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March 27, 2019

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CASE NO. ZA-2017-259-CU-CUB-ZAA-SPR  
CONDITIONAL USE, ZONING  
ADMINISTRATOR'S ADJUSTMENT,  
AND SITE PLAN REVIEW

3800-3832 West 6th Street, 608 South  
Serrano Avenue, & 607-611 South Hobart  
Boulevard

Wilshire Planning Area

Zone : C2-2 & R5-2

D. M. : 135B193

C. D. : 10 - Wesson

CEQA : ENV-2017-258-MND

Legal Description: Lots 64, 65, 76, 77 & 78,  
Kensington Place Tract

I FIND, pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Mitigated Negative Declaration, No. ENV-2017-258-MND, as circulated on November 28, 2018, ("Mitigated Negative Declaration"), and all comments received, with the imposition of mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment;

I FIND the Mitigated Negative Declaration reflects the independent judgment and analysis of the City;

I FIND the mitigation measures have been made enforceable conditions on the project;

I ADOPT the Mitigated Negative Declaration and the Mitigation Monitoring Program prepared for the Mitigated Negative Declaration;

Pursuant to Los Angeles Municipal Code (LAMC) Sections 12.24-W,24(a) and 12.24-S, I hereby APPROVE:

a Conditional Use to permit a hotel with within 500 feet of an R Zone and a 20 percent parking reduction for the mixed use development;

Pursuant to LAMC Section 12.24-W,1, I hereby APPROVE:

a Conditional Use to allow the sale and dispensing of a full line of alcoholic beverages for on- and off-site consumption in conjunction with a hotel, including service in hotel meeting and event rooms, in-room mini-bars, and the 8<sup>th</sup> floor restaurant and amenity deck with bar/lounge area;

Pursuant to LAMC Section 12.28-A, I hereby APPROVE:

a Zoning Administrator's Adjustment to allow:

an increase of up to 20 percent in the allowed Floor Area Ratio (FAR) from 6:1 to 7.19:1, and

an encroachment into the 10-foot Building Line along Hobart Boulevard, and

Pursuant to L.A.M.C. Section 16.05, I hereby APPROVE:

a Site Plan Review for a development which creates or results in an increase of 50 or more dwelling units or guest rooms,

upon the following additional terms and conditions:

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 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. 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.
5. 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 Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.

6. Approved herein is the construction of a new 21-story (240-foot tall), mixed-use development with 122 residential condominium units, 192 hotel guest rooms, and 14,495 square feet of ground and 2<sup>nd</sup> floor commercial space.
7. Hours of operation shall be 24 hours, daily.
8. **Parking.** Vehicle and bicycle parking shall be provided in conformance to the LAMC.
9. Approved herein are the following deviations from LAMC as depicted on approved "Exhibit A".
  - a. A floor area ratio of 7.2:1 for the mixed use development.
  - b. A 4-foot 1-inch encroachment onto the 10-foot Building Line on the 2<sup>nd</sup> floor and above along Hobart Boulevard.
10. **Driveway Access.** The site design shall be limited to one (1) two-way driveway on Hobart Boulevard and one (1) two-way driveway on Serrano Avenue. Vehicular access and internal circulation shall be approved by the Department of Transportation prior to issuance of a building permit.
11. **Landscape Plan.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the Department of City Planning Department. No trash or recycling areas shall be located within a required landscaped setback.
12. **Building Materials.** A note shall be added to the project elevations to indicate that any building materials consisting of metal shall be of a non-reflective material.
13. The applicant shall be responsible for maintaining free of debris or litter the area adjacent to the premises over which they have control, including the sidewalk in front of the establishment.
14. Any valet operators shall be required to obtain a valid LAPD Commission Investigation Division (CID) Valet Operator Permit pursuant to LAMC Section 103.203(b) and each valet attendant shall have a valid CID permit along with a valid California Driver License in their possession while on duty.
15. **Trash.** All trash collection and storage areas shall be located on-site and not visible from the public right-of-way.
16. **Rooftop Equipment.** Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view of any abutting properties and the public right-of-way. All screening shall be setback at least five (5) feet from the edge of the building.

**CONDITIONAL USE – Alcohol (Condition Nos. 17 to 36)**

17. Authorized herein is the sale and consumption of a full line of alcoholic beverages for on-site consumption in conjunction with controlled access cabinets (mini-bars) within each hotel guest room or suite on floors 3 through 7, and in conjunction with a 5,588 square-foot restaurant and 9,433 square-foot roof deck on the 8<sup>th</sup> floor, and meeting and banquet rooms on the 2<sup>nd</sup> floor, and for off-site consumption in conjunction with an approximately 1,000 square-foot gift/retail shop located on the 8<sup>th</sup> floor, from the effective date of this grant.

(Note: All alcohol sales for the hotel shall be limited to on-site consumption with the exception of accessory sales from the gift/retail shop located on the eighth floor.)

- a. The hours of operation for the hotel meeting and event rooms, hotel restaurant with bar/lounge on the 8<sup>th</sup> floor, and outdoor pool deck, 8<sup>th</sup> floor gift shop, and amenity deck with bar/lounge area shall be limited to 7 a.m. to 2 a.m., daily.
  - b. Indoor seating at the restaurant with bar/lounge on the 8<sup>th</sup> floor shall be limited to a maximum of 146 seats.
  - c. Outdoor seating at the 9,433 roof deck with outdoor seating for the restaurant bar/lounge on the 8<sup>th</sup> floor shall be limited to a maximum 153 seats.
  - a. No after-hours 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.
18. 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.
19. There shall be no live entertainment or amplified music on the premises. There shall be no karaoke, disc jockey, topless entertainment, male or female performers or fashion shows. Any background music or other recorded ambient music shall not be audible beyond the area under the control of the applicant.
20. No conditional use for dancing has been requested or approved herein. Dancing is prohibited.

21. 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.
22. The applicant shall be responsible for monitoring both patron and employee conduct on the premises and within the parking areas under their control to assure behavior that does not adversely affect or detract from the quality of life for adjoining residents, property owners, and businesses.
23. The conduct of the business shall be under the direct control of the owner of the site and shall not be subcontracted on to other parties.
24. 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 outside of the subject facility.
25. There shall be no Adult Entertainment of any type pursuant to LAMC Section 12.70.
26. Any music, sound or noise including amplified or acoustic music which is under control of the applicant shall not constitute a violation of Sections 112.06 or 116.01 of the Los Angeles Municipal Code (Citywide Noise Ordinance) and shall not be audible beyond the subject premises. At any time during the term of the grant a City inspector may visit the site during operating hours to measure the noise levels using a calibrated decibel/sound level meter. If, upon inspection, it is found that the noise level exceeds those allowed by the Citywide Noise Ordinance, 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 the property such as noise barriers, sound absorbers or buffer zones.
27. Any use of the restaurant for private events, including corporate events, birthday parties, anniversary parties, weddings or other private events which are not open to the general public, shall be subject to all the same provisions and hours of operation stated herein.
28. An electronic age verification device shall be retained on the premises available for use during operational hours. This device shall be maintained in operational condition and all employees shall be instructed in its use.
29. No music, sound or noise shall be emitted from the subject businesses at a level prohibited by the noise regulations of the Los Angeles Municipal Code. Any sound or noise emitted from the subject premises that exceeds the thresholds established by the City's noise regulations and is under the control of the petitioner shall constitute a violation of Section 116.01 of the LAMC, including any loud, unnecessary or unusual noise that disturbs the peace or quiet of any neighborhood or that causes discomfort.

30. At least one on-duty manager with authority over the activities within the facility shall be on the premises at all times that the facility is open for business. 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 facility to discourage illegal and criminal activity on the subject premises 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 or truancy occur.
31. The premises shall comply with Section 6404.5(b) of the Labor Code which prohibits smoking within any place of employment.
32. Within six months of the effective date of this action, all employees involved with the sale of alcoholic beverages shall enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR). Upon completion of such training, the applicant shall request the Police Department to issue a letter identifying which employees completed the training. The applicant shall transmit a copy of the letter from the Police Department to the Zoning Administrator as evidence of compliance. Employees shall attend the training on an annual basis.
33. The operator shall identify a contact person and provide a telephone number and email address for any inquiries or complaints from the community regarding the subject facility. Prior to the utilization of this grant, the phone number shall be posted on the site so that is readily visible to any interested party. The hot line shall be:
  - posted at the entry or customer service desk,
  - provided to the immediate neighbors, schools and the Neighborhood Council, and responded to within 24-hours of any complaints/inquiries received on this hot line.

Hotel management shall keep a log of complaints received, the date and time received, and the disposition of the response. This shall be available for inspection by the Police Department, Department of Building and Safety, or Department of City Planning.
34. No cover charge or admission fee shall be charged to enter the premises or the restaurant on the 8<sup>th</sup> floor and the premises shall not be utilized in any manner that would characterize the use as a night club. The subject premises shall not be leased to third-party promoters, rave parties or similar events.
35. Prior to the beginning of operations, the manager of the facility shall be made aware of the conditions and shall inform his/her employees of the same. A statement with the signature, printed name, position and date signed by the manager and his/her employees shall be provided to the Condition Compliance Unit within 30 days of the

beginning day of operation of the establishment. The statement shall read as follows,

We, the undersigned, have read and understand the conditions of approval to allow the sale and dispensing of a full line of alcoholic beverages for off-site consumption and beer and wine for on-site consumption in conjunction the wine and spirits store known as "Hyatt Centric Residence", and agree to abide and comply with said conditions.

36. Petitioner(s) shall install and maintain security cameras and a one month DVR that covers all common areas of the business, high-risk areas, entrances and exits and views to the alley and adjacent streets. The DVRs shall be made available to the Los Angeles Police Department upon request.
37. The following are **Mitigation Measures** included in ENV-2017-258-MND and shall be complied with.
  - a) Cultural Resources. If buried materials of potentially-archaeological significance are accidentally discovered during any earth-moving operation associated with the proposed project, then all work in that area shall be halted or diverted away from the discovery until a qualified archaeologist can evaluate the nature and/or significance of the find(s). The City will be immediately notified of the discovery. Work will be halted within 50 feet of the discovery, until consultation between the City and all parties as to response to the discovery can occur. If a significant cultural resource is discovered during earth-moving, complete avoidance of the find is preferred; however, removal or data recovery of the significant resource may be required by the City if the resource cannot be avoided.

In the event that data recovery through excavation is the only feasible mitigation available, a Cultural Resources Treatment Plan shall be prepared and implemented by a qualified archaeologist in consultation with the applicant that provides for the adequate recovery of the scientifically consequential information contained in the archaeological resource. The applicant shall consult with appropriate Native American representatives in determining treatment for prehistoric or Native American resources to ensure cultural values ascribed to the resource, beyond that which is scientifically important, are considered.

The archaeologist shall prepare a final report and appropriate California Department of Parks and Recreation Site Forms at the conclusion of treatment and/or the any follow-up archaeological construction 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. The report and the Site Forms shall be

submitted by the 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 project and required mitigation measures.

- b) **Cultural Resources. Increased Noise Levels (Parking Structure Ramps).** Prior to any ground disturbing activities within the project site, all project personnel will be briefed by a qualified project paleontologist meeting the Society of Vertebrate Paleontology (SVP) Standards (SVP 2010) (retained on-call for the project by the applicant) about the potential and procedures for the inadvertent discovery of paleontological resources. The training will include procedures for temporarily halting or redirecting work in the event of a discovery, identification and evaluation procedures, and a discussion on the importance of, and the legal basis for, the protection of paleontological resources. Personnel will also be provided with a handout regarding identification of cultural resources and protocols for reporting finds.
- c) **Cultural Resources.** 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 50-foot radius of the discovery until the project Paleontologist has assessed the discovery and made recommendations as to the appropriate treatment. If the find is deemed significant, it should be salvaged following the SVP Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources and curated with a certified repository.
- d) **Increased Noise Levels (Demolition, Grading, and Construction Activities).**
  - i. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
  - ii. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
  - iii. The project contractor shall use power construction equipment with noise shielding and muffling devices. Whenever possible, the contractor shall ensure that construction activities are scheduled to avoid operating several pieces of equipment simultaneously.
  - iv. A non-automated telephone number for local residences and employees to call to submit complaints associated with construction noise shall be supplied.

