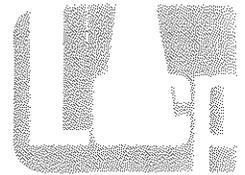




**DEPARTMENT OF CITY PLANNING  
RECOMMENDATION REPORT  
ITEM 5**



**City Planning Commission**

**Date:** March 12, 2015  
**Time:** After 8:30 AM\*  
**Place:** City Hall, 3<sup>rd</sup> Floor  
 Board of Public Works Hearing Room  
 200 North Spring Street, Room 350  
 Los Angeles, CA 90012

**Public Hearing:** March 12, 2015  
**Appeal Status:** Zone Change appealable to City Council by applicant if disapproved in whole or part. Site Plan Review appealable to City Council.

**Expiration Date:** March 12, 2015  
**Multiple Approval:** Yes

**Case No.:** CPC-2008-0596-GPA-ZC-SPR  
**CEQA No.:** ENV-2008-386-MND

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**Related Cases:** TT-72307  
**Council No.:** CD-14  
**Plan Area:** Southeast Los Angeles  
**Specific Plan:** Southeast Los Angeles Alcohol Sales  
**Certified NC:** Downtown Los Angeles  
**GPLU:** Light Manufacturing  
**Zone:** M2-2-O

**Applicant:** 233 W Washington LLC  
**Representative:** Donna Tripp, Craig Lawson

**PROJECT LOCATION:** 233, 235, & 243 W. Washington Blvd., 1841 & 1843 S. Olive St.

**PROPOSED PROJECT:** The proposed project is the construction of a seven-story mixed-use building that includes 160 condominium dwelling units and ground floor commercial space. The proposed building will be approximately 96'-9" in height and totals 167,651 square feet of floor area, including 136,603 square feet of residential uses and 24,000 square feet of ground-floor commercial uses. A total of 17,976 square feet of open space and common amenities will be provided throughout the Project in the following breakdown: the first floor will provide residents with an office, library, community/recreation rooms with approximately 6,802 square feet, common open space areas on the second floor will provide approximately 6,724 square feet, and balconies will provide an additional 4,450 square feet of private open space. The Project will provide 68 bicycle spaces for commercial use and 176 bicycle spaces for residential use, for a total of 244 bicycle parking spaces. The Project will provide 139 vehicular parking spaces for residential use, of which 20% or 28 stalls will be Electric Vehicle (EV)-ready, and 34 parking spaces for commercial use, of which 20% or 7 stalls will be EV-ready, within two subterranean parking levels. The Project also includes the removal of approximately 28,000 cubic yards of dirt and will obtain a haul route approval from the Department of Building and Safety. The Project site is approximately 35,096 square feet, and is currently operating as a surface public parking lot.

Through consultation with the Department of City Planning, the applicant revised the original project to include 15% of the total residential units to be set aside for affordable rental units. As reflected in the (Q) conditions, the project will set aside five (5) percent available to Extremely Low and ten (10) percent available to Very Low Income Households, at a rent determined to be affordable to such households by the Los Angeles Housing Department for a period of 55 years.

**REQUESTED ACTION:** 1. Pursuant to Los Angeles Municipal Code (LAMC) Section 11.5.6, a General Plan Amendment to the Southeast Los Angeles Community Plan from General Plan Land Use of Light Manufacturing to Community Commercial and amend Footnote Number 1 to

exclude the Project site from Height District 1 (1.5:1 Floor Area Ratio) to permit Height District 2 (6:1 Floor Area Ratio).

2. Pursuant to LAMC Section 12.32 F, a Zone Change from M2-2-O to C2-2-O to permit the construction, use and maintenance of a seven-story, 271,119 square-foot mixed use building to include 160 dwelling units and 24,000 square feet of ground floor commercial space.
- 
3. Pursuant to LAMC Section 16.05, a Site Plan Review for a Project creating 50 or more units.
  4. Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, Adopt the Mitigated Negative Declaration ENV-2008-386-MND for the above referenced Project.

