

**DEPARTMENT OF  
CITY PLANNING**

200 N. SPRING STREET, ROOM 525  
LOS ANGELES, CA 90012-4801

**AND**  
6262 VAN NUYS BLVD., SUITE 351  
VAN NUYS, CA 91401

**CITY PLANNING COMMISSION**

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INFORMATION  
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**Decision Date: December 2, 2014**

**Appeal Period Ends: December 17, 2014**

5757 Wilshire LLC (A)(O)  
Attn: Kacy Keys  
5757 Wilshire Boulevard, PH 30  
Los Angeles, CA 90036

Thomas D. Iacobellis "PLS 4574" (E)  
Iacobellis & Associates Inc.  
11145 Tampa Avenue, Suite 15-B  
Northridge, CA 91326

Re: Parcel Map No.: AA-2014-374-PMLA  
Address: 5711-5757 West Wilshire  
Boulevard  
Community Plan: Wilshire  
Council District: 4  
Zone: [Q]C4-2-CDO and QPB-2  
CEQA No.: ENV-2013-194-EIR

In accordance with provisions of Section 17.53 of the Los Angeles Municipal Code (LAMC), the Advisory Agency approved Parcel Map No. AA-2014-0374-PMLA for a maximum two-parcel lot split as shown on map stamp-dated February 3, 2014 in the Wilshire Community Plan. (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 Development Services Center call (213) 482-7077 or (818) 374-5050. 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**

1. That a 2-foot wide strip of land be dedicated along Wilshire Boulevard adjoining the subdivision to complete a 52-foot wide half right-of-way dedication in accordance with Major Highway Standards, including 20-foot radius property line returns at the intersection with Curson Avenue and Masselin Avenue.
2. That Board of Public Works approval be obtained, prior to the recordation of the final map, for the removal of any tree in the existing or proposed public right-of-way area. The Bureau of Street Services, Urban Forestry Division, is the lead agency for obtaining Board of Public Works approval for removal of such trees.
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.
4. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
  - a. Improve Wilshire Boulevard being dedicated and adjoining the subdivision by the construction of additional concrete sidewalk to complete a 12-foot full-width concrete sidewalk and planting trees with tree wells.
  - b. Improve Curson Avenue adjoining the subdivision from approximately 234 feet to 560 feet northerly of Wilshire Boulevard by the construction of the following:
    - (1) A concrete curb, a concrete gutter, and a 10-foot concrete sidewalk adjacent to the property line, planting trees with tree wells.
    - (2) Suitable surfacing to join the existing pavement and to complete a 22-foot half roadway.
    - (3) Any necessary removal and reconstruction of existing improvements.
    - (4) The necessary transitions to join the existing improvements.
  - c. Repair and replace any bad order gutter and sidewalk and plant trees with tree wells along Wilshire Boulevard and Curson Avenue adjoining the subdivision.
  - d. Construct the necessary house connection sewers to serve each parcel and evaluate the efficiency of the existing house connections.

Note: Any questions regarding this report should be directed to Ray Saidi of the Land Development Group, located at 201 North Figueroa Street, Suite 200, or by calling (213) 202-3492.

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

5. Comply with any requirements with the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any permit.

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

6. 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:

Obtain a building permit to verify parking, floor area ratio(s) and other applicable Building and Zoning Code requirements for the proposed Parcels as shown on the revised Preliminary Parcel Map date stamped on May 22, 2006 by the Department of City Planning including any street dedication that may be required by Bureau of Engineering Land Development Group as part of the proposed Parcel Map. All noncompliance issues shall be corrected, permits obtained and the work signed-off by inspection prior to obtaining the required zoning clearance on the proposed Parcel Map.

Note: There is a 13 ft. and 15 ft. Building Line along Curson Avenue, a 10 ft. Building Line along Wilshire Boulevard and a 15 ft. building Line along Masselin Avenue on this Subdivision.

This property is located in a Methane Zone.

Any proposed structures or uses on the site have not been checked for and shall comply with Building and Zoning Code requirements. Plan check will be required before any construction, occupancy or change of use.

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact John Pourhassan at (213) 482-0087 to schedule an appointment.

**DEPARTMENT OF TRANSPORTATION**

7. Prior to the recordation of the final map satisfactory arrangements shall be made with the Department of Transportation to assure:
  - a. Vehicular access to the site shall be limited to existing driveways or as shall be determined to the satisfaction of the Department of Transportation.

