building.

Therefore, the project is consistent with the Wilshire Community Plan in that it implements the abovementioned goals, objectives and policies if the Plan.

- c. The **Framework Element** for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework

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

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 liveable city.

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

Policy 3.1.4: Accommodate new development in accordance with land use and density provisions of the General Plan Framework Long-Range Land Use Diagram and Table 3-1.

Policy 3.1.5: Identify areas on the Long-Range Land Use Diagram and in the community plans sufficient for the development of a diversity of uses that serve the needs of existing and future residents (housing, employment, retail, entertainment, cultural/institutional, educational, health, services, recreation, and similar uses), provide job opportunities, and support visitors and tourism.

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

Policy 3.2.1: Provide a pattern of development consisting of distinct districts, centers, boulevards, and neighborhoods that are differentiated by their functional role, scale, and character. This shall be accomplished by considering factors such as the existing concentrations of use, community-oriented activity centers that currently or potentially service adjacent neighborhoods, and existing or potential public transit corridors and stations.

Policy 3.2.2: Establish, through the Framework Long-Range Land Use Diagram, community plans, and other implementing tools, patterns and types of development that improve the integration of housing with commercial uses and the integration of public services and various densities of residential development within neighborhoods at appropriate locations.

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

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.

The General Plan Amendment to re-designate the subject property to Regional Commercial, along with the Zone and Height District Change to (T)(Q)C2-2D is consistent with the General Plan Framework Long-Range Land Use Diagram and Table 3-1 and allows for development of a new, 41-story, mixed-use development with 367 residential dwelling units and 36,400 square feet of office and restaurant floor area which will serve the needs of existing and future residents, and provides job opportunities, thereby contributing toward and facilitating the City's long-term economic viability and vision for a more liveable city.

The project is located approximately 750 feet from Vermont/Wilshire Metro Station, with direct access to both the Metro B (Red) and D (Purple) Lines, thereby reducing vehicular trips to and from the project site and congestion around the site.

Additionally, the increased intensity of the project enables the city to conserve nearby existing stable residential neighborhoods and lower-intensity commercial districts by allowing controlled growth away from such neighborhoods and districts.

Lastly, the project while also recognizes the unique opportunity to preserve and reuse existing church building which, while not an Historic-Cultural Monument, it is identified in SurveyLA as an "as an excellent example of Spanish Colonial Revival institutional architecture."

Therefore, the General Plan Amendment and Zone and Height District Changes are consistent with the Distribution of Land Use goals, objectives and policies of the General Plan Framework Element.

Goal 3F: Mixed-use centers that provide jobs, entertainment, culture, and serve the region.

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.

Policy 3.10.1: Accommodate land uses that serve a regional market in areas designated as "Regional Center". Retail uses and

services that support and are integrated with the primary uses shall be permitted. The range and densities/intensities of uses permitted in any area shall be identified in the community plans.

The General Plan Amendment to re-designate the subject property to Regional Commercial, along with the Zone and Height District Change to (T)(Q)C2-2D allows for the development of a mixed-use project that provides 367 dwelling units and 36,400 square feet of office and restaurant/retail uses, all within 750 feet of the Vermont/Wilshire Metro Station.

Therefore, the Zone Change is consistent with the Regional Centers goals, objectives and policies of the General Plan Framework Element.

- d. The **Housing Element** of the General Plan will be implemented by the recommended action herein. The Housing Element is the City's blueprint for meeting housing and growth challenges. It identifies the City's housing conditions and needs, reiterates goals, objectives, and policies that are the foundation of the City's housing and growth strategy, and provides the array of programs the City has committed to implement to create sustainable, mixed-income neighborhoods across the City. The Housing Element includes the following objectives and policies relevant to the instant request:

Goal 1: Housing Production and Preservation.

Objective 1.1: Produce an adequate supply of rental and ownership housing in order to meet current and projected needs.

Policy 1.1.3: Facilitate new construction and preservation of a range of different housing types that address the particular needs of the city's households.

Policy 1.1.4: Expand opportunities for residential development, particularly in designated Centers, Transit Oriented Districts and along Mixed-Use Boulevards.

Objective 1.4: Reduce regulatory and procedural barriers to the production and preservation of housing at all income levels and needs.

Policy 1.4.1: Streamline the land use entitlement, environmental review, and building permit processes, while maintaining incentives to create and preserve affordable housing.

The General Plan Amendment to re-designate the subject property to Regional Commercial, along with the Zone and Height District Change to (T)(Q)C2-2D implements the Housing Element by increasing the housing supply consistent with the Regional Center Commercial land use designation. The project will result in the production of new housing opportunities, meeting the needs of the city, while ensuring a range of different housing types, along with covenanted-restricted affordable units that address the particular needs of the city's households.

Furthermore, the project streamlines the land use entitlement, environmental review, and building permit process by establishing a singular regulatory standard across the entire site which allows for the construction of 367 dwelling units, as opposed to the project going through multiple individual entitlements.

