ZA-2021-7039-MPA



# **APPLICATIONS:**

# **DEPARTMENT OF CITY PLANNING APPLICATION**

		THIS BOX FOR C	ITY PLANNII	ING STAFF USE ONLY			
Ca	se Number						
En	Env. Case Number						
Ар	plication Type						
Ca	se Filed With (Print Name			Date Filed			
Apı	plication includes letter reque	esting:					
	Waived hearing	☐ Concurrent hearing Related Case Number	☐ Hearing	ng not be scheduled on a specific date (e.g. vacation hold)			
1.		in this document are applicable t	to the singula	e or inconsistent information will cause delays. lar as well as the plural forms of such terms. ound on form CP-7810			
	Street Address <sup>1</sup>			Unit/Space Number			
				Total Lot Area			
2.	PROJECT DESCRIPTION						
	Describe in detail the	characteristics, scope and/or	operation o	of the proposed project			
	Additional information Complete and check a		□ NO				
	Existing Site Condi	tions					
		ed or unimproved (i.e. vacan	t)	☐ Site is located within 500 feet of a freeway or rai	ilroad		
	•	buildings (provide copies of b	•	☐ Site is located within 500 feet of a sensitive use school, park)			
	hazardous matei	oped with use that could releating on soil and/or groundwates station, auto repair, industria	er (e.g.	☐ Site has special designation (e.g. National Histo Register, Survey LA)	oric		

<sup>&</sup>lt;sup>1</sup> Street Addresses must include all addresses on the subject/application site (as identified in ZIMAS—http://zimas.lacity.org) <sup>2</sup> Legal Description must include all contiguously owned properties (even if they are not a part of the proposed project site)

Proposed Project Information			<ul> <li>Removal of protected trees on site or in the public right of way</li> </ul>			
(Check all that apply or could ap			•			
☐ Demolition of existing building			square feet			
☐ Relocation of existing building	☐ Accessory	use (fence, sign, w	rireless, carport, etc.)			
☐ Interior tenant improvement		☐ Exterior re	novation or alteration	on		
☐ Additions to existing buildings	3	☐ Change of	use and/or hours of	f operation		
☐ Grading		☐ Haul Route	е			
☐ Removal of any on-site tree		☐ Uses or str	ructures in public riç	ght-of-way		
☐ Removal of any street tree		☐ Phased pro	oject			
Housing Component Informati	<u>on</u>					
Number of Residential Units:	Existing	Demolish(ed) <sup>3</sup>	+ Adding	= Total		
Number of Affordable Units <sup>4</sup>	Existing	Demolish(ed)	+ Adding	= Total		
Number of Market Rate Units	Existing	Demolish(ed)	+ Adding	= Total		
Mixed Use Projects, Amount of N	Non-Residential Floor A	rea:		square feet		
Public Right-of-Way Information	<u>on</u>					
Have you submitted the Planning Is your project required to dedication If you have dedication requirements	ate land to the public rig	ght-of-way? □ YES ft.	□ NO			
ACTION(S) REQUESTED						
Provide the Los Angeles Municip Section or the Specific Plan/Overla	` ,			,		
Does the project include Multiple	Approval Requests per	LAMC 12.36?	□ YES □	NO		
Authorizing Code Section						
Code Section from which relief	is requested (if any):					
Action Requested, Narrative:						
Authorizing Code Section Code Section from which relief	is requested (if any).					
Action Requested, Narrative:						
Action Requested, Nametive.						
Additional Requests Attached	□ YES □	NO				

3.

Number of units to be demolished and/or which have been demolished within the last five (5) years.
 As determined by the Housing and Community Investment Department

4.		RELATED DEPARTMENT OF CITY PLANNING CASES  Are there previous or pending cases/decisions/environmental clearances on the project site?   YES  NO								
		Est, list all case number(s)								
		the <u>application/project</u> is directly related to one male mplete/check all that apply (provide copy).	e of the above cases, list the pertinent cas	e numbers b	elow and					
	C	ase No.	Ordinance No.:							
		Condition compliance review	☐ Clarification of Q (Qualified) classification	cation						
		Modification of conditions	☐ Clarification of D (Development Lim	itations) class	sification					
		Revision of approved plans	☐ Amendment to T (Tentative) classifi	cation						
		Renewal of entitlement								
		Plan Approval subsequent to Master Condition	nal Use							
	Fo	r purposes of environmental (CEQA) analysis, is	s there intent to develop a larger project?	☐ YES	□ NO					
	На	ve you filed, or is there intent to file, a Subdivisi	on with this project?	☐ YES	□ NO					
	If Y	'ES, to either of the above, describe the other pa	arts of the projects or the larger project below, v	vhether or not	currently					
	file	iled with the City:								
5.		RELATED DOCUMENTS / REFERRALS  To help assigned staff coordinate with other Departments that may have a role in the proposed project, please provide								
	a c	a copy of any applicable form and reference number if known.								
	a.	Specialized Requirement Form								
	b.	Geographic Project Planning Referral								
	C.	Citywide Design Guidelines Compliance Review	ew Form							
	d.	Affordable Housing Referral Form								
	e.	Mello Form								
	f.	Unpermitted Dwelling Unit (UDU) Inter-Agency	y Referral Form							
	g.	HPOZ Authorization Form								
	h.	Management Team Authorization								
	i.	Expedite Fee Agreement								
	j.	Department of Transportation (DOT) Referral	Form							
	k.	Preliminary Zoning Assessment Referral Form	1							
	I.	SB330 Preliminary Application								
	m.	Bureau of Engineering (BOE) Planning Case I	Referral Form (PCRF)							
	n.									
	Ο.	Building Permits and Certificates of Occupance	zy							
	p.	Hillside Referral Form (BOE)								
	q.	Low Impact Development (LID) Referral Form								
	r.	SB330 Determination Letter from Housing and	·							
	s.	Are there any recorded Covenants, affidavits of	or easements on this property?   ☐ YES (p	provide copy)	□ NO					

PROJECT TEAM INFORMATION (Complete all app	olicable fields)	
Applicant <sup>5</sup> name		
Company/Firm		
Address:		Unit/Space Number
City	State	Zip Code:
Telephone	E-mail:	
Are you in escrow to purchase the subject pro	perty?   YES	□ NO
Property Owner of Record ☐ Same a	s applicant   Differe	nt from applicant
Name (if different from applicant)		
Address		Unit/Space Number
City	State	Zip Code:
Telephone	E-mail:	
		Unit/Space Number
Company/Firm		
City	State	Zip:
Telephone	E-mail:	
Other (Specify Architect, Engineer, CEQA Co Name Company/Firm		
		Unit/Space Number
		Zip Code:
Telephone		
Primary Contact for Project Information	☐ Owner	☐ Applicant
Primary Contact for Project Information (select only one)	<ul><li>☐ Owner</li><li>☐ Agent/Representative</li></ul>	☐ Applicant ☐ Other

To ensure notification of any public hearing as well as decisions on the project, make sure to include an individual mailing label for each member of the project team in both the Property Owners List, and the Abutting Property Owners List.

<sup>&</sup>lt;sup>5</sup> An applicant is a person with a lasting interest in the completed project such as the property owner or a lessee/user of a project. An applicant is not someone filing the case on behalf of a client (i.e. usually not the agent/representative).

# **PROPERTY OWNER**

- 7. PROPERTY OWNER AFFIDAVIT. Before the application can be accepted, the owner of each property involved must provide a notarized signature to verify the application is being filed with their knowledge. Staff will confirm ownership based on the records of the City Engineer or County Assessor. In the case of partnerships, corporations, LLCs or trusts the agent for service of process or an officer of the ownership entity so authorized may sign as stipulated below.
  - Ownership Disclosure. If the property is owned by a partnership, corporation, LLC or trust, a disclosure identifying the agent for service or process or an officer of the ownership entity must be submitted. The disclosure must list the names and addresses of the principal owners (25% interest or greater). The signatory must appear in this list of names. A letter of authorization, as described below, may be submitted provided the signatory of the letter is included in the Ownership Disclosure. Include a copy of the current partnership agreement, corporate articles, or trust document as applicable.
  - Letter of Authorization (LOA). A LOA from a property owner granting someone else permission to sign the application form may be provided if the property is owned by a partnership, corporation, LLC or trust or in rare circumstances when an individual property owner is unable to sign the application form. To be considered for acceptance, the LOA must indicate the name of the person being authorized the file, their relationship to the owner or project, the site address, a general description of the type of application being filed and must also include the language in items A-D below. In the case of partnerships, corporations, LLCs or trusts the LOA must be signed and notarized by the authorized signatory as shown on the Ownership Disclosure or in the case of private ownership by the property owner. Proof of Ownership for the signatory of the LOA must be submitted with said letter.
  - **Grant Deed.** Provide a Copy of the Grant Deed If the ownership of the property does not match City Records and/or if the application is for a Coastal Development Permit. The Deed must correspond exactly with the ownership listed on the application.
  - Multiple Owners. If the property is owned by more than one individual (e.g. John and Jane Doe or Mary Smith and Mark Jones) notarized signatures are required of all owners.
  - a. I hereby certify that I am the owner of record of the herein previously described property located in the City of Los Angeles which is involved in this application or have been empowered to sign as the owner on behalf of a partnership, corporation, LLC or trust as evidenced by the documents attached hereto.
  - b. I hereby consent to the filing of this application on my property for processing by the Department of City Planning.
  - c. I understand if the application is approved, as a part of the process the City will apply conditions of approval which may be my responsibility to satisfy including, but not limited to, recording the decision and all conditions in the County Deed Records for the property.
  - d. By my signature below, I declare under penalty of perjury under the laws of the State of California that the foregoing statements are true and correct.

Property Owner's signatures must be signed/notarized in the presence of a Notary Public. The City requires an original signature from the property owner with the "wet" notary stamp. A Notary Acknowledgement is available for your convenience on following page.

Signature And	Date 2/24/2021
Print Name Rahim Amidhozour	
Signature	Date
Print Name	

# **Space Below For Notary's Use**

California All-Purpose Acknowledgement	Civil Code ' 1189
A notary public or other officer completing this certificate verifies only t document, to which this certificate is attached, and not the truthfulness, accordingly.	
State of California	
County of Los Angeles	
On October 1, 2020 before me, Faroz Ahm (Insert Name o	adi, Notary Public of Notary Public and Title)
personally appeared Rahim Amidhorour proved to me on the basis of satisfactory evidence to be the person(s) winstrument and acknowledged to me that he/she/they executed the same in by he/her/their signature(s) on the instrument the person(s), or the entity executed the instrument.	his/her/their authorized capacity(res), and that
I certify under PENALTY OF PERJURY under the laws of the State of Californic.	fornia that the foregoing paragraph is true and
WITNESS my hand and official seal.  [Seal]	FAROZ AHMADI Commission No. 2279010 NOTARY PUBLIC-CALIFORNIA LOS ANGELES COUNTY My Comm. Expires FEBRUARY 28, 2023