- b. 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.
- c. That a fee in the amount of \$197 be paid for the Department of Transportation as required per Ordinance No. 180542 and LAMC Section 19.15 prior to recordation of the final map. Note: the applicant may be required to comply with any other applicable fees per this new ordinance.

### **FIRE DEPARTMENT**

8. 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:
  - a. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel.
  - b. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
  - c. Entrance to the main lobby shall be located off the address side of the building.

Note: The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. 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 please call (213) 482-6502. You should advise any consultant representing you of this requirement as well.

### **BUREAU OF STREET LIGHTING**

9. If new street light(s) are required, then prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.
10. The following street lighting facilities to serve the subject property shall be installed as required by the Bureau of Street Lighting:

No street lighting improvements if no street widening per BOE improvement conditions. Otherwise relocate and upgrade street lights; two (2) on Curson Avenue, and six (6) on Wilshire Boulevard, if street improvements are required for each street, respectively.

#### **BUREAU OF SANITATION**

11. 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.

#### **INFORMATION TECHNOLOGY AGENCY**

12. 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 North Main Street, 12th Floor, Los Angeles, CA 90012, (213) 978-0856.

#### **DEPARTMENT OF RECREATION AND PARKS**

13. If applicable, that the Quimby fee be based on the C4 Zone.

Note: There are no residential units proposed for AA-2014-374-PMLA and CPC-2013-193-ZC-CU-ZV-CDO-BL.

#### **URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING**

14. Prior to the issuance of demolition or grading permits, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the Department of City Planning. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.

Replacement by a minimum of 24-inch box trees at a ratio of 1:1 shall occur for the removal of any trees on-site to the satisfaction of the Department of City Planning's Development Services Center ("Development Services Center"). Removal of any protected trees shall be approved by the Urban Forestry Division of the Bureau of Street Services and shall be replaced by a minimum 48-inch box and shall be planted at a ratio of 2:1. Failure to comply with this condition as written shall require the filing of a modification to this tract map in order to clear the condition.

**DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS**

15. 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 Development Services Center, binding the subdivider and all successors to the following:
  - a. Limit the proposed development to a maximum of two commercial lots.  
  
Lot A shall be comprised of 25,852 square feet for the construction of a maximum 249,500 square-foot office building.  
  
Lot B shall be comprised of 369,851 square feet for the existing office building and the two-level addition to the existing five-level parking building.
  - b. **Parking.** Provide a minimum of 1 parking space per 500 square feet of office floor area for the proposed office building on Lot A to be located off-site within the parking building on Lot B. Parking for auditorium use in the existing Office Building on Lot B shall be provided at a ratio of one parking space per one hundred five square feet of auditorium floor area as approved in CPC-2013-193-ZC-CU-ZV-CDO-BL. The total number of parking stalls within Lot B, which includes the parking building and surface parking lot, shall not exceed 2,040 parking stalls.
  - c. Prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall, as measured from the lowest adjacent grade, shall be constructed adjacent to the neighboring residences to the north, if no such wall already exists, except in required front yard.
  - d. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
  - e. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
16. Prior to the issuance of any building permit and the recordation of the final map, the Subdivider shall record and execute a Covenant and Agreement for the required number of parking spaces for the proposed office building in Lot A shall be located off-site on the adjacent Lot B, as identified in AA-2014-374-PMLA.
17. Prior to the issuance of the building permit or the recordation of the final map, a copy of **CPC-2013-193-ZC-CU-ZV-CDO-BL** approval shall be submitted to the satisfaction of the Advisory Agency. In the event that **CPC-2013-193-ZC-CU-ZV-CDO-BL** is not approved, the subdivider shall submit a map modification.

- 18. Prior to the issuance of a building permit and the recordation of the final map, the Subdivider shall show proof that all fees have been paid to the Department of City Planning.
- 19. Prior to the issuance of a building permit, grading permit and the recordation of the final map, the subdivider shall record and execute a Covenant and Agreement to comply with the **Miracle Mile Community Design Overlay District**.
- 20. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action or proceedings against the City or its agents, officers, or employees relating to or 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.

**DEPARTMENT OF CITY PLANNING - ENVIRONMENTAL MITIGATION MEASURES**

- 21. 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:



**MM-1** All open areas not used for buildings, driveways, parking areas, or walks shall be attractively landscaped and maintained in accordance with a landscape plan and an automatic irrigation plan, prepared by a licensed Landscape Architect and to the satisfaction of the City of Los Angeles Department of City Planning.