Therefore, the General Plan Amendment, and Zone and Height District Change is consistent with the Housing Element goals, objectives and policies of the General Plan.

- e. The **Mobility Element** of the General Plan (Mobility Plan 2035) is not likely to be affected by the recommended action herein. Shatto Place is a Local Street and 6th Street is an Avenue II. Dedications and improvements have been established under the approved Vesting Tentative Tract Map No. 83213.

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

Policy 2.10: Facilitate the provision of adequate on and off-street loading areas.

The proposed project has been designed with a minimal number of driveways along Shatto Place and the loading dock is located at the back of the structure and out of view from the public right-of-way.

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

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

Policy 3.4: Provide all residents, workers and visitors with affordable, efficient, convenient, and attractive transit services.

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

Policy 3.7: Improve transit access and service to major regional destinations, job centers, and inter-modal facilities.

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

The project's proximity to existing regional transit services (within 750 feet of the Vermont/Wilshire Metro Station and Metro Rapids 720 and 754) will reduce vehicular trips to and from the project, vehicle miles traveled, and will contribute to the improvement of air quality. The adjacency of the regional transit services along with the creation of 367 dwelling units and 36,400 square feet of office and restaurant/retail uses, ties the proposed project into a regional network of transit and housing.

In addition, the project will provide a total of 200 bicycle parking spaces, including 185 spaces for residences (18 short-term and 167 long-term spaces) and 15 for the commercial uses (7 short-term and 8 long-term spaces). A separate bicycle room is located at the northern portion of the ground floor and includes a workspace to allow bicyclists to maintain their bicycles.

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

The project shall provide electric vehicle charging spaces (EV Spaces) and electric vehicle charging stations (EVCS) in conformance with the regulations outlined in Sections 99.04.106 and 99.05.106 of Article 9, Chapter IX of the LAMC.

Therefore, the General Plan Amendment and Vesting Zone and Height District Change are consistent with Mobility Plan 2035 goals, objectives and policies of the General Plan.

- f. The **Sewerage Facilities Element** of the General Plan will not be affected by the recommended action. While the sewer system might be able to accommodate the total flows for the proposed project, further detailed gauging and evaluation may be needed as part of the permit process to identify a specific sewer connection point. If the public sewer has insufficient capacity then the developer will be required to build sewer lines to a point in the sewer system with sufficient capacity. A final approval for sewer capacity and connection permit will be made at that time. Ultimately, this sewage flow will be conveyed to the Hyperion Treatment Plant, which has sufficient capacity for the project.
- g. **Charter Findings - City Charter Sections 555 and 558 (General Plan Amendment).**

The Wilshire Community Plan designates four (4) major areas as Regional Commercial. The subject property - which is northeast of the intersection of Shatto Place and 6th Street - and surrounding area are located within the "Wilshire Center Regional Commercial Center." The Wilshire Center Regional Commercial Center is approximately 100 acres in size and "includes a dense collection of high rise office buildings, large hotels, regional shopping complexes, churches, entertainment centers, and both high-rise and low-rise apartment buildings."

Similarly, the subject property and surrounding area are found within the Regional Center designation of the General Plan Framework Element, as shown in the Long Range Land Use Diagram. The Framework Element defines a Regional Center as, "[a] focal point of regional commerce, identity and activity and containing a diversity of uses such as corporate and professional offices, residential, retail commercial malls, government buildings, major health facilities, major entertainment and cultural facilities and supporting services. Generally, different types of Regional Centers will fall within the range of floor area ratios from 1.5:1 to 6.0:1. Some will only be commercially oriented; others will contain a mix of residential and commercial uses. Generally, Regional Centers are characterized by 6- to 20-stories (or higher). Regional Centers are usually major transportation hubs."

The proposed project involves the construction of a new, 41-story, mixed-use development with 367 residential dwelling units and 36,400 square feet of office and restaurant floor area. The project would have a maximum Floor Area Ratio (FAR) of 6:1. Lastly, the project is located approximately 750 feet from a major transportation hub, the Vermont/Wilshire Metro Station, with direct access to both the Metro B (Red) and D (Purple) Lines. The General Plan Amendment from Community Commercial to Regional Commercial to allow the project to be rezoned to Height District 2 and thereby allow an FAR of 6:1.

Therefore, as the project is located within an area with significant economic and physical identity, as identified by both the General Plan Framework Element and the Wilshire Community Plan, the General Plan Amendment complies with Charter Section 555.

The proposed General Plan Amendment will be in conformity with Charter Section 558 because it will satisfy public necessity, convenience, general welfare and good zoning practice. As discussed in Findings Section 1, above, the Plan Amendment is good zoning practice because it will ensure a land use designation consistent with the General Plan Framework Element and Wilshire Community Plan. It will also satisfy the public's needs, convenience and general welfare by allowing for the construction of 367 residential dwelling units and 36,400 square feet of office and restaurant floor area within an area designated as a Regional Center, as discussed in Findings Section 1 above, and the Zone Change Findings Section 2 below.