- v. A temporary 8-ft barrier wall shall be constructed around the edges of the project site to mitigate construction noise levels at ground levels of adjacent properties. The barrier shall be constructed with a minimum 2 psf material that is continuous. Support frames should be constructed in sections which allow overlapping between barrier panels when units are attached.
- e) Increased Noise Levels (Operational Activities).
- i. A 6-foot tall noise barrier (i.e. restroom structures, planters, tall parapets, glass guard rails) shall be implemented around the perimeter of the rooftop amenity deck.
  - ii. Installation of rooftop loudspeakers shall include setting the speakers maximum volume to not exceed 75 dBA at the edge of the deck.
  - iii. Concrete, not metal, shall be used for construction of parking ramps.
  - iv. The interior ramps shall be textured to prevent tire squeal at turning areas.
- f) Public Services (Police – Demolition/Construction Sites). Temporary construction fencing shall be placed along the periphery of the active construction areas to screen as much of the construction activity from view at the local street level and to keep unpermitted persons from entering the construction area.
- g) Public Services (Police). Project plans shall incorporate the "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department 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. These measures shall be approved by the Police Department prior to the issuance of building permits.
- h) Public Services (Construction Activity Near Schools).
- i. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.

- ii. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to a school.
- i) Traffic and Circulation (Transportation Demand Management Program). A preliminary TDM program shall be prepared and provided for DOT review prior to the issuance of the first building permit for this project and a final TDM program approved by DOT is required prior to the issuance of the first certificate of occupancy for the project. The TDM program shall include, but not be limited to, the following strategies:
- Provide an internal Transportation Management Coordination Program with an on-site transportation coordinator;
  - Participate as a member of a future Transportation Management Organization, if applicable;
  - Design the project to ensure a bicycle, transit, and pedestrian friendly environment;
  - Provide unbundled parking, as feasible, that separates the cost of obtaining assigned parking spaces from the cost of purchasing or renting residential units;
  - Accommodate flexible/alternative work schedules and telecommuting programs;
  - Requiring compliance with the State Parking Cash-out Law in all leases, as applicable;
  - Coordinate with DOT to determine if the project location is eligible for a future Integrated Mobility Hub (which can include space for a bike share kiosk, and/or parking spaces on-site for car-share vehicles);
  - Provide on-site transit routing and schedule information;
  - Provide a program to discount transit passes for residents/employees/hotel guests possibly through negotiated bulk purchasing of passes with transit providers;
  - Provide rideshare matching services;
  - Provide preferential rideshare loading/unloading or parking locations; and
  - Explore the implementation of an on-demand van, shuttle or tram service that connects the Project employees to off-site transit stops (such as the Metro Line stations) based on the transportation needs of the Project's employees, as feasible.
- j) Traffic and Circulation (Construction Management Plan). A Construction Management Plan shall be prepared and provided for DOT review prior to the issuance of the first building permit for this project. The Construction Management Plan shall be based on the nature and timing of the specific construction activities and other projects in the vicinity of the project site, and may include, but not be limited to, the following elements, as appropriate:

- 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.
- 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 occur outside the commuter peak hours to the extent feasible.
- Maintaining pedestrian access on adjacent sidewalks throughout all construction phases. This requires maintenance of 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.
- Providing, as needed, temporary pedestrian facilities adjacent to the project site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing routes.
- Providing covered walkways where pedestrians are exposed to potential injury from falling objects.
- Keeping sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction staging. Sidewalk will be reopened as soon as reasonably feasible taking construction and construction staging into account.

MM-11 Tribal Cultural Resources. The project applicant shall be required to retain and compensate for the services of a Tribal monitor/consultant who is both approved by the Gabrieleño Band of Mission Indians-Kizh Nation Tribal Government and is listed under the NAHC's Tribal Contact list for the area of the project location. This list is provided by the NAHC. The monitor/consultant will only be present on-site during the construction phases that involve ground disturbing activities. Ground disturbing activities are defined by the Gabrieleño Band of Mission Indians-Kizh Nation as activities that may include, but are not limited to, pavement removal, pot-holing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The Tribal Monitor/consultant will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the Tribal Representatives and monitor/consultant have indicated that the site has a low potential for impacting Tribal Cultural Resources.

MM-12 Tribal Cultural Resources. Upon discovery of any archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All archaeological resources unearthed by Project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant approved by the Gabrieleño Band of Mission Indians-Kizh Nation. If the resources are Native American in origin, the Gabrieleño Band of Mission Indians-Kizh Nation shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request reburial or preservation for educational purposes. Work may continue on other parts of the project while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5 [f]). If a resource is determined by the qualified archaeologist to constitute a "historical resource" or "unique archaeological resource", time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to a local school or historical society in the area for educational purposes.

MM-13 Tribal Cultural Resources. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in PRC 5097.98, are also to be treated according to this statute. Health and Safety Code 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and excavation halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission (NAHC) and PRC 5097.98 shall be followed.

Upon discovery, the tribal and/or archaeological monitor/consultant/consultant will immediately divert work at minimum of 150 feet and place an exclusion zone around the burial. The monitor/consultant(s) will then notify the Tribe, the qualified lead

archaeologist, and the construction manager who will call the coroner. Work will continue to be diverted while the coroner determines whether the remains are Native American. The discovery is to be kept confidential and secure to prevent any further disturbance. If the finds are determined to be Native American, the coroner will notify the NAHC as mandated by state law who will then appoint a Most Likely Descendent (MLD).

If the Gabrieleno Band of Mission Indians – Kizh Nation is designated MLD, the following treatment measures shall be implemented. To the Tribe, the term “human remains” encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the burial of funerary objects with the deceased, and the ceremonial burning of human remains. These remains are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects.

Prior to the continuation of ground disturbing activities, the land owner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed. The Tribe will work closely with the qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be taken which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. Cremations will either be removed in bulk or by means as necessary to ensure completely recovery of all material. If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate treatment plan shall be created. Once complete, a final report of all activities is to be submitted to the Tribe and the NAHC. The Tribe does not authorize any scientific study or the utilization of any invasive diagnostics on human remains.

Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

### **ADMINISTRATIVE CONDITIONS**

38. 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 the floor plan, seating arrangement or number of seats of the new operation.
39. The Zoning Administrator reserves the right to require that the new owner or operator file a Plan Approval application, if it is determined that the new operation is not in substantial conformance with the approved floor plan, or the operation has changed in mode or character from the original approval, or if documented evidence be submitted showing a continued violation(s) of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties. The application, in association with the appropriate fees, and a 500-foot notification radius, shall be submitted to the Department of City Planning within 30 days of the date of legal acquisition by the new owner or operator. The purpose of the plan approval will be to review the operation of the premise and establish conditions applicable to the use as conducted by the new owner or operator, consistent with the intent of the Conditions of this grant. Upon this review, the Zoning Administrator may modify, add or delete conditions, and if warranted, reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.
40. Should there be a change in the ownership and/or the operator of the business, the property owner and the business owner or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination has been provided to the prospective owner/operator, including the conditions required herewith, shall be submitted to the Condition Compliance Unit 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 Condition Compliance Unit within 30 days of the beginning day of his/her new operation of the establishment along with the dimensioned floor plan, seating arrangement and number of seats of the new operation.

41. **MViP – Monitoring, Verification and Inspection Program.** At any time, before, during, or after operating hours, a City inspector may conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and used to rate the operator according to the level of compliance. If a violation exists, the owner/operator will be notified of the deficiency or violation and will be required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed therein, may result in denial of future requests to renew or extend this grant.
42. Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.

#### **MISCELLANEOUS CONDITIONS (Condition Nos. 43 through 49)**

43. Air Quality
  - a. Throughout the period from initiation of demolition/construction operations for the project until issuance of the Final Certificate of Occupancy for the project ("Construction Period"), developer shall maintain a log of all construction equipment maintenance that shows that all construction equipment has been properly tuned and maintained in accordance with manufacturers' specifications.
  - b. The developer shall make a comprehensive inventory of all off-road construction equipment equal to or greater than 50 horsepower that will be used an aggregate of 40 or more hours during any portion of construction activities for the Project. The inventory shall include the horsepower rating, engine production year, and certification of the specified Tier standard. A copy of each such unit's certified Tier specification, Best Available Control Technology ("BACT") documentation, and California Air Resources Board ("CARB") Portable Equipment Registration Program registration or South

Coast Air Quality Management District (“SCAQMD”) operating permit shall be provided on site at the time of mobilization of each applicable unit of equipment.

- c. All off-road diesel-powered construction equipment greater than 50 horsepower used for construction of the project shall meet Tier 4 off-road emissions standards. In addition, all construction equipment used for the project shall be outfitted with the BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. A copy of each unit’s certified tier specification, BACT determination, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.
- d. Trucks and vehicles in loading and unloading queues associated with construction of the project shall turn their engines off when not in movement, unless continued engine use is operationally necessary, such as for, but not limited to, cement mixers.
- e. For construction of the project, electricity from power poles shall be used rather than temporary diesel- or gasoline-powered generators to the extent feasible.
- f. The use of all construction equipment for the project shall be suspended during first-stage smog alerts.
- g. All excavation and grading operations for the project shall be suspended when wind speeds (as instantaneous gusts) exceed 25 mph.
- h. Electric welders shall be used for construction of the project to avoid emissions from gas or diesel welders to the extent feasible.
- i. During construction of the project, idling time shall be minimized by shutting equipment when not in use or reducing the time of idling to 5 minutes as a maximum, unless idling is necessary to maintain some aspect of the vehicle, such as a crane or rotating cement drum as dictated under SCAQMD rules.
- j. The developer shall sweep all adjacent public streets at the end of the day if visible soil from project construction activities is carried onto adjacent public paved roads.
- k. During all active construction operations for the project, the developer shall water exposed ground surfaces and disturbed areas a minimum of every three hours on the construction site and a minimum of three times per day, unless such activities would exacerbate on-site drainage conditions.

- i. Non-toxic soil stabilizers shall be applied to all inactive construction areas (previously graded areas inactive for four days or more) for the project.
- m. Prior to issuance of a building permit for the project, the developer and/or contractor shall specify the use of "Super-Compliant" architectural coating for interior and exterior applications. "Super-Compliant" paints contain VOC levels well below the SCAQMD's Rule 1113 (Architectural Coatings) VOC limit and have less than 10 grams per liter of VOC.
- n. The developer shall implement an emissions monitoring program providing for long-term, continuous monitoring of key construction emissions during the Construction Period. The equipment shall be able to simultaneously measure size-segregated mass fraction concentrations corresponding to PM 1, PM 2.5, Respirable, PM 10 and Total PM size fractions. The measurements will be recorded continuously during construction (24/7) and set alerts to notify the Temple if a 15-minute average AQI Value exceeds 100 at either the PM2.5 or PM10 level. If the PM2.5 or PM10 15-minute average AQI value exceeds 150 and is in excess of the South Coast AQMD AQI Value by at least 25 points, the Temple will be notified and mitigation measures will be implemented. All other air quality data shall be provided to the City and the Temple on a weekly basis. If exceedances of AQMD air quality levels for PM2.5 or PM10 remain uncorrected for a period of 24 hours, all construction activity shall cease until the cause of the exceedance is determined, and corrective action is taken to prevent such exceedances from occurring again.

#### 44. Environmental Remediation

- a. The developer shall incorporate a Contaminated Soil/Groundwater Contingency Plan to address unanticipated unearthing of buried hazardous materials or soil contamination into the Remedial Action Plan for the project.

#### 45. Noise

- a. Noise attenuation measures shall be implemented for the project, which may include, but are not limited to, temporary noise barriers such as curtains around construction areas or noise blankets around stationary construction noise sources in order to limit construction noise generation from exceeding existing ambient exterior noise levels by 5.0 dB(A) at a noise sensitive use.
- b. Construction-related equipment for the project, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 20 minutes.
- c. Two weeks prior to the commencement of construction, notification must be provided to surrounding land uses within 500 feet of the project site

disclosing the construction schedule, including the various types of activities that would be occurring throughout the duration of the Construction Period.

- d. Construction equipment for the project shall be properly muffled according to industry standards and in good working condition.
- e. Noise-generating construction equipment for the project shall be located away from sensitive uses, as feasible. Construction staging areas shall not be located adjacent to Hobart Boulevard.
- f. Electric air compressors and similar power tools shall be used for construction of the project rather than diesel equipment, for construction equipment that is available and economically feasible.
- g. The auger drill method, instead of impact pile drivers, shall be used during construction of the project.
- h. The developer shall establish a "noise disturbance coordinator," who shall be responsible for responding to any local complaints about construction noise throughout the Construction Period. The disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall be required to implement reasonable measures such that the complaint is resolved.

#### 46. Construction Activities

- a. The developer shall locate construction staging areas and all construction traffic on Serrano Avenue or 6<sup>th</sup> Street, to the extent feasible. If any construction activities (such as deliveries or crane pick-ups) must occur on Hobart Boulevard, the developer or its agent shall provide the Temple with at least 5 days' advance notice. In no event shall there be any closure of Hobart Boulevard as a result of construction activities.
- b. Two weeks prior to the commencement of construction for the project, notification shall be provided to the Temple that discloses the construction schedule for the project, including the various types of activities and equipment and haul truck destination and routes that would be occurring throughout the duration of the Construction Period. Any alterations or additions shall require 5-day notification unless warranted by emergency conditions. If emergency conditions arise, notice shall be given to the Temple as soon as practicable.
- c. During the Construction Period, representatives from the developer, its contractor, and the Temple shall engage in ongoing monthly meetings, or otherwise upon request, to coordinate and schedule construction activity such that impacts to the Temple are minimized.