**MM-2** Outdoor lighting shall be designed and installed with downcast shielding, so that the light sources are shielded from adjacent properties and light does not fall on adjacent properties.



**MM-3** The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and other fabricated wall surfaces designed to minimize glare and reflected heat. At the time of plan check review, building materials shall be reviewed to assure that they do not exceed the reflectivity of standard building materials. If the Applicant should desire to use more reflective materials in locations isolated from major thoroughfares, adequate analysis must be presented to the Department of Building and Safety to determine that the building, due to location, would not cause glare impacts on motorists or nearby population.

- MM-4** Direct glare from automobile headlights in the parking structure shall be shielded by walls, louvers, landscaping, and/or other similar measures.
- MM-5** To avoid impacting nesting birds, special status birds and/or raptors, one of the following must be implemented:
- Conduct vegetation removal and other ground disturbance activities associated with construction during September through January, when birds are not nesting. If feasible, initiate tree removal, vegetation clearing and grading activities prior to the breeding season (generally February 1st through August 31st) and keep disturbance activities constant throughout the spring to prevent birds from establishing nests in surrounding habitat in order to avoid abandonment of eggs or young if nesting establishes prior to construction activities; or
  - Conduct pre-construction surveys for nesting birds if construction is to take place during the nesting season. A qualified wildlife biologist shall conduct a preconstruction survey no more than 30 days prior to initiation of tree removal or grading to provide confirmation on presence or absence of active nests in the vicinity (at least 300 feet around the project site).
  - If active nests are encountered, species-specific measures shall be prepared by a qualified biologist in consultation with the CDFW and implemented to prevent abandonment of the active nest. At a minimum, tree removal and grading in the vicinity of the nest shall be deferred until the young birds have fledged. A minimum exclusion buffer of 50 feet for songbird nests, 100 feet for special status songbird nests, and 200 to 500 feet for raptor nests, shall be maintained during construction depending on the species and location. The perimeter of the nest setback zone shall be fenced or adequately demarcated with staked flagging at 20-foot intervals, and construction personnel and activities restricted from the area.
  - A survey report by the qualified biologist verifying that the young have fledged shall be maintained in the project file, and submitted to the City of Los Angeles upon request. The qualified biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas to ensure that no inadvertent impacts on these nests will occur.



- MM-6** Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077.
- MM-7** All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division of the Department of Public Works, Bureau of Street Services.
- MM-8** Prior to the issuance of any permit, a Tree Report shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way. The required Tree Report shall include the location, size, type, and condition of all existing trees with an eight-inch or greater DBH, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground.
- MM-9** All significant (eight-inch or greater DBH, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree. Net new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.
- MM-10** The Project Applicant shall implement the following monitoring and mitigation plan to address potential impacts related to archaeological and paleontological resources:
- Engage a monitor or monitoring firm with experience in Rancho La Brea paleontological and archaeological resources, with qualifications acceptable to the Page Museum at the La Brea Tar Pits/Los Angeles County Museum of Natural History (the "Museum"), and with sufficient personnel to monitor and perform the responsibilities listed below.
  - The monitor shall be physically present on-site during any drilling or excavation of soils at all times when the drilling or excavation is at depths and in locations that have not been previously disturbed, but shall not be required at other periods during the course of construction.
  - The monitor shall consult with the Museum on appropriate mitigation and other safety matters.
  - The Project Applicant shall notify the monitor and the Museum reasonably in advance when drilling or excavation will be taking place and the Applicant shall provide access to the worksite whenever such excavation is occurring. While on the worksite, the monitor will have authority to:


- Halt the drilling or excavation whenever an object that appears to the monitor to be a paleontological or archaeological resource is exposed;
  - Reasonably allow drilling and/or excavation to proceed elsewhere until the observed paleontological or archaeological resources are mitigated, provided that the continuing excavation/drilling is also monitored and may be halted if additional paleontological or archaeological resources are disturbed; and
  - Direct the safe and secure temporary relocation of any paleontological or archaeological resources that are uncovered (including any that may be visible in the spill from any drilling) as necessary to allow for the continuation of work.
- The monitor shall prepare field notes and a final report of all findings.
  - The Project Applicant will enter into an agreement with the Museum concerning the permanent transfer without cost, the housing, and the curation of all paleontological and archaeological resources, along with the field notes, the final report, and any other data concerning the resources, and all rights to the same, or, if the Museum declines to accept the transfer, to another appropriate repository that agrees to permanently retain the material and provide access to qualified researchers if such alternative repository is reasonably and readily identifiable. If the Museum chooses not to accept the resources and information, it will assist with the identification of an alternative repository.
  - A copy of any soils, geologic, geotechnical and other similar reports prepared in connection with the project will be provided to the Museum for its scientific and archival use.

