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CALIFORNIA

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March 23, 1995

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120 South Figueroa Street
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CASE NO. ZA 95-0062(ZV)
ZONE VARIANCE
1301 South Figueroa Street
Central City Planning Area
Zone : C2-4D-0, C2-2D-0, R4-2D-0
D. M. : 126A205
C. D. : 9
CEQA : CRA No. 94036578
Fish & Game: Exempt
Legal Description: Lots 1
through 5, Tract 28165.

Department of Building and Safety

Pursuant to Los Angeles Municipal Code Section 12.27-B,1 and Charter Section 98, I hereby APPROVE:

a variance from Sections 12.21-A,4(e) and 4(i) of the Municipal Code, to permit in the C2-4D, C2-2D and R4-2D Zones the use of the Convention Center site (Phase 1A Expansion) with 5,460 on-site parking spaces in lieu of the required 18,896 parking spaces in conjunction with total new construction of the Convention Center limited to 1,172,000 square feet of convention and exhibition space development of the Convention Center site not to exceed 1,868,000 square feet, and

to revise Condition No. 7 of City Plan Case 87-595-CU as follows:

1. Total new construction shall be limited to 1,172,000 square feet of convention and exhibition space including support and ancillary facilities.

Total development of the entire Convention Center site shall not exceed 1,868,000 square feet.

2. Parking will be provided in accordance with a zone variance for reduced parking which will provide a minimum of 5,880 spaces for Phase 1, except when Phase 1A exhibit area is in use the total required shall be 5,460 parking spaces. Parking space requirements for Phase 2 expansion shall be determined in the future and incorporated into a revised zone variance for reduced parking based upon final project criteria,



upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective conditions, if, in the Administrator's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over within 24 hours of its occurrence.
5. The Convention Center shall continue to identify available nearby off-site parking areas and have a plan to use these locations when on-site parking is expected to be exceeded.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES - TIME EXTENSION

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within one year after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void. A Zoning Administrator may extend the termination date for two consecutive additional periods not to exceed one year each, prior to the termination date of each period, if a written request is filed therefore with a public Office of the Department of City Planning setting forth the reasons for said request and a Zoning Administrator determines that good and reasonable cause exists therefore.

TRANSFERABILITY

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

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.27-K,3 of the Los Angeles Municipal Code provides:

"It shall be unlawful to violate or fail to comply with any requirement or condition imposed by final action of the Zoning Administrator, Board

or Council pursuant to this subsection. Such violation or failure to comply shall constitute a violation of this Chapter and shall be subject to the same penalties as any other violation of this Chapter."

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this variance is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated or not complied with, then this variance shall be subject to revocation as provided in Section 12.27 of the Municipal Code. THE ZONING ADMINISTRATOR'S DETERMINATION IN THIS MATTER WILL BECOME EFFECTIVE AFTER APRIL 7, 1995, UNLESS AN APPEAL THEREFROM IS FILED WITH THE BOARD OF ZONING APPEALS. IT IS STRONGLY ADVISED THAT APPEALS BE FILED EARLY DURING THE APPEAL PERIOD AND IN PERSON SO THAT IMPERFECTIONS/INCOMPLETENESS MAY BE CORRECTED BEFORE THE APPEAL PERIOD EXPIRES. ANY APPEAL MUST BE FILED ON THE PRESCRIBED FORMS, ACCOMPANIED BY THE REQUIRED FEE AND RECEIVED AND RECEIPTED AT A PUBLIC OFFICE OF THE DEPARTMENT OF CITY PLANNING ON OR BEFORE THE ABOVE DATE OR THE APPEAL WILL NOT BE ACCEPTED. SUCH OFFICES ARE LOCATED AT:

Los Angeles City Hall
200 North Spring Street
Room 460, Counter S
Los Angeles, CA 90012
(213) 485-7826