- d. During the Construction Period, all vehicle entry and exit for the project shall be from the Serrano Avenue or 6<sup>th</sup> Street gates, unless otherwise needed for emergency purposes. If the Hobart Boulevard gate must be used for construction activity, advance notice will be given to the Temple as soon as practicable.
- e. The developer shall facilitate delivery of construction materials during off-peak traffic hours and comply with regulations governing oversized loads, to the extent feasible. A delivery schedule shall be maintained and adhered to to ensure that vehicles do not queue along adjacent roadways.

#### 47. Circulation

- a. During operation of the project, vehicle entry and exit for the Hobart Boulevard driveway shall be restricted to residents only, except in case of emergencies or other similar unforeseen circumstances.
- b. Key card entry shall be required for entry into the project on the Hobart Boulevard driveway.
- c. Signage on the Hobart Boulevard driveway shall prohibit left turns into or out of the project site, restricting access at the Hobart Boulevard driveway to "right-in/right-out" access.
- d. Signage at the hotel valet area driveway located in the interior of the project shall prohibit left-hand turns that would allow hotel guests or retail customers from leaving through the Hobart Boulevard exit.

#### 48. Security

- a. The east-facing and south-facing sides of the hotel floors of the project with line of sight to the Temple Property shall have no balconies.
- b. All east-facing windows and south-facing windows of the hotel floors in the Project with line of sight to the Temple Property shall be non-openable and equipped with security-rated attack glazing, using a specific product that is mutually acceptable to the Parties, and anchored into the frame.
- c. All east-facing windows and south-facing windows of the hotel floors in the project with line of sight to the Temple Property shall contain glass-break sensors that transmit real-time alarms to the Temple in a mutually agreeable format (as an early warning).
- d. Staff operating the hotel as part of the project shall be especially sensitive to the Temple and its potentially high risk when considering and booking hotel special events and meeting/conventions.

- e. Staff operating or scheduling special events and meeting/conventions at the project shall be sensitive to and coordinate with the Temple regarding High Holy Days (as identified at <https://holydays.wbtla.org/>) and other special observances and activities that would draw significant attendance at the Temple. The Temple shall identify any other special observances or significant activities to the developer at least 45 days in advance of the event to the extent feasible.
- f. Within 60 days after the recorded date of this Covenant, Temple staff and developer staff shall meet to coordinate ongoing security efforts between the Temple and the developer and to designate a liaison to coordinate ongoing security efforts.
- g. Following their designation, meetings between the liaison representatives on security issues shall continue on a basis that is at least quarterly or early if requested by a Party, in order to coordinate security operations between Temple and developer security staff.
- h. Following the issuance of the Final Certificate of Occupancy for the Project, the Temple shall inform developer promptly by written or oral communication (e.g., email, phone call or voicemail) upon receiving any credible security threats to the Temple.

49. Alcohol

- a. No alcohol sales associated with the hotel will be permitted on the ground level of the project.
- b. All alcohol sales for the hotel shall be limited to on-site consumption with the exception of accessory sales from the gift shop located on the 8<sup>th</sup> floor.

50. **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.

### **OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES**

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within three years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void.

### **TRANSFERABILITY**

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent upon you to advise them regarding the conditions of this grant.

### **VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR**

Section 12.29 of the Los Angeles Municipal Code provides:

“A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its conditions. The violation of any valid condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code.”

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

### **APPEAL PERIOD – EFFECTIVE DATE**

The applicant's attention is called to the fact that this variance is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated or not complied with, then this variance shall be subject to revocation as provided in Section 12.27 of the Municipal Code. The Zoning Administrator's determination in this matter will become effective after **APRIL 10, 2019**, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the

Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://planning.lacity.org>.** Public offices are located at:

**Downtown**  
Figueroa Plaza  
201 North Figueroa Street,  
4th Floor  
Los Angeles, CA 90012  
(213) 482-7077

**San Fernando Valley**  
Marvin Braude San Fernando  
Valley Constituent Service Center  
6262 Van Nuys Boulevard, Room 251  
Van Nuys, CA 91401  
(818) 374-5050

**West Los Angeles**  
West Los Angeles Development  
Services Center  
1828 Sawtelle Boulevard, 2nd Floor  
Los Angeles, CA 90025  
(310) 231-2901

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.

### NOTICE

The applicant is further advised that subsequent contact regarding this determination must be with the Development Services Center. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

### FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, and the statements made at the public hearing on December 19, 2018, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements for authorizing a conditional use permit, Zoning Administrators Adjustment and Site Plan Review have been established by the following facts:

### BACKGROUND

The subject property is a flat, irregular-shaped, approximately 45,808 square-foot (10.052 acres) site prior to dedications with a 290-foot frontage along 6<sup>th</sup> Street, a 178-foot frontage along Hobart Boulevard and a 118-foot frontage along Serrano Avenue. The project site is currently developed with 6,300 square feet of commercial space, a 107-student day care center and surface parking lot with approximately 36 spaces. The existing improvements have not been identified as having historic significance and will all be removed as part of the proposed project

The site is located within the Wilshire Community Plan, which designates the property for Regional Center Commercial land uses with corresponding zones of CR, C1.5, C2, C4, P, PB, RAS3, RAS4, R3, R4 and R5. The site is zoned C2-2 and R5-2. The subject property is not located within any Specific Plan or Overlay District.

The proposed project is the demolition of the existing improvements and the construction, use and maintenance of a 21-story (240-foot tall), mixed-use development with 122 residential condominium units, 192 hotel guest rooms, and 14,495 square feet of ground and 2<sup>nd</sup> floor commercial space. The 1<sup>st</sup> floor will include retail spaces, a residential lobby, a hotel lobby and associated offices. The 2<sup>nd</sup> floor will contain hotel meeting spaces with the hotel guest rooms on the 3<sup>rd</sup> through 6<sup>th</sup> floors. Fitness and spa facilities for hotel guests will be provided on the 7<sup>th</sup> floor. The 8<sup>th</sup> floor includes an amenity deck with pool and lounge areas, along with a restaurant and bar. The residential condominium units will occupy the 9<sup>th</sup> through 21<sup>st</sup> floors. The project includes two (2) levels of subterranean parking and one (1) at-grade level of parking with a total of 278 automobile parking spaces and 200 bicycle parking spaces, including 50 short-term spaces and 122 long-term spaces.

The applicant has requested concurrently a Vesting Tentative Tract Map for the merger and resubdivision five (5) lots into seven (7) lots, including one (1) ground lot and six (6) airspace lots for condominium purposes.

### SURROUNDING PROPERTIES

A mix of medium to high density residential, commercial and institutional uses make up the general character of the surrounding neighborhood. The property to the north, across 6<sup>th</sup> Street, is zoned C2, and is developed with one-story commercial uses. The property to the northwest, across the intersection of 6<sup>th</sup> Street and Hobart Boulevard, is zoned C2, and is developed with a surface parking lot. The property to the east, across Hobart Boulevard, is zoned C2 and R5, and is developed with the Wilshire Boulevard Temple. The properties to the south are zoned (T)(Q)C2 and R5, and are developed with two-story commercial uses and a six-story, multi-family dwelling. The properties to the west, across Serrano Avenue are zoned C2, and are developed with three-story, office building and a surface parking lot. The property to the west, across the intersection of 6<sup>th</sup> Street and Serrano Avenue, are zoned C2, and are developed with one-story, commercial building and a surface parking lot.

### STREETS

6<sup>th</sup> Street, designated as an Avenue II, is dedicated to a width of 78 feet and is improved with asphalt roadway, and concrete curb, gutter and sidewalk.

Hobart Boulevard, a Local Street, is dedicated to a width of 77 feet and is improved with asphalt roadway, and concrete curb, gutter and sidewalk.

Serrano Avenue, a Local Street, is dedicated to a width of 77 feet and is improved with asphalt roadway, and concrete curb, gutter and sidewalk.

Previous zoning related actions on the site/in the area include:

Subject Property:

Case No. VTT-77149-CN - On October 27, 2018, the applicant filed for a Vesting Tentative Tract Map for the merger and resubdivision five (5) lots into seven (7) lots, including one (1) ground lot and six (6) airspace lots for condominium purposes.

Case No. ZA-2010-1349(CUB)-1A - On September 2, 2011, the Central Area Planning Commission sustained the Zoning Administrator's decision for the approval of a Conditional Use Permit, to allow the continued sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with an existing restaurant with live entertainment.

Case No. ZA-2008-0547(CUB) - On May 21, 2008, the Zoning Administrator approved a Conditional Use to allow the sale and dispensing of beer and wine only for on-site consumption in conjunction with the proposed restaurant.

Surrounding Properties:

Case No. ZA-2017-5043(CUB) - On August 22, 2018, the Zoning Administrator approved a Conditional Use to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with an existing restaurant in the C Zones, located at 610 South Serrano Avenue.

Case No. ZA-2016-3114(CUB)-1A - On March 20, 2018, the Central Area Planning Commission denied the appeal and sustained the Zoning Administrator's determination to deny a Conditional Use Permit for the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a proposed restaurant with karaoke in the C2-2 Zone, located at 600 South Harvard Boulevard, 2<sup>nd</sup> Floor.

Case No. ZA-2017-3357(CUB) - On February 8, 2018, the Zoning Administrator approved a Conditional Use to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a restaurant/karaoke lounge, located at 3680 West Wilshire Boulevard #B2.

Case No. ZA-2017-2472(CUB) - On December 4, 2017, the Zoning Administrator approved a Conditional Use to allow the continued sale and dispensing of beer and wine for on-site consumption in conjunction with an existing restaurant, located at 3815 West 6<sup>th</sup> Street.

Case No. DIR-2017-2442(SPR) - On November 9, 2017, the Director of City Planning approved a Site Plan Review for the construction, use and maintenance of a new seven story 89-unit condominium building having a height of 89 feet in the

R4-2 Zone and on-site parking provided for the entire project at the street level and in two subterranean levels in the R4-2 Zone, located at 500 South Oxford Avenue.

Case No. DIR-2017-1382(SPR) - On August 4, 2017, the Director of City Planning approved a Site Plan Review for the addition of eight (8) units (for a total of 167 units) within a previously approved and constructed six-story mixed-use development with approximately 7,800 square feet of floor area for retail at the ground floor, and on-site parking provided for the entire project at grade level and in two subterranean levels in the R5-2 and C4-2 Zones, located at 3675 West Wilshire Boulevard & 617-635 South Hobart Boulevard.

Case No. ZA-2016-3277(CUB) - On March 10, 2017, the Zoning Administrator approved a Conditional Use to allow the sale and dispensing of beer and wine for on-site consumption in conjunction with a proposed restaurant, located at 600 South Harvard Boulevard, Unit 100.

Case No. ZA-2016-0544(CUB) - On May 17, 2016, the Zoning Administrator approved a Conditional Use to allow the sale and dispensing of beer and wine for on-site consumption in conjunction with an existing restaurant, located at 3732 West 6<sup>th</sup> Street.

Case No. ZA-2015-0044(CUB) - On January 22, 2016, the Zoning Administrator approved a Conditional Use to allow the sale, dispensing and service of a full line of alcoholic beverages for on-site consumption in conjunction with an existing restaurant, located at 3901 West 6<sup>th</sup> Street.

Case No. ZA-2014-4848(CUB) - On May 26, 2015, the Zoning Administrator approved a Conditional Use to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with an existing restaurant in the C4-2 and R3P-2 Zone, located at 3680 West Wilshire Boulevard, Suite 503.

Case No. ZA-2013-3069(CUB) - On June 12, 2014, the Zoning Administrator approved a Conditional Use to allow the continued sale and dispensing of beer and wine only for on-site consumption in conjunction with an existing restaurant (KyoChon Chicken) in the C2-1 Zone, located at 3833 West 6<sup>th</sup> Street.