Therefore, the General Plan Amendment and Vesting Zone and Height District Change is consistent with City Charter Sections.

Zone Change and Height District Change Findings

2. Pursuant to LAMC Section 12.32, the zone change, height district change and classifications are necessary because:

- a. Public Necessity: Approval of the Zone and Height District Change to the (T)(Q)C2-2D Zone is necessary in order for the project to be considered under one (1) zone rather than multiple zones. The mixed-use development is consistent with the type of development encouraged by the General Plan Framework Element and the Wilshire Community Plan, with regard to Regional Center development, as outlined above.
- b. Convenience: The project will redevelop a commercially zoned property that is within 750 feet of the Vermont/Wilshire Metro Station and Metro Rapids 720 and 754 with 367 residential dwelling units and 36,400 square feet of office and restaurant floor area which will provide new housing, dining and retail opportunities within walking distance to surrounding residences and public transit
- c. General Welfare: Granting the Zone and Height District Change to the (T)(Q)C2-2D Zone allows for the development of a mixed-use project with 367 residential dwelling units and 36,400 square feet of office and restaurant floor area, which will support the Wilshire community by providing additional housing, dining and retail opportunities, as well as enhance the urban environment, by encouraging daytime and nighttime activity within a Regional Center. Given the project's proximity to existing regional transit services, the project will provide new housing opportunities and amenities at both the local and regional scale.
- d. Good Zoning Practices: Approval of the Zone and Height District Change to the (T)(Q)C2-2D Zone with 367 residential dwelling units and 36,400 square feet of office and restaurant floor area, is consistent with the type of development encouraged by the General Plan Framework Element and the Wilshire Community Plan, with regard to Regional Center development, as outlined above.
- e. "T" Tentative and "Q" Classification and "D" Development Limitation Findings: Per Section 12.32-G, 1, 2 and 4 of the Municipal Code, the current action, as recommended, has been made contingent upon compliance with new "T" and "Q" conditions of approval and "D" development limitations imposed herein for the proposed project. Such limitations are necessary to ensure that the scale, design and scope of future development on the site are limited to protect the orderly arrangement of the property concerned into lots and/or that provision be made for adequate streets, drainage facilities, grading, sewers, utilities, park and recreational facilities; and/or that provision be made for payments of fees in lieu of dedications and/or that provision be made for other dedications; and/or that provision

be made for improvements the best interests of and to assure a development more compatible with surrounding properties, to secure an appropriate development in harmony with the General Plan as discussed in Findings Section 1, and to prevent potential adverse environmental effect of adding incompatible uses to the established neighborhood.

Conditional Use Findings

- 3. 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 440,442 square feet of floor area consisting of a 41-story, mixed-use high rise with a maximum height of 483 feet and the conversion of an existing 19,972 square-foot church building into restaurant uses. The project would demolish all other existing buildings onsite. The high-rise would contain 367 residential dwelling units, including 11 percent of the total number of dwelling units as affordable housing (six (6) percent Very Low Income and five (5) percent Extremely Low Income) for a total of 42 affordable dwelling units. Total commercial square footage, inclusive of the re-purposed church building, would consist of 36,400 square feet of office and restaurant floor area. All restaurants seeking to utilize the requested Main Conditional Use Permit ("MCUP") would have maximum hours of operation from 11:00 a.m. to 2:00 a.m., daily. The project proposes up to 470 automobile parking spaces in four levels of subterranean parking, 175 long-term bicycle parking spaces, 25 short-term bicycle parking spaces, and 33,169 square feet of credited open space.

The subject property is comprised of four (4) lots resulting in approximately 66,411 square feet of lot area prior to dedication and 73,407 square feet post-dedication with a 345-foot frontage along Shatto Place and a 187-foot frontage along 6th Street.

The property is located within the Wilshire Community Plan and approximately 750 feet from the Vermont/Wilshire Metro Station and Metro Rapids 720 and 754.

Alcohol

The subject request entails a Main Conditional Use Permit (MCUP) to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with 10 restaurants. In order to utilize this grant, each individual tenant will be required to file a Main Plan Approval (MPA) application to review the final floor plans and the mode and character of each venue. The Zoning Administrator may impose additional conditions, modify or delete any conditions of the instant grant based in his or her review of each individual application, unless otherwise noted by the conditions of this grant. Therefore, more specific operational conditions will be included as part of the Approval of Plans determination required for each establishment.

All of the restaurants are located at ground level and will enhance the built environment in the surrounding neighborhood and will perform a function and provide a service that is essential and beneficial to the surrounding community in a variety of different respects. The project will offer viable dining options and compete with other eating venues, while offering an alcoholic beverage to complement the meal. The project will allow for residents, employees and visitors of the area a great selection of dining choices that will add convenience for those who visit the site. The sales of alcoholic beverages incidental to food service will allow the establishments to be competitive and offer viable dining options in the area, while providing a convenience. As such, the project will enhance the built environment in the surrounding neighborhood, and will provide a service that is essential and beneficial to the surrounding community.