6251 Van Nuys Boulevard
First Floor
Van Nuys, CA 91401
(818) 756-8596

NOTICE

THE APPLICANT IS FURTHER ADVISED THAT ALL SUBSEQUENT CONTACT WITH THIS OFFICE REGARDING THIS DETERMINATION MUST BE WITH THE ZONING ADMINISTRATOR WHO ACTED ON THE CASE. THIS WOULD INCLUDE CLARIFICATION, VERIFICATION OF CONDITION COMPLIANCE AND PLANS OR BUILDING PERMIT APPLICATIONS, ETC., AND SHALL BE ACCOMPLISHED BY APPOINTMENT ONLY, IN ORDER TO ASSURE THAT YOU RECEIVE SERVICE WITH A MINIMUM AMOUNT OF WAITING. YOU SHOULD ADVISE ANY CONSULTANT REPRESENTING YOU OF THIS REQUIREMENT AS WELL.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report of the Zoning Analyst thereon, the statements made at the public hearing on February 23, 1995, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that practical difficulties, unnecessary hardships or results inconsistent with the general purpose of the zoning

regulations would result from a strict enforcement thereof, and that the five requirements and prerequisites for granting a variance as enumerated in Section 98 of the City Charter and Section 12.27-B,1 of the Municipal Code have been established by the following facts:

BACKGROUND

The subject property consists of the existing Los Angeles Convention and Exposition Center and the expansion of the Center bounded by the Harbor and Santa Monica Freeways interchange, Venice Boulevard, Figueroa and 11th Streets. The property is zoned C2-4-D-0, C2-2-D-0, and R4-2-D-0. The entire site consists of approximately 68 net acres. The expansion south of Pico Boulevard consists of approximately 31 net acres.

The expansion of the Los Angeles Convention Center will be in two phases. Phase 1 had added 349,000 square feet of exhibition space, twenty-five meeting rooms, a 5,000 to 6,000 seat auditorium, and Phase 2 will add approximately 119,000 square feet with 6,000 parking spaces to serve the entire Center.

The properties on the north side of 11th Street are zoned C2-4-D-0, and are improved with surface parking lots and property owned by the Department of Water and Power.

The properties on the easterly side of Figueroa Street are zoned C2-4-D-0, and are improved with a variety of commercial buildings, parking lots, automobile dealerships, vacant building; etc..

The Santa Monica and Harbor Freeway interchange is located southerly and westerly of the subject site. Venice Boulevard is located southerly parallel to the Freeway.

Figueroa Street, adjoining the subject property to the east, is a designated Major Highway dedicated to a width of 102 feet and improved with curb, gutter, and sidewalk.

Pico Boulevard, bisects the subject property and is a designated Major Highway dedicated to a width of 102 feet and improved with curb, gutter, and sidewalk.

11th Street, adjoining the subject property to the north, is a designated Major Highway dedicated to a width of 102 feet and improved with curb, gutter, and sidewalk.

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

Subject Property:

Case No. ZA 89-0550(ZV) - On September 27, 1989, the Zoning Administrator approved a zone variance to permit the construction of a 685,000 square-foot exhibit hall as an expansion (Phase 1) of the Los Angeles Convention Center with reduced parking of 6,000 spaces, instead of the required 16,599. The request covers the existing and

proposed facilities, and when implemented in 1992, will supersede two existing variances for reduced parking with conditions.

Case No. ZA 89-0550(ZV), On April 13, 1990, the Zoning Administrator approved a request by the Municipal Auditorium Department to proceed with said construction prior to plans for all parking being finalized. The application indicates that construction of all parking facilities will be completed prior to or concurrently with the Convention Center, thereby assuring all required parking before a Certificate of Occupancy is issued for the Convention Center.

Case No. ZA 89-0550(ZV), On November 1989, the Zoning Administrator issued a letter of clarification approving a minor clarification of two issued in order to prevent misunderstandings in the future. These requests have been reviewed in relation to the determination and are found to be of a clarifying nature, not changing the purpose or intent of the decision.

