VESTING TENTATIVE TRACT MAP NO. 66908 stamped map dated December 21, 2006

HEARING DATE: March 28, 2007

PLANNING DEPARTMENT STAFF REPORT

PURSUANT TO ORDINANCE 164,845, IF A CERTIFICATE OF POSTING HAS NOT BEEN SUBMITTED BEFORE THE DATE OF THE PUBLIC HEARING, IT MUST BE PRESENTED AT THE HEARING, OR THE CASE MUST BE CONTINUED.

REQUEST

Vesting Tentative Tract Map No. 66908 to permit a one-lot subdivision for the adaptive re-use of an existing 12-story office building into a 117-unit joint live work quarters condominium with 30 commercial condominium units for retail space (32,480 square feet) on a 13,366 net square foot site in the C2-4D zone.

RELEVANT CASES

ON-SITE:

Adaptive Reuse Ordinance: Effective December 20, 2001, adaptive re-use projects are defined as any change of use to dwelling units, guest rooms, or joint living and work quarters in all or any portion of any eligible building. Intent of the ordinance is to facilitate the conversion of older, economically distressed or historically significant buildings from commercial office space into new residential dwelling units. Under this ordinance, the proposed project qualifies an eligible building for adaptive re-use as geographically defined by the Downtown Los Angeles Central Community Plan Area.

ZI No. 940: Zoning Information states that applicant for this subject property is required to file an application with the Community Redevelopment Agency for all permit requests.

ZI No. 1117: Zoning Information that requires new construction projects within 100 feet of the Metro Rail construction area to obtain clearance from the Metropolitan Transportation Authority (MTA). Please note, if the project does not involve foundation work it may qualify for telephonic clearance.

CPC-2005-1124-CA: Code Amendment to require projects in the Central City Community Plan to comply with design and streetscape guidelines.

CPC-2005-1122-CA: Code Amendment to create incentives for the production of affordable and workforce housing in the Central City Plan Area.

CPC-1986-606-GPC: General Plan/Zoning Consistency (AB-283) to change zoning in consistency with the Community Plan, including changes of height as needed.
Ordinance No. 164,307-SA-1490: Ordinance for Sub Area-1490 that refers to zone change from C5-4 to C2-4D in the Central City Community Plan.

ZA-1987-374-ZV: Zone Variance to permit a waiver of the required 5 parking spaces for the addition of 4,900 square feet to the mezzanine floor of an existing 12-story building.

AFF-64788: Issued on December 12, 1987, requires the subject property to maintain and exterior wall of an existing 12-story office building to be considered as an exit and therefore exempt from Section 2-3301 (f) of part 2 of Title 24 of the California Administrative Code relative to disabled access. On said property [649 South Olive Street] maintain said doorway as an exit only with a sign posted at said doorway indicating doorway as an “Exit Only” and to also maintain said doorway without exterior entrance hardware.

Off-Site:

ZA-2003-5444-ZAI: Zoning Administrator’s Interpretation dated August 11, 2003: finds that new one-story rooftop accessory structures, including the top stories of a multiple-story dwelling units, guest rooms, or joint living and work quarters do not add new floor area if built on the existing roof of an eligible building.

PUBLIC RESPONSES

No letters have been received from the public.

GENERAL COMMENTS

The subject property is the “Giannini-Bank of America Building” and is located at the corner of 649 South Olive Street and 505 West 7th Street. The subject property is not located within a historic preservation overlay zone, however it is a City Declared Historical Monument. On April 26, 1988, the City of Los Angeles adopted the subject property as a Historic-Cultural Monument, No. LA-354. The subject property is currently unoccupied and is located in the Central City Community Plan Area with a Regional Center Commercial land use category designation in the C2-4D zone.

The project site is also located within the Downtown Adaptive Reuse Incentive Area; and is within the CRA-Central Business District Redevelopment Area, CRA-City Center Redevelopment Project Area and the Downtown Center Business Improvement District. Additionally, the project site is within the Central City Revitalization Zone; and the Metro Rail Project Area.