Transient Occupancy Residential Structure (TORS)

The applicant is seeking a Conditional Use to allow the construction, use and maintenance of a 90-unit Transient Occupancy Residential Structure (TORS). A TORS use would allow short-term rental for less than 30 days which is similar to a guest room within a hotel. However, unlike a guest room, the TORS use allows for kitchens whereas guest rooms do not. Therefore, as the proposed 90 TORS units are effectively dwelling units but limited to a maximum 30-day tenancy, the TORS component does not service a function or service that is essential or beneficial to the community, city, and the region as a whole.

4. **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 proposed project involves 440,442 square feet of floor area consisting of a 41-story, mixed-use high rise with a maximum height of 483 feet and the conversion of an existing 19,972 square-foot church building into restaurant uses. The project would demolish all other existing buildings onsite. The high-rise would contain 367 residential dwelling units, including 11 percent of the total number of dwelling units as affordable housing (six (6) percent Very Low Income and five (5) percent Extremely Low Income) for a total of 42 affordable dwelling units. Total commercial square footage, inclusive of the re-purposed church building, would consist of 36,400 square feet of office and restaurant floor area. All restaurants seeking to utilize the requested Main Conditional Use Permit ("MCUP") would have maximum hours of operation from 11:00 a.m. to 2:00 a.m., daily. The project proposes up to 470 automobile parking spaces in four levels of subterranean parking, 175 long-term bicycle parking spaces, 25 short-term bicycle parking spaces, and 33,169 square feet of credited open space.

Surrounding properties are developed with a mix of residential, commercial retail/restaurant, commercial office, and institutional uses. To the west of the project site, along Shatto Place, land uses include office and creative office development, surface parking, a parking structure, and educational uses such as Nobel University and county government uses including the Los Angeles County Department of Workforce, Aging and Community Services, the Los Angeles County Department of Mental Health, and the Los Angeles County Regional Park and Open Space District. The project site is bordered to the north along West 5th Street by multi-family housing. To the east, along South Westmoreland Avenue, uses include multi-family residential, commercial and office development. To the south of the project site, along West 6th Street, land uses include various commercial and office uses and related surface parking. Southwest of the project site is Young Oak Kim Academy, a Los Angeles Unified School District (LAUSD) middle school.

Other notable developments in the surrounding area include the following:

Address	Floor Area	FAR	Height
<i>Proposed Project</i>	<i>440,442 sq. ft.</i>	<i>6:1</i>	<i>41 stories</i>
<i>515-531 Virgil Avenue & 518-526 Westmoreland Avenue (approved)</i>	<i>132,367 sq. ft.</i>	<i>3.61:1</i>	<i>8 stories</i>
2968 6 th Street & 601 Commonwealth Avenue	340,832 sq. ft.	4.26:1	7 stories
522-550 Shatto Place & 3119 6 th Street <i>(approved, subject property)</i>	235,744 sq. ft.	4.25:1	31 stories
3033-3037 Wilshire Boulevard	244,406 sq. ft.	6.21:1	19 stories
3019-3023 6 th Street <i>(approved)</i>	14,977 sq. ft.	3.18:1	6 stories

Alcohol

In order to utilize this grant, each individual tenant will be required to file a Main Plan Approval (MPA) application to review the final floor plans and the mode and character of each venue. The Zoning Administrator may impose additional conditions, modify or delete any conditions of the instant grant based in his or her review of each individual application, unless otherwise noted by the conditions of this grant. Therefore, more specific operational conditions will be included as part of the Approval of Plans determination required for each establishment.

General as well as more specific conditions of approval have been included in this grant to address nuisances, mode and character, noise, security, and responsible management. Hours of operation for the outdoor patios are limited from 11:00 a.m. to 2:00 a.m., daily. The approval is limited to on-site consumption within bona-fide restaurants.

As conditioned, by the instant grant and future MPAs, approval of the instant request will not be materially detrimental to the character of the immediate neighborhood. As such, 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 and the development of the community.

Transient Occupancy Residential Structure

The applicant is seeking a Conditional Use to allow the construction, use and maintenance of a 90-unit Transient Occupancy Residential Structure (TORS). As indicated above, the surrounding neighborhood include numerous building which are similar to the proposed development. The TORS' proximity to downtown and Hollywood along with local and regional transit services will minimize the dependence of guests on the automobile which will reduce roadway congestion.

Therefore, the proposed TORS, will be compatible with the surrounding urban environment and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

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

There are eleven elements of the General Plan. Each of these Elements establishes policies 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 in the form of Code Requirements of the Los Angeles Municipal Code. Except for those entitlements described herein, the project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code.

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. The applicant has requested a General Plan Amendment from Community Commercial to Regional Commercial and a Zone and Height District Change to (T)(Q)C2-2D.