### RECOMMENDED ACTIONS:

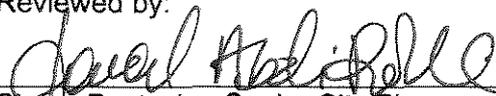
1. Pursuant to Section 21082.19(c)(3) of the California Public Resources Code, **Adopt the Mitigated Negative Declaration** ENV-2008-386-MND and associated **Findings** as the project's environmental clearance.
2. **Approve and Recommend** that the City Council **Adopt a General Plan Amendment** to the Southeast Los Angeles Community Plan from Light Manufacturing to Community Commercial for the subject property and to footnote number 1 as follows: "The provisions of this Footnote shall not apply to the property located at 233 W. Washington Blvd., as identified per City Planning Case No. CPC-2008-596-GPA-ZC-SPR."
3. **Approve and Recommend** that the City Council approve a **Zone Change** from M2-2-O to (T)(Q)C2-2D-O for the subject property, with the attached conditions of approval;
4. **Approve a Site Plan Review** for a 160-unit mixed-use building, for a total building floor area of 167,651 square feet, with the attached conditions of approval;

MICHAEL J. LOGRANDE  
Director of Planning

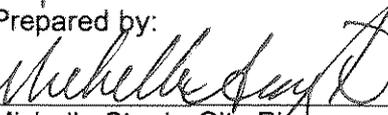
Approved by:

  
Faisal Roble, Principal City Planner

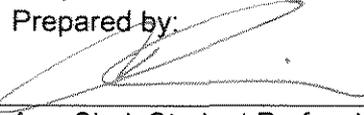
Reviewed by:

  
for Simon Pastucha, Senior City Planner

Prepared by:

  
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[Michelle.Singh@lacity.org](mailto:Michelle.Singh@lacity.org)  
(213) 978-1166

Prepared by:

  
Ann Choi, Student Professional Worker

## TABLE OF CONTENTS

<b>Project Analysis</b> .....	<b>A-1</b>
Project Summary	
Background	
Issues	
Conclusion	

---

<b>(Q) Qualified Conditions of Approval</b> .....	<b>Q-1</b>
---	------------

<b>(D) Development Conditions</b> .....	<b>D-1</b>
---	------------

<b>T Conditions</b> .....	<b>T-1</b>
---------------------------	------------

<b>Conditions of Approval</b> .....	<b>C-1</b>
-------------------------------------	------------