Adjacent uses are mixed use with office-retail dwellings to the north and south in the C2-4D zone; additional retail dwellings to the east in the C5-4D zone; and buildings under construction to the south in the C2-4D zone. 7th Street is classified as a secondary
highway dedicated to a 85-foot width at the project’s street frontage; and Olive Street is also classified as a secondary highway dedicated to an 80-foot width at the project’s street frontage.

The property site is currently developed with a 12-story building that was built in 1973 with no parking spaces; it is situated on a 13,366 net square foot site and has less than a 10% slope. The project engineer certified that the subject site is not located within any flood hazard, hillside, floodway or mud prone area. The project engineer has provided an oak tree letter certifying that no oak trees or other protected trees exist on the site.

The project proposes a total of 117-unit joint live-work quarters condominium units, 30 commercial condominium units for retail space (32,480 square feet) on a 13,366 net square foot site in the C2-4D zone. The proposed adaptive re-use for joint live-work and commercial units, with commercial-retail space is consistent with the definition and intent of the Adaptive Re-use Ordinance.

Per LAMC Section 12.22-A.26 (3) adaptive re-use projects are required to maintain and not reduce existing parking spaces that have existed on-site as of June 3, 1999. Currently, the project site does not have any parking areas; therefore parking is not required for the adaptive re-use of the subject property. The proposed project would be consistent with the zoning requirements upon approval of this request.

REPORTS RECEIVED

BUREAU OF ENGINEERING: Reports that the Tract Map layout is satisfactory as submitted and recommends approval subject to conditions pertaining to dedications and improvements along 7th Street in a memo dated March 6, 2007. See recommended conditions in Draft Tentative Tract Report with Conditions under department.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION: No comments were available at the writing of the staff report.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION: A clearance letter will be issued stating that no Building and Zoning Code violations exist on the subject site once the items identified in the memo dated January 9, 2007 have been satisfied. See recommended conditions in Draft Tentative Tract Report with Conditions under department.

DEPARTMENT OF TRANSPORTATION: Recommends that the project be subject to conditions stated in the memo dated January 29, 2007. See recommended conditions in Draft Tentative Tract Report with Conditions under department.

FIRE DEPARTMENT: No comments were available at the writing of the staff report.
DEPARTMENT OF WATER AND POWER: No comments were available at the writing of the staff report.

BUREAU OF STREET LIGHTING: No comments were available at the writing of the staff report.

BUREAU OF SANITATION: No comments were available at the writing of the staff report.

ENVIRONMENTAL CLEARANCE

The Department of City Planning issued a Notice of Exemption No. ENV-2006-10450-CE-Categorical Exemption, on December 21, 2006. See Notice of Exemption Log Reference ENV-2006-10450-CE.

FISH AND GAME

The project qualifies for the Exemption for Fish and Game fees (AB-3158). See Draft Tentative Tract Report with Conditions.

STAFF RECOMMENDATIONS

Per LAMC Section 12.22-A.26 (3), Planning Department Staff recommends elimination of Condition 4.a and 5.a in this staff report, as the proposed project is not subject to parking requirements since no parking currently exists.

Per CPC-2005-1122-CA, Planning Department Staff recommends the applicant to consider the possibility of taking advantage of this Code Amendment that is suppose to create incentives for the production of affordable and workforce housing in the Central City Plan Area.

Planning Department Staff recommends approval of Vesting Tentative Tract Map No. 66908 to be subject to standard conditions and the additional conditions in the Draft Tentative Tract Report with Conditions.