The Community Plan text is silent with regards to the sale of alcohol, nevertheless, as discussed in Finding No. 1, the project is consistent with many of the goals and objectives of the General Plan and the Wilshire Community Plan. The project is not located within any Specific Plan.

With regards to TORS, the Wilshire Community Plan text includes the following relevant land use goals, objectives and policies:

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 Multiple Family residential development.

Policy 1-1.4: Provide for housing along mixed-use boulevards where appropriate.

Objective 1-4: Provide affordable housing and increased accessibility to more population segments, especially students, the handicapped and senior citizens.

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

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

The proposed 90 TORS units, which are limited to a maximum 30-day tenancy, do not increase the housing stock or promote greater individual choice in housing. Therefore, the TORS component of the project is consistent with the Wilshire Community Plan.

Therefore, the project is not in substantial conformance with the purpose, intent and provisions of the General Plan and the applicable community plan.

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

Conditional authorization for the sales and dispensing of a full line of alcoholic beverages for on-site consumption is allowed through the approval of a Conditional Use subject to certain findings. Given the scope of the conditions and limitations established herein, the surrounding land uses will not be significantly impacted by the sale of alcohol. As stated in the above finding, the proposed project will be consistent with the intent of the General Plan and Community Plan.

A variety of commercial uses are an intrinsic part of these service amenities necessary for the conservation, development, and success of a vibrant neighborhood. The grant includes conditions to ensure the existing and proposed restaurants remain compatible with surrounding uses. As conditioned, the sale of alcohol will not adversely affect the welfare of the pertinent community.

The conditions of the grant include deterrents against loitering and to encourage responsible management. Employees will undergo training on the sale of alcohol including training provided by the Los Angeles Police Department Standardized Training for Alcohol Retailers (STAR) Program. Other conditions related to excessive noise, litter and noise prevention

would safeguard the residential community. In addition, each individual tenant will be required to file a Main Plan Approval (MPA) to utilize the instant grant to review the final floor plans and the mode and character of each venue. The Zoning Administrator may impose additional conditions, modify or delete any conditions of the instant grant based in his or her review of each individual application, unless otherwise noted by the conditions of this grant. Therefore, more specific operational conditions will be included as part of the Approval of Plans determination required for each establishment. As such, the proposed uses will not adversely affect the welfare of the pertinent community.

7. **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.**

The applicant is requesting a Main Conditional Use Permit to allow for the sale and distribution of a full line of alcoholic beverages within 10 restaurants.

According to the State of California Department of Alcoholic Beverage Control (ABC) licensing criteria, five (5) on-sale and three (3) off-sale licenses are allocated to subject Census Tract No. 2111.20. There are currently seven (7) on-site and five (5) off-site licenses in this census tract.

According to statistics provided by the Los Angeles Police Department, within Crime Reporting District No. 2029, which has jurisdiction over the subject property, a total of 381 crimes and arrests were reported in 2020, compared to the citywide average of 141 and the high crimes and arrests reporting district average of 169 crimes for the same period.

In 2020, there were 20 Narcotics, 0 Liquor Law, 1 Public Drunkenness, 0 Disturbing the Peace, 1 Disorderly Conduct, and 4 DUI related arrests. These numbers do not reflect the total number of arrests in the subject reporting district over the accountable year. Arrests for this calendar year may reflect crimes reported in previous years.

Over concentration can be undue when the addition of a license will negatively impact a neighborhood. Over concentration is not undue when the approval of a license does not negatively impact an area, but rather such a license benefits the public welfare and convenience. While the site is located in a census tract where the number of existing ABC licenses exceeds ABC guidelines and within a reporting district where the crime rate is higher than the citywide average, no evidence was submitted for the record by the LAPD or adjacent residents indicating or suggesting any link between the subject site and the neighborhood's crime rate. Furthermore, given the size and variety of uses within the proposed development, the sale and consumption of alcohol within 10 restaurants is not expected in add to the existing crime levels in the area. No Revocation proceedings have been initiated within the City of Los Angeles and suspensions of alcohol licenses have occurred within the census tract in recent years.

8. **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.

A multi-family residential development abuts subject property to the east and numerous sensitive uses, such as churches and schools exist within the surrounding neighborhood. While the proposed project is located in proximity to these sensitive uses, the site does not have direct access to these uses. These uses are located a substantial distance from the site and will not to be directly affected by activities on the site.

- | | |
|---|----------------------------------|
| • LA Jesus Village Church | 612 South Shatto Place |
| • Islamic Center of Southern California | 434 South Vermont Avenue |
| • Rhema Mission | 3200 West Wilshire Boulevard |
| • Ralph Mission Church | 3100 West Wilshire Boulevard |
| • Korean Christian Mission | 2975 West Wilshire Boulevard |
| • First Korean Congregation | 639 South Commonwealth Avenue |
| • Shatto Recreation Center | 3191 West 4 th Street |
| • Young Oak Kim Academy | 615 South Shatto Place |

Nevertheless, included in this grant are a number of general conditions that will act to minimize any impacts that might be generated by alcohol serving establishment. As conditioned, the proposed project is anticipated to not have a detrimental effect on any sensitive use in the area.