<b>Findings</b> .....	<b>F-1</b>
-----------------------	------------

- General Plan/Charter Findings
- Entitlement Findings
- CEQA Findings

<b>Public Hearing and Communications</b> .....	<b>P-1</b>
--	------------

### Exhibits:

#### A – Maps

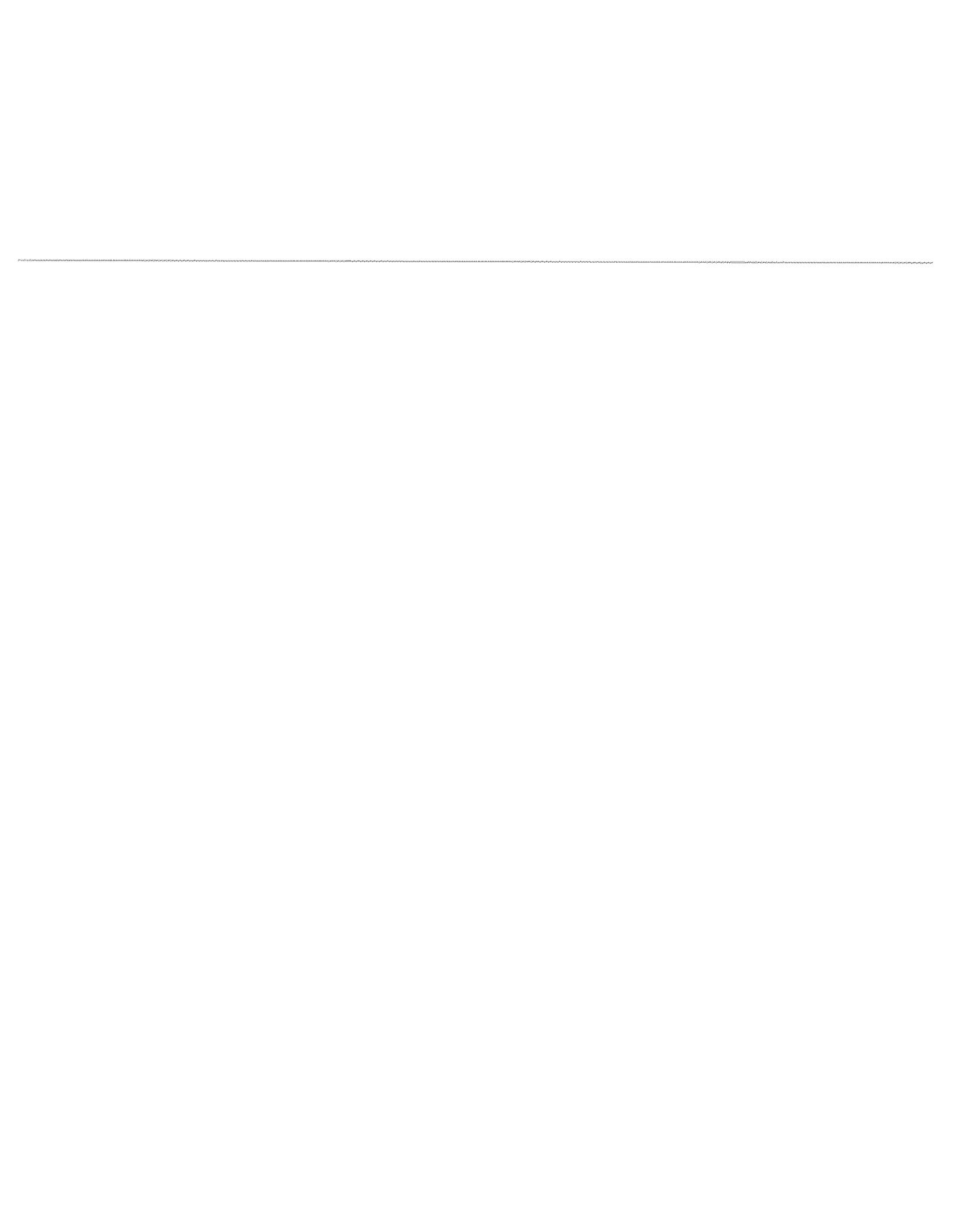
- A1 – Vicinity Map
- A2 – Radius Map
- A3 – Plan Map

#### B - Plans

- Site Plan
- Elevation Plan
- Landscape Plan

#### C – Environmental Clearance and Response to Comments

#### D - Photos



## PROJECT ANALYSIS

### PROJECT SUMMARY

The Applicant is seeking approval for The Grand Metropolitan Project that involves the demolition of an existing surface parking lot, two (2) on-site pole signs and two (2) payphones to construct a 7-story, 96'-9" high, 167,651- square foot mixed-use building, with an office, library, and recreation rooms to contain 160 residential condominium units, approximately 24,000 square feet of ground floor retail space, approximately 17,976 square feet of open space and amenities, and 2 levels of subterranean parking. The Project will also include 15% of the total residential units to be set aside for Extremely Low and Very Low Income Affordable Rental units.

The Project proposes the commercial uses to be located on the ground floor along Washington Boulevard, Grand Avenue and Olive Street, with pedestrian access from Washington Boulevard and Olive Street. The building would provide 173 automobile parking spaces in two subterranean parking levels accessed via Olive Street with a proposed two-way driveway located at the northern portion of the site. The project provides 176 short- and long-term bicycle spaces serving the residential use, and 68 short- and long-term bicycle spaces serving the commercial use.

