

## 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 6<sup>th</sup> 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 6<sup>th</sup> 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 6<sup>th</sup> 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 5<sup>th</sup> 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 6<sup>th</sup> 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:

<b>Address</b>	<b>Floor Area</b>	<b>FAR</b>	<b>Height</b>
<i>Proposed Project</i>	<i>440,442 sq. ft.</i>	<i>6:1</i>	<i>41 stories</i>
<i>515-531 Virgil Avenue &amp; 518-526 Westmoreland Avenue (approved)</i>	<i>132,367 sq. ft.</i>	<i>3.61:1</i>	<i>8 stories</i>
2968 6 <sup>th</sup> Street & 601 Commonwealth Avenue	340,832 sq. ft.	4.26:1	7 stories
522-550 Shatto Place & 3119 6 <sup>th</sup> 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 <sup>th</sup> 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 <sup>th</sup> 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 6<sup>th</sup> 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 5<sup>th</sup> 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 6<sup>th</sup> 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.

<b>Address</b>	<b>Floor Area</b>	<b>FAR</b>	<b>Height</b>
<i>Proposed Project</i>	<i>440,442 sq. ft.</i>	<i>6:1</i>	<i>41 stories</i>
<i>515-531 Virgil Avenue &amp; 518-526 Westmoreland Avenue (approved)</i>	<i>132,367 sq. ft.</i>	<i>3.61:1</i>	<i>8 stories</i>
2968 6 <sup>th</sup> Street & 601 Commonwealth Avenue	340,832 sq. ft.	4.26:1	7 stories
522-550 Shatto Place & 3119 6 <sup>th</sup> 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 <sup>th</sup> 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 6<sup>th</sup> 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 2<sup>nd</sup>, 3<sup>rd</sup>, and 40<sup>th</sup> 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, 2<sup>nd</sup>, 3<sup>rd</sup> and 40<sup>th</sup> 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 3<sup>rd</sup> floor; and landscaping, seating areas, fire pits, a spa, dining areas, a bar, barbeques, and community rooms on the 40<sup>th</sup> 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.