Prepared by:

HAYDEE URITA-LOPEZ
Planning Assistant
(213) 978-1453

Note: Recommendation does not constitute a decision. Changes may be made by the Advisory Agency at the time of the public hearing.
DRAFT TENTATIVE TRACT REPORT WITH CONDITIONS

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code (LAMC), the Advisory Agency approved Vesting Tentative Tract Map No. 66908 composed of one-lot located at 649 South Olive Street and 505 West 7th Street for the adaptive re-use of an existing twelve story office building into **117 joint-live work quarters condominium and thirty commercial condominium units for retail space (32,480 square feet)** as shown on map stamp-dated December 21, 2006 in the Central City Community Plan. This unit density is based on the C2-4D Zone. (The subdivider is hereby advised that the Municipal Code may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety, which will legally interpret the Zoning code as it applies to this particular property.) For an appointment with the Advisory Agency or a City Planner call (213) 978-1414 (or) (213) 473-9984. For an appointment with the Subdivision Counter call (213) 978-1362. The Advisory Agency’s approval is subject to the following conditions:

**NOTE** on clearing conditions: When two or more agencies must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

**BUREAU OF ENGINEERING - SPECIFIC CONDITIONS**

1. That the owners of the property record an agreement satisfactory to the City Engineer that they will maintain the existing 3-foot private walkway along 7th Street except for locations of or between the existing building columns for public use in a manner satisfactory to the City Engineer.

2. That the existing 12-foot private alley labeled "easement for alley purposes" on the tentative map **not** be shown as a public alley on the final map.

3. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of the existing sewers in this area.

**DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION**

4. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:

   a. Parking is required for the existing structures to remain. Show location of all parking spaces and access driveways. Dimension all parking spaces, minimum size 8'-4" x 18' for a standard stall and 7'-6" x 15' for a compact stall.
b. Provide copy of building permit records, plot plan, certificate of occupancy for all the existing buildings on the lot to clarify the last legal use and the required parking spaces. Records can be obtained at 201 North Figueroa Street Room 110, Los Angeles, CA 90012.

c. Show all street dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. “Area” requirements shall be re-checked as per net lot area after street dedication.

d. Indicate the type of construction and building dimensions for the buildings on the site.

e. Provide a copy of [D] condition(s). Show compliance with the above condition(s) as applicable or Department of City Planning approval is required.

f. Provide building plans to show compliance with current Los Angeles City Building Code concerning exterior wall/opening protection and exit requirements with respect to the new property lines. All noncompliance issues shall be corrected, required permits shall be obtained, and the final work inspected prior to a clearance letter being issued.

g. Provide building plans to show compliance with current Los Angeles City Building Code concerning exterior wall/opening protection and exit requirements with respect to the new property lines. All noncompliance issues shall be corrected, required permits shall be obtained, and the final work inspected prior to a clearance letter being issued.

Notes: The existing or proposed building plans have not been checked for Building or Zoning Code requirements. Any vested approvals for parking layouts, open space, required yards or building height, should be “to the satisfaction of the Department of Building and Safety at the time of Plan Check.”

If the proposed development does not comply with the current Zoning Code, all zoning violations shall be indicated on the map.

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Eric Cabrera at (213) 482-0474 to schedule an appointment.
DEPARTMENT OF TRANSPORTATION

5. That prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
   a. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street Suite 400, Station 3.

FIRE DEPARTMENT

6. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:

DEPARTMENT OF WATER AND POWER

7. Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP’s Water System Rules and requirements. Upon compliance with these conditions and requirements, LADWP’s Water Services Organization will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1.(c).)

BUREAU OF STREET LIGHTING

8. Street light improvements shall be made to the satisfaction of the Bureau of Street Lighting and/or the following street lighting improvements shall be required. (This condition shall be deemed cleared at the time the City Engineer clears Condition S-3. (c.).)

BUREAU OF SANITATION

9. Satisfactory arrangements shall be made with the Bureau of Sanitation, Wastewater Collection Systems Division for compliance with its sewer system review and requirements. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (d).)
INFORMATION TECHNOLOGY AGENCY

10. That satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the LAMC Section 17.05-N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 N. Main Street, 12th Floor, Los Angeles, CA 90012, (213) 922.8363.