Case No. ZA-2013-1334(ZAA)(CLQ)(MSC) - On June 2, 2014, the Zoning Administrator approved an adjustment from Section 12.11-C,2 to allow a variable side yard between 3 to 7 feet along Hobart Boulevard in lieu of the required 10 feet; an adjustment from Section 12.11-C,2 to allow a variable side yard between 6 to 8 feet along the westerly .property line in lieu of the required 10 feet; an adjustment to allow a 4-foot encroachment into the 5-foot Building Line on Wilshire Boulevard as established by Ordinance No. 59,577; a 'Q' Clarification of Condition No. 1 of Ordinance No. 178,119, to allow 8,640 square feet of commercial floor area in space in lieu of 8,000 square feet as set forth in the condition; a 'Q' Clarification of

Condition No. 2 of Ordinance No. 178,119, to allow for revised project plans and elevations to develop a six-story building in lieu of the 32-story building plans, stamped and dated September 14, 2006 as set forth in the condition; a 'Q' Clarification of Condition No. 7 of Ordinance No. 178,119, to allow a variable 8 to 12-foot wide landscape buffer along the southerly property line along 7<sup>th</sup> street in lieu of the 20-foot wide landscaped buffer as set forth in the condition; a 'Q' Clarification of Condition No. 8 of Ordinance No. 178,119, to allow common open space for the residents 'that include courtyards with seating, gathering areas and a pool in lieu of a 6<sup>th</sup> floor outdoor common space area with a separate specifically designed children's play area as set forth in the condition; a Director's Determination to allow a 3% reduction in the required open space resulting in 39,404 square feet in lieu of the required 40,700 square feet in Section 12.21-G,2, located at 3670 West Wilshire Boulevard and 651-689 South Hobart.

Case No. ZA-2012-3563(CUB)(CUX) - On June 6, 2013, the Zoning Administrator approved a Conditional Use to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with an existing full service restaurant in the C2-2 Zone, and a dance floor in conjunction with an existing full service restaurant in the C2-2 Zone, located at 3900 West 6<sup>th</sup> Street.

Case No. ZA-2011-1432(CUB) - On April 23, 2013, the Zoning Administrator approved a Conditional Use to allow the continued sale and dispensing of a full line of alcoholic beverages for on-site consumption, in conjunction with an existing 8,325 square-foot restaurant/sports bar with 16 karaoke studio rooms in the C4-2 Zone, located at 3680 Wilshire Boulevard, #B2.

Case No. ZA-2011-0118(CUB) - On February 17, 2012, the Zoning Administrator approved a Conditional Use to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with an existing 2,754 square-foot restaurant currently serving beer and wine, located at 3821 West 6<sup>th</sup> Street.

Case No. ZA-2011-2349(CUB) - On January 11, 2012, the Zoning Administrator approved a Conditional Use to allow the sale and dispensing of a full line of alcoholic beverages, in conjunction with a 3,880 square-foot two-story restaurant in the (T)(Q)C2-2 Zone, located at 610-612 South Serrano Avenue.

Case No. ZA-2010-3242(CUB) - On November 18, 2011, the Zoning Administrator approved a Conditional Use to allow the sale and dispensing of beer and wine only for on-site consumption in conjunction with an existing restaurant, located at 3732 West 6<sup>th</sup> Street.

Case No. ZA-2011-0319(ZV)(ZAA)(SPR) - On June 1, 2011, the Zoning Administrator approved 1) a Zone Variance to permit temporary off-site location of 40 required parking spaces during construction of the proposed parking structure by lease agreement in lieu of the covenant and agreement required under Section

12.21-A,4(g); 2) a Zoning Administrator's Adjustment to permit the construction, use, and maintenance of a temporary 8-foot-high fence during the construction of the proposed parking structure and a permanent 8-foot-high decorative fence to secure a school play yard within the 10-foot building line required along Hobart Boulevard, in lieu of the maximum 3-foot-high fence permitted, and Site Plan Review for a project that creates a net increase of 50,000 square feet or more of nonresidential floor area, located at 3663 West Wilshire Boulevard.

Case No. ZA-2010-2085(CUB) - On May 11, 2011, the Zoning Administrator approved a Conditional Use to allow the sale of beer and wine for on-site consumption in a proposed restaurant within a multi-story mixed use development building, located at 3785 West Wilshire Boulevard, #218.

Case No. ZA-2010-2493(CUB) - On April 5, 2011, the Zoning Administrator approved a Conditional Use to comply with Condition No. 8 of Case No. ZA 2007-0448(CUB) to allow the continued sale and dispensing of a full line of alcoholic beverages for on-site consumption, in conjunction with an existing 8,000 square feet restaurant/karaoke studio, daily, in the C2-2 Zone, located at 600 South Harvard Street, 2<sup>nd</sup> Floor.

Case No. ZA-2010-1010(CUB) - On July 29, 2010, the Zoning Administrator approved a Conditional Use to allow the sale and dispensing of beer and wine for on-site sale and consumption, in conjunction with an existing 3,177 square-foot restaurant, with 156 dining seats in the C2-2 Zone, located at 600 South Harvard Boulevard.

Case No. ZA-2008-5057(CUB) - On April 12, 2010, the Zoning Administrator approved a Conditional Use to allow the sale and dispensing of beer and wine only for on-site consumption in conjunction within an existing 1,432 square-foot restaurant, located at 3833 West 6<sup>th</sup> Street.

Case No. ZA-2008-4492(CUB) - On April 8, 2010, the Zoning Administrator denied a Conditional Use to allow the continued on-site sale and consumption of a full line of alcoholic beverages in conjunction with a proposed 2,760 square-foot addition of four karaoke rooms to an existing restaurant of approximately 1,275 square feet accommodating LIP to 150 patrons, operating daily from 11 a.m. to 2 a.m., on an approximately 18,000 square-foot site in the (T)(Q)C2-2 Zone, located at 610 South Serrano Avenue.

Case No. ZA-2009-1811(CUB)(CUX) - On March 23, 2010, the Zoning Administrator approved a Conditional Use to allow the continued sale and dispensing for consideration of a full line of alcoholic beverages for on-site consumption in conjunction with an existing restaurant/karaoke studio; and, a conditional use to permit the continuation of public dancing within the ground floor restaurant, located at 3900 West 6<sup>th</sup> Street.

Case No. ZA-2008-3683(CUB) - On October 16, 2009, the Zoning Administrator approved a Conditional Use to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with an existing restaurant, located at 3680 Wilshire Boulevard, #201.

Case No. DIR-2007-4875(SPR) - On February 7, 2008, the Director of City Planning approved a Site Plan Review to allow the construction of a mixed-use development project in the R5-2 and C4-2 Zones consisting of a 6-story building containing 159 new apartment units, 7,800 square feet of floor area for retail at the ground floor, and on-site parking provided for the entire project at grade level and in two subterranean levels, located at 3675 Wilshire Boulevard.

Case No. CPC-2005-7528(ZC)(SPR) - On November 15, 2006, the City Council granted an appeal in part and thereby approved Site Plan Review and Zone Change from (T)(Q)C2-2 to (T)(Q)C2-2, amending (Q) Qualified Conditions of Approval from a previous Zone Change for the proposed construction, use and maintenance of a mixed-use project consisting of 378 residential condominium units, and approximately, 8,000 square feet of retail/restaurant use with 883 Code required parking spaces for property, located at 3670 Wilshire Boulevard.

Case No. DIR-2003-5325(SPR) - On February 20, 2004, the Director of City Planning approved a Site Plan Review to allow the construction of a mixed-use development project in the C4-2 and R5-2 zones consisting of a 6-story building containing 176 new apartment units, 7,000 square feet of floor area for retail at the ground floor, with on-site parking provided for the entire project at grade level and in two subterranean levels, located at 3675 Wilshire Boulevard.

### Public Correspondence

Prior to the public hearing held on January 17, 2018, two letters were submitted. The first letter was from Jeff Modrzejewski of CREED LA, requesting copies of the files. The second letter was from Wilshire Center – Koreatown Neighborhood Council, who stated their 13-8-1 vote in support for the project.

During the public hearing, one letter was submitted by Natalie Schuman of UniteHere! Local 11. She expressed concern for the loss of Rent Stabilized units, and discussed the housing shortage, and the appropriateness of the Environmental Clearance.

### Public Hearing

The public hearing was held on December 19, 2018 in Room 1010 (moved from Room 1020) of City Hall in Downtown Los Angeles. The public hearing was attended by the applicant's representative, Donna Shen Tripp, Alan Grant, the architect, and several members from the public.

Ms. Shen Tripp made the following statements:

- The site has a Regional Center Commercial land use designation.
- The site is developed with an underutilized parking lot and pre-school.
- The project as proposed, including height, density and number of stories complies with all regulations.
- The applicant is requesting a conditional use for the sale of alcohol, a conditional use to allow a reduction in parking, a Zoning Administrator's Adjustment to allow an FAR of 7.1:1. The project includes a tract map for the subdivision of the property.

Mr. Grant made the following statements:

- The site is located in Koreatown, near the Wilshire Normandie Purple Line Station.
- The project site is near many buildings and respects the relevance of adjacent buildings.
- The site is near many transit options, and the site is ideally located for use of public transportation.
- The site is an "L" shaped site. The project design has considered the shape of the site.
- There is a rooftop garden.
- Residential units will be located above the hotel.
- To put it in context, if the project was a TOC, it would be much taller.
- To make the street more pedestrian friendly, the building façade breaks up the massing.
- Trees and landscaping are on the buffer are provided.
- There is a porte cochere on the back of the property away from pedestrians.
- Sound is mitigated through the project design.
- The building has a modern design, and transforms Koreatown.
- More housing will be brought in because of the project. There will be 122 condos and 192 guest rooms within the hotel.
- The applicant has worked with the Wilshire Temple to address security concerns.

During the public comment portion of the public hearing, 36 speakers provided public testimony.

The first speaker, Daniel Chon, stated his support for the project. It would bring jobs to the area, there is a retail component, and the jobs would be here to stay. He also stated there aren't many five-star hotels in the area, and this would be a landmark project.

The second speaker, William Kim, Vice-President of the Wilshire Center Koreatown Neighborhood Council stated occupancy rates are at 82 percent, and there is a lack of hotel rooms in Koreatown to accommodate visitors. He also stated the outgrowth of Koreatown and the project is much needed.

The third speaker, Stephen Kim, stated this project brings investment to Koreatown, would attract many people to the area, and be an attractive focal point. The fourth speaker, Robert Kim, stated his support for the project.

The fifth speaker, Hannah Park, stated support for the project. The project would bring retail that is needed.

The sixth speaker, Michael Jang of the Korean American Chamber of Commerce, stated support for the project. This project promotes tourism, brings jobs to the area, and revenue to the City.

The seventh speaker, Gene Kim, stated he was the founder of Koreatown and stated his support for the project.

The eighth speaker, Byong Yong Min, Director of the Korean American National Museum, stated support for the project.

The ninth speaker, Arie Moon, stated support for the project because the project would bring jobs and a hotel.

The tenth speaker, Reverend Jong Yong Kim, stated there 9,000 churches in the Protestant alliance, and over 1,500 churches in Southern California. Past conferences have been held in Las Vegas because of the lack of hotels in Los Angeles.

The eleventh speaker, Jeungho Cho, President of the World Mission Association, stated that instead of a nightclub and drinking, the project will bring lots of good jobs to the area and would be welcomed in Koreatown.

The twelfth speaker, Young Ho Suh, President of Natural Medicine and Senior Citizens Welfare, stated there has been no change in the market until now. There will be new buyers with this project.

The thirteenth speaker, Frank Huh, stated there is a lack of places for visitors. The Hyatt brand is a high quality brand. There will be clean up in the area and the site is near public transportation. Senior citizens don't have too far to go.

The fourteenth speaker, Cathy Madris of the Latino Coalition, stated the project brings more opportunities for the community.

The fifteenth speaker, Jesus Olis (?), stated also with the Latino Coalition, stated support for the project. A letter of support was submitted. There will be 260 permanent jobs and 2,000 jobs in construction.

The sixteenth speaker, Sohn Bong No, stated support for the project because it would bring jobs and a better development to the community.

The seventeenth speaker, Scott Suh, stated his support for the project.

The eighteenth speaker, Godfrey Machura, stated support for the project. He represents union workers.

The nineteenth speaker, Jose Pena of CREED LA, stated the project is compatible with the area and the project would enhance the area.

The twentieth speaker, Aisha Flowers of CREED LA, stated support for the project because there is a lack of housing and the project fulfills the General Plan policies.

The twenty-first speaker, Jane from CREED LA, stated support for the project because it would be compatible with the area and enhance the area.

The twenty-second speaker, Gus Torres of Union 250, stated support of the project because it brings jobs.

The twenty-third speaker, Francisco Arago of the Brotherhood of Electrical Workers, stated support of the project.

The twenty-fourth speaker, Chris Check of Plumbers Local 11, stated support for the project because of the jobs it brings.

The twenty-fifth speaker, April Afili of ARMS, stated support for the project because of the employment opportunities and community benefits it brings.

The twenty-sixth speaker, Maurice Jordan of Coldwell, stated support for the project.

The twenty-seventh speaker, Mark Geiger, a security consultant, stated he was asked to assess the project for security concerns. He had initial concerns but will have now help make the area safer.

The twenty-eighth, Natalie Schuman of UNITE HERE Local 11, stated concerns of the MND and that a comment letter was submitted.

The twenty-ninth, Alex Canter, a commercial real estate professional, stated support since Koreatown lacks amenities for the neighborhood. The project will enhance the neighborhood.