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

See Finding #1 above.

10. 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 proposed project involves 440,442 square feet of floor area consisting of a 41-story, mixed-use high rise with a maximum height of 483 feet and the conversion of an existing 19,972 square-foot church building into restaurant uses. Total commercial square footage, inclusive of the re-purposed church building, would consist of 36,400 square feet of office and restaurant floor area. The project proposes up to 470 automobile parking spaces in four (4) levels of subterranean parking, 175 long-term bicycle parking spaces, 25 short-term bicycle parking spaces, and 33,169 square feet of credited open space.

The subject property is comprised of four (4) lots resulting in approximately 66,411 square feet of lot area prior to dedication and 73,407 square feet post-dedication with a 345-foot frontage along Shatto Place and a 187-foot frontage along 6th Street.

The subject property is currently developed with the New Covenant Academy, a private school serving grades K-12, and a four-story office building in the north which includes a one-story plus mezzanine 12,800 square feet church building constructed in 1936 for the First English Evangelical Lutheran Church. The 1936 church building on the Project Site was identified by SurveyLA, the citywide historic resources survey overseen by the City of Los Angeles' Office of Historic Resources, as appearing to be eligible through survey evaluation for listing in the National Register of Historic Places, the California Register of Historical Resources, and as a

local Historic-Cultural Monument. Therefore, the church building is treated as a historical resource as defined by CEQA. In addition, the property is developed with a 4,105-square-foot one-story school classroom building constructed in 1953, a 2,412-square-foot, two-story classroom building constructed in 1964, and restroom and storage facilities constructed in 2004 (1,760 square feet), and surface parking; and at 514 Shatto Place, there is a four story, concrete-framed, mid-rise, multi-tenant office building with at-grade parking.

Surrounding properties are developed with a mix of residential, commercial retail/restaurant, commercial office, and institutional uses. To the west of the project site, along Shatto Place, land uses include office and creative office development, surface parking, a parking structure, and educational uses such as Nobel University and county government uses including the Los Angeles County Department of Workforce, Aging and Community Services, the Los Angeles County Department of Mental Health, and the Los Angeles County Regional Park and Open Space District. The project site is bordered to the north along West 5th Street by multi-family housing. To the east, along South Westmoreland Avenue, uses include multi-family residential, commercial and office development. To the south of the project site, along West 6th Street, land uses include various commercial and office uses and related surface parking. Southwest of the project site is Young Oak Kim Academy, a Los Angeles Unified School District (LAUSD) middle school.

The proposed 440,442 square-foot (6:1 FAR), 41-story mixed-use development is compatible with the existing and future surrounding developments. The table below includes a list of existing or approved developments within approximately 1,000 feet of the subject site.

Address	Floor Area	FAR	Height
<i>Proposed Project</i>	<i>440,442 sq. ft.</i>	<i>6:1</i>	<i>41 stories</i>
<i>515-531 Virgil Avenue & 518-526 Westmoreland Avenue (approved)</i>	<i>132,367 sq. ft.</i>	<i>3.61:1</i>	<i>8 stories</i>
2968 6 th Street & 601 Commonwealth Avenue	340,832 sq. ft.	4.26:1	7 stories
522-550 Shatto Place & 3119 6 th Street <i>(approved, subject property)</i>	235,744 sq. ft.	4.25:1	31 stories
3033-3037 Wilshire Boulevard	244,406 sq. ft.	6.21:1	19 stories
3019-3023 6 th Street <i>(approved)</i>	14,977 sq. ft.	3.18:1	6 stories

The proposed project is the construction, use, and maintenance of a new, 41-story building and the preservation and reuse of an existing church building. The 41-story building will include 367 residential units, including 42 affordable units, and 16,428 square feet of commercial office and retail/restaurant floor area at the first and second floor levels. The existing church building will include 19,972 square feet of retail/restaurant floor area. Below the 41-story building will be four (4) levels of subterranean parking.

The project includes 200 one-bedroom units, 100 two-bedroom units, 13 three-bedroom units and 54 five-bedroom units.

Height, Bulk, and Setbacks

The applicant has request a Zone and Height District Change to the (T)(Q)C2-2D Zone. The project's height, floor area and setbacks are consistent with the requested zone.

With 73,407 square feet of buildable area with a maximum permitted FAR of 6:1, the project is permitted 440,442 square feet, as is proposed. The proposed building height of 483 feet and 41 stories is consistent with the Height District. The 11-foot, one-inch front yard setback and the setbacks at the residential levels complies with the (T)(Q)C2-2D Zone.

The height, bulk, and setbacks of the subject project are consistent with the existing development in the immediate surrounding area and with the requested (T)(Q)C2-2D Zone.

Parking

The project proposes up to 470 automobile parking spaces, including 396 spaces for the residences and 74 space for the commercial uses, all to be located within four (4) levels of subterranean parking. The project will also provide 175 long-term bicycle parking spaces, 25 short-term bicycle parking spaces.