DEPARTMENT OF RECREATION AND PARKS

11. That the Quimby fee be based on the R4 Zone (please see AR-2 on page 10).

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

12. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

a. Limit the proposed development to a maximum of 117 joint live-work quarters condominium and 30 commercial condominium units for retail space (32,480 square feet).

b. That the subdivider consider the use of natural gas and/or solar energy and consult with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.

c. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

d. Prior to the clearance of any tract map conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.

13. That the subdivider shall make suitable arrangements for clearance with the Community Redevelopment Agency, Downtown Region Office located at 354 S. Spring Street, Suite 300, Los Angeles, CA 90013; office telephone number (213) 977-1740. The CRA must issue a letter of clearance regarding the proposed project’s compliance with the corresponding CRA Redevelopment Project Areas, including clearance on Z1-940, to the satisfaction of the Advisory Agency.
14. That the subdivider shall make suitable arrangements for clearance with the City of Los Angeles Office of Historic Resources located at 200 N. Spring Street, #620 Los Angeles, CA 90012; office telephone number (213) 978-1183. The Office of Historic Resources must issue a letter of clearance to the satisfactory of the Advisory Agency.

15. That the subdivider shall make suitable arrangements for clearance regarding Z1-117, with the Metropolitan Transportation Authority regarding their construction activities. Please note, if this project does not involve foundation work it may qualify for a telephonic approval ((213)-992-5258); and/or to the satisfactory of the Advisory Agency.

16. That the subdivider shall submit a letter from a licensed architect describing the proposed rooftop accessory uses and its compliance with ZA-2003-5444-ZAI to the satisfaction of the Advisory Agency.

17. That the subdivider shall sign a covenant and agreement to comply with AFF-64788, described on page 2 of this report.

DEPARTMENT OF CITY PLANNING-STANDARD ADAPTIVE REUSE CONDITIONS

AR-1. That prior to recordation of the final map, the subdivider shall make arrangements with the Housing Authority for certification of the development in accordance with Section 12.39-A of the LAMC relating to low and moderate housing. The Housing Authority shall transmit a copy of its determination to the Bureau of Engineering and the Department of Building and Safety.

AR-2. Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with Section 17.12 of the LAMC and to be paid and deposited in the trust accounts of the Park and Recreation Fund.

AR-3. In order to expedite the development, the applicant may apply for a building permit for a joint living and work building (or) an apartment building. However, prior to issuance of a building permit for joint living and work units, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site, have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

OR
If a building permit for joint living and work units will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for a joint living and work building and intends to acquire a building permit for a joint living and work condominium building(s). Such letter is sufficient to clear this condition.

AR-4. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential uses, no construction or use shall be permitted until the final map has recorded or the proper zone has been effectuated. If models are constructed under this tract approval, the following conditions shall apply:

1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Division of Land Section of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.

2. All other conditions applying to Model Dwellings under Section 12.22-A, 10 and 11 and Section 17.05-O of the Code shall be fully complied with satisfactory to the Department of Building and Safety.

DEPARTMENT OF CITY PLANNING - STANDARD COMMERCIAL CONDOMINIUM CONDITIONS

CC-1. In order to expedite the development, the applicant may apply for a building permit for a commercial/industrial building. However, prior to issuance of a building permit for a commercial/industrial building, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site, have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

OR

If a building permit for a commercial/industrial building will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for a commercial/industrial building and intends to acquire a building permit for a condominium building(s). Such letter is sufficient to clear this condition.
BUREAU OF ENGINEERING - STANDARD CONDITIONS

S-1.  (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the Municipal Code.

(b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.

(c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.

(d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.

(e) That drainage matters be taken care of satisfactory to the City Engineer.

(f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.

(g) That any required slope easements be dedicated by the final map.

(h) That each lot in the tract comply with the width and area requirements of the Zoning Ordinance.