The thirtieth speaker, Matt Canter, stated support for the project because the project will enhance the area.

The thirty-first speaker, Barry Kaplan, stated support for the project because there are no four-star hotels. The site is underutilized and the project would bring a first class hotel to the area.

The thirty-second speaker, Andrew Glickman, a broker, stated support for the project because will boost tourism and the economy.

The thirty-third speaker, John McClellan, stated four star hotels are only in Downtown or Beverly Hills. The project would bring it to Koreatown.

The thirty-fourth speaker, Brian Rudley, stated support for the project.

The thirty-fifth speaker, Nate Johnson, a representative of the Wilshire Boulevard Temple, stated opposition to the MND. The security measures are one-sided and need to improve to protect the Temple. There are security threats because it is a large building. Suggestions have included inoperable windows, removal of balconies and enforceable conditions. Issues such as ingress and egress are raised including entrance on Serrano and exiting on Hobart. Concerns of noise from construction activities are raised. CEQA Thresholds should be used. The CUB does not have enough consideration for schools, and there is no justification for their request.

The thirty-sixth speaker, Jordan Beroukhim, Planning Deputy for Council Office 10, stated the Council Office's support for the project. The site is designated as Regional Center Commercial land use, which supports dense uses. There is no General Plan amendment and no zone change. The FAR request is modest. Some buildings go as high as 13:1 FAR. The project brings jobs and ownership units. The project is three blocks from public transit lines.

At the conclusion of the public hearing, Ms. Shen Tripp stated the applicant worked together with the Wilshire Temple on security measures. The applicant agreed on ingress on Serrano and egress on Hobart. Alcohol for off-site consumption will be part of the hotel's 8<sup>th</sup> floor gift shop, which is common in hotels like this. CEQA is not exceeded and with comply with City CEQA Guidelines. Security and alcohol issues are socioeconomic issues, and there is no CEQA impact. The Department of Transportation looked at the project and the property, and determined the project would not lead to significant impacts. Noise, according to the MND, would not be significant. The open space exceeds the minimum by 2.5 times.

The Associate Zoning Administrator requested more information of TDMs of the project to evaluate the parking request and would need to look at the site plan, and took those under advisement. However, he stated that he found testimony for the adjustment and conditional use for alcohol to be favorable and stated that he thinks the findings could be made and, thus, was inclined to approve those requests.

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

In approving the instant grant, the Zoning Administrator has not imposed Conditions specific to the sale or distribution of alcoholic beverages, even if such Conditions have been volunteered or negotiated by the applicant, in that the Office of Zoning Administration has no direct authority to regulate or enforce Conditions assigned to alcohol sales or distribution.

The Zoning Administrator has identified a set of Conditions related to alcohol sales and distribution for further consideration by the State of California Department of Alcoholic Beverage Control (ABC). In identifying these conditions, the Office of Zoning Administration acknowledges the ABC as the responsible agency for establishing and enforcing Conditions specific to alcohol sales and distribution. The Conditions identified below are based on testimony and/or other evidence established in the administrative record, and provide the ABC an opportunity to address the specific conduct of alcohol sales and distribution in association with the Conditional Use granted herein by the Zoning Administrator.

They may include those identified during hearing testimony, received as part of correspondence via stakeholder groups, city agency, other responsible agency, Council District, Mayor's office, etc.)

- No alcohol shall be allowed to be consumed on any adjacent property under the control of the applicant.
- There shall be no exterior advertising of any kind or type, including advertising directly to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of this condition.
- The alcoholic beverage license shall not be exchanged for a public premises type license nor operated as a public premises.
- No single can or bottle sale of beer is permitted at the Project gift shop. Beer shall not be sold in less than the manufacturer's 6-pack quantity.
- The area devoted to sales of alcohol at the Project gift shop located on the eighth floor shall not exceed 33 percent of the gift shop's floor area.

### **BASIS FOR CONDITIONAL USE PERMITS**

A particular type of development is subject to the conditional use process because it has been determined that such use of property should not be permitted by right in a particular zone. All uses requiring a conditional use permit from the Zoning Administrator are located within Sections 12.24-W and 12.24-S of the Los Angeles Municipal Code. In order for the hotel, sale of alcoholic beverages and reduced parking to be authorized, certain designated findings have to be made. In these cases, there are additional findings in lieu of the standard findings for most other conditional use categories.

**CONDITIONAL USE FINDINGS (HOTEL, ALCOHOL, REDUCED PARKING)**

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

The proposed project is the construction, use and maintenance of a 27-story (240-foot tall), mixed-use development with 122 residential condominium units, 192 hotel guest rooms, and 14,495 square feet of ground and 2<sup>nd</sup> floor commercial space. The 1st floor will contain retail spaces, a residential lobby, hotel lobby and associated offices. The 2<sup>nd</sup> floor will contain hotel meeting spaces with the hotel guest rooms on the 3<sup>rd</sup> through 6<sup>th</sup> floors. Fitness and spa facilities for hotel guests will be provided on the 7<sup>th</sup> floor. The 8<sup>th</sup> floor includes an amenity deck with pool and lounge areas, along with a restaurant and bar. The residential condominium units will occupy the 9<sup>th</sup> through 21<sup>st</sup> floors. The project includes two (2) levels of subterranean parking and one (1) at-grade level of parking with a total of 278 automobile parking spaces and 200 bicycle parking spaces, including 50 short-term spaces and 122 long-term spaces.

The property is located within the Wilshire Community Plan and is approximately 400 feet north of Wilshire Boulevard. The project has access to regional transit services via the Metro Purple Line station, Metro Rapid 710, 720, 757 and Big Blue Bus Rapid 7 bus stops at Wilshire Boulevard-Western Avenue. The Metro Purple Line station, Metro Rapid 720 bus stop at Wilshire Boulevard-Normandie Avenue/Irolo Street are approximately ¼-mile to the southwest and 0.35 miles to the southeast of the project site respectively.

**Hotel**

The conditional use allows the construction, use and maintenance of a 192-room hotel within 500 feet of an R-zoned property. The hotel project will be on a site that is underutilized, and will bring vibrancy, investment and much needed housing and guest rooms for overnight accommodations. The proposed 192-room hotel includes a combination of residential dwelling units and retail spaces to allow for a viable mix of uses that provide a 24 hour presence, promotes walkability through design, and adds to the Wilshire Koreatown skyline. The project brings much needed hotel revenues to the City, a high quality hotel to the area, and jobs and housing to the community. Furthermore, with its location in close proximity to several transit options, the will attract more people into this part of the City, and encourage the use of public transit, reducing roadway congestion.

**Alcohol**

The conditional use also allows the sale and dispensing of a full line of alcoholic beverages for on-site and off-site consumption in conjunction with the proposed hotel, including in-room mini-bars for all 192 guest rooms, the hotel lounge with 146

seats, and outdoor pool deck with 153 seats. The hotel guest rooms are located on floors 3 through 7, and the hotel lounge and outdoor pool deck is located on the 8<sup>th</sup> floor. The hours of the sale of alcohol would be from 7:00 a.m. to 2:00 a.m., daily, consistent with the hours permitted by the California Department of Alcohol and Beverage (ABC). The sale of alcohol for on-site consumption will allow the hotel to offer viable amenities expected in hotels similar to this. Hotels may offer restaurants to provide convenience to its guests and to those in the area. Hotels may also offer a retail/gift shop for the purchase of alcohol. Also, in-room cabinets with liquor is an expected option in several hotels. This operation will include retail space at the ground floor that will accommodate for a restaurant for on-site consumption, and a gift shop on the 8<sup>th</sup> floor, where alcohol may be sold for off-site consumption. In addition, this hotel proposes offering the convenience of a full line of alcohol to be purchased from guest rooms. These amenities offer convenience to hotel guests. Alcohol sold by the restaurant allows the restaurant to be competitive with other restaurants in the area, and allows it to meet the expectations of patrons who wish to accompany their meals with alcohol.

Service of alcohol will also be included within the hotel meeting and event rooms and the amenity deck with the bar/lounge area. The grant allows the hotel to be on par with other high-end hotels who offer their patrons these amenities and brings convenience and service to these patrons.

The authorization to sell alcohol is limited only to the hotel operation and is only for on-site consumption and the only component that will include off-site consumption is for the 8<sup>th</sup> floor gift shop, where there will be many convenience items sold. Such items include sundries, snacks, gifts, etc. Any future restaurant(s) which may occupy portions of the commercial space within the development would be subject to review and approval under their own conditional use applications.

#### Reduced Parking

The Zoning Administrator, under the authority of LAMC Section 12.24-S, may approve changes to the parking requirements not to exceed 20 percent of the requirements otherwise required by the LAMC. The proposed 122-unit, 192-room, 14,495 square-foot mixed-use development requires a total of 366 automobile parking spaces, including 224 spaces for dwelling units, 89 spaces for guest rooms and 53 spaces for commercial uses. With both a 20 percent reduction in the total number of required automobile parking spaces and automobile parking reductions permitted under LAMC Section 12.21-A,4, the proposed project would be required a total of 241 parking spaces. The project is proposing a total of 278 automobile parking spaces, or 37 spaces over what would otherwise be required.

Given the composition of the mixed-use development (dwelling units, hotel rooms and commercial uses), the on-site parking demand will vary throughout the day and over the course of the week. In addition, as stated above, the mixed-use development's proximity to the Metro Purple Line and Metro Rapid 720 make

downtown, Hollywood and other major tourist and commercial centers throughout the region (including those centers further west along the Metro Purple Line Extension) easily accessible and will minimize the dependence on the automobile which will reduce the need for on-site parking and reduce roadway congestion. This area offers several commercial options, such as retail and restaurant use. There are also a large number of offices, especially along Wilshire Boulevard. With the convenience of its location and several transit options around the site, the reduction of parking will promote use of alternative modes of transportation and pedestrian activity. Also, visitors here on business or for their own personal reasons, are able to get to the site from LAX through public transit. With the reduction of parking, the project is able to provide a hotel that fits the context of a transit-rich area.

Therefore, the hotel project, including the sale of a full line of alcoholic beverages for on consumption and reduction in parking will perform a function and provide a service that is essential and beneficial to the community, city, and the region as a whole.

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

The subject property is a flat, irregular-shaped, approximately 45,808 square-foot (10.052 acres) site prior to dedications with a 290-foot frontage along 6th Street, a 178-foot frontage along Hobart Boulevard and a 118-foot frontage along Serrano Avenue.

The proposed project is the construction, use and maintenance of a 27-story (240-foot tall), mixed-use development with 122 residential condominium units, 192 hotel guest rooms, and 14,495 square feet of ground and 2<sup>nd</sup> floor commercial space. The 1st floor will contain retail spaces, a residential lobby, hotel lobby and associated offices. The 2<sup>nd</sup> floor will contain hotel meeting spaces with the hotel guest rooms on the 3<sup>rd</sup> through 6<sup>th</sup> floors. Fitness and spa facilities for hotel guests will be provided on the 7<sup>th</sup> floor. The 8<sup>th</sup> floor includes an amenity deck with pool and lounge areas, along with a restaurant and bar. The residential condominium units will occupy the 9<sup>th</sup> through 21<sup>st</sup> floors.

A mix of medium to high density residential, commercial and institutional uses make up the general character of the surrounding neighborhood. The property to the north, across 6th Street, is zoned C2, and is developed with one-story commercial uses. The property to the northwest, across the intersection of 6th Street and Hobart Boulevard, is zoned C2, and is developed with a surface parking lot. The property to the east, across Hobart Boulevard, is zoned C2 and R5, and is developed with the Wilshire Boulevard Temple. The properties to the south are zoned (T)(Q)C2 and R5, and are developed with two-story commercial uses and a six-story, multi-family dwelling. The properties to the west, across Serrano Avenue

are zoned C2, and are developed with three-story, office building and a surface parking lot. The property to the west, across the intersection of 6th Street and Serrano Avenue, are zoned C2, and are developed with one-story, commercial building and a surface parking lot.

Other notable developments in the surrounding area include the following:

<b>Address</b>	<b>No. of Stories</b>	<b>Height</b>	<b>FAR</b>
3800-3810 West Wilshire Boulevard	22	296 ft.	15:1
3785 West Wilshire Boulevard	22	160 ft.	5.5
3701-3731 West Wilshire Boulevard	10	143 ft.	3:1
3699 West Wilshire Boulevard	13	183 ft.	6.7:1
3650-3660 West Wilshire Boulevard	13	n/a	7.4:1
3600 West Wilshire Boulevard	22	292 ft.	8:1

Hotel

As indicated above, the surrounding neighborhood includes numerous building which are similar to or much larger than the proposed hotel building. The site has a Regional Center Commercial land use designation, and the hotel is appropriate for this designation. The project will be compatible with surrounding uses as it will offer short term accommodations to those here on business or just visiting. The hotel is within walking distance to many jobs and restaurants, and will allow for those who stay at the hotel to walk to their destinations, or walk to viable transit options.