Vehicular access to the site is provided via two (2) driveways along Shatto Place, one (1) ingress-only driveway and one (1) ingress/egress driveway, both with access to the subterranean parking levels. Pedestrian access to the residential and office buildings are located off of Shatto Place and 6th Street. Therefore, the parking will be compatible with the existing and future developments in the area.

Lighting

Lighting is required to be provided per LAMC requirements. The project proposes security lighting will be provided to illuminate building, entrances, walkways and parking areas. As conditioned, the project is required to provide outdoor lighting with shielding, so that the light source cannot be seen from adjacent residential properties. Therefore, the lighting will be compatible with the existing and future developments in the neighborhood.

On-Site Landscaping

The project will provide 33,169 square feet of Code-qualified Open Space and will provide 4,147 square feet of landscaping, including 92 trees.

The project has been conditioned so that all open areas not used for buildings, driveways, parking areas, recreational facilities or walks will be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect. The planting of any required trees and street trees will be selected and installed per the Bureau of Street Services, Urban Forestry Divisions' requirements. Therefore, the on-site landscaping will be compatible with the existing and future developments in the neighborhood.

Loading/Trash Area

The project will provide a loading area at the back of the building, with a private alley. Waiting areas and drop areas will be on the ground level.

The project will include on-site trash collection for both refuse and recyclable materials, in conformance with the LAMC. Compliance with these regulations will allow the project to be compatible with existing and future development. Additionally, service area for trash collection is to be located on all upper floors. Therefore, as proposed and conditioned, the project is compatible with existing and future development on neighboring properties.

As described above and as depicted within the plans and elevations submitted with the instant application, with parking on-site for residents and commercial parking spaces, lighting, landscaping, trash collection, and other pertinent improvements, the project is compatible with existing and future development in the surrounding area.

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

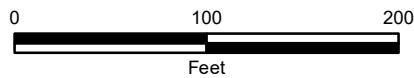
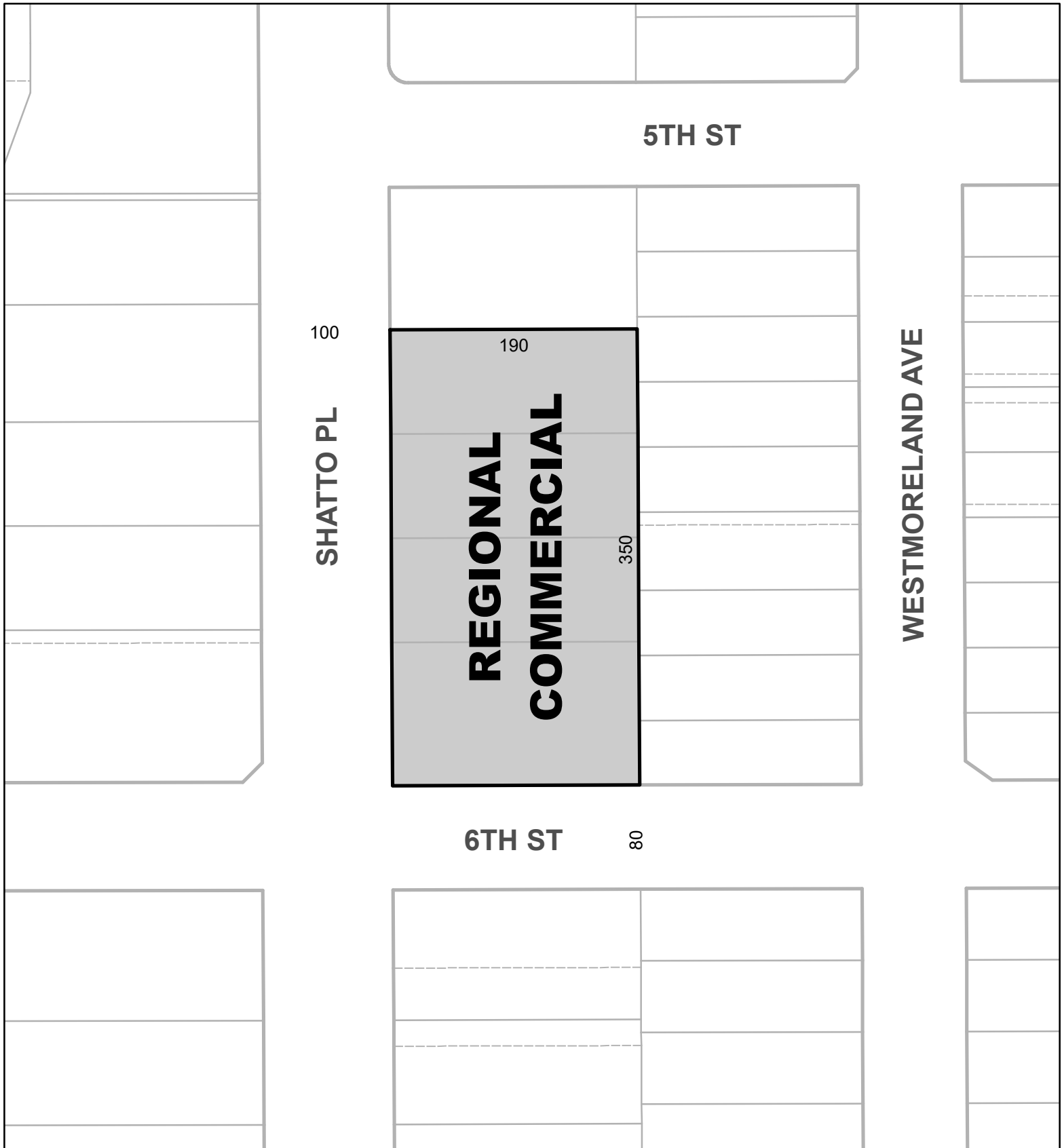
The project provides 33,169 square feet of Code-qualified Open Space in the form of 16,585 square feet of outdoor common area at the 2nd, 3rd, and 40th floors and 16,584 square feet of private balcony area for individual units. The project provides an additional 33,045 square feet of Open Space at the ground, 2nd, 3rd and 40th floors.

