

VPLUC PRELIMINARY REPORT

Introduction

This is an interim report from the Village Plan Land Use Committee (VPLUC) of the PPCC. The community's review of the Caruso project is an ongoing process. As additional information, reports and revisions are submitted to the City of Los Angeles or to the community, additional review and comment will be warranted, either by VPLUC, the PPCC Board or through some other mechanism as the Board may determine.

As of November 16, 2015, the City has not yet deemed the project application complete. The report below highlights:

- A summary of our current understanding of the Project,
- What we believe the developer is allowed to build as of right according to the existing Specific Plan and existing zoning, and
- The key areas where the proposed project varies from what may be built by right.

The Project Site

The site consists of 3.17 acres (@138,330 sq. ft.). Of this, 71,845 sq. ft. is in the C2-1VL commercial zone and 66,485 sq. ft. in the R3P-1VL zone which normally allows for multi-family residential and parking use.

The Existing Development

The most recent uses on the site consisted of 54,600 sq. ft. of one story retail floor area, parking areas, and a gas station with mini-mart. There are no buildings currently within the R3-P zoned areas.

What Would Be Allowed on the Site as a Matter of Right

By our calculation, under the existing zoning and Specific Plan, the developer could build a mixed-use commercial/residential project up to a maximum Floor Area Ratio (FAR) of 2.0 within the 71,845 sq. ft. of C2-1VL land. This equates to a maximum of 143,690 sq. ft., all located within the C2-1VL zone.

Note 1: City Planning staff has advised us that the Specific Plan's Statement of Purpose 2J seems to indicate that the Specific Plan does not allow residential development in the R3-P zone, and that only parking be permitted in this area. The developer believes that as a matter of right he could develop over 240,000 sq. ft. in total including the parcel zoned R3-P and is seeking clarification of this from City Planning.

The Proposed Development

The developer is proposing 116,215 sq. ft. of floor area, which consists of 106,205 sq. ft. of commercial floor area and 10,010 sq. ft. of residential area. This includes:

1. 12,620 sq. ft. within a five-screen, 300-seat theater area.
2. 10,500 sq. ft. in specialty grocery along Sunset.
3. 8 residential units totaling 10,010 sq. ft.
4. The balance being a mix of commercial space and ancillary uses.
5. An amendment to the Specific Plan that would create a sub-area encompassing the entire project, permitting the project to be built according to its plans.

The proposed total of 116,215 sq. ft. is less than the maximum allowed by right for a mixed-use commercial/residential project. As a by right project the entire project floor area would need to be constructed in the C-2 portions of the site (subject to note 1 above).

Other Project Features

- Proposal to make Swarthmore Ave. a one way street north of the alley behind the Mobil Station heading toward Monument Ave. with angled parking and a requirement for a right turn only onto Monument.
- Widening the alley running parallel to Sunset from Swarthmore to the self park entrance of the parking garage to 24 feet; bumping back to 20 feet up to the Valet parking ramp; and then back to 24 feet from the Valet parking ramp to Monument, The alley will be open to two way traffic.
- Underground parking for 470 cars on two levels with entrance/ exit and valet parking drop off from the alley described above.
- The public alley in question is proposed to be vacated and converted to private ownership subject to the existing rights of the adjacent property owners.
- Proposed minimum of 10,000 sq. ft. of open space to be maintained in the sub-area.
- A five-screen movie theater (a total of 300 seats) with a 32 ft. high marquee.
- A community room.
- A community bike share program.
- Sustainable features such as recycling demolition waste, solar panels, electrical vehicle charging stations.
- The streetscape plan would include sidewalk dining and benches.
- A 40 ft. clock tower in the center of the project is also proposed.

Note 2: Rick Caruso stated at the PPCC Board meeting on November 18 that the marquee will now be 30 ft. high.

Alcohol

- Proposed 10 alcohol outlets, including
 1. One for full service in the theater.
 2. Six approvals for onsite (restaurant) sale and consumption
 3. Two for markets.
 4. One for retail.
 5. Each establishment will be REQUIRED to obtain an all alcohol use permit including a public hearing.
 6. Currently there are three licenses on the property and 7 additional are being requested.

Note 3: The existing Pearl Dragon license is outside the project area and not included in the above numbers.

Where the Project Varies From the Specific Plan

The fundamental purpose for the applicant's proposed amendments to the Specific Plan is to allow the project to spread out the proposed square footage over the entire property and therefore significantly lower its density. Doing this would mean the commercial uses would spread into the current R3-P zoned parking areas in exchange for less square footage in the C-2 zoned areas adjacent to Swarthmore.

It proposes

- To allow commercial use in the R3P zone (the existing parking areas).
- To allow the height of portions of some of the buildings to exceed 30 feet.
- To allow a clock tower of @ 40 feet in height designed for the center of the project.
- To allow the movie marquee to be in excess of 30 feet in height (see Note 2 above).
- To allow 0 feet of set-back from the side walk in certain areas of the project rather than 2 feet.

Project Design

- Architectural design is a key issue of concern to many residents and has been addressed in prior public meetings. Design aspects will be subject to community input, to City determinations in upcoming public hearings and will be considered by the Design Review Board (DRB) at their public hearings.

Specific Plan Sub-Area

- The justification for the sub-area is the unprecedented size and scope of the project, a characteristic unlikely to be completed or repeated by some other developer. It is further unlikely that when the Specific Plan was adopted that a development of this scope was anticipated.
- By putting the project in a sub-area rather than requesting a series of variances and Specific Plan exceptions the developer is avoiding the potentially negative precedent of approving variances and Specific Plan exceptions, which other developers could attempt to exploit.
- Changing the R3P zone to C-2 would extend the allowable 2.0 FAR to the entire property. This would substantially increase the amount of floor area allowed in the future.
- The initial development of 116,215 sq. ft. should therefore be the maximum allowed in the sub area. No subsequent additional development should be allowed.

Conclusion

Community opinion expressed to date in a variety of forums generally has been supportive of this project. Areas of concern have been focused in the following areas:

1. Traffic
2. Parking
3. Location and height of buildings
4. Mix of uses

These in turn link to specifics, which some people see as the cause for these concerns:

- A. Whether the project includes a specialty market.
- B. Whether it has 300 seats in movie theaters.
- C. Whether Swarthmore should be one-way.
- D. Whether buildings are allowed to be built in the R3-P zone.
- E. Whether the 30' height limit should be exceeded in spots.
- F. The number and type of alcohol licenses.
- G. The extent to which the project will impact traffic (many people find it difficult to believe that traffic will not be impacted).

There are, however certain givens, which won't change no matter what the community says or does. To allow the PPCC to focus on getting input on the specific discretionary issues, it must be understood that:

1. Caruso Affiliated owns the property.
2. A project will be built.
3. By right Caruso Affiliated can build the square footage it is proposing.
4. The proposed square footage could be built entirely in the C-2 zone.
5. It can be built up to 30 feet high.

The Committee believes that the PPCC should continue to facilitate discussion and that we should move toward a definitive statement about the project along with recommendations.

Village Project Land Use Committee

By:

David Kaplan – Chair

Howard Robinson

Rick Mills

Cathy Russell

George Wolfberg

Sue Kohl

Chris Spitz (ex officio)

November 18, 2015