(i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.

(j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
(k) That no public street grade exceed 15%.

(l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.

S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:

(a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.

(b) Make satisfactory arrangements with the Department of Traffic with respect to street name, warning, regulatory and guide signs.

(c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.

(d) All improvements within public streets, private streets, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.

(e) Any required bonded sewer fees shall be paid prior to recordation of the final map.

S-3. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

(a) Construct on-site sewers to serve the tract as determined by the City Engineer.

(b) Construct any necessary drainage facilities.

(c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.

(d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree planting’s shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Street Tree
Division ((213) 485-5675) upon completion of construction to expedite tree planting.

(e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.

(f) Construct access ramps for the handicapped as required by the City Engineer.

(g) Close any unused driveways satisfactory to the City Engineer.

(h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.

(i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

1) Construct the necessary off-site mainline sewers satisfactory to the City Engineer.

NOTES:

Approval from Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through Bureau of Street Services Urban Forestry Division.

Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due to this development. The subdivider must make arrangements for the underground installation of all new utility lines in conformance with Section 17.05N of the Los Angeles Municipal Code.

The final map must record within 36 months of this approval, unless a time extension is granted before the end of such period.

The Advisory Agency hereby finds that this tract conforms to the California Water Code, as required by the Subdivision Map Act.

No building permit will be issued until the subdivider has secured a certification from the Housing Authority that the development complies with the requirements for low-and moderate-income housing, per Section 12.39-A of the LAMC.

The subdivider should consult the Department of Water and Power to obtain energy saving design features which can be incorporated into the final building plans for the subject development. As part of the Total Energy Management Program of the
Department of Water and Power, this no-cost consultation service will be provided to the subdivider upon his request.

**Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

**FINDINGS OF FACT (SUBDIVISION MAP ACT)**

In connection with the approval of Vesting Tentative Tract Map No. 66908, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

(a) **THE PROPOSED MAP IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.**

The General Plan’s land use element is divided into 35 smaller Community Plan areas and geographic specific plans. The proposed tract map satisfies Central City Community Plan Policy 1-4.1 to “Encourage the rehabilitation and adaptive re-use of historic buildings for housing, artist lofts, and live-work units”. The adaptive re-use of this historic building to develop 117 joint live-work quarters condominium units and thirty commercial condominium units for retail space (32,480 square feet), fulfills this objective and complies with the city’s Adaptive Re-Use Ordinance.

The Adaptive Reuse Ordinance acknowledges the feasibility of rehabilitating and revitalizing existing historical structures into residential, commercial, and joint live/work quarters. The Zoning Administrator, through the Citywide Adaptive Re-Use Ordinance No. 175,587, Section 12.22-A.26 and Section 12.24-X.1 of the Municipal Code can grant this type of use upon providing certain findings. For the reasons explained forthwith, the project is consistent with the elements of the General Plan.

In light of the proposed project’s consistency with the elements of the General Plan, the proposed project is encouraged to take advantage of CPC-2005-1122-CA-issued by the Community Planning Commission on June 7, 2005 to create incentives for the production of affordable and workforce housing in the Central City Plan Area.
(b) THE DESIGN AND IMPROVEMENT OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The adopted Central City Plan designates the subject property for a Regional Center Commercial land use with the corresponding zone of C2-4D. The current property site is 13,366 net square feet and is currently developed with 12 stories and no parking spaces in the C2-4D zone. The proposed adaptive reuse of this designated historical building for 117 joint live-work quarters condominium units and thirty commercial condominium units for retail space (32,480 square feet) is allowable under the LAMC Section 12.22-A.26.(d)(3).

The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas). Therefore, as conditioned, the proposed tract map is consistent with the intent and purpose of the applicable General and Specific Plans.

(c) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED TYPE OF DEVELOPMENT.