The operation of the hotel will not be disruptive, but will be beneficial and compatible with surrounding uses. The hotel brings a 24 hour presence, which will deter criminal activity, and promote vibrancy. The site previously included automotive uses, which would cease operations in the evening hours. Thus, loitering and other nuisances are likely to occur. The hotel will be lit and pedestrians will be able to walk safely as they pass or walk into the hotel site. The applicant will be required to comply with all regulations of the City, including those pertaining to the construction and operation (noise, lighting, etc.) of the hotel. In addition, a 7-foot tall noise barrier around the perimeter of the rooftop amenity deck and restricting rooftop speakers to a maximum volume to not exceed 75 dBA at the edge of the deck.

Alcohol

The conditional use allows the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with the proposed hotel, including in-room mini-bars for all 192 guest rooms, the hotel lounge with 146 seats, and outdoor pool deck with 153 seats. The hotel guest rooms are located on floors 3 through 7, and the hotel lounge and outdoor pool deck is located on the 8<sup>th</sup> floor.

The hours of the sale of alcohol would be from 7:00 a.m. to 2:00 a.m., daily, consistent with the hours permitted by the California Department of Alcohol and Beverage (ABC).

Conditions pertaining to alcohol sales have been included in this grant. The conditions address safety and security, training, responsible operation, deterrence of public nuisances, and ensures the mode and character of the hotel and retail uses that will sell alcohol will remain. With the conditions of approval, it is expected that alcohol will be sold in a responsible manner that will not be detrimental to surrounding uses.

#### Reduced Parking

The 20 percent reduction of required on-site automobile, reducing the total number of required automobile parking spaces from 366 spaces to 292 spaces, or 74 spaces, will not further degrade adjacent properties or surrounding uses. Along with the permitted reductions in automobile parking, pursuant to LAMC Section 12.21-A,4, as the result of bicycle parking replacements, the proposed project is required a total of 241 automobile parking spaces.

Given the composition of the mixed-use development and its proximity to regional transit services (Metro Purple Line and Metro Rapid 720), the reduction in automobile parking would not have an adverse effect or further degrade adjacent properties or the surrounding neighborhood. Furthermore, the proposed project will include a parking attendant service to ensure efficient management of the automobile parking spaces on-site for the residences, hotel guests and commercial patrons of the site.

The applicant has proposed a Transportation Demand Management Plan ("TDM"), which will reduce peak automobile trips through various strategies that promote non-automobile travel and reduce the use of single-occupant vehicle trips. These strategies include a Transportation Information Center, unbundled parking, promotion of bicycle usage and parking, parking cash out, and mobility hub support and alternative transportation (integrated mobility hub, Uber/Lyft drop-off area and short term car rentals. All will help reduce the need for visitors and patrons, employees and residents to rely less on the automobile and contribute to reducing demand for parking.

Therefore, the proposed hotel and the sale of a full line of alcoholic beverages for on-site and off-site consumption 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.

- 3. 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 which designates the property for Regional Center Commercial land uses with corresponding zones of CR, C1.5, C2, C4, P, PB, RAS 3, RAS4, R3, R4 and R5. The subject property is zoned R5-2 and C2-2. The project is not located within any Specific Plan.

The Community Plan text is silent with regards to hotels, the sale of alcoholic beverages and reduced parking, nevertheless the proposed mixed-use development is consistent with the following goals and objectives of the Wilshire Community Plan:

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 1-1.1: Protect existing stable single family and low density residential neighborhoods from encroachment by higher density residential uses and other uses that are incompatible as to scale and character, or would otherwise diminish quality of life.

Policy 1-1.3: Provide for adequate Multiple Family residential development.

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

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

Objective 1-4: 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 proposed project protects surrounding stable single-family and low-density residential neighborhoods from encroachment by higher density residential uses by allowing for the development of 122 dwelling units on a lot designated and zoned for multi-family uses. The project reduces vehicular trips and congestion by locating new housing within .35 miles of regional transit services (Wilshire Boulevard-Western Avenue and Wilshire Boulevard-Normandie Avenue/Irolo Street Metro Purple Line stations, Metro Rapids 710, 720 and 757, and Big Blue Bus Rapid 7). The project increases the housing stock, promoting 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 2-1.3: Enhance the viability of existing neighborhood stores and businesses which support the needs of local residents and are compatible with the neighborhood.

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

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

Policy 2-2.3: Encourage the incorporation of retail, restaurant, and other neighborhood serving uses in the first floor street frontage of

structures, including mixed use projects located in Neighborhood Districts

The mixed-use project brings a new commercial development which will strengthen existing commercial development by bringing in a project that will be compatible to surrounding uses. The project includes guest rooms to address visitors and the demand for overnight accommodations, provides housing to address the demand for dwelling units in the area, and brings ground level retail to provide neighborhood serving uses that are walkable from the many commercial office, retail and restaurants in the area. The project brings investment into the area that will help revitalize the area and bring in more jobs. The site is accessible through many public transit options and will help bring a balance jobs to housing ratio.

The project will enhance and promote the pedestrian experience along Hobart Boulevard, Serrano Avenue and 6<sup>th</sup> Street, connecting the residential neighborhood north of 6<sup>th</sup> Street with the commercial uses along Wilshire Boulevard. Therefore, the project is consistent with the Wilshire Community Plan.

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.

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.

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.

Goal 5A: A liveable City for existing and future residents and one that is attractive to future investment. A City of interconnected, diverse neighborhoods that builds on the strengths of those neighborhoods and functions at both the neighborhood and citywide scales.

Objective 5.2: Encourage future development in centers and in nodes along corridors that are served by transit and are already functioning as centers for the surrounding neighborhoods, the community or the region.

Policy 5.2.2: Encourage the development of centers, districts, and selected corridor/boulevard nodes such that the land uses, scale, and built form allowed and/or encouraged within these areas allow them to function as centers and support transit use, both in daytime and nighttime. Additionally, develop these areas so that they are compatible with surrounding neighborhoods.

Policy 5.2.3: Encourage the development of housing surrounding or adjacent to centers and along designated corridors, at sufficient densities to support the centers, corridors, and the transit system.

The proposed mixed-use project allows for the development of 122 dwelling units. A 192-room hotel and 14,495 square feet of ground and 2<sup>nd</sup> floor commercial space, thereby contributing toward and facilitating the City's long-term economic viability and vision for a more livable city. In addition, the project, including retail and restaurant uses, will help to activate daytime and nighttime use of the site and surrounding community, all within ¼-mile of existing regional transit services.

The project is proper given its Regional Center Commercial designation, its proximity to major thoroughfares (Wilshire Boulevard 400 feet to the south and Western Avenue 750 feet to the west), and its proximity to rail and bus transit stations and corridors (Metro Purple Line Stations, Metro Rapid bus routes, and Big Blue Bus Rapid 7). The mixed-use development allows for an intensification of the site, while minimizing vehicular trips to and from the project, vehicle miles traveled, and air pollution.

Additionally, the project's location on an existing, under-utilized, commercially and residentially zoned property 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.

The proposed density is permitted by the Wilshire Community Plan and the commercial component is well integrated into the overall development. Regional access for residents, visitors and employees to and from the site is available given the project's proximity to the Metro Purple Line, Metro Rapids 710, 720 and 757, and Big Blue Bus Rapid 7.

Therefore, the proposed mixed-use development is consistent with the Land Use, Regional Centers, and Urban Form and Neighborhood Design goals, objectives and policies of the General Plan Framework Element.

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.

The proposed mixed-use development implements the Housing Element by increasing the housing supply consistent with the Regional Center Commercial land use designation. By having a unified development across the entire site, the project achieves the production of new housing opportunities, meeting the needs of the city, while offering 122 residential dwelling units that address the particular needs of the city's households.

Furthermore, the approval herein streamlines the land use entitlement, environmental review, and building permit process by considering under one (1) approval process the mixture of uses, the various regulations governing those uses and the potential environmental impact, as opposed to the project going through multiple individual entitlements.

The **Mobility Element** of the General Plan (Mobility Plan 2035) is not likely to be affected by the recommended action herein. 6<sup>th</sup> Street, abutting the property to the north, is an Avenue II, dedicated to a width of 78 feet and improved with asphalt roadway and concrete curb, gutter and sidewalk. Hobart Boulevard, abutting the property to the east, is a Local Street - Standard dedicated to a width of 77 feet and improved with asphalt roadway and concrete curb, gutter and sidewalk. Serrano Avenue, abutting the property to the west, is a Local Street - Standard dedicated to a width of 77 feet and improved with asphalt roadway and concrete curb, gutter and sidewalk. An eight-foot dedication along 6<sup>th</sup> Street is required for the purpose of widening the sidewalk

The project meets the following goals and objectives of Mobility Plan 2035:

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, with three (3) street frontages, has been designed with only two (2) curb cuts for residents, hotel guests and patrons of the site allowing 6<sup>th</sup> Street, the site's most prominent frontage, to be free of any curb cuts. The loading dock is located within the structure and is designed to have minimal visual impact 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 ¼-mile of the Metro Purple Line, Metro Rapids 710, 720 and 757, and Big Blue Bus Rapid 7) 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 122 dwelling units, a 192-room hotel and 14,495 square feet of ground and 2<sup>nd</sup> floor commercial space ties the proposed project into a regional network of transit and housing.

The applicant has proposed a Transportation Demand Management Plan ("TDM"), which will reduce peak automobile trips through various strategies that promote non-automobile travel and reduce the use of single-occupant vehicle trips. These strategies include a Transportation Information Center, unbundled parking, promotion of bicycle usage and parking, parking cash out, and mobility hub support and alternative transportation (integrated mobility hub, Uber/Lyft drop-off area and short term car rentals. All will help reduce the need for visitors and patrons, employees and residents to rely less on the automobile and contribute to reducing demand for parking.

In addition, the proposed project is required to provide a total of 172 bicycle parking spaces, however is 200 bicycle parking spaces, including 50 short-term spaces and 122 long-term spaces. A bicycle room is located at the lower mezzanine level of the garage 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.

As conditioned, a minimum of 20 percent of all new parking spaces will be installed as electronic vehicle-ready.

Lastly, the Department of Transportation determined that the project would not result in any significant impacts to traffic or circulation.

The **Air Quality Element** of the General Plan will be implemented by the recommended action herein. The Air Quality Element sets forth the goals, objectives and policies which will guide the City in the implementation of its air quality improvement programs and strategies. The Air Quality Element recognizes that air quality strategies must be integrated into land use decisions and represent the City's effort to achieve consistency with regional Air Quality, Growth Management, Mobility and Congestion Management Plans. The Air Quality Element includes the following Goal and Objective relevant to the instant request:

Goal 5: Energy efficiency through land use and transportation planning, the use of renewable resources and less polluting fuels, and the implementation of conservation measures including passive methods such as site orientation and tree planting.

Objective 5.1: It is the objective of the City of Los Angeles to increase energy efficiency of City facilities and private developments.

As conditioned, the project has been conditioned to install a photovoltaic system over a minimum of 15 percent of the area of the rooftop.

Therefore, the project is in substantial conformance with the purpose, intent and provisions of the General Plan and the applicable community plan.

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

The subject is planned for Regional Center Commercial land use with the corresponding zones of CR, C1.5, C2, C4, P, PB, RAS3, RAS4, R3, R4 and R5. The subject property is zoned R5-2 and C2-2. The hotel will include a restaurant, gift shop on the 8<sup>th</sup> floor, and amenities where alcohol will be served. Except for the 8<sup>th</sup> floor gift shop, the hotel will include the sale of alcohol for on-site consumption. These areas will be for in-room cabinets, restaurant, and the bar lounge area on the amenity deck. Alcohol will also be served in the hotel's meeting rooms to be on par with other high end hotels that offer meeting rooms for events. The requested entitlement is generally conditioned to reflect the mode of operation stated in the application for this hotel which will be compatible with the welfare of the community.

There are numerous conditions imposed to integrate the uses into the community as well as protect surrounding uses from adverse potential impacts. Other conditions imposed will maintain the order and ensure cleanliness of the hotel and its surroundings, while discouraging nuisances, promoting responsible ownership, ensuring the mode and character remain, providing for safety and security, and bringing in a development that will be compatible with the context of this neighborhood and surrounding uses.

**5. The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.**

The granting of the Conditional Use will allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with the proposed hotel, including in-room mini-bars for all 192 guest rooms, the hotel lounge with 146 seats, and outdoor pool deck with 153 seats.