Case No. ZV 80-144, was granted June 23, 1980, by the Associate Zoning Administrator to permit to reduce parking of 536 spaces in lieu of the 986 spaces normally required in conjunction with the permitted development of an additional exhibit hall structure to the Convention Center complex.

Case No. ZA 85-0246(ZV), was granted July 2, 1985, by the Zoning Administrator to permit for a temporary five year period the use of an additional 150,000 square feet of exposition space at the Los Angeles Convention Center site, utilizing an area concurrently occupied by 375 existing parking spaces, without providing any additional required parking. Condition No. 2 adopts a parking management program.

City Planning Case No. 86-606(GPC), involves the General Plan/Zoning Consistency Program for the Central City area. Plan amendments were approved by Council Resolution on February 12, 1988, and effectuated by Ordinance No. 164,307.

City Planning Case No. 87-595(CU), was approved by the City Planning Commission to permit expansion of the Convention facilities subject to 14 conditions. Condition Nos. 7, 8 and 9 are particularly effected by the zone variance application. Condition No. 7 requires at least 7,500 parking spaces for the Center.

Surrounding Properties:

No similar or relevant cases were found on surrounding properties in the immediate neighborhood.

The Los Angeles Convention Center over the last decade has been expanded to offer 685,000 square feet of exhibit space, 65 meeting rooms including a 26,500 square-foot special events hall, spacious lobbies, restaurant/food courts, over 6,000 parking spaces and convenient shuttle services.

Staff met with the representative of the Los Angeles Convention Center and toured the site and surrounding off-site parking lots. The site is quite

impressive with two glass and steel towers and glass and steel pavilions joined by a concourse bridge over Pico Boulevard that also offers meeting rooms and a business center for exhibitors. The south exhibition hall has an imposing entrance with a map of the world etched on the floor in colored granite.

The representative told staff that the parking level below the south exhibition hall was originally designed so that it could be used for exhibition space with a minimum of remodeling. It is known as a "flexible area". As existing parking spaces are already below code requirement three prior variances were requested and approved. This is the fourth. Staff visited the proposed area of flexible exhibition/parking. The traffic circulation was explained to staff.

The representative told staff that Convention business is booked two to five years ahead. The 1992 riots in Los Angeles resulted in cancellations and the effects are still being felt in reduced bookings. However the applicant still maintains that there are occasions such as the auto show when an enormous amount of exhibition space is necessary and the flexible hall on the parking level is necessary if Los Angeles is going to compete with other large convention centers. Staff was told that it is a very competitive business.

Other occasions when the flexible exhibition/parking area would be needed occurs if several smaller exhibitors book at the same time. It would be a financial loss to Los Angeles to lose this business though lack of exhibition space.

Staff toured the adjacent lots where parking can be offered. Photographs of the three main adjacent structures are attached to the file. The Cherry Street lot and the Venice Boulevard lot are within one block. The Grand Avenue lot is a shuttle service lot. There are also level surface lots adjacent to the Convention Center. Staff noted that the streets adjacent to the Convention Center have been redesigned to achieve maximum traffic flow. Staff was told that only on one day in 1994 for one hour was there traffic congestion. Also the exhibitors bringing in trucks are now given arrival times and this has cut down on prior congestion of trucks. A new delivery ramp, the south truck dock, has also been constructed and as can be seen on the photographs attached to the file which were taken on a delivery day for boats for the upcoming boat show delivery truck traffic moved smoothly.

The representative of the applicant told staff that there had been no adverse comments received by the Community Redevelopment Agency during the circulation period for the environmental clearance. No opposition was stated in writing or during the public hearings for any of the three variances which have already been granted. Staff was told that since the site is self-contained with residential area separated from the site by the Santa Monica Freeway there are no negative adverse impacts. Other commercial businesses and property owners to the north and east have not expressed any disagreement.

No letters either in support of or in opposition to the request have been received by the staff.

FINDINGS

In order for a variance to be granted, all five of the mandated findings delineated in City Charter Section 98 must be made in the affirmative. Following (highlighted) is a delineation of the findings and the application of the relevant facts of the case to same:

The strict application of the provisions of the Zoning Ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.