Specifically, the project includes the following: landscaping and seating areas at the ground floor within the public plaza area; landscaping, seating areas, a pool and spa, indoor and outdoor gym areas, and bar/kitchen on the 3rd floor; and landscaping, seating areas, fire pits, a spa, dining areas, a bar, barbeques, and community rooms on the 40th floor.

Therefore, the proposed project provides recreational and service amenities that will improve habitability for its residents and minimize impacts on neighboring properties.

Environmental Findings

- 12. Sustainable Communities Environmental Assessment.** Based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in Sustainable Communities Environmental Assessment No. ENV-2018-3986-SCEA, adopted on August 14, 2019; and pursuant to CEQA Guidelines 15162 and 15164, as supported by the addendum dated February 2021, no major revisions are required to the SCEA; and no subsequent SCEA is required for approval of the project.
- 13. Flood Insurance.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Flood Zone X, areas determined to be outside the 0.2% annual chance floodplain.



CPC-2020-6192-GPAJ-VZCJ-HD-CU-MCUP-SPR-HCA

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City of Los Angeles



RESOLUTION

WHEREAS, the subject project is located within the area covered by the Wilshire Community Plan which was updated by the City Council on September 19, 2001; and

WHEREAS, the City Planning Commission recommended approval of a General Plan Amendment from Community Commercial to Regional Center Commercial; and recommended approval of a Zone and Height District Change from CR-1 and C2-1 to (T)(Q)C2-2; and

WHEREAS, the approved project is for the construction of a 367-unit mixed-use development; and

WHEREAS, the City Planning Commission at its meeting on April 22, 2021 approved the General Plan Amendment and recommended approval by the City Council and the Mayor of a General Plan Amendment; and

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

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

WHEREAS, the Regional Center Commercial land use designation and the (T)(Q)C2-2 Zone will allow the project as described above which is consistent with the Plan and Zone; and

WHEREAS, the subject proposal has prepared an Addendum to a Sustainable Communities Environmental Assessment No. ENV-2018-3986-SCEA-REC1 in accordance with the City's Guidelines for implementation of the California Environmental Quality Act (CEQA);

NOW, THEREFORE, BE IT RESOLVED that the Wilshire Community Plan be amended as shown on the attached General Plan Amendment map.

COVID-19 UPDATE

Interim Appeal Filing Procedures

Fall 2020



Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, City Planning has implemented new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction.

OPTION 1: Online Appeal Portal

(planning.lacity.org/development-services/appeal-application-online)

Entitlement and CEQA appeals can be submitted online and payment can be made by credit card or e-check. The online appeal portal allows appellants to fill out and submit the appeal application directly to the Development Services Center (DSC). Once the appeal is accepted, the portal allows for appellants to submit a credit card payment, enabling the appeal and payment to be submitted entirely electronically. A 2.7% credit card processing service fee will be charged - there is no charge for paying online by e-check.

Appeals should be filed early to ensure DSC staff has adequate time to review and accept the documents, and to allow Appellants time to submit payment. On the final day to file an appeal, the application must be submitted and paid for by 4:30PM (PT). Should the final day fall on a weekend or legal holiday, the time for filing an appeal shall be extended to 4:30PM (PT) on the next succeeding working day. Building and Safety appeals (LAMC Section 12.26K) can only be filed using Option 2 below.

OPTION 2: Drop off at DSC

An appellant may continue to submit an appeal application and payment at any of the three Development Services Center (DSC) locations. City Planning established drop off areas at the DSCs with physical boxes where appellants can drop.

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

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

City Planning staff will follow up with the Appellant via email and/or phone to:

- Confirm that the appeal package is complete and meets the applicable LAMC provisions
- Provide a receipt for payment