# **APPLICANT**

- **8. APPLICANT DECLARATION.** A separate signature from the applicant, whether they are the property owner or not, attesting to the following, is required before the application can be accepted.
  - a. I hereby certify that the information provided in this application, including plans and other attachments, is accurate and correct to the best of my knowledge. Furthermore, should the stated information be found false or insufficient to fulfill the requirements of the Department of City Planning, I agree to revise the information as appropriate.
  - b. I hereby certify that I have fully informed the City of the nature of the project for purposes of the California Environmental Quality Act (CEQA) and have not submitted this application with the intention of segmenting a larger project in violation of CEQA. I understand that should the City determine that the project is part of a larger project for purposes of CEQA, the City may revoke any approvals and/or stay any subsequent entitlements or permits (including certificates of occupancy) until a full and complete CEQA analysis is reviewed and appropriate CEQA clearance is adopted or certified.
  - c. I understand that the environmental review associated with this application is preliminary, and that after further evaluation, additional reports, studies, applications and/or fees may be required. .
  - d. I understand and agree that any report, study, map or other information submitted to the City in furtherance of this application will be treated by the City as public records which may be reviewed by any person and if requested, that a copy will be provided by the City to any person upon the payment of its direct costs of duplication.
  - I understand that the burden of proof to substantiate the request is the responsibility of the applicant. Additionally,
     I understand that planning staff are not permitted to assist the applicant or opponents of the project in preparing arguments for or against a request.
  - f. I understand that there is no guarantee, expressed or implied, that any permit or application will be granted. I understand that each matter must be carefully evaluated and that the resulting recommendation or decision may be contrary to a position taken or implied in any preliminary discussions.
  - g. I understand that if this application is denied, there is no refund of fees paid.
  - i. I understand and agree to defend, indemnify, and hold harmless, the City, its officers, agents, employees, and volunteers (collectively "City), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution (collectively "actions"), arising out of any City process or approval prompted by this Action, either in whole or in part. Such actions include but are not limited to: actions to attack, set aside, void, or otherwise modify, an entitlement approval, environmental review, or subsequent permit decision; actions for personal or property damage; actions based on an allegation of an unlawful pattern and practice; inverse condemnation actions; and civil rights or an action based on the protected status of the petitioner or claimant under state or federal law (e.g. ADA or Unruh Act). I understand and agree to reimburse the City for any and all costs incurred in defense of such actions. This includes, but it not limited to, the payment of all court costs and attorneys' fees, all judgments or awards, damages, and settlement costs. The indemnity language in this paragraph is intended to be interpreted to the broadest extent permitted by law and shall be in addition to any other indemnification language agreed to by the applicant.
  - i. By my signature below, I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents are true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of license or permit.

The City requires an original signature from the applicant. The applicant's signature below does not need to be notarized.

Signature:		X-	(1)	2.	Date: 2/24/2021
Print Name:	//	Rahim	Amidhozour		

# ATTACHMENT A Request for Master Plan Approval TENTEN Live, LLC 1027 Wilshire Blvd; 627, 633, 637 St. Paul Avenue Los Angeles, CA 90017

The Applicant, *TENTEN Live*, *LLC* requests the following discretionary actions:

1. Pursuant to **LAMC Section 12.24 M**, the Applicant requests a Master Plan Approval ("MPA") pursuant to the approved Master Conditional Use Permit ("MCUP") ZA-2019-7504-MCUP to permit the sale of a full line of alcoholic beverages for on-site consumption in conjunction with an approximately 5,385 sf residential amenity space providing seating for 310 patrons located on the rooftop of the Approved Project.

Pursuant to various sections of Los Angeles Municipal Code, the Applicant will also request approvals and permits from the Building and Safety Department (and other municipal agencies) for project construction activities including, but not limited to the following: building and tenant improvements.

# PROPOSED MASTER PLAN APPROVAL REQUEST

The Applicant requests a Master Plan Approval pursuant to the approved ZA-2019-7504-MCUP to permit the sale of a full line of alcoholic beverages, including beer, wine and distilled spirits, for on-site consumption in conjunction with an approximately 5,385 sf residential amenity space with 310 outdoor seats located on the rooftop of the Approved mixed-use Project (the "Project") (see Table 1 for breakdown of square footage). Additionally, the Applicant will provide discounted alcoholic drinks during an established "Happy Hour". Alcoholic beverages along with a full menu service will be provided from the ground floor restaurant and served to tenants and their guests on the rooftop of the Approved Project.

Table 1. Liquor Sales Area - 1027 Wilshire Boulevard

	Indoor SF	Indoor Seats	Outdoor SF	Outdoor Seats	Liquor Storage SF <sup>1</sup>	Permit Type
Rooftop - Residential Amenity Space	0 SF	0 Seats	5,385 SF	310 Seats	60 SF	Full Line On-site Sale
Total Indoor and Outdoor SF			5	,385 SF		
Total Indoor and Outdoor Seats						

# PROJECT BACKGROUND

On August 24,2020, the Applicant was approved for a Master Conditional Use Permit ("MCUP") to allow the sale of a full line of alcoholic beverages for both on-site and off-site consumption at a proposed ground floor café, and to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption at a second restaurant located on the ground floor and at a residential amenity space located within the rooftop of the property located at **1027 Wilshire Boulevard and 621-637 St. Paul Street** (the "Site").

The Applicant is applying for a Master Plan Approval ("MPA") to allow the sale of a full line of alcoholic beverages for on-site consumption within the residential amenity space. This application and the findings heretofore are for the residential amenity space MPA application. The Applicant is concurrently applying for MPA applications to allow the sale of a full line of alcoholic beverages within the ground floor restaurant for on-site consumption and café for on and off-site consumption. This will allow for all three MPAs to be reviewed concurrently.

Additionally, the Site has received approval on October 22, 2010 pursuant to APCC-2009-3280-SPA-ZV-ZAA-SPP-SPR for a mixed-use development with 376 residential units located above approximately 10,500 square feet of commercial (ground floor) and office uses. The Project is currently under construction (the "Approved Project") and its Certificate of Occupancy is anticipated by the end of 2021.

2

<sup>&</sup>lt;sup>1</sup> The liquor storage area square footage is included in each sales area square footage.

The Approved Project is located on approximately 90,969 net square feet (2.08 acres) and is comprised of three Assessor Parcel Numbers 5143-025-009, -010, -041 (the "Site"). The Project Site is bounded by Wilshire Boulevard to the southwest, St. Paul Avenue to the southeast and an alley, St. Paul Place, to the northwest. The Site is in the Westlake Community Plan area as well as the Central City West Specific Plan ("CCWSP") area.

The following lists the Project Site's compliance with the conditions set forth in the October 2010 approval (APCC-2009-3280-SPA-ZV-ZAA-SPP-SPR):

# Floor Area

The total floor area on the Project Site is limited to a maximum of 390,000 square feet, of which a minimum of 10,500 square feet can be dedicated to commercial (ground floor) use. The Project will be providing 10,500 square feet of ground floor commercial and the remaining 379,500 square feet will be for residential use.

# Height and Number of Stories

The buildings on the Project Site do not exceed 1,268 feet in height, in accordance with Section 8.A.2 of the Central City West Specific Plan. The proposed building is approximately 100 feet tall, 6 stories with 4 levels of subterranean parking.

# <u>Parking</u>

The Project will provide 2 parking spaces on-site per 1,000 square feet of commercial (restaurant and office) use as required by the Enterprise Zone. Additionally, the Project will provide 1 space for each dwelling unit with 3 or fewer than 3 habitable rooms, and 1.25 spaces for dwelling units with more than 3 habitable rooms as required by LAMC Section 12.21 A 4(p). According to the recorded Parking License Agreement No. 20080123548, the Project also includes remote parking spaces for the project located at 1010 Wilshire Blvd. Additionally, the Project includes remote parking spaces for the project located at 1018 Ingraham Street as approved by ZA-2017-978-ZV-SPP on September 24, 2019.

# Parking Access

No vehicular access (except for alley access) is permitted along the Wilshire Boulevard frontage in order to promote pedestrian activity and to reduce vehicular and pedestrian conflicts along the Wilshire Boulevard frontage. The Project will be providing vehicular access to the Site via driveways from St Paul Avenue. All driveways would provide direct access to the Project Site's parking garage.

# Transit Adjacency

The Site is located within proximity to MTA bus and rail transit lines, and DASH service, thereby affording access to residents and workers in the greater downtown Los Angeles area to enjoy the entertainment, restaurants and retail uses.

Three Dash Service Lines are located proximate to the site:

Route A includes a stop at Bixel Street and Wilshire Boulevard, within one block of the Project Site, and Route E picks up at the corner of 6th and Bixel. Route A schedules its pick-ups every seven minutes between the hours of 6:00am to 9:00pm, and

Route E, the City West – Fashion District Route, of the Dash Services, which also has a pick-up of every five minutes between the hours of 6:30am and 9:00pm.

The Dash Pico Union/Echo Park includes a stop at the intersection of St Paul and 6th Street, north of the Site. The Pico Union/Echo Park Service Line has a pickup

approximately every 10 minutes, 7 days a week between the hours of 5:00am and 10:30pm.

- The Metro Bus system provides local service along Wilshire Boulevard, Route 20, which
  provides easy access to the Westside of Los Angeles, including Beverly Hills and Santa
  Monica, and connects to the light rail options in downtown.
- The Metro Rapid line #720 provides access from Commerce on the east to Santa Monica on the west with a stop located at 6<sup>th</sup> and Witmer and utilizes the Wilshire BRT.
- Subway services are located only a few blocks from the Site. The Red Line station located at Figueroa and 7th Street, and the Blue Line station located at 7th Street and Flower Street (7th/Metro Center) will rapidly take the commuter throughout many parts of the City.
- There are also two Express Bus services, #487 and #489, which operate along Wilshire Boulevard. Finally, 6th Street offers both local and rapid bus services. The local service line, #18, provides access from Montebello on the east end and Wilshire Center on the west end.
- The local and limited lines #16/316 also provide a stop at the intersection of Bixel Street and 6th Street.

Because many trips can be made by transit and walking, there is less need for a car in a downtown environment (a major attraction to people purchasing or renting residential units in the Downtown), and therefore less of a need for parking spaces. The transit options allow for visitors to access the Approved Project, without having to drive to or from the Site.

# **PROJECT SITE INFORMATION**

The Approved Project is located on approximately 90,969 net square feet (2.08 acres) and is comprised of three Assessor Parcel Numbers 5143-025-009, -010, -041 (the "Site"). The Project Site is bounded by Wilshire Boulevard to the southwest, St. Paul Avenue to the southeast and an alley, St. Paul Place, to the northwest. The Site is in the Westlake Community Plan area as well as the Central City West Specific Plan ("CCWSP") area.

The Specific Plan defines one zoning designations on the Site, which is zoned C4(CW)-U/6, allowing a floor area ratio of 6:1. Pursuant to the Westlake Community Plan, the Site land use designation is Regional Center Commercial. The Site is located in South Subarea 4 and specifically the Wilshire Corridor District within the CCWSP.

The Wilshire Corridor District, situated just to the west of the Harbor Freeway and the Financial District, is currently realizing significant redevelopment activity, especially high-density residential and mixed-use projects. In addition, the Project is located in the Los Angeles State Enterprise Zone that provides certain incentives to encourage economic development.

# **SURROUNDING ZONING AND USES**

North: The Project Site is generally bounded by luxury apartments to the north, northeast, and west called the Piero Apartments. The zoning for the uses to the north is C4(CW)-U/6.

<u>East</u>: South St. Paul Avenue bounds the site on the east. The area to the east of the Project Site along South Bixel Street is developed with luxury apartments. Building heights within the adjacent site range from six to eight stories. The zoning for the uses to the east is C4(CW)-U/6.

South: The area to the south of the Project Site, south of Wilshire Boulevard is developed with a live work facility (1010 Wilshire) as well as a Mixed-Use Residential project (Glo). The zoning for the uses to the south is C4(CW)-U/6.

West: An alley abuts the Site to the west. Beyond the ally is a 12-story office structure with street level commercial at Wilshire Boulevard and South Bixel Street and a 5-story apartment structure over parking at 6<sup>th</sup> Street and South Bixel Street. The zoning for the uses to the west is C4(CW)-U/6.