Current City parking requirements are too stringent for this specialty project and without a variance, the Convention Center would be unfairly limited in the future size of Convention programs which could be held at this location. Future business could be lost to adjacent cities and Los Angeles' tax position would suffer with declining future convention business.

The applicant wishes to have greater flexibility in using new space for either an exhibit area or for parking depending on need. Under Phase I of the project, 5,880 parking spaces will be provided when the convertible area is used for parking and 5,460 parking spaces when the convertible area is used as exhibit hall area. The City parking requirements would be 16,599 for Phase I and 18,896 for the Phase IA expansion expected for July 1996. The applicant needs the greater flexibility to adopt to special conventions or multiple events going on at the site and would need to provide less on-site parking and rely more on adjacent off-site parking depending on the particular types of programs going on at the Convention Center. At most, only about 20 days per year would likely require the parking area under the Phase IA addition to be used for display area in place of the existing parking.

The final parking requirements and variance request are summarized as follows:

Phase 1 parking requirements (B & S + Allow.)	16,599
Phase 1A parking requirements (B & S + Allow.)	2,297
Total parking spaces required	18,896
Total parking spaces to be provided with South Hall Garage Sections B & C used for parking	5,880
Total parking spaces to be provided with South Hall Garage Sections B & C used for exhibit hall	5,465
Total number of spaces to be exempted by variance	13,436

Based on operating experience at the Convention Center prior to and since the completion of the Phase I Expansion project in 1993, and estimates for parking operations following completion of the Phase IA Convertible Exhibit Hall project, the number of parking spaces required by the Code exceed the actual requirements by more than 200%. The general purpose and intent of the zoning regulations will be complied

with because on-site parking will be available to meet the entire parking demand on more than 90% of use days.

2. **There are special circumstances applicable to the subject property such as size, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.**

The site for the Convention Center is special because it is situated at the interchange of two major freeways in the southern end of the Central Business District. The current site consists of 63 acres or an area of approximately four entire City blocks. This large site, central location and specialty nature of the project, makes this request special and unique. The Convention Center is one of the top 10 such facilities in the nation and it plays a vital role in the economic vitality of the City.

The facility has operated successfully for more than 23 years with virtually no negative impacts on the surrounding community from the parking operations. Operating experience has provided parking data which provide sound planning assumptions in projecting parking requirements. In 1987 the Los Angeles City Council adopted a booking policy for the Convention Center which gives clear direction for the type of events which have reduced parking requirements (conventions and trade shows with large numbers of out-of-town attendees) to receive higher priority than the locally based shows which typically have higher parking requirements. Further, the mix of facility spaces will provide opportunities to manage the total parking demand by the type of events which are booked into various exhibit halls and meeting rooms. This is not typical of most businesses and commercial facilities in the area.

3. **Such variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of such special circumstances and practical difficulties or unnecessary hardships, is denied the property in question.**

The City has a history of granting special reduced parking variances at the Convention Center. On three different occasions in 1980, 1985 and 1989, the Planning Department allowed reduced parking because of the special circumstances of how the project would operate. There is clearly a previous City policy of allowing the project to be developed and expanded with parking which is appropriate for the way the Convention Center is operated. This grant is consistent with the past history of previous reduced parking approvals but would not set a precedent for other such projects because this is a one of a kind development in the City.

4. **The granting of such variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located.**

The expanded Convention Center project will be able to provide adequate parking by utilizing existing private surface parking which exists with just a few blocks of the Convention Center. Within just several blocks of the site are 16,498 parking spaces which is almost the

exact total required by the City for Phase I (16,599) and Phase IA (18,896) spaces. By relying on the present private parking besides the on-site Convention Center parking, there will be an adequate amount of convenient parking in the area for all foreseeable needs. The applicant has hired a noted traffic consultant to evaluate like parking demand and the consultant believes that the on-site and nearby off-site parking in the immediate area of the site is adequate for the Phase IA use as requested. The City's Department of Transportation has also closely reviewed the proposed parking reduction and has found no difficulty with the request.