**MM-11**

If human remains are encountered unexpectedly during construction demolition and/or grading activities, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to California Public Resources Code (PRC) Section 5097.98. In the event that human remains are discovered during excavation activities, the following procedure shall be observed:

- a) Stop immediately and contact the County Coroner:

1104 N. Mission Road, Los Angeles, CA 90033  
323-343-0512 (8 a.m. to 5 p.m. M-F) or  
323-343-0714 (After Hours, Sat, Sun, and Holidays)

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- b) If the remains are determined to be of Native American descent, the Coroner has 24 hours to notify the Native American Heritage Commission (NAHC).
  - c) The NAHC will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
  - d) The most likely descendent has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods.

If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the NAHC.

**MM-12** The design and construction of the project shall conform to recommendations of the Geotechnical Report, a qualified structural engineer and all relevant California Building Code and UBC seismic standards as required and approved by the City of Los Angeles Department of Building and Safety.

**MM-13** As the Project Site is within a methane zone, prior to the issuance of a building permit, the site shall be independently analyzed by a qualified engineer, as defined in Ordinance No. 175,790 and Section 91.7102 of the LAMC, hired by the Project Applicant. The engineer shall investigate and design a methane mitigation system in compliance with the LADBS Methane Mitigation Standards for the appropriate Site Design Level which will prevent or retard potential methane gas seepage into the building. The Applicant shall implement the engineer's design recommendations subject to DOGGR, LADBS and LAFD plan review and approval.

**MM-14** During subsurface excavation activities, including borings, trenching and grading, OSHA worker safety measures shall be implemented as required to preclude any exposure of workers to unsafe levels of soil-gases, including, but not limited to, methane.

**MM-15** If any visual or olfactory indication of potentially contaminated soil, groundwater and/or toxic materials is encountered during demolition, excavation, grading or foundation construction activities, activities shall be temporarily halted. The City of Los Angeles and other appropriate agencies shall be contacted for consultation on the appropriate level of mitigation of the contamination (e.g., excavation and disposal, or treatment in-situ (in-place)) to be implemented so as to render the site suitable for construction activities to resume.

- MM-16** Construction Schedule. The proposed Modified Project shall comply with the City of Los Angeles Municipal Code, which limits exterior construction hours to Monday through Friday, 7:00 a.m. to 6:00 p.m., and Saturday from 8:00 a.m. to 6:00 p.m. No construction activities would occur on Sundays or federal holidays.
- MM-17** Hauling Activities. Hauling activities shall be limited to the hours of 8:30 a.m. to 4:30 p.m., Monday through Saturday. No hauling would occur on Sundays or federal holidays.
- MM-18** Compliance with the City of Los Angeles Noise Ordinance Nos. 144,331 and 161,574. The proposed Modified Project shall comply with the City of Los Angeles Noise Ordinance Nos. 144,331 and 161,574 and any subsequent ordinances that prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- MM-19** All construction equipment engines shall be properly tuned and muffled according to manufacturers' specifications. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- MM-20** Construction activities whose specific location on the Project Site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise-sensitive land uses, and natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen such activities from these land uses to the maximum extent possible.
- MM-21** Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels. Examples include the use of drills and jackhammers.
- MM-22** Two weeks prior to the commencement of construction at the Project Site, notification shall be provided to the residential uses within a radius of 200 feet from the Project Site disclosing the construction schedule, including the various types of activities and equipment that would be occurring throughout the duration of the construction period. This notification shall also provide a contact name and phone number for residents to call for construction noise related complaints. All reasonable concerns shall be addressed within 48 hours of receipt.