# FINDINGS FOR MASTER PLAN APPROVAL PURSUANT TO LAMC SECTION 12.24 W.1

Pursuant to LAMC Section 12.24 W.1, the following findings are required for a proposed development project seeking a Master Plan Approval ("MPA") to permit the sale of a full line of alcoholic beverages for on-site consumption in conjunction with an approximately 5,385 sf residential amenity space providing seating for 310 patrons located on the rooftop of the Approved Project.

i. THAT THE PROJECT WILL ENHANCE THE BUILT ENVIRONMENT IN THE SURROUNDING NEIGHBORHOOD OR WILL PERFORM A FUNCTION OR PROVIDE A SERVICE THAT IS ESSENTIAL OR BENEFICIAL TO THE COMMUNITY, CITY, OR REGION.

The Applicant's Approved Project consists of the construction of a mixed-use project, containing residential and commercial floor area, in the heart of the CCWSP Area in the City of Los Angeles. The CCWSP area has experienced substantial residential and commercial growth since its adoption in 1991 and subsequent amendments through 2009.

Examples of residential and mixed-use projects that have been approved and/or developed include reuse of the 1100 Wilshire Building and the 1010 Wilshire Building. New construction projects in the area are numerous and include the Vero mixed-use project located at 1234 Wilshire, the Piero Apartments located at 619 St Paul Avenue, the Eleven Eleven mixed-use project located at 1111 Wilshire Boulevard, the Sofia, a mixed-use project, located at 619-628 South Bixel and the GLO mixed use project at 1050 Wilshire.

Businesses continue to expand, and more residents of mixed-use units are expected to reside in or near the Project area of the Westlake Community Plan area. As a result of commercial and residential growth in the CCWSP area, the built environment in the surrounding neighborhood will be enhanced with the addition of amenity spaces that provide essential and beneficial services to residents of the mixed-use Project as well as their guests.

The Master Plan Approval is requested to serve a full line of alcoholic beverages for on-site consumption within a residential amenity space located on the rooftop of the Approved Project. Additionally, the Applicant will provide discounted alcoholic drinks during an established "Happy Hour". The objective of the proposed Project is to allow an inviting, community-friendly environment, consistent with the goals of the CCWSP and the Westlake Community Plan Area.

The residential amenity space located on the rooftop of the Approved Project is meant to provide a common area that allows residential tenants and their guests the opportunity to enjoy a relaxing get-away in a unique outdoor space. Alcoholic beverages will be served with food from the ground floor restaurant to tenants and their guests on the rooftop. The ground floor restaurant is also applying for a Master Plan Approval separate from the tenant amenity space.

As the growing residential population in mixed-use developments and the day-time work force of the Downtown commercial core expands, so does the need for certain goods and services, which is the primary rationale for the development of the tenant amenity space on the rooftop.

The Applicant proposes an outdoor residential amenity space in conjunction with a mixed-use development in order to improve resident access to quality food and beverages. The future rooftop employees will also help boost the economy of Los Angeles by creating jobs and contributing sales and business tax revenues. Therefore, the proposed Master Plan Approval for on-site sales

of alcoholic beverages will enhance the built environment in the surrounding neighborhood and will provide a service that is essential and beneficial to the community, city or region.

ii. THAT 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 Applicant's approved design was found to be compatible with the existing and future development of neighboring properties, and consistent with the City's vision of the Westlake Community Plan. The Master Plan Approval application is requested for a residential amenity space located on the rooftop of the Approved Project and will not change the size, height, operations, and other significant features of the Approved Project. A maximum of 390,000 square feet of floor area was approved for the Project Site that allows for certain uses, residential and commercial, of land that are permitted within the existing zone.

The residential amenity space is compatible with the surrounding neighborhood and is designed to serve tenants of the approved mixed-use project and their guests. On the contrary, the Approved Project will improve that neighborhood character by creating a well-designed mixed-use building on a Site that was previously surface and structured parking. The amenity space will help maintain the commercial uses of the mixed-use project successful. Therefore, the design of the project and the variety of uses, both residential and commercial, improve the neighborhood character and will serve the residents of the Approved Project, the surrounding area, and the Downtown Core.

In recent years, new mixed use and residential development has replaced old and outdated commercial sites that are no longer financially viable with much needed residential units together with neighborhood supporting uses proposed by the Project.

Several examples of similar nearby projects consist of:

**Glo Project -1050 Wilshire Boulevard** – A two building, six story mixed use project was approved in 2010 for 201 dwelling units over 10,000 square feet of ground level commercial space.

**1111 Wilshire** – A mixed use project was approved with 214 residential units with 7,743 square feet of ground level neighborhood serving commercial space.

**1120 W. 6<sup>th</sup> Street** – A mixed use project consisting of 648 residential units, 42 joint live/work units and 39,996 square feet of ground level commercial space divided into seven restaurant/retail spaces including a 16,500 square foot grocery store.

The Approved Project's proposed architectural style reflects and improves on the quality of the immediate neighborhood. The approved bulk, mass, and height of the Project's buildings are designed to be compatible and complementary to the other buildings in the immediate vicinity that have been built as commercial, mixed-use, and residential projects. The proposed tenant amenity space will not only complement the surrounding community but enhance it. The Apartments and other mixed-use projects surrounding the Project bring many residential units proximate to the Project Site. Thus, residents of the mixed-use Project will require a unique, outdoor common open space to congregate with their guests as well as other residents. Such a space will create a sense of community between residents as they enjoy food and/or an alcoholic beverage with their quests.

Additionally, the residential amenity space on the rooftop will remain a private space with no public access with the exception of access by resident's guests. All consumption of alcohol will remain within the rooftop space. Thus, the availability of alcohol in the space will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety. Approval of the Master Plan Approval will also be consistent for the following reasons:

- 1. The development's attractive design contributes significantly to its relationship to adjacent uses.
- 2. Residential amenity spaces will encourage tenants to establish a sense of community with the surrounding neighborhood and will engage visitors from the Downtown as guests.
- 3. Successful sales of food and alcoholic beverages help to encourage economic development, which is consistent with the goals of the City.
- 4. The proposed rooftop space is likely to create synergy with nearby uses. It is anticipated that many residents and their guests in the surrounding neighborhood will take advantage of dining opportunities proximate to places of living and work.

As previously mentioned, the ground floor restaurant will serve residents and their guests on the private rooftop space with food and alcoholic beverages upon request. Consequently, the sale of alcoholic beverages within the residential amenity space on the rooftop will contribute to the success of the ground floor restaurant. Similarly, the ground floor restaurant is applying for its individual Master Plan Approval.

Residents of the mixed-use Project will require a unique, outdoor common open space to congregate with their guests as well as other residents. The sale of alcohol and Happy Hours contribute to the overall success of communal spaces. The sale of alcoholic beverages on the rooftop tenant amenity space enhances the open space opportunities as it will create a communal space for residents of the Approved Project.

Successful mixed-use projects in the area are increasingly contributing to the overall success of the community as a desirable place to live, work and shop, which leads to positively impacting the property values of commercial and mixed-use properties. Therefore, the sale of alcohol for on-site consumption will neither adversely affect nor further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety, but rather will be advantageous to the immediate neighborhood.

Lastly, to guarantee that there will not be any deleterious impact to the immediate neighborhood, the City of Los Angeles and State of California Department of Alcoholic Beverage Control ("ABC") independently retains the authority to revoke permits and/or licenses which allow the sale of alcoholic beverages at the Project Site should there be circumstances that rise to the level of non-compliance of the approval conditions of the Master Plan Approval, State of California ABC laws and local LAMC standards.

# iii. THAT THE PROJECT SUBSTANTIALLY CONFORMS WITH THE PURPOSE, INTENT AND PROVISIONS OF THE GENERAL PLAN, THE APPLICABLE COMMUNITY PLAN, AND ANY APPLICABLE SPECIFIC PLAN.

In the process of approving the Project, the City found that the Project was consistent with the General Plan. Normally, the General Plan, the Framework Plan and the CCWSP do not regulate the sales of alcoholic beverages. However, there are economic benefits that satisfy many of the goals and objectives of the General Plan and the other related land use documents.

The proposed sales of alcoholic beverages in the commercial and residential spaces of the Project Site can be found to be consistent with many of the goals, objectives and policies of the

General Plan. The following will discuss the Project's consistency with various elements of the General Plan, including the Westlake Community Plan, and the Central City West Specific Plan.

The granting of the requested determination is consistent with the principals, intent and goals of the geographical specific plan and any applicable element of the General Plan. The construction of residential units is a major emphasis of the CCWSP, an objective of the Westlake Community Plan as well as the General Plan Housing Element. The Approved Project will add 376 dwelling units to the housing stock downtown.

# **GENERAL PLAN FRAMEWORK**

As noted in the Executive Summary Introduction, the General Plan Framework Element is "a strategy for long-term growth which sets a citywide context to guide the update of the community plan and citywide elements." The primary objectives of the policies in the Land Use chapter are to "support the viability of the City's residential neighborhoods and commercial districts, and, when growth occurs, to encourage sustainable growth in a number of higher-intensity commercial and mixed-use districts, centers and boulevards and industrial districts particularly in proximity to transportation corridors and transit stations." The approved Project is accessible to transportation corridors and transit stations. Moreover, the Executive Summary notes that economic development policies are intended to facilitate job growth. Key policies in this regard include: "Provide sufficient land to support economic development activities" and "Promote the re-use and recycling of deteriorated commercial and industrial districts." To those ends, the Project Site is of sufficient size to create a viable mixed-use development that includes new restaurants and a residential amenity space, to produce a development that will facilitate residential dwellings and job growth so as to enhance the job base and the quality of life.

The General Plan Framework, Land Use Objective 3.4, seeks to "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." The Approved Project follows the consideration of the General Plan and the Specific Plan to locate new housing in proximity to public transportation and other public facilities. Furthermore, the General Plan Framework, in Objective 4.2, seeks to "Encourage the location of new multi-family housing development to occur in proximity to transit stations, along some transit corridors, and within some high activity areas with adequate transitions and buffers between higher-density developments and surrounding lower-density residential neighborhoods." The approved Project is located adjacent to the major corridor of Wilshire Boulevard, which provides MTA Rapid Bus and other bus services that also connect to the Metro Rail stations to the east and in downtown Los Angeles.

The Land Use chapter of the General Plan Framework Element includes several goals, policies and objectives that support the Project's request for a Master Plan Approval to provide for the onsite consumption of alcoholic beverages within a tenant amenity space located on the rooftop:

# Goal 3A: A physically balanced distribution of land 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,
- Provision of adequate infrastructure and public services,

- Reduction of traffic congestion and improvement of air quality,
- Enhancement of recreation and open space opportunities,
- Assurance of environmental justice and a healthful living environment, and
- Achievement of the vision for a more livable city.

Goal 3A seeks a balanced distribution of land that contributes towards and facilitates the revitalization of economically depressed areas. The Applicant's Approved Project is geared to revitalizing an underutilized commercial property so as to provide opportunities for new housing as well as business creation and job growth. The redevelopment of the Project Site that includes uses that add new jobs will contribute significantly towards the City's long-term fiscal and economic vitality, which is an important goal of the General Plan Framework in its land use and economic development policies.

The sale of alcoholic beverages on the rooftop tenant amenity space enhances the open space opportunities as it will create a communal space for residents of the Approved Project. Residents of the mixed-use Project will require a unique, outdoor common open space to congregate with their guests as well as other residents. The rooftop space will aid in creating a sense of community between residents as they enjoy a meal and/or an alcoholic beverage with their guests.

The Approved Project's rooftop space serving alcohol will be beneficial to the residents of the mixed-use project. It will provide opportunities for employment within the ground floor restaurant and the residential amenity space as the restaurant will be serving food and drinks to tenants and their guests on the rooftop. The rooftop space, in conjunction with the ground floor restaurant, is expected to employ a total of 26 waiters and attendants.