According to the State of California Department of Alcoholic Beverage Control (ABC) licensing criteria, four (4) on-sale and two (2) off-sale licenses are allocated to subject Census Tract No. 2118.02. There are currently 26 on-site and one (1) off-site licenses in this census tract which includes:

- (3) Type 21 Off Sale General
- (11) Type 41 On Sale Beer & Wine - Eating Place
- (1) Type 42 On Sale Beer & Wine - Public Premise
- (7) Type 47 On Sale General - Eating Place

According to statistics provided by the Los Angeles Police Department, within Crime Reporting District No. 2024, which has jurisdiction over the subject property, a total of 289 crimes and arrests were reported in 2017, compared to the citywide average of 191 and the high crimes and arrests reporting district average of 229 crimes for the same period.

In 2017, there were 15 Narcotics, 0 Liquor Law, 3 Public Drunkenness, 0 Disturbing the Peace, 0 Disorderly Conduct, and 11 DWI 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 that the proposed development would include 122 residential dwelling units, the operation of the hotel and the sale and consumption of alcohol is not expected to add to the existing crime levels in the area. The grant includes several conditions to deter nuisance and criminal activities and the presence of this 24-hour use will ensure there are eyes on the street.

6. **The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.**

The following sensitive uses were observed within a 1,000-foot radius of the subject property:

Wilshire Smiling Tree Preschool	611 South Hobart Boulevard
Dreamland Children's School	545 South Serrano Avenue
Haneul Education Center	545 South Serrano Avenue
Camino Nuevo Academy #2 School	635 South Harvard Boulevard
Korean Evangelical Church	691 South Harvard Boulevard
Iglesia de Jesucristo Casa de	3907 West 6 <sup>th</sup> Street
Church of M T Gerizim	3727 West 6 <sup>th</sup> Street
Vision Full Gospel Church	3727 West 6 <sup>th</sup> Street, #303
Smart Academy Incorporated	3727 West 6 <sup>th</sup> Street, #515
St. Basil's Catholic Church	637 South Kingsley Drive
Basil Parish Korean Catholic Church	637 South Kingsley Drive
Lily Preschool	610 South Kingsley Drive
Doulos Mission Church	548 South Kingsley Drive
Kingsley Place Center Adult Day Care	548 South Kingsley Drive
Young Nak Presbyterian Church	3600 West Wilshire Boulevard, #410
St. Basil's Catholic Church	3611 West Wilshire Boulevard
Vision Full Gospel Church	3700 West Wilshire Boulevard
International Presbyterian Church	3700 West Wilshire Boulevard
Mijoo Yang Kog Presbyterian Church	519 South Western Avenue
Wilshire Temple	3663 West Wilshire Boulevard
Kumon Math and Reading Center	3700 West Wilshire Boulevard, #106
Adams College of English	3700 West Wilshire Boulevard, #985
Los Angeles International Church-Christ	3731 Wilshire Boulevard, #800
Pio Pico Library	694 South Oxford Avenue

There was no public correspondence from any residentially zoned property or sensitive uses indicating the sale of alcohol would be detrimental these uses. 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. Furthermore, all mitigation measures identified in environmental clearance for the project have been incorporated as conditions of this grant. As conditioned, the proposed project is anticipated to not have a detrimental effect on any sensitive use in the area.

**ZONING ADMINISTRATOR ADJUSTMENT FINDINGS**

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

Floor Area Ratio

The project site is comprised of 5 lots, totaling 45,807 gross square feet and is located in a Height District No. 2 with C2-2 and R5-2 zones, which translates into an allowable FAR of 6 to 1 and no height limit.

The narrow, L-shaped project site's three street frontages are dimensioned as follows: approximately 300 feet along 6<sup>th</sup> Street; approximately 123 feet along Serrano Avenue; and approximately 181 feet along Hobart Boulevard. The Mobility Plan requires an 8-foot wide dedication along 6<sup>th</sup> Street in addition to 20-foot radius property line returns at the intersections of both Serrano Avenue and 6<sup>th</sup> Street as well as Hobart Boulevard and 6<sup>th</sup> Street. The net lot area after dedications is 43,504 square feet, which translates into a loss of approximately 14,000 square feet in allowable floor area.

The intent of the subject FAR regulations is to ensure that proposed development is in proper scale and of appropriate massing in its community context. The project site is designated Regional Center Commercial, which, according to the General Plan, is envisioned to be a focal point of regional commerce, identity and activity and contains diverse uses such as corporate and professional offices, multi-family residential uses, retail commercial malls, restaurants, mixed-use buildings, major entertainment and cultural facilities and supporting services. The granting of the adjustment allows the project to bring in a use that will reinforce and enhance a sense of place on this corridor of the Koreatown/Wilshire Center area, while complementing the area's mix of uses. Its context-sensitive design is compatible with high density character of the surrounding neighborhood, and will facilitate pedestrian activity and alternative modes of transportation to and from this destination to others within Koreatown and throughout the City. The project will attract tourists and business visitors and retail patrons to the area, and will help stimulate the economy of this regional center.

The granting of the 19.8 percent increase in the allowable FAR of approximately allows the project to bring in a mix of hotel guest rooms, dwelling units, and viable amenities. The majority of the subject site is proposed to be developed with eight levels of hotel use, with the additional residential condominium floors on levels 9 through 21 located on the easterly edge of the site. Of the 313,017 square feet of total floor area proposed, over half will be allocated for hotel use. To ensure that the hotel can be competitive with other hotels and to accommodate City-identified needs for more guest rooms and related accommodations in support of the tourism industry, the hotel will include meeting and event spaces, spa and fitness facilities, as well as a restaurant and bar/lounge area. The majority of the floor area that will be achieved with the grant of this request is dedicated to these hotel amenities. Without the requested up increase in FAR, the hotel would not be able to provide the critical hotel amenities necessary for it to thrive and successfully compete with other reputable and highly rated hotels in Los Angeles.

### Building Line

Historically, the primary function of a building line was to provide a uniform setback of buildings along the public right-of-way. Such setbacks would allow for improvements, dedications, or uniformity of development. These are now considered archaic, as yard setbacks are required per the respective zone under

the current LAMC. The imposition of the 10-foot Building Line is contrary to LAMC Section 12.22-A,18, which specifically requires no yard setbacks for mixed-use projects in R5 zones, where the ground floor is occupied by commercial uses, and for residential portions of said mixed-use projects where said property line abuts a public street as in the instant case along Hobart Boulevard.

In addition, Hobart Boulevard is a designated a Local Street - Standard that is currently wider than the City standard. Therefore, there will be no need for additional street widening at this location. A concurrent case, Vesting Tentative Tract Map No. 77149-CN, subjects the applicant to dedication along 6<sup>th</sup> Street adjoining the tract to complete a 43-foot wide half right-of-way in accordance with Avenue II of the LA Mobility Plan, including a minimum 20-foot radius property line returns at the intersections of Serrano Avenue and Hobart Boulevard adjoining the tract. The project will also be required to Improve Hobart Boulevard and 6<sup>th</sup> Street being dedicated adjoining the tract by the reconstruction of the existing concrete sidewalks to complete full-width concrete sidewalks including the dedicated area on 6<sup>th</sup> Street and the corner radius cuts with tree wells including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer. The project will meet the intent of the Mobility Plan.

Nevertheless, the project has generally been designed to respect the 10-foot Building Line on the R5-zoned portion of the Site along Hobart Boulevard, particularly on the ground floor level. Due to the angled façade of the building commencing on the 2<sup>nd</sup> floor along Hobart Boulevard, angling in a northeasterly direction, there is a slight encroachment into the Building Line by at most 4 feet 1 inch on the upper floors. According to the applicant, the angled design provides architectural interest to the Hobart Boulevard façade in furtherance of the City's Design Guidelines, while still complying with the Zoning Code setbacks and providing ample sidewalk widths for pedestrians. Therefore, the granting of an adjustment to permit the modest encroachment of portions of the upper floors of the building into the 10-foot Building Line on Hobart Boulevard is consistent with the spirit and intent of the City's Planning and Zoning Code.

8. **In light of the project as a whole including any mitigation measures imposed, the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.**

The project site is predominantly located in the C2-2 Zone, with a small southeasterly portion zoned R5-2. The entire site has a Land Use Designation of Regional Center Commercial, which is consistent with and permits the proposed hotel, retail and residential uses. All lots on both sides (north and south) along W. 6<sup>th</sup> Street spanning several blocks to the east and west are all zoned C2 and largely developed with commercial uses. Across the street to the east of Hobart Boulevard is the Wilshire Boulevard Temple, which occupies lots zoned C2, C4 and R5.

These lots are also all designated Regional Center Commercial. As such, aside from the Wilshire Boulevard Temple and a six-story mixed-use 159-unit apartment building (known as the “Avena on Wilshire”) on Hobart Boulevard, all other adjacent and vicinity uses to the project site are commercial/retail uses. The proposed mixed-use project including retail, hotel and residential dwelling units is compatible with the surrounding neighborhood uses.

The proposed hotel project component will include ground floor lobby/reception and administrative offices. The 2<sup>nd</sup> floor will accommodate several meeting and special event spaces. The guest rooms will be located on floors 3 through 6. Floors 7 and 8 include hotel amenities such as fitness and spa facilities and a pool/lounge deck and restaurant. Floors 9 through 21 contain residential condominium units. Parking is provided in two (2) subterranean levels and enclosed on the ground floor.

The design of the proposed building is compatible in scale and enhances the character of the neighborhood, which includes multiple high-rise buildings and a variety of commercial, multi-story, multi-family residential and institutional uses. The project connects to the surrounding pedestrian oriented commercial district with ground floor retail and hotel space and access points in a manner that will activate the pedestrian environment, improving safety in the surrounding neighborhood. The majority of the 6<sup>th</sup> Street frontage will be retail and the hotel lobby/reception entrance, whereas the hotel vehicular entrance will be primarily off of Serrano Avenue. To avoid disrupting the continuity of the retail and hotel lobby spaces along 6<sup>th</sup> Street and Serrano Avenue, the hotel’s vehicular access and porte-cochere were relocated to the back of the building (from an original plan concept) so that the street-side pedestrian experience is unimpeded. Pedestrian access for the residential condominium units is located off of Hobart Boulevard.

The grant allows up to a 20 percent increase in the FAR and the slight upper floor encroachment of the building in the R5-zoned portion into a 10-foot Building Line are compatible with and will not adversely affect or further degrade adjacent uses of properties. The project enables the development of complementary and much-needed uses (new housing units and more hotel guest rooms) since the site is located within close proximity to numerous restaurants, retail, cultural and entertainment uses, as well as various transit options such as two rail lines and rapid buses. The proposed residential units and the hotel component will also enhance security in this neighborhood as there will be residents and hotel guests, as well as security personnel on site at all times. The 24-hour presence and lighting contributes to the presence and activity of the area.

The project will not adversely affect or degrade adjacent properties, but will instead promote economic well-being and neighborhood revitalization by providing residents, hotel and retail staff and visitors the opportunity to walk to employment, shopping, dining, and entertainment destinations. The project will provide 278 vehicle parking spaces, in addition to 200 total bicycle parking stalls. The site is within walking distance of two Metro rail stations. Thus, the project will reduce

reliance on the automobile by situating the proposed mixed-uses within an established, dense, transit-rich community, which will mitigate traffic congestion, air pollution, and urban sprawl.

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

As stated previously, the project will be consistent with the goals, objectives, and policies identified in Finding Nos. 3 and 10 of this grant. The project meets the goals of the Wilshire Community Plan by bringing in a neighborhood serving use, much-needed housing, and a development that is consistent with the Regional Center land use designation.

The granting of the adjustments will lead to a project that meets the intent of these plans by ensure the project will not be detrimental to surrounding uses but will be compatible with those uses in its context. The project site is presently developed with single-story commercial structures and associated surface parking spaces. The commercial uses include some retailers and largely are vacant, former auto-service related uses. The project will redevelop this underutilized site along W. 6th Street, which spans an entire block, and bring vitality to this Regional Center designated site.

The mixed-use project will be comprised of retail, hotel and residential uses and will help support tourism and the anticipated increased demand for hotel rooms. The uses that will replace the vacant, auto service-related commercial structures, will bring a sense of security to both this segment of 6<sup>th</sup> Street and Hobart Boulevard by populating the corner as the hotel lobby is located off of the former street, and the residential lobby is located off of the latter. The hotel, retail, and residential uses will provide security and pedestrian activity to deter criminal activities on the block.

The granting of the adjustments will allow for a project that is designed to be compatible in scale and enhances the character of the built environment in the surrounding neighborhood, which includes multiple high-rise buildings. The project also seamlessly connects with the surrounding pedestrian oriented commercial district. Design elements reinforcing orientation to the street (including retail facades that are set in from the above building façade, separate entrances to hotel and residential lobbies, and large expanses of glass providing views to the interior) will be located at the ground floor of every street facing elevation to enhance the pedestrian experience. The project's ground floor uses, combined with nearby retail uses, restaurants, and office buildings will facilitate pedestrian activity day and night, creating a more vibrant and livable city. The project will transform a site currently occupied by largely vacant single-story auto-service related buildings and retail spaces into an important elegantly designed focal point that seamlessly fits within its revitalized context. There will be no detrimental impacts with the increase in floor area ratio and encroachment into the 10-foot Building Line. Therefore, the project is

in substantial conformance with the purpose, intent and provisions of the General Plan and the applicable community plan.