Per Section 12.22-A.26 (3), the subject historic property is an eligible adaptive re-use building. Therefore, the site is physically suitable for the proposed adaptive re-use of the existing 12-story historical building into a 12-story 117-unit joint live-work quarters condominium and 30 commercial condominium units for retail space (32,480 square feet). The proposed adaptive re-use project is within the Central City Area Exception which exempts it from the Advisory Agency’s Residential Parking Policy.

Per LAMC Section 12.22-A.26 (3) adaptive re-use projects are required to maintain and not reduce existing parking spaces that have existed on-site as of June 3, 1999. Currently, the project site does not have any parking areas; therefore parking is not required for the adaptive re-use of the subject property.

The proposed project proposes to develop rooftop structures as accessory uses. Per ZA-2003-5444-ZAI, the construction of new rooftop structures shall not be dwelling units, guest rooms, or joint living and work quarters, but must be used solely for accessory uses or open space. The proposed new rooftop structures will be consistent with all definitions and uses defined by the LAMC.

(d) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT.

The adaptive re-use of this building is consistent with the definition of remodeling and converting historical buildings for residential, commercial, office space uses in the Downtown Adaptive Re-use Incentive Area. The proposed adaptive re-use
of this existing office building into a mixed use residential/commercial condominium, is also consistent with Central City Community Specific Plan Objective 2-4 to, “Encourage a mix of uses, which create an active, 24-hour downtown environment for current residents and which would also foster increased tourism”. The remodeling and future maintenance of the building will add an aesthetic quality to the neighborhood.

The site is one of the few under improved properties in the vicinity. The development of this tract is a reuse of an otherwise mixed residential and industrial neighborhood. Furthermore, the project site, as well as the surrounding area is presently developed with residential and industrial structures and does not provide a natural habitat for either fish or wildlife. The site is level and is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone.

(e) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.

The subdivision of the adaptive re-use of an existing office building into live work quarters condominiums is categorically exempt from the California Environmental Quality Act (“CEQA”). This subdivision for the adaptive re-use of an existing commercial office building built in 1923 is categorically exempt from the provisions of CEQA, pursuant to Class 1, Category 1 of the City of Los Angeles Guidelines for the Implementation of CEQA. Additionally, the Giannini Building is a locally designated Historical and Cultural Monument, No.LA-354. Categorical Exemption No. ENV-2006-10450-CE was issued on December 21, 2006.

The custodian of the documents or other material which constitute the record of proceedings upon which the Advisory Agency’s decision is based are located with the City of Los Angeles, Planning Department located at 200 North Spring Street, Room 750, Los Angeles, California 90012. In light of the above, the project qualifies for the Exemption for Fish and Game fees (AB-3158).

(f) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

There appear to be no potential public health problems caused by the design or improvement of the proposed subdivision.

The development is required to be connected to the City’s sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet State-wide ocean discharge standards.
(g) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS ACQUIRED BY THE PUBLIC AT LARGE FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

No such easements are known to exist. Needed public access for roads and utilities will be acquired by the City prior to recordation of the proposed tract.

(h) THE DESIGN OF THE PROPOSED SUBDIVISION WILL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)

Subdivision Map Act Section 66473.1(d) states that passive or natural heating or cooling opportunities do not apply to condominium projects which consist of the subdivision of airspace in an existing building when no new structures are added.

These findings shall apply to both the tentative and final maps for Vesting Tentative Tract Map No. 66908.

S. Gail Goldberg, AICP
Advisory Agency

MAYA ZAITZEVSKY
Deputy Advisory Agency

MZ:RG:HU:(jh/jq)

Note: If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. For an appeal to be valid to the Central Area Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department’s Public Offices, located at:

Figueroa Plaza
201 N. Figueroa St., 4th Floor
Los Angeles, CA 90012
213.482.7077

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Blvd., Room 251
Van Nuys, CA 91401
818.374.5050
Forms are also available on-line at www.lacity.org/pln.
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.

If you have any questions, please call Subdivision staff at (213) 978-1362.