The ongoing development of more mixed-use projects in the general vicinity is beneficial for the City's long-term fiscal and economic viability. The proposed Master Plan Approval will contribute to the City's fiscal and economic viability by creating jobs in the rooftop space as well as the ground floor restaurant and revitalizing an area that is still in need of new investment. The Project will also positively benefit the City through the generation of additional sales tax revenue, business licenses and other fees. Approval of a Master Plan Approval to allow the sale of alcoholic beverages for on-site consumption is essential for a successful development that proposes unique outdoor spaces tailored to serve the needs of the residents.

In this regard, drinking establishments have been approved by the City in other parts of the Downtown Core, consistent with the development of mixed-use projects that are compatible with the development of the area. This geographic area is experiencing a surge of economic growth that has spilled over from the Downtown Core. Therefore, the approval of a MPA for the on-site sales of alcoholic beverages is consistent with the goals and policies of the Economic Development chapter of the General Plan Framework, including the following goal and objective:

# Objective 7.2: Establish a balance of land uses that provides for commercial and industrial development which meets the needs of local residents, sustains economic growth, and assures maximum feasible environmental quality.

Goal 7B recognizes that land must be appropriately and sufficiently designated to sustain economic activity which meet the needs of residents. As such, the Project proposes to include a residential amenity space on the rooftop, which will provide the sale of alcoholic beverages for on-site consumption. Thus, the rooftop space will provide essential services for residents of the mixed-use project and will sustain economic growth in the area through the generation of additional sales tax revenue, business licenses and other fees.

The Project also assures environmental quality. The requested MPA will not result in any proposed changes to the structure, floor area or rooftop space that would change the environmental conditions imposed in Section 15301 of the State CEQA Guidelines for a Class 1 Categorical Exemption. The mitigation measures, and monitoring measures set forth in Section (a) the Additional Findings and in Section 3 the Physical Development of Site findings establish how the proposed MPA will be operated and maintained within the rooftop tenant amenity space. Such findings would become potential conditions of approval that will mitigate any potential negative effects to the surrounding neighborhood and the environment. Additionally, the residential amenity space will recreate a space that is welcoming and, thus, residents will not need to drive to another location, which would in turn reduce VMT and GHG.

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

Goal 7G emphasizes the need for housing opportunities in optimal locations with access to local services and transportation to accommodate future population growth. The Approved Project will add 376 dwelling units to the housing stock downtown and proposes a mix of unit sizes to meet the needs of housing by household size and income and will not displace any existing residential units. Additionally, the residential units are located in an ideal position to provide easy access to the major job center of the Downtown Los Angeles employment center.

The Project Site is located within Census Tract 2092.0, which is experiencing significant population growth and was projected to have a population of 4,083 residents in 2017. However, the past decade has seen the number of residents within the census tract grow significantly. With the Approved Project and several others in the area, there is a definite trend that is resulting in a rapidly expanding higher density population. The Approved Project is entitled for 376 residential units and there is a complex immediately adjacent to the north and west that includes 350 residential units. Therefore, this results in 725 new residential units that would add to this census tract total.

It is important to keep in mind that the actual population would be much higher since the last census and the residential projects proposed in the area, including the Approved Project, increase the actual population in the area. More importantly, the population number does not take into consideration that there are thousands of people coming into the area for work on a daily basis.

As identified above, the Project is consistent with the General Plan and the Central City West Community Plan. The requested Master Plan Approval would be a complement to the Approved Project findings, but at the same time, the requested MPA is only a part of the overall residential activity contemplated for the Project.

# **WESTLAKE COMMUNITY PLAN**

Although the Community Plan does not include specific guidelines or policies that address the sales of alcoholic beverage, the approved overall Project is consistent with a number of the residential objectives of the Community Plan. The provision of alcoholic beverages does not change the overall scope and character of the resultant Site.

# **Residential Objectives**

1. To designate a supply of residential land adequate to provide housing of the types, sizes, and densities required to satisfy the varying needs and desires of all segments of the community's population.

The Westlake Community Plan's first residential objective stresses the importance of supplying "residential land adequate to provide housing of the types, sizes, and densities required to satisfy the varying needs and desires of all segments of the community's population." The proposed Project builds urgently needed units on appropriately designated parcels that are underdeveloped. Under its "Community Issues and Opportunities" Section, the Westlake Community Plan recognizes that two important land use opportunities include "access and proximity to employment for community residents" and "potential for residential and mixed-use development along Commercial Corridors." Under its commercial objectives, the Westlake Community Plan seeks "to improve the compatibility between commercial and residential uses," a target that is attainable with the type of mixed-use development approved at this Site.

This Project Site will result in the construction of urgently needed dwelling units on appropriately designated parcels that are currently underdeveloped and aesthetically unappealing. In connection with the residential units, the inclusion of residential amenity spaces with food and availability of alcoholic beverages will provide easily accessible services to the Project residents and their guests. The service of alcoholic beverages within the residential amenity space complements the residential uses permitting patrons the opportunity to enjoy beer, wine or a cocktail on the rooftop.

The proposed sales of alcoholic beverages are only a small part of the residential amenity space located on the rooftop of the Approved Project. It is not the focus of the rooftop space such as a liquor store and other establishments that have their primary focus on the sales of alcoholic beverages.

# **CENTRAL CITY WEST SPECIFIC PLAN**

While the CCWSP does not regulate the sales of alcoholic beverages, a number of the Specific Plan's "Purposes" are met as a result of the approved mixed-use Project in relation to the application for the sales of alcoholic beverages:

**Section 2.B.** Establish a complete 24-hour community for all segments of the population, with jobs and housing, needed public facilities, recreation/entertainment and amenities, open spaces and pedestrian oriented places.

The Project will provide much needed housing opportunities for those who work in the community. The Project Site is located near one of the major employment centers in the region, Downtown Los Angeles. This Project will create rental-housing opportunities within walking distance of numerous jobs and transit options. Housing typically is the catalyst in creating and expanding commercial and retail services in a given area as there is a new market (of residents) that is yet untapped. Because "residential" is a 24-hour use, these businesses usually extend their hours in order to accommodate those that live in the area giving rise to a more vibrant and safer community.

Moreover, the sale of alcoholic beverages on the rooftop tenant amenity space helps establish a communal open space for residents of the Approved Project to relax and socialize. Residents of the mixed-use Project will require a unique, outdoor common open space to congregate with their guests as well as other residents. The rooftop space will aid in creating a sense of community between residents as they enjoy food and/or an alcoholic beverage with their guests. The sale of alcoholic beverages is a secondary use but is a desirable amenity for such unique outdoor common open spaces.

**Section 2.C.** Regulate all development including use, location, height and density to ensure compatibility of uses, and to provide for the consideration of transportation and

public facilities, aesthetics, historic preservation, open space and the economic and social well-being of area residents.

This section has the objective of regulating height and density to ensure compatibility of uses. The Project Site approval made the finding that the development is compatible with the height and floor area ratio districts. The requested Master Plan Approval for the residential amenity space will be located within the approved floor area and will not change the height and floor area or density of the originally approved development.

**Section 2.D.** Protect the existing residential community from further displacement, replace dwelling units previously removed from the Specific Plan area, and provide new housing in proportion to the need, by household size and income, associated with the existing community and new jobs generated in the Plan area.

The Site proposes a mix of unit sizes to meet the needs of housing by household size and income and will not displace any existing residential units. The Approved Project residential units are located in an ideal position to provide easy access to the major job center of the Downtown Los Angeles employment center. At the same time, new jobs will be created in the rooftop tenant amenity space and ground floor restaurant. The rooftop space, in conjunction with the ground floor restaurant, is expected to employ a total of 26 waiters and attendants.

**Section 2.G.** Provide for an improved jobs/housing ratio over that which would otherwise have occurred, through the requirement that housing be constructed commensurate with commercial Projects.

The rooftop tenant amenity space will provide new jobs within the community. As mentioned, the rooftop space, in conjunction with the ground floor restaurant, is expected to employ a total of 26 waiters and attendants. More importantly, bringing 376 housing units to the jobs-rich environment of downtown Los Angeles helps to improve the jobs/housing ratio which otherwise would not occur absent new housing opportunities in the community. The Downtown commercial core, which is proximate to the Project Site, is a major source of jobs in Los Angeles. However, the Downtown area lacks the appropriate jobs/housing ratio due to the presence of many high-rise office buildings that lack residential facilities in proximity.

**Section 2.H.** Create new mixed-use residential/commercial land use categories, in order to locate housing closer to jobs, reduce vehicle miles traveled and improve air quality.

By constructing a new mixed-use building with ground floor neighborhood serving commercial spaces and a rooftop tenant amenity space, this project fulfills the purpose of the CCWSP to create new mixed use residential and commercial land use. With the major employment center of nearby Downtown Los Angeles, new residents will be able to locate closer to jobs. The use of public transit or the ability to walk to Downtown allows for a significant reduction in vehicle miles traveled, and subsequently, should lead to improvement of local air.

Five of the first seven Purposes listed in Section 2 of the CCWSP discuss the need for housing within the Specific Plan area. Consequently, the construction of housing units is a central purpose of the CCWSP. *Purpose B* of the Plan intends to "establish a complete 24-hour community for all segments of the population, with jobs and housing, needed public facilities, recreation/entertainment and amenities, open spaces and pedestrian oriented places." The Site is located near one of the major employment centers in the region, Downtown Los Angeles.

While the proposed Master Plan Approval is requested for the purpose of alcohol sales within the residential amenity space, such a request is a refinement of the approved residential uses within the Project floor area and dimensions. The Master Plan Approval for the tenant amenity space on the rooftop would result in providing jobs close to housing, as the proposed Project housing would

result in reducing miles traveled and improving air quality. The rooftop space will ensure that residents of the mixed-use project will not have to travel in order to access quality dining services and/or alcoholic beverages.

# HOUSING ELEMENT

The Housing element has been updated since the original Project approval with the adoption of the Housing Element 2013-2021. The Project Site has achieved goals of the updated Housing Element by proposing and obtaining approval of a 376-unit mixed use project, and 10,500 square feet of commercial floor area. The Project Site achieves a smart growth objective by locating its density near the transit corridor of Wilshire Boulevard and in proximity the job-rich center of downtown Los Angeles. The proposed Project delivers the type of housing so desperately needed and encouraged by the Housing Element.

While the main objective is to create new housing, as a complement the overall Project Site is the approval of a Master Plan Approval to allow the sale of alcoholic beverages for on-site consumption. The Master Plan Approval is essential for a unique outdoor common open space that proposes high-quality services tailored for residents of the mixed-use project. Therefore, making the Project consistent with the principles, intents and goals of the Housing Element.

**(a) ADDITIONAL FINDINGS**. In addition to the findings otherwise required by this section, the Zoning Administrator shall make all the following findings:

# 1. Explain how the proposed use will not adversely affect the welfare of the pertinent community.

A Master Plan Approval for the approved Project will not adversely affect the welfare of the community. The residential amenity space serving alcoholic beverages for on-site consumption will be carefully controlled as new tenants identified require an alcohol sales permit. Each individual establishment will be required to apply for a Master Plan Approval, which will be carefully reviewed by the Department of City Planning ("DCP") and the California Department of Alcoholic Beverage Control ("ABC"). Security plans, floor plans, seating limitations and other recommended conditions, as well as the mode and character of the operation, will be considered, addressed and enforced through the imposition of specific conditions set forth in the Master Plan Approval for each tenant space serving and selling alcoholic beverages. This will allow for further evaluation and continuous monitoring, ensuring that the individual sales outlets will not adversely affect the welfare of the community.