The Convention Center will continue with various vendors and users to ensure that truck deliveries and event timing is closely coordinated to prevent any impact on traffic coming to the site. The Convention Center has previously identified easily available nearby private parking at the Transamerica building and at the Grand Avenue building where thousands of additional parking spaces are available. Shuttle buses have been used to ease visitor access.

The parking to be provided will meet virtually all of the demand. Overflow conditions will occur infrequently and will be of short duration. Peak parking demand conditions are normally high predictable and mitigation measures will be adequate to ameliorate overflow conditions. It is estimated that there will be fewer than 25 days per year when there will be significant impacts on traffic or parking operations due to overflow conditions in the Convention Center parking operations. There is positive economic benefit for the facility for most businesses in the area, particularly those which have underutilized parking facilities which can be opened to the public during peak parking operations at the Convention Center. There are more than 2,500 private parking spaces within three blocks of the Convention Center and another 2,500 parking spaces within the next two blocks.

Mitigation measures will be implemented to handle the very limited overflow conditions on days when peak demand may be in excess of the on-site parking at the Convention Center. Use of nearby off-site private parking facilities, which do not have the same peak demand profiles (especially on weekends), with shuttle bus operations as required to underutilized parking sites in South Park, will preclude any negative impacts on the surrounding community.

5. **The granting of the variance will not adversely affect any element of the General Plan.**

The proposed project is consistent with the City's adopted community plan for the Central City area which has identified the need for the original use and its periodic expansion because of the vital economic role such a facility plays in the improvement of the City's business climate.

The conditional use (CPC 87-595 CU) for the Convention Center Expansion Project, approved by the Planning Commission in 1987, anticipated zoning variances for reduced parking for various phases of development at the Convention Center. Parking operations, with parking facilities substantially as constructed and as proposed were addressed in the Final Environmental Impact Report for the overall

Convention Center Expansion Project (1986) and in the Mitigated Negative Declaration for the Phase IA Convertible Exhibit Hall Project (1995) both of which were approved by the City Council concurrent with the decisions to proceed with the projects. It is not anticipated that there will be another major private or publicly owned Convention Center located in the City of Los Angeles. Therefore, there should not be any impact on the General Plan or a similar variance request for a major facility of this type. The City has invested more than \$500,000,000 in the recent Convention Center Expansion Project. The Phase IA Convertible Exhibit Hall Project substantially increases the amount of exhibit space available at the Convention Center and space is available for additional future expansion of the facility when the City determines that it is necessary. Parking requirements will be reassessed at each stage of the development to assure the facilities are compatible with the surrounding area.

There has been no opposition to the requested project. Adjacent tenants have raised questions about future expansion of the Convention Center but there are no current plans and this request proposes no enlargement of the current site. The continued expansion of the Convention Center will help revitalize this part of the Central City and indirectly increase City taxes and employment. Overall, the Phase IA expansion with reduced on-site parking, will provide broad base economic benefits for the City in many areas and is worthy of approval.

ADDITIONAL MANDATORY FINDINGS

6. The National Flood Insurance Program flood insurance rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 154,405, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding. (No shading)
7. On August 31, 1994 the Community Redevelopment Agency of the City of Los Angeles issued a Negative Declaration (Article V - CRA CEQA Guidelines) and determined that the project will not have a significant impact on the environment. I hereby certify that action. The records upon which this decision is based are with the Environmental Review Section in Room 655, City Hall.
8. Fish and Game: The subject project, which is located in Los Angeles County, will not have an impact on fish or wildlife resources or habitat upon which fish and wildlife depend, as defined by California Fish and Game Code Section 711.2.

Jon Perica

JON PERICA
Associate Zoning Administrator

JP:lmc

cc: Councilmember Rita Walters
Ninth District
Adjoining Property Owners
County Assessor