- MM-23** The Project Developer shall install a temporary noise control barrier in the northern area of the office building construction site. The noise control barrier shall be engineered to reduce construction-related noise levels at the adjacent multi-family residential structure by the maximum amount feasible, with a goal of a reduction of 10 dBA. If feasible, the barrier shall be a similar height to the multi-family residential building to the north of the Project Site. The supporting structure shall be engineered and erected according to applicable codes. The temporary barrier shall remain in place until all windows have been installed in the northern façade of the new office building and paving activities in the office Project Site are complete.
- MM-24** A Construction Staging and Traffic Management Plan (CSTMP) shall be prepared for approval by LADOT and other appropriate agencies, and implemented during Project construction. The CSTMP shall describe the traffic control measures and devices to be implemented for the various construction phases, along with any sidewalk closures, traffic lane closures, temporary walkway installations, K-rail installations, temporary traffic lane modifications, temporary signal modifications, etc. The CSTMP shall also include the name and phone number of a construction project manager who can be reached 24 hours a day regarding construction complaints or emergency situations. In addition, the CSTMP shall take into account and be coordinated with other construction traffic management plans that may be in effect or have been proposed for other projects in the vicinity.
- MM-25** In the event that any portion of the sidewalk along the east side of Curson Avenue between Wilshire Boulevard and 6th Street is closed due to Project construction, appropriate signage shall be installed directing pedestrians to use the sidewalk along the west side of Curson Avenue, and to cross Curson Avenue at the signalized intersections with Wilshire Boulevard and 6th Street.
- MM-26** Construction vehicles, including construction worker vehicles, shall not park on public streets within one-half mile of the project site.
- MM-27** Construction vehicles shall not stage on public streets, or stage or queue where they interfere with pedestrian or vehicular traffic, or block access to nearby residences or businesses.
- MM-28** One northbound and one southbound travel lane on Curson Avenue between Wilshire Boulevard and 6<sup>th</sup> Street shall be maintained at all times.

- MM-29** An adequate number of flag persons as determined by the Department of Transportation shall be provided to minimize impacts to traffic flow, and to ensure safe access in to and out of the project site.
- MM-30** To the extent feasible, the delivery of construction materials shall be scheduled during off-peak traffic periods.
- MM-31** Heavy-duty construction vehicles, except haul trucks, shall arrive at the Museum Square site no sooner than 7:00 AM and depart no later than 6:00 PM. The hours, operation and route for haul trucks shall be determined and approved by the City's Department of Building and Safety.
- MM-32** The Proposed Project shall comply with the provisions of the City's Transportation Demand Management Ordinance No. 168,700 in order to reduce the number of vehicle trips generated by the Proposed Project. The Applicant shall record a Covenant and Agreement to ensure compliance with the provisions of the Transportation Demand Management Ordinance. The Applicant shall develop and implement a Transportation Demand Management (TDM) Plan that satisfies standard requirements of the Transportation Demand Management Ordinance and offers additional strategies to reduce the amount of vehicle trips generated by the Proposed Project. A preliminary TDM Plan shall be prepared and provided for LADOT review prior to the issuance of the first building permit and a final TDM Plan approved by LADOT is required prior to the issuance of the first certificate of occupancy. The TDM Plan should include, but not be limited to, the following strategies:
- Flexible/alternative work schedules and telecommuting programs;
  - Bicycle and pedestrian-friendly environment;
  - Bicycle amenities such as easily accessible racks and showers available for employee use;
  - Provision of partially or fully subsidized transit passes offered to site employees;
  - Transportation information center, which would provide a centrally-located commuter information center that allows employees to obtain information on ridesharing, telecommuting, transit schedules, bicycle plans, etc.;
  - Transportation Management Coordination
  - Program with an on-site transportation coordinator;

- Guaranteed ride home for all employees that carpool, vanpool, or take transit to work;
- Provide carpool and vanpool opportunities and financial incentives;
- Pursuant to Internal Revenue Code Section 132(f), arrange pre-tax dollar transit commute expense accounts to provide transportation fringe benefits to eligible employees;
- Parking strategies, including compliance with the State parking cash-out law and unbundling the Site's parking spaces.
- Administrative support for the formation of carpools/vanpools;
- Provision of car-share amenities on-site to potentially incorporate into the City's future
- Integrated Mobility Hubs project (a shared bike and car program planned within transit-rich areas scheduled for implementation in 2016);
- Self-service bicycle repair area and shared tools for employees;
- Bike and walk to work promotions;
- Preferential rideshare loading/unloading or parking location; and
- Financial contribution of a one-time fixed-fee in the amount of \$100,000 to the City's Bicycle Plan Trust Fund (funds would be used by LADOT, in coordination with the affected Council Office and the Department of City Planning, to implement strategies identified in the 2010 Bicycle Plan within the project study area).