The Project is located within a highly urbanized setting situated in the CCWSP. The area surrounding the Project Site is a mix of residential, commercial uses, mixed-use buildings, and restaurants. The request for on-site alcohol sales will be compatible with the surrounding neighborhood, as residents and workers will be drawn to the features that accompany quality establishments.

Additionally, the residential amenity space on the rooftop will remain a private space with no public access with the exception of access by resident's guests. All alcohol consumption will remain onsite within the rooftop space. Thus, the availability of alcohol will not adversely affect the welfare of the adjacent community. The proximity to transit and easy walking distance from nearby mixed-use and joint live/work developments, in addition to commercial and industrial uses in the local neighborhood, allows for alternatives to driving for those consuming alcoholic beverages.

The Project will also positively benefit the City through the generation of additional sales tax revenue, business licenses and other fees, and by providing additional short-term and long-term employment opportunities to area residents.

There are six alcohol licenses within the 600-foot radius as follows:

These two restaurant outlets are located in a mixed-use development West of Bixel Street:

- Plan Check, 1111 Wilshire Boulevard, #103, On-site consumption of a full line
- EBAES, 1111 Wilshire Boulevard, #104, On-site consumption of beer and wine

# Other Restaurants:

- Chipotle, 1122 W. 6<sup>th</sup> Street, #101, On-site consumption of beer and wine
- Harbor House, 1000 Wilshire Boulevard, On-site consumption of a full line

# Small Market:

- Green Light Market, 664 S. Bixel Street, Off-site consumption of beer and wine Large Market:
  - Grocery Outlet, 1120 W. 6<sup>th</sup> Street #103, Off-site consumption of beer and wine

There are eight alcohol establishments within 600 feet to 1000 feet of the Project site:

The following five outlets are part of a single multi-level commercial development:

- Gulp, 735 S. Figueroa Street, #133, Restaurant and brew pub
- Morton's Steakhouse, 735 S. Figueroa Street, #207, restaurant
- California Pizza Kitchen, 735 S. Figueroa Street, #305, restaurant
- Target, 735 South Figueroa Street, #200, department store
- Mendocino Farms, 735 South Figueroa Street, #129, grocery store

The following consists of a freestanding private membership club and a liquor store:

- Jonathan Club, 545 South Figueroa Street, private club
- Bixel Liquor, 467 Bixel Street, liquor store

# The following is a Hotel:

• Intercontinental Hotel, 900 Wilshire Boulevard,

All eight of the above alcohol servicing outlets are located on the east side of the 110 Freeway and would be considered a part of a neighborhood of the Central City and disconnected from the CCWSP neighborhood of the Project Site. The impacts of the sales of alcoholic beverages to the Project Site's neighborhood would be minimal as the freeway acts as a separation between these two neighborhoods. Thus, the Project Site's proposed uses will not impact the surrounding residential community.

Approval of the Master Plan Approval for on-site sales will contribute to the success and vitality of the neighborhood and help make the Approved Project a unique place to visit and dine in high quality establishments and spaces.

2. Explain how the approval of the application will not result in or contribute to an undue concentration of such establishments.

The Los Angeles Police Department ("LAPD") provides a broad range of crime statistics on their website. Each division of the LAPD is divided into Crime Reporting Districts. The Project site is located in the Rampart Division of the LAPD jurisdictions and is located in Crime Reporting District No. 249. However, the crime reporting data is not defined specifically by the boundaries of Crime Reporting District on the LAPD website.

According to statistics provided by ABC, the Los Angeles Police Department ("LAPD"), within Crime Reporting District No. 249, which has jurisdiction over the Project area, reported a total average of 196 crimes over the last year for the entire reporting area.

In addition, the ABC provided that for Census Tract 2092.0 with the population number of 2,785 residents, two licenses are allowed, and six licenses exist. It is important to keep in mind that the actual population is much higher since the last census, 10 years ago, before numerous residential projects in the area, including the Approved Project, increased the actual population in the area. The population number of 2,785 also does not take into consideration that there are thousands of people coming into the area for work on a daily basis.

The Project Site is situated in an area primarily developed with commercial, retail and residential uses, with a significant workforce and expanding residential population, both of which demand shopping and dining services. As a result, there is a high concentration of alcohol uses in the immediate area (as measured by census tract data). However, it is not uncommon to have clusters of this nature in urbanized and pedestrian-oriented sections of the City.

According to the ABC website, in Census Tract No. 2092.00, within which the Project is located, the maximum number of on-sale licenses permitted is 2, with 6 existing. Of the 6 on-sale approved licenses, Type 47 full-line of alcoholic beverages, one is for the Los Angeles Center Studios, one is for the Plan Check Kitchen and Bar, and one is for the Prince Restaurant for a total of three. Of the 6 on-sale licenses, Type 41, one is for Chipotle Restaurant and one is for the EBAES Restaurant. The sixth license owner is unknown.

Thus, the proposed on-site licenses could result in an undue concentration by definition of alcohol establishments in the area. However, considering the restaurant-rich nature of the greater Downtown Area, the on-site thresholds are unrealistically low based on a small population number of 2,785 people in this census tract.<sup>2</sup> This population figure also seems unrealistically low due to the many newer residential properties built in recent years in the immediate vicinity of the Project. In addition, there are 376 residential dwellings entitled for the mixed-use project. And there is a complex immediately adjacent to the north and west that includes 350 dwelling units. Therefore, this results in 725 new dwelling units that would likely add to this census tract total.

In addition, the Project is located in an area of the City that is growing with new residential mixed-use and adaptive reuse projects that would potentially affect the local population by increasing the number of residents. The ABC calculates concentration based on the number of residents in a given census tract. The past decade has seen the number of residents in the CCWSP grow significantly. Review of the Census Bureau statistics show a higher population projection figure of 4,083 residents<sup>3</sup> than the ABC figure. With the Approved Project and several others in the area, there is a definite trend that is resulting in a rapidly expanding higher density population. Therefore, this census tract would be able to absorb additional alcohol outlets without a substantial increase in over saturation.

It is important to note that the primary use of the Project Site is for residential purposes, which will involve the sale of alcoholic beverages within a residential amenity space on the rooftop. Less than 1% of the approved Project's total floor area will be devoted to the sale of alcoholic beverages within the residential amenity space.

Finally, to ensure the on-site sales will not create detrimental impacts on the surrounding area, the specific detail of the establishment will be reviewed and conditioned pursuant to the Master Plan Approval process. This will allow for a comprehensive review of each request with input from the prospective tenant. Security plans, floor plans, seating limitations and other recommended

<sup>&</sup>lt;sup>2</sup> California ABC Statistics shown on the web site

<sup>&</sup>lt;sup>3</sup> US Census data for Census Tract 2092.0 as of September 18, 2019

conditions, as well as, the mode and character of the operation, will be addressed and assured through the imposition of site-specific conditions. This extra protection will ensure that no adverse impacts will result due to on-site alcohol sales and consumption.

Although the Census Tract would be considered to be over-concentrated according to the ABC, based on a population of 2,785 occupants, the Applicant is proposing a comprehensive development that will not allow the sales of alcoholic beverages to be the predominant use of the Project and such sales will be a complement and convenience to the other uses in the neighborhood that are shifting with more upscale mixed uses, residential, and commercial development coming into the area. Additionally, as shown by the census tract figures noted by the Census Bureau, compared to the ABC figures, the census tract is experiencing significant population growth and was projected to have a population of 4,083 residents in 2017. It is to be noted that with development of the approved Project an estimated 648 dwelling units have been built in the vicinity to the Project.<sup>4</sup>

There are other planned and approved projects that include residential dwelling units in the area that would also increase the population. Therefore, the resulting saturation would be less significant based on newer Census figures as noted above. The Census will be updated in 2020 that likely show a significant jump in population as the result of numerous multiple dwelling unit projects for this census tract.

# 3. Explain how the approval of the application will not detrimentally affect nearby residential zones or uses.

The proposed Master Plan Approval for on-site sales of alcoholic beverages will not detrimentally affect nearby residentially zoned properties. There are no residentially zoned communities within a 600-foot radius of the Project Site, as the subject property is adjoining CCWSP C4 zoned properties to the north, south, east and west.

Within a 600-foot radius there are no single-family residences, but there are 10 multifamily complexes and one condominium building, which have residential components, though the CCWSP, though zoned commercial consists of a mix of commercial, and residential uses with restaurants, a small grocery and a large grocery outlet selling alcoholic beverages located in proximity. The surrounding commercial and residential uses are not impacted by the tenant amenity space which will be primarily reserved for residents of the mixed-use project. As a private residential amenity space, all of the seating and alcohol consumption will remain within the rooftop of the Approved Project. The rooftop space will remain private with no public access with the exception of access by resident's guests. Thus, the availability of alcohol in the space will not detrimentally affect nearby residential zones or uses.

The rooftop space will be part of a quality development and all alcohol service and sales will take place within a carefully controlled environment operated by responsible managers. The Master Plan Approval for the on-site sales of alcoholic beverages would be a partial addition to the development and would serve as a convenience for residents of the mixed-use project and their guests. Therefore, this use will not result in detrimental impacts to any nearby residential uses. There will be no outdoor advertising soliciting sales of alcoholic beverages permitted.

# QUESTIONS REGARDING THE PHYSICAL DEVELOPMENT OF THE SITE

a. What is the total square footage of the building or center the establishment is located in?

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390	,uuu	SГ

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<sup>&</sup>lt;sup>4</sup> Craig Lawson & Company estimates from research of previous projects in the vicinity.

The Approved Project floor area is located in a 390,000-square foot mixed use building on a lot with a net area of approximately 90,969 square feet. The proposed tenant amenity space in connection with the Master Plan Approval for on-site sales of alcoholic beverages will be situated on the rooftop of the Approved Project.

# b. What is the total square footage of the space the establishment will occupy?

The proposed tenant amenity space will occupy 5,385 square feet of the rooftop. The following provides the area dedicated to the sales of alcoholic beverages:

There will be a rooftop tenant amenity space with approximately 5,385 square feet of outdoor dining and 310 outdoor seating for patrons.

# c. What is the total occupancy load of the space as determined by the Fire Department?

The total occupancy load of the rooftop residential amenity space determined by the Fire Department is 100.

# d. What is the total number of seats that will be provided indoors? Outdoors?

There will be a total of 310 outdoor seats.

# e. If there is an outdoor area, will there be an option to consume alcohol outdoors?

Yes, approximately 5,385 square feet will be outdoor dining on the rooftop of the approved mixeduse project. All outdoor dining will remain within the tenant amenity space located on the rooftop of the Approved Project.

# f. If there is an outdoor area, is it on private property or the public right-of-way, or both?

The outdoor space will be confined to private property only, a private tenant amenity space located on the rooftop.

# g. If an outdoor area is on the public right-of-way, has a revocable permit been obtained? Not Applicable

# h. Are you adding floor area? <u>No</u>. If yes, how much is enclosed? <u>Not Applicable</u> Outdoors? Not Applicable.

# i. Parking

i. How many parking spaces are available on the site?

The Project meets the required parking spaces for the residential use according to LAMC 12.21 A 4(p). The Site will also provide valet services for a charge.

ii. Are they shared or designated for the subject use?

The provided parking will be used for the subject property uses.

iii. If you are adding floor area, what is the parking requirement as determined by the Department of Building & Safety?

No added floor area is proposed.

# iv. Have any arrangements been made to provide parking off-site?

No, all parking is to be provided on-site within the parking garage pursuant to the Project design. The Project is providing more parking than required by the Los Angeles Municipal Code standards and parking demand is not anticipated to exceed the supply.

1. If yes, is the parking secured via a private lease or a covenant/affidavit approved by the Department of Building & Safety?