### **SITE PLAN REVIEW FINDINGS**

10. **The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community 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, with the exception of the limitations of Transitional Height.

The Wilshire Community Plan designates the subject property for Regional Center Commercial land uses with corresponding zones of CR, C1.5, C2, C4, P, PB, RAS3, RAS4, R3, R4 and R5.

The Community Plan text is silent with regards to the sale of alcohol, nevertheless, as discussed in Finding No. 3, the project is consistent with many of the goals and objectives of the General Plan and the Wilshire Community Plan. The project site is not located within any Specific Plan.

With regards to hotels, the Community Plan characterizes the Wilshire Center Regional Commercial Center as an area with “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. Nevertheless, while the Community Plan text is otherwise silent with regards to hotels, 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 brings a use that will allow for visitors to stay, and will offer more housing units. In addition, the hotel will be beneficial in that it will allow for more meeting spaces in the area, while offering neighborhood serving uses such as a restaurant. The development will serve as a mechanism to help create and encourage new development and provide additional employment opportunities along an underdeveloped commercial corridor.

The Community Plan contains the following text:

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.

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.

The project does not include any other deviations from the Code except for the adjustments for floor area ratio and encroachment onto an existing 10-foot Building Line. The project includes a request for a conditional use for a) parking reduction, b) a hotel use within 500 feet of a residentially zoned property, and c) the sale of alcohol. The findings have been made for the subject request as required by the Los Angeles Municipal Code. Therefore, the project is in substantial conformance with the purpose, intent and provisions of the General Plan and the applicable community plan.

11. **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 neighboring properties.**

The proposed project is the demolition of the existing improvements and the construction, use and maintenance of a 21-story (240-foot tall), mixed-use development with 122 residential condominium units, 192 hotel guest rooms, and 14,495 square feet of ground and 2nd floor commercial space. The 1st floor will contain retail spaces, a residential lobby, hotel lobby and associated offices. The 2nd floor will contain hotel meeting spaces with the hotel guest rooms on the 3rd through 6th floors. Fitness and spa facilities for hotel guests will be provided on the 7th floor. The 8th floor includes an amenity deck with pool and lounge areas, along with a restaurant and bar. The residential condominium units will occupy the 9th through 21st floors. The project includes two (2) levels of subterranean parking and one (1) at-grade level of parking with a total of 278 automobile parking spaces and 200 bicycle parking spaces, including 50 short-term spaces and 122 long-term spaces.

The subject property is a flat, "L-shaped", one-acre lot with a 295-feet 8 inches along 6<sup>th</sup> Street, 179 feet 8 inches along Hobart Boulevard and 120 feet along Serrano Avenue. The property is currently improved with a pre-school, music studio building/academy, surface parking, an auto repair shop, copy retail shop and a café. All structures on the site will be removed as part of the project.

The project is designed in a modern style that includes articulations and balconies, which break up the massing of the building. According to the applicant the building includes key architectural design features. Such include:

- Program – To help create a retail friendly buffer zone outside of the normal movement zone, the building was pushed back 3-5 feet to create a better retail and walking experience.

- Retail Façade – The retail façade was set in from the building façade above to create a more inviting experience for the pedestrian. This also scaled the retail façade to a more human scale.
- Night Lighting – An inset of lighting is discreetly located on the outside of the buildings to visually activate the retail façade. This reduces energy consumption and creates a much safer and more activated street.
- Apparent Building Height – In order to lessen the apparent height of the buildings from the street, the project inset the top floors along 6<sup>th</sup> street. This will give the street façade a much more pedestrian friendly experience. This is often used throughout Europe to visually lower the building from the street in order to create a more welcoming environment for the pedestrian.
- Apparent Building Length – The project is nearly 300 feet long on 6<sup>th</sup> Street. The project breaks up the street façade vertically to lessen the apparent length of the

Other notable developments in the surrounding area include the following:

Address	No. of Stories	Height	FAR
3800-3810 West Wilshire Boulevard	22	296 ft.	15:1
3785 West Wilshire Boulevard	22	160 ft.	5.5
3701-3731 West Wilshire Boulevard	10	143 ft.	3:1
3699 West Wilshire Boulevard	13	183 ft.	6.7:1
3650-3660 West Wilshire Boulevard	13	n/a	7.4:1
3600 West Wilshire Boulevard	22	292 ft.	8:1

Height, Bulk and Setbacks

As stated previously, the building height will be 240 feet, where there will be 21 total stories over 2 levels of subterranean parking. The project will comply with the Height District 2 regulations, which permit unlimited height. The project involves the demolition of the existing improvements and the construction, use and maintenance of a new 21-story (maximum 240-foot tall), 313,017 square foot mixed-use development with 122 residential condominium units, 192 hotel guest rooms, and 14,495 square feet of ground. Floors 1 through 8 will contain hotel and commercial uses and residential condominium units will occupy floor 9 through 21. The mixed-use project complies with yard setback requirements along its multiple street frontages, along with a request for reduced southerly side yard setback on the R5-zoned portion of the site.

The project has numerous design features meant to enhance the visual appearance of the site and surrounding area. Specifically, to lessen the visual massing of the buildings from the street, the top floors along 6<sup>th</sup> Street were inset to give the street façade a much more pedestrian friendly experience. Additionally, the street façade is broken up vertically between the hotel and residential high-rise in order to break up the apparent length of the building and create a more welcoming appearance at

the street level. Other design cues include setting the retail façade in from the building façade along 6<sup>th</sup> Street above to create a buffer for the retail that is more inviting for the pedestrian and an overall focus on how the project interacts with the pedestrian at street level. This component promotes an active commercial district.

#### Floor Area Ratio

The project proposes an FAR of 7.19:1, which is part of the request to deviate from the maximum allowed FAR of 6 to 1. The existing Height District No. 2 permits the 6 to 1 floor area ratio.

#### Yards

There is an 8-foot dedication provided along 6<sup>th</sup> Street (Front Yard). The mixed-use project complies with yard setback requirements along its multiple street frontages, along with a request for reduced southerly side yard setback on the R5-zoned portion of the site.

#### Off-Street Parking Facilities

Utilizing the LAMC Section 12.21-A,4 bicycle parking replacement reduction in conjunction with LAMC Section 12.24-S which allows for a 20 percent reduction of Code-required parking in conjunction with a CUP approval, the required vehicle parking is 242 spaces. The project provides 278 vehicle parking spaces.

LAMC Section 12.21-A,16 provides detailed requirements for bicycle parking. On March 27, 2018, City Council adopted an Amendment to the Bicycle Parking Ordinance, which became effective on May 9, 2018. It includes design standards and siting requirements as well as requirements for short- and long-term bicycle parking. Pursuant to the requirements of LAMC 12.21-A,4, 12.21-A,4(c), 12.21-A,16 and 12.21-A,5 (the Bicycle Parking Ordinance No. 185,480), the project is required to provide long-term and short-term bicycle parking spaces. Long-term spaces are for bicycle storage overnight or longer, while short-term spaces are more easily accessible as they are typically used for hours or less at a time. The hotel use requires one long-term and one short-term bicycle parking space per 10 guestrooms. The hotel meeting rooms require one long-term bicycle parking space for every 700 square feet and one short-term bicycle parking space for every 350 square feet. The multiple-family residential use requires one long-term bicycle parking space per unit for the first 25 units, one long-term bicycle space per 1.5 units for the units between 26-100 and one long-term bicycle space per 2 units for the units between 101-200. One short-term bicycle parking space per 10 units is required for the first 25 units, one short-term bicycle parking space per 15 units for the units between 26-100 and one short-term bicycle parking space per 20 units for the units between 101-200. The commercial space requires one long-term and one short-term bicycle parking space per 2,000 square feet. These ratios were applied to the project. The project is required to provide a total of 200 bicycle parking

spaces, including 122 long-term and 50 short-term spaces in addition to 28 spaces required due to the use of bicycle replacement parking utilized through LAMC 12.21-A,4.

The project provides 200 bicycle parking spaces, including 122 long-term and 50 short-term spaces in addition to 28 replacement bike parking spaces and, therefore, would meet this requirement.

Additionally, a porte cochere can generate significant traffic and disrupt the continuity of the restaurant and retail spaces along 6<sup>th</sup> Street and Serrano Avenue. As a result, the project designed the building to include this feature to the back of the building to foster a pedestrian friendly interface along 6<sup>th</sup> Street.

### Open Space

The project will include approximately 36,630 square feet of open space, which includes a fitness center, swimming pool and multi-purpose room for residents and hotel guests. The project would provide landscaping that would complement the aesthetic character of the project site and enhance its relationship to surrounding buildings. All of the open space areas would have extensive landscaping and well-detailed hardscape. A key feature of the project will be the rooftop garden. This garden will include a pool area and large amounts of plantings including trees and grass areas. The residents will share the space with the hotel guests which in turn will create a shared recreational park experience. The size of the "park" is nearly 1/3 of an acre.

There will be an increased street tree buffer along 6<sup>th</sup> street that will create a sound and visual buffer zone for the pedestrian. It will also encourage street activity such as street side cafes and seating.

### Load areas, Lighting, Landscaping and Trash Collections

The project would provide attractive, convenient recycling bins and trash enclosures for the multi-family residential and non-residential development. Lighting, landscaping and trash collection areas are provided consistent with Code requirements for a residential building. Lighting and landscaping would be designed in conformance with applicable Codes.

The project would include low to moderate levels of interior and exterior lighting for security, parking, and architectural highlighting. Compliance with City and State energy conservation measures currently in place would limit the amount of unnecessary interior illumination during evening and nighttime hours. Additional exterior lighting would be utilized for the lobby entrance facing 6<sup>th</sup> Street to provide well-lit entryways for safety purposes. Soft accent lighting used for signage and architectural highlighting would be directed to permit visibility of the highlighted element but, would not be so bright as to cause significant light spillover.

All trash, recycling and deliveries will be serviced from Hobart Boulevard. The trash bins and trash compactor are located within an enclosed room which is accessed by a roll up door at the side walk level. The loading dock is within a room adjacent to the trash / recycling room that is also accessed by a roll up door at the side walk level. When not in use, the roll down doors will be closed and service facilities of the building will not be visible from the public way. The project has been conditioned to ensure that trash and recycling facilities will not be visible from the public right-of-way. Compliance with this condition will result in a project that is compatible with existing and future development.

Therefore, the 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 will be compatible with existing and future development on neighboring properties.

12. **That any residential project provides recreational and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties.**

The project provides a substantial amount of open space and recreational amenities. The project will include approximately 36,630 square feet of open space, which includes a fitness center, swimming pool and multi-purpose room for residents and hotel guests. The total amount of open space provided exceeds the minimum code requirements for open space as required by the LAMC by approximately 14,050 square feet.

As stated above, a key feature of the project will be the rooftop garden. This garden will include a pool area and large amounts of plantings including trees and grass areas. The residents will share the space with the hotel guests which in turn will create a shared recreational park experience. The size of the "park" is nearly 1/3 of an acre.

#### **ADDITIONAL MANDATORY FINDINGS**

13. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.
14. On November 8, 2018, the City Planning Department issued Mitigated Negative Declaration No. ENV-2017-258-MND and a Mitigation Monitoring Program prepared for the Mitigated Negative Declaration. The Department found that potential negative impact could occur from the project's implementation due to:
- Cultural Resources (archaeological, paleontological);
  - Noise (construction, operational);

- Transportation/Traffic (hazards, traffic, emergency access);
- Public Services (police, schools);
- Tribal Cultural Resources.

The Mitigated Negative Declaration reflects the independent judgment of the lead agency and determined that this project will not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of the mitigation measures of said MND. Other identified potential impacts not mitigated by these conditions are mandatorily subject to existing City ordinances, (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Xeriscape Ordinance, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects. The project site, as well as the surrounding area are presently developed with structures and do not provide a natural habitat for either fish or wildlife. I hereby adopt that action.

The custodian of the documents or other material which constitute the record of proceedings upon which the decision is based are located within the City of Los Angeles, Planning Department located at 200 North Spring Street, Room 763, Los Angeles, California 90012.

Inquiries regarding this matter shall be directed to Oliver Netburn, Planning Staff for the Office of Zoning Administration at (213) 978-1382.



HENRY CHU  
Associate Zoning Administrator

HC:ON:bk

cc: Councilmember Herb Wesson  
Tenth District  
Adjoining Property Owners  
Interested Persons