**MM-33** The Project will implement the restriping of the south leg of Masselin Avenue to provide an exclusive left-turn lane for the northbound approach. The sidewalk and curb return at the northwest corner of the intersection will require minor reconstruction, and the traffic signal equipment will be modified as necessary.

**MM-34** The Project Applicant shall consult with the LADBS and LAFD to determine fire flow requirements for the Proposed Project, and will contact a Water Service Representative at the LADWP to order a Service Advisory Request (SAR). This system hydraulic analysis will determine if existing LADWP water supply facilities can provide the proposed fire flow requirements of the Project. If water main or infrastructure upgrades are required, the Applicant would pay for such upgrades, which would be constructed by either the Applicant or LADWP.

**MM-35** The Project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g., use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set

automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season).

- MM-36** In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:
- Weather-based irrigation controller with rain shutoff
  - Matched precipitation (flow) rates for sprinkler heads
  - Drip/microspray/subsurface irrigation where appropriate
  - Minimum irrigation system distribution uniformity of 75 percent
  - Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials
  - Use of landscape contouring to minimize precipitation runoff
- MM-37** If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
- MM-38** Install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.
- MM-39** Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- MM-40** A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.
- MM-41** Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)
- MM-42** Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.
- MM-43** Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.



- MM-44** Prior to the issuance of any demolition or construction permit, the Applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the satisfaction of the LADBS. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction related wastes.
- MM-45** To facilitate on-site separation and recycling of demolition and construction related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and recycled accordingly as a part of the Proposed Project's regular solid waste disposal program.
- MM-46** In compliance with AB341, recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the Proposed Project's regular solid waste disposal program. The Project Applicant shall only contract for waste disposal services with a company that recycles solid waste in compliance with AB341.

### **FINDINGS OF FACT (CEQA)**

On October 23, 2014, the City Planning Commission approved the Museum Square Project, under CPC-2013-193-ZC-CU-ZV-CDO-BL, and recommended that City Council adopt and certify the Environmental Impact Report ("EIR") (State Clearinghouse 2013051027), which includes the Draft EIR, Final EIR, Technical Studies, Mitigation Monitoring Program, and Statement of Overriding Considerations. Also adopted were the necessary Resolutions and findings under California Public Resources Code Section 21081 and State CEQA Guidelines 15091, stating the EIR was completed in compliance with the California Environmental Quality Act Public Resources Code Section 21000 et seq., the CEQA Guidelines, all applicable local guidelines concerning the application and implementation of the statute, and all applicable case law concerning that statute and the CEQA Guidelines (collectively, "CEQA"). The City of Los Angeles was the agency responsible (Responsible Agency as defined under CEQA Guidelines 15096 and 15381) for preparing the EIR and in ensuring the EIR examined all potential environmental impacts. The City Planning Commission also certified the EIR for those portions of the Museum Square Project within their original jurisdiction including a Conditional Use Permit for Floor Area Averaging, a Zone Variance for a parking reduction and a Project Compliance within the Miracle Mile Community Design Overlay District.

The EIR identified the following impacts:

Impacts Mitigated to levels of Insignificance: Biological Resources (Nesting Birds, Protected Tree Ordinance); Cultural Resources (Archaeological and Paleontological); Geology and Soils (Fault Rupture); Hazards and Hazardous Materials (Methane).

Significant and Unavoidable Impacts: Aesthetics (Shade/Shadow); Noise (Construction); Traffic and Transportation (Four intersections).

Cumulative and Growth-Inducing Impacts: Traffic (Construction).

A Statement of Overriding Considerations identifying the project's economic benefits exceeding the environmental impacts was also approved, and included as part of the certification.

There are no substantial changes in the proposed project or the circumstances under which the project is undertaken which will cause significant environmental effects or require any revisions to the previously certified EIR. There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was adopted, that shows significant effects either not discussed in the EIR, or which will be substantially more severe than shown in the EIR. For the reasons set forth in the ENV-2013-194-EIR, the project will have the same environmental effects on the environment as identified in the previously certified EIR. As such Advisory Agency hereby concurs with the findings and actions made by the City Planning Commission and City Council that the Project will not have any new impacts not already identified in the previously certified EIR.