# Not applicable

**Note**: Required parking must be secured via a covenant pursuant to LAMC 12.26 E 5. A private lease is only permitted by a Zone Variance.

2. Please provide a map showing the location of the off-site parking and the distance, in feet, for pedestrian travel between the parking area the use it is to serve.

# Not Applicable

3. Will valet service be available? Will the service be for a charge?

Yes, there will be valet service available for a charge.

j. Is the site within 1,000 feet of any schools (public, private or nursery schools), churches or parks?

The following uses are within 600 to 1000 feet of the Project Site:

- Para Los Ninos Evelyn Gratts Primary Center, 474 Hartford Ave.
- Gratts Early Education Center, 1415 W. 5th St.
- k. For massage parlors and sexual encounter establishments, is the site within 1,000 feet of any other Adult Entertainment Businesses as defined by LAMC 12.70 B17?

Not Applicable

# QUESTIONS REGARDING THE OPERATION OF THE ESTABLISHMENT

- a. Has the use been discontinued for more than a year? Not applicable.
- b. What are the proposed hours of operation and which days of the week will the establishment be open?

The Applicant is requesting hours from 6 am to 2 am seven days per week. The ABC limits these hours within which the sale of alcohol is permitted.

	М	Tu	W	Th	F	Sa	Su
Proposed Hours of Operation				6 am to 2 am			
Proposed Hours of Alcohol Sale			6 am to 2 am				

c. Will there be entertainment such as a piano bar, dancing, live entertainment, movies, karaoke, video game machines, etc.? Please specify:

No dancing is proposed for the tenant amenity space located on the rooftop. However, live entertainment consisting of a maximum of three musicians is proposed within the space and/or a live band of five musicians or less is proposed during special events.

**Note:** An establishment that allows for dancing needs a conditional use pursuant to 12.24 W.18.

d. Will there be minimum age requirements for entry? If yes, what is the minimum age requirement and how will it be enforced?

Operations of such establishments will be in accordance with the rules and regulations of the ABC. Operators of establishments that impose age restrictions will be required to verify the age and identity of patrons when necessary.

e. Will there be any accessory retail uses on the site? None. What will be sold? Not applicable.

# f. Security

i. How many employees will you have on the site at any given time?

The total number of employees for the rooftop tenant amenity space proposed is 8.

ii. Will security guards be provided on-site?

Yes, there will be security guards provided for the entire property.

If yes, how many and when?

To be determined.

# iii. Has LAPD issued any citations or violations?

No. As the Project is not yet occupied, LAPD has not issued any citations or violations related to the service and sales of alcohol for this development.

# g. Alcohol

i. Will there be beer & wine only, or a full line of alcoholic beverages available?

The Applicant is requesting a Master Plan Approval for the on-site sales of a full line of alcoholic beverages within the rooftop tenant amenity space.

ii. Will "fortified" wine (greater than 16% alcohol) be sold?

The Applicant is proposing to serve "fortified" wine or Sake.

iii. Will alcohol be consumed on any adjacent property under the control of the applicant?

No.

iv. Will there be signs visible from the exterior that advertise the availability of alcohol?

No, it is anticipated that signage for such establishments will be coordinated and will generally consist of business identification signs which could include language referring to the sale of alcohol (e.g. "Bar and Grill", "Lounge").

### v. Food

i. Will there be a kitchen on the site?

There will be no kitchen within the rooftop tenant amenity space, but one will be located within the ground floor restaurant. The restaurant will provide food service to residents of the mixed-use project and their guests located on the rooftop.

# ii. Will alcohol be sold without a food order?

Yes, the tenant amenity space could offer the sale of alcoholic beverages without a food order.

# iii. Will the sale of alcohol exceed the sale of food items on a quarterly basis?

The sale of alcohol could exceed food sales on a quarterly basis.

# iv. Provide a copy of the menu if food is to be served.

Menus will be provided to the Office of Zoning Administrator prior to obtaining building permits for all food and restaurant establishments.

# vi. On-Site

# . Will a bar or cocktail lounge be maintained incidental to a restaurant?

There will be a bar located within the tenant amenity space. The bar will serve a full line of alcoholic beverages for on-site consumption and will only be available to residents and their guests within the tenant amenity space located on the rooftop of the mixed-use project.

If yes, the floor plans must show the details of the cocktail lounge and the separation between the dining and lounge facilities.

Not applicable.

# ii. Will off-site sales of alcohol be provided accessory to on-site sales ("Take Out")?

The proposed tenant amenity space will only be serving alcohol for on-site consumption.

a. If yes, a request for off-site sales of alcohol is required as well.

Not applicable.

# iii. Will discounted alcoholic drinks ("Happy Hour") be offered at any time?

Yes, the Applicant is proposing to offer discounted alcoholic drinks on the tenant amenity space located on the rooftop of the Approved Project.

# vii. Off-Site

- Will cups, glasses or other containers be sold which might be used for the consumption of alcohol on the premises? <u>No</u>, off-site sales is not being requested for this use.
- ii. Will beer or wine coolers be sold in single cans, or will wine be sold in containers less than 1 liter (750 ml)? No.
- **viii.** Contact the CA Department of Alcoholic Beverage Control (ABC) regarding its requirements -- http://www.abc.ca.gov/.
- **5. CALDERA BILL** (CA Business and Professions Code Section 23958 and 23958.4)

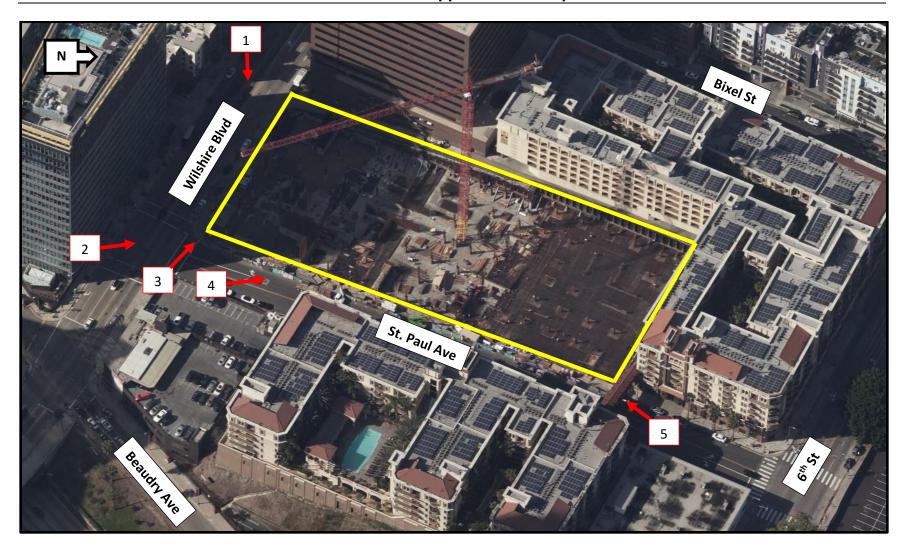
a. Is this application a request for on-site or off-site sales of alcoholic beverages?

The request is for on-site sales of alcoholic beverages within a residential amenity space located on the rooftop of the mixed-use project.

- i. If yes, is the establishment a bona-fide eating place (restaurant) or hotel/motel? Yes.
  - 1. If no, contact the CA Department of Alcoholic Beverage Control (ABC) to determine whether the proposed site is located in an area whereby:
    - a. issuance of a license to serve alcohol on-site or off-site would tend to create a law enforcement problem,
    - b. if issuance would result in or add to an undue concentration of licenses.
- b. If ABC has determined that an eligible use is in an area of high crime or undue concentration of licenses, the City Council will need to make the finding that the issuance of the license is required for public convenience or necessity.
- **6. ADDITIONAL REQUIREMENTS FOR MASTER CUBs/CUXs**. In addition to all requirements detailed in the Master Land Use Application Instructions (CP-7810), applications for Master CUBs/CUXs shall include:
- A separate sheet containing a table identifying all CUB or CUX requests on the subject site, indicating: the type of alcohol permit sought; the square footage of each particular restaurant, bar or event space; the identifying address or suite/unit number corresponding to each CUB/CUX request; and (if known) the tenant-operator of each alcohol or adult entertainment establishment.
- All CUB or CUX requests on the subject site clearly identified and labeled on the plot plan and applicable floor plans, indicating: each type of alcohol permit sought; the square footage of each particular restaurant, bar or event space; and the identifying address or suite/unit number corresponding to each CUB/CUX request.

NOTE: Please consider submitting documents beyond the requirements outlined in this form. If there are other circumstances which may further a more complete understanding of the project, do not hesitate to submit such information. The documents submitted with the application and the public hearing constitute the primary opportunity to clarify and define the project.

# Photo Exhibit 1027 Wilshire Boulevard Master Plan Approval - Rooftop



# Photo Exhibit 1027 Wilshire Boulevard Master Plan Approval - Rooftop

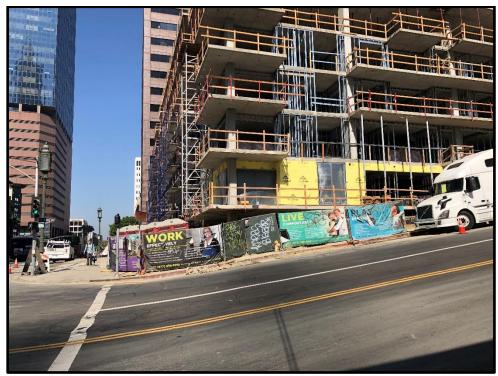


1. Facing east along Wilshire Boulevard



2. Facing north at corner of Wilshire Boulevard and St. Paul Avenue

# Photo Exhibit 1027 Wilshire Boulevard Master Conditional Use Permit



3. Facing northwest on corner of Wilshire Boulevard and St. Paul Avenue



4. Facing north along St. Paul Avenue

# Photo Exhibit 1027 Wilshire Boulevard Master Conditional Use Permit



5. Facing southwest along St. Paul Avenue

# LEGAL DESCRIPTION

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

THE SOUTHWESTERLY 15 FEET OF LOT 71 AND ALL OF LOTS 72 AND 73 OF SUBDIVISIONS OF LANDS OF ST. PAUL'S SCHOOL, IN THE CITY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 52, PAGES 85 AND 86 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

A PERPETUAL NON-EXCLUSIVE EASEMENT OVER LOTS 55 AND 46 OF THE SUBDIVISION ON THE LAND OF ST. PAUL'S SCHOOL, IN THE CITY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 78, PAGES 55 AND 56 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, FOR VEHICULAR PARKING PURPOSES, AS DISCLOSED IN DOCUMENT ENTITLED PARKING EASEMENT AGREEMENT, RECORDED MARCH 30, 1984, AS INSTRUMENT NO. 84-387823, OF OFFICIAL RECORDS.

PARCEL 2:

THE NORTHEASTERLY 55 FEET OF LOT 71 OF SUBDIVISION OF LANDS OF ST. PAUL'S SCHOOL, IN THE CITY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 52, PAGES 85 AND 86 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

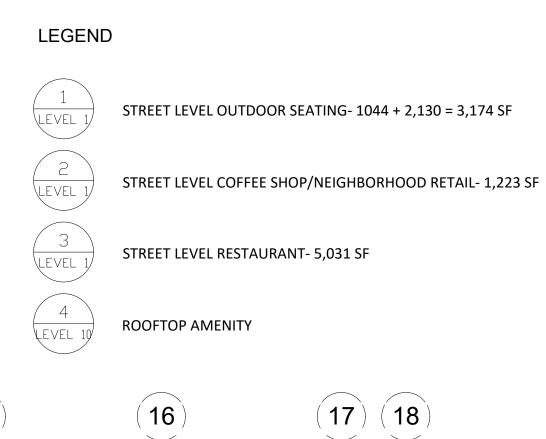
LOTS 68, 69 AND 70 OF THE ST. PAUL'S SCHOOL SUBDIVISION, OF A PORTION OF LOT 1 IN BLOCK 37 OF HANCOCK'S SURVEY, IN THE CITY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 52, PAGES 85 AND 86 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; TOGETHER WITH LOT 67 OF RESUBDIVISION OF LOTS 64, 65, 66, 67 AND 67 ½ OF THE LANDS OF THE ST. PAUL'S SCHOOL, IN THE CITY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 72, PAGE 71, OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY,

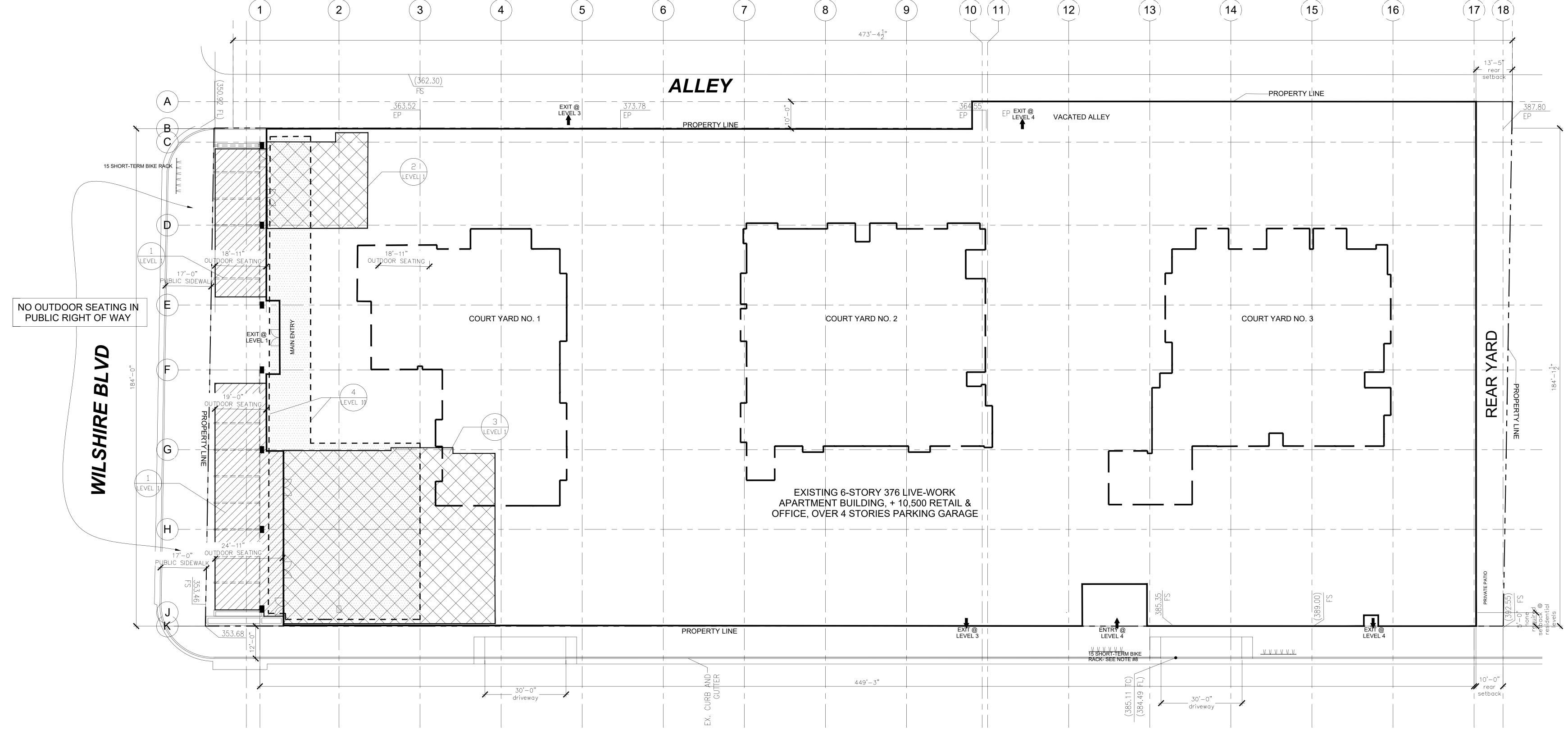
# DESCRIBED AS A WHOLE AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF SAID LOT 67; THENCE ALONG THE NORTHWESTERLY LINE OF SAID LOT 67 AND ALONG THE NORTHWESTERLY LINE OF SAID LOT 67 AND ALONG THE NORTHWESTERLY LINE OF SAID LOT 58, 69 AND 70, SOUTH 27° 54′ 55″ WEST 280.09 FEET TO THE MOST WESTERLY CORNER OF SAID LOT 70; THENCE ALONG THE SOUTHWESTERLY LINE OF SAID LOT 70, SOUTH 61°06' 35" EAST 184.94 FEET TO THE MOST SOUTHERLY CORNER OF SAID LOT 70; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID LOT 70, SOUTH 61°06' 35" EAST 184.94 FEET TO THE MOST SOUTHERLY CORNER OF SAID LOT 70; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID LOT 67, NORTH 27° 53' 30" EAST 280.08 FEET TO THE MOST EASTERLY CORNER OF SAID LOT 67; THENCE ALONG THE NORTHEASTERLY LINE OF SAID LOT 67, NORTH 61° 06' 39" WEST 183.92 FEET TO THE POINT OF BEGINNING.

# ASSESSOR'S PARCEL NUMBER:

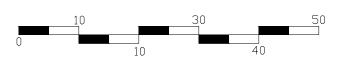
5143-025-009, 5143-025-010, AND 5143-025-032





ST. PAUL AVENUE

SITE PLAN 



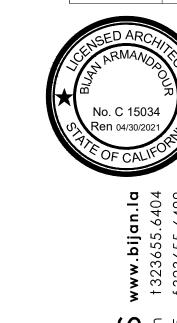
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job: 411AR390

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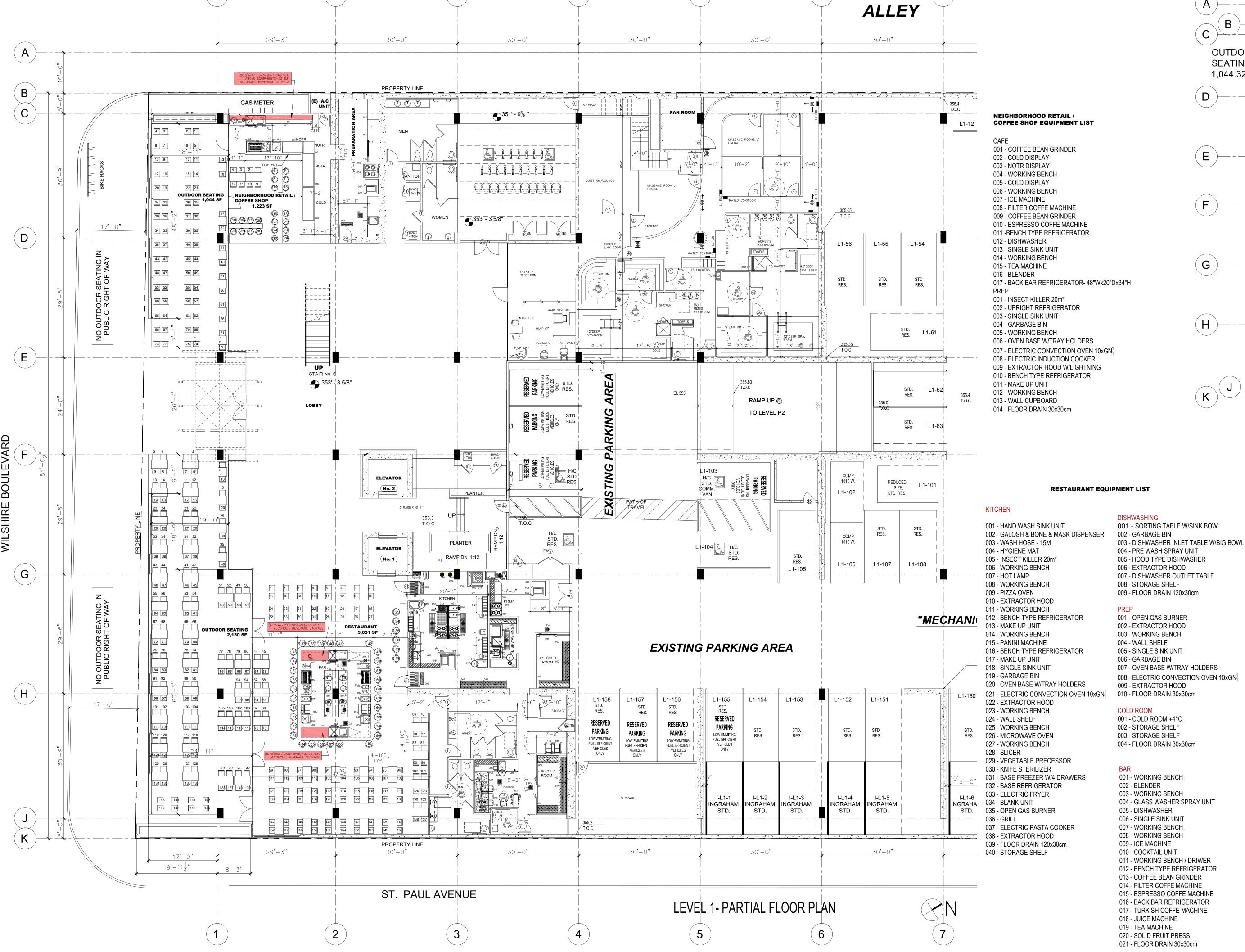
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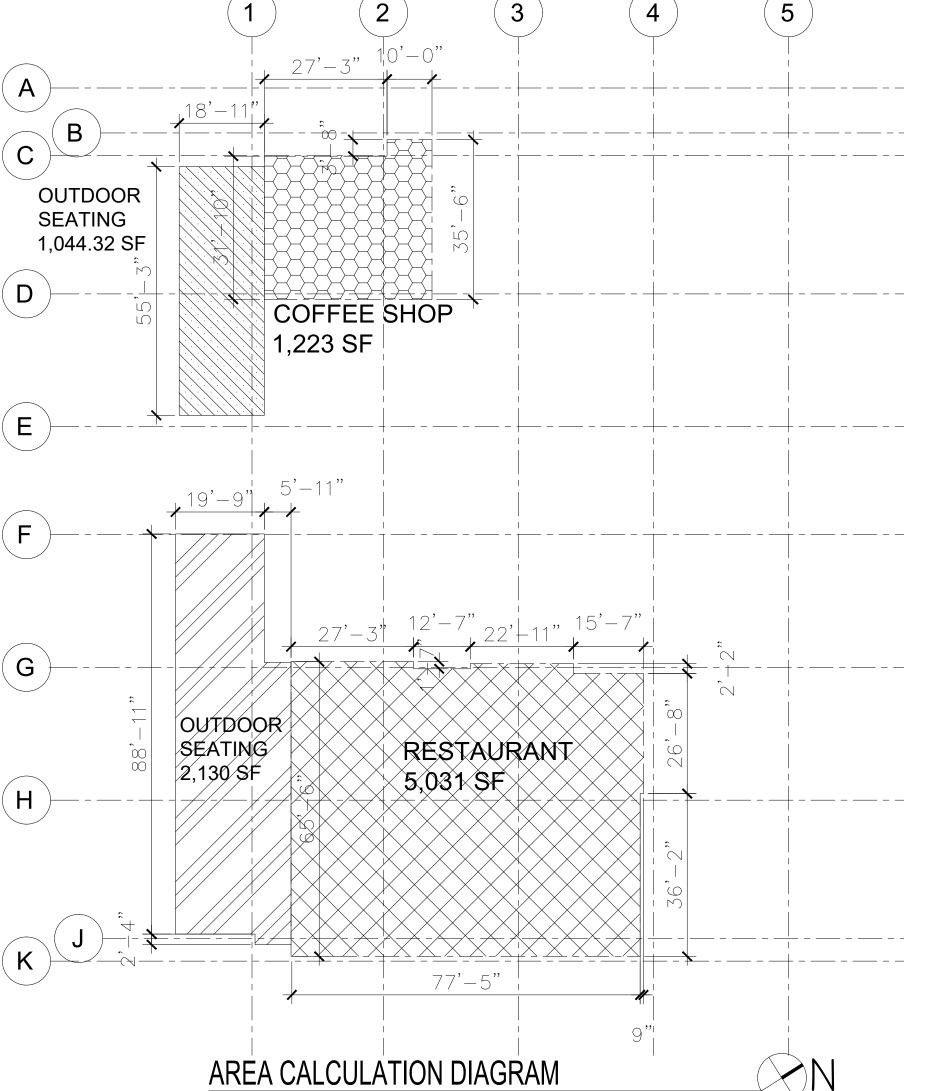