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

In connection with the approval of Preliminary Parcel Map No. AA-2014-374-PMLA-BL 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 WILL BE/IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.**

The adopted Wilshire Community Plan designates the subject property for Regional and Regional Center Commercial land use with the corresponding zones of CR, C1.5, C2, C4, P, PB, RAS3, RAS4, R3, R4, and R5. The property is not located in the any geographic Specific Plan. However, the site is located within the Miracle Mile Community Design Overlay (CDO). Concurrent case, CPC-2013-193-ZC-ZV-CU-CDO-BL, includes a request for a Project Permit Compliance with the Miracle Mile CDO. On October 23, 2014, the City Planning Commission approved the Community Design Overlay consistent with LAMC Section 13.08.E.

The site is currently zoned [Q]C4-2-CDO and QPB-2 and contains 25,852 gross square feet (0.59 acres) within proposed Lot A and 369,851 gross square feet within proposed Lot B. After the required 2-foot dedication along the Wilshire Boulevard street frontage of the site, Parcel A will net 25,852 square feet and Parcel B 301,761 square feet. The proposed subdivision of two lots for the construction of a commercial office building and a two-level addition to an existing parking building is allowable with the zone change approval as part of CPC-2013-ZC-CU-ZV-CDO-BL and the existing land use designation. The project will allow for commercial office space within the Wilshire Community Plan area.

The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that the property is located outside of a flood zone. Therefore, as conditioned, the proposed parcel map is consistent with the intent and purpose of the applicable General and Specific Plans.

- (b) THE DESIGN AND IMPROVEMENT OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

Wilshire Boulevard is designated a Scenic Major Highway Class II with a width of 100 feet, improved with a gutter, curb, and sidewalk. Curson Avenue is designated a Collector Street that bifurcates into two roadways north of Wilshire Boulevard, and conjoins approximately 175 feet north of Wilshire. The right-of-way width varies from 60 feet to 62 feet from where it conjoins, and is separated by landscaping, curb, and gutter where it bifurcates. Curson Avenue is improved with a gutter, curb, and sidewalk. Masselin Avenue is designated a Local Street with a width of 60 feet, and improved with a gutter, curb, and sidewalk. The Bureau of Engineering is requiring a 2-foot dedication to complete a 52-foot wide half right-of-way dedication in accordance with Major Highway Standards, including 20-foot radius property line returns at the intersection with Curson Avenue and Masselin Avenue. The Los Angeles Municipal Code requires the proposed project provide a total of 1,857 parking stalls for the existing uses and a minimum 1 stall per 500 square feet of office floor space for the new office building on Lot A. The site presently consists of 1,490 parking spaces located within the existing parking structure and the surface parking lot. With the new office building, the Project will be required 1,857 parking stalls, and will be provided on the surface parking lot and the parking structure located on Lot B. The Applicant will be required to file a Covenant Agreement to secure parking for the new office building (Lot A) off-site on Lot B. As conditioned the design and improvements of the proposed project are consistent with the applicable General and Specific Plans.

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

The site is one of the few larger lot properties in the vicinity. The development of an office building on the subject site (proposed Lot A) is an infill of an otherwise mixed residential and commercial neighborhood. The parcel map will allow for the demolition of the northwest portion of an existing surface parking lot, new construction of a 12-story office building and the addition of two levels within an existing parking structure. The division of land will allow for the construction of the new office building to be on a separate lot from the existing commercial office complex.

At the August 28, 2014 Hearing Officer hearing, the Deputy Advisory Agency waived the improvement requirement for Masselin Avenue, a Local Street since the office building would be developed on the west portion of the site, fronting Curson Avenue. The map conditions include all the improvement and dedication requirements by the Bureau of Engineering, Land Division Group, and the subdivider will be required to meet these requirements as a condition of approval.

The Department of Building and Safety, Grading Division, has tentatively approved the Parcel Map without conditions on August 23, 2013. The site is identified to be within a Methane Zone. Through soil inspection, it was determined that the methane level in the soil was at Level 5, which would require the highest level of mitigation measures for methane. This is a required mitigation measure, and identified as MM-13 of Condition No. 21 of this determination. The development of the site has been conditioned to comply with all requirements with the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any permit. Therefore, the site is physically suitable for the proposed development.

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

Surrounding uses include an apartment complex to the north, commercial office complexes to the south, a two story commercial retail building and multi-family residential uses to the east, and the 20-acre, seven-building LACMA campus and Hancock Park, including the La Brea Tar Pits and the George C. Page Museum. The campus is currently undergoing a ten-year expansion and renovation known as the *Transformation* designed by the Renzo Piano Building Workshop.

The proposed subdivision on-site would provide two separate lots for the creation of a new 12-story office building and retain existing uses. The proposed project will comply with all LAMC requirements for parking, yards, and open space. The Project includes a concurrent case, which includes requests for a zone change from QPB-2 to (Q)C4-2, a zone variance to permit one parking space per 105 square feet in lieu of the required one parking space per 35 square feet for auditorium space, a Conditional Use to allow floor area ratio averaging for a unified commercial development in a C Zone, a 15-foot westerly building line removal, and a Director's Determination for the Miracle Mile Community Design

Overlay District. On October 23, 2014, the City Planning Commission held a meeting and determined that the findings for the requested entitlements could be made, and approved the Project. As conditioned the proposed parcel map is physically suitable for the proposed development.

- (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 Project site, as well as the surrounding area are presently developed with structures and do not provide a natural habitat for either fish or wildlife. The Project Site and its vicinity are not part of any draft or adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan. There will be minimal demolition which will decrease the risk to any nesting native birds that might habitat on site. However, in the event that protected wildlife or their habitat is encountered at the site, construction activities will halt, and mitigation measures to protect these protected wildlife and their habitats will be implemented to ensure their protection.

- (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 Statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system.

- (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 Parcel Map.

- (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)

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements.

Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.

In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans; planting of trees for shade purposes and the height of the buildings on the site in relation to adjacent development.

These findings shall apply to both the preliminary and final maps for Parcel Map No. AA-2014 -0374-PMLA.

**THE FOLLOWING NOTES ARE FOR INFORMATIONAL PURPOSES AND ARE NOT CONDITIONS OF APPROVAL OF THIS PARCEL MAP:**

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 LAMC Section 17.05-N.

As part of the construction of this project, you may wish to make arrangements, with the Telecommunications Bureau regarding the cable television franchise holder for this area at 213 922-8363.

The above action shall become effective upon the decision date noted at the top of this letter unless an appeal has been submitted to the Central Area Planning Commission within 15 calendar days of the decision date. If you wish to appeal, a Master Appeal Form No. CP-7769, must be submitted, accepted as complete, and appeal fees paid by 4:30 PM on **December 17, 2014**\* at one of the City Planning Department Public Counters, located at:

Figueroa Plaza  
201 N. Figueroa Street, 4<sup>th</sup> Floor  
Los Angeles, CA 90012  
213 482-7077

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

\*Please note the cashiers at the public counters close at 3:30 PM.

Forms are also available on-line at <http://cityplanning.lacity.org/>

Pursuant to Ordinance No. 176,321, effective January 15, 2005, Parcel Map determinations are only appealable to the Area Planning Commission. There is no longer a second level of appeal to the City Council for Parcel Map actions of the Advisory Agency.

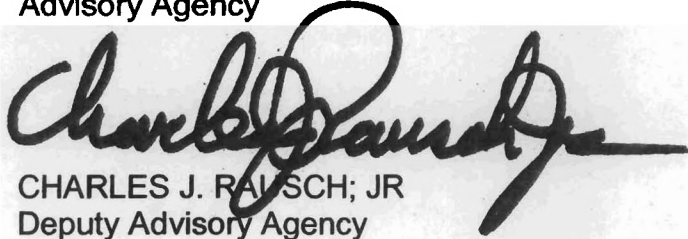
If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California 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 the Development Services Center staff at (213) 482-7077 and (818) 374-5050.

No sale of separate parcels is permitted prior to recordation of the final parcel map. The owner is advised that the above action must record within 36 months of the date of approval, unless an extension of time has been requested in person before 4:30 p.m. December 2, 2017.

No requests for time extensions or appeals received by mail shall be accepted.

Michael J. Lo Grande  
Advisory Agency



CHARLES J. RAUSCH; JR  
Deputy Advisory Agency

CR:HC:dn:tb

cc: Bureau of Engineering - 4      Dept. of Building & Safety, Zoning & 2 Maps  
Community Planning Bureau      Department of Building & Safety, Grading  
Planning Office & 1 Map D.M.      Department of Fire  
Bureau of Street Lighting      Department of Recreation & Parks & 1 Map  
Street Tree Division & 1 Map      Department of Transportation, CPC Section  
Room 600, 221 N. Figueroa Street