MARCH 2020 date: MAR. 2020 scale: 3/32""=1' | drawn: SMR job: 411AR390

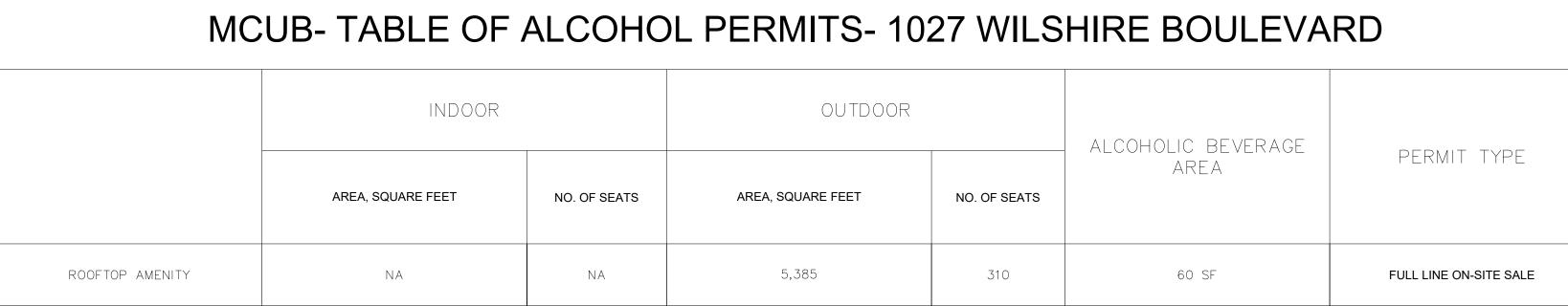
MCUB- TABLE OF ALCOHOL PERMITS- 1027 WILSHIRE BOULEVARD								
	INDOOR	INDOOR		OUTDOOR				
	AREA, SQUARE FEET	NO. OF SEATS	AREA, SQUARE FEET	NO. OF SEATS	ALCOHOLIC BEVERAGE AREA	PERMIT TYPE		
STREET LEVEL COFFEE SHOP/RETAIL	1,223	30	1,044	76	72 SF	FULL LINE, ON & OFF-SITE SALE		
STREET LEVEL RESTAURANT	5,031	158	2,130	148	67.5 SF	FULL LINE ON-SITE SALE		
TOTAL	6,254	188	3,174	224	139.5 SF			

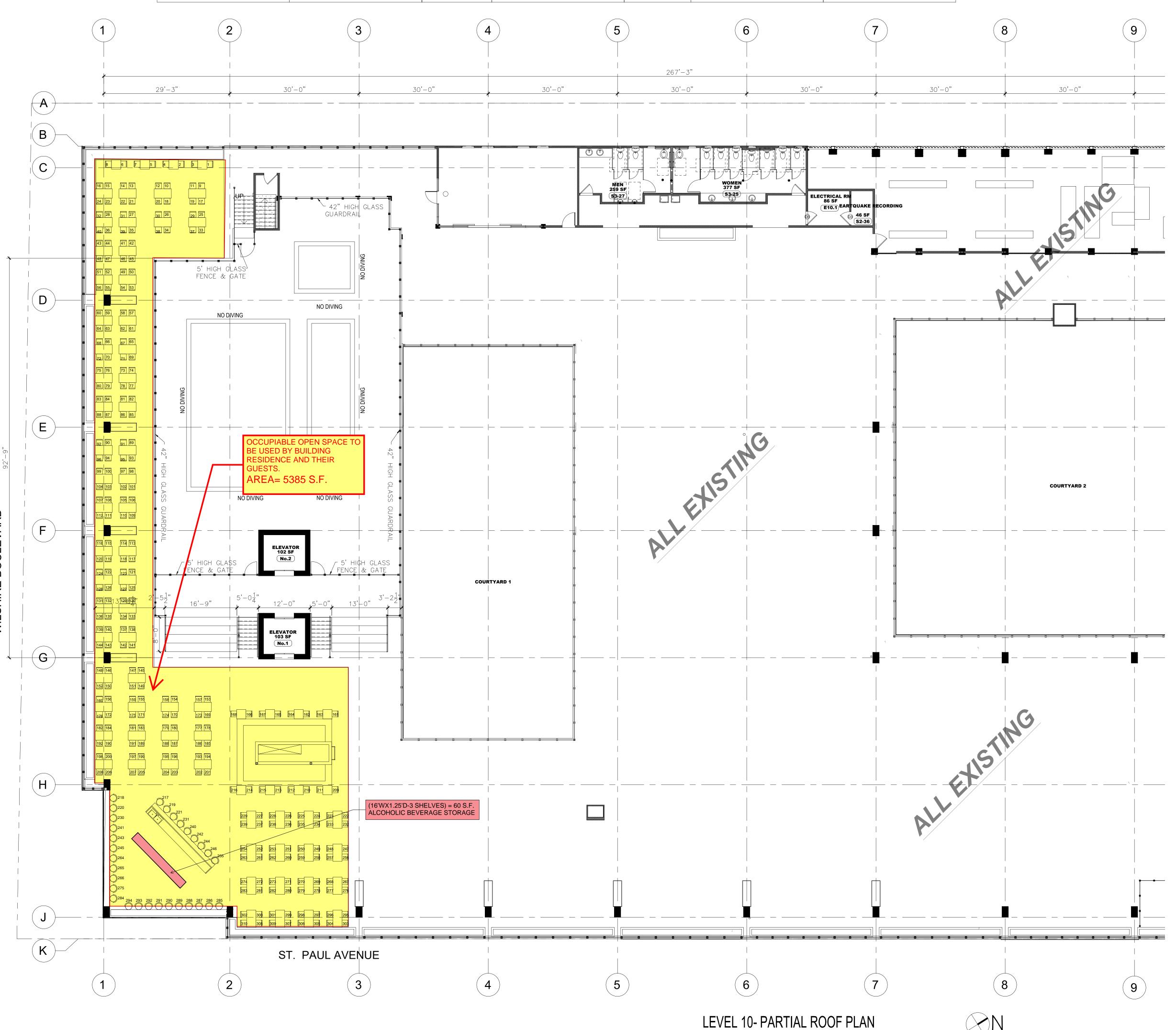


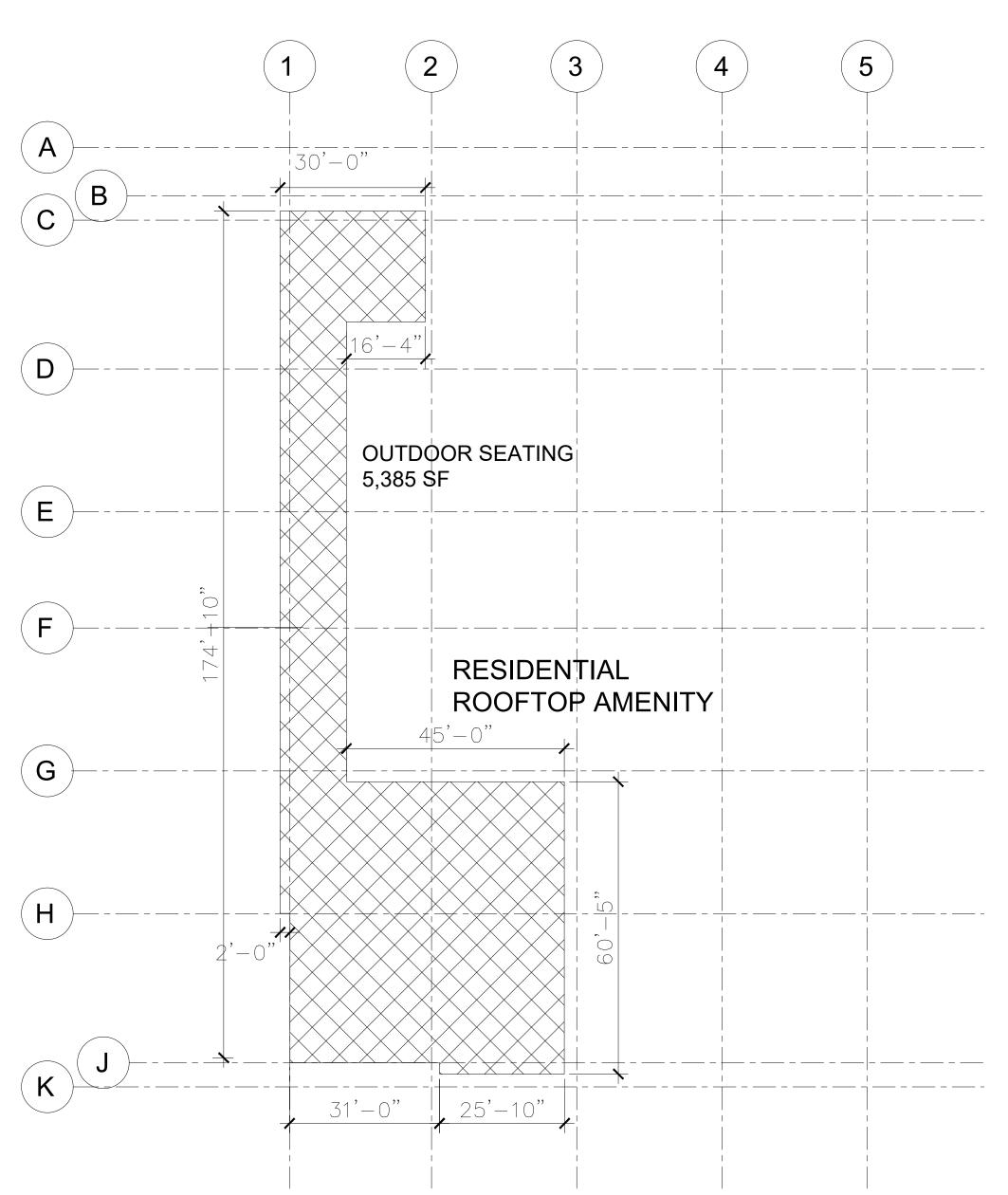


008 - ELECTRIC CONVECTION OVEN 10xGN<sub>1</sub><sup>1</sup>

sheet:







AREA CALCULATION DIAGRAM

No. C 15034
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architecture.planning.sustainable design.

MAR. 2020 date: MAR. 2020 scale: 3/32""=1 drawn: SMR job: 411AR390

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