### **Requested Actions**

#### **General Plan Amendment and Zone Change**

The Applicant is requesting a General Plan Amendment (GPA) to the Southeast Los Angeles (SELA) Community Plan from the Light Manufacturing Land Use Designation to the Community Commercial Land Use Designation. The General Plan Land Use Designation of Community Commercial contains a footnote in the SELA Community Plan that restricts development on these sites to Height District 1, which would allow a maximum Floor Area Ratio (FAR) of 1.5:1, or a building size of 52,644 square feet for the subject parcel and unlimited height.

The proposed project is requesting Height District 2, which permits unlimited height and a 6:1 FAR. Because of the GPA request to Community Commercial, the applicant requests to amend the Plan's footnote to exclude the Project from the limitation on the site and to permit the site to be developed with a 4.78:1 FAR or 167,651 square feet.

The Proposed project request a Zone Change from M2-2-O to C2-2-O for the subject site. The C2-2-O zone normally permits an R4 density of one dwelling unit per 400 square feet of lot area; however, since the project is in the Greater Downtown Housing Incentive Area (GDHIA), which eliminated the maximum unit per lot area requirement, it is allowed unlimited density. The applicant proposes to construct 160 dwelling units on a 35,096 square foot lot. Currently, the M2-2-O zone specifically prohibits residential uses and would not permit the proposed project, and the GDHIA does not apply to industrially zoned properties.

As mentioned above, the Greater Downtown Housing Incentive Area (GDHIA) provides numerous incentives to encourage developers to build more housing and also grants a floor area bonus for projects that set aside units for affordable rates. With the recommended land use designation of Community Commercial and zone change to C2, and inclusion of affordable housing units the project would be eligible for the floor area bonus.

**Site Plan Review**

The Applicant is requesting Site Plan Review approval given that the development Project will create an increase of 50 or more dwelling units. The Project proposes construction of 160 residential condominium units with approximately 24,000 square feet of ground floor retail space and approximately 17,976 square feet of open space and amenities. An analysis of the Project's building arrangement, including height, bulk and setbacks, is provided in the staff analysis section of this report.

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**Automobile Parking**

Parking is provided within the building in two subterranean levels. Because the site is located within 1,500 feet of a portal of a fixed rail transit station, the Project may replace 30% of the required automobile parking spaces with bicycle parking for the residential component and 15% for the commercial component in accordance with the City's Bicycle Parking Ordinance (Ordinance No. 182,386) and LAMC 12.21 A.4. The intent of this ordinance was to increase the levels of bicycle parking required for new developments and to reduce the amount of automobile parking in public transportation rich areas. Based on this ordinance, the Applicant will provide 34 parking spaces for the commercial tenants and 139 parking spaces for the residential use, for a total of 173 parking spaces on site.

**Bicycle Parking**

The Project includes an abundance of short-term and long-term on-site bicycle parking in accordance with the City's enacted Bicycle Ordinance (Ordinance No. 182,386) and LAMC 12.21 A.4. The Applicant is utilizing the replacement parking provisions of this Ordinance to achieve LAMC off-street parking compliance. A total of 68 short- and long-term bicycle parking spaces will be provided for commercial tenants and patrons and 176 short- and long-term bicycle parking spaces will be provided for the building's residents.

**BACKGROUND****Description of Property**

The site's topography is flat and is comprised of a nearly 1-acre subject site that is under-utilized and currently occupied by a privately-owned existing surface parking lot with minimal landscaping. The subject site is located at the northwest corner of South Grand Avenue and West Washington Boulevard and is within the Southeast Los Angeles Community Plan area. The site is bound by Washington Boulevard to the south, Grand Avenue to the west, and Olive Street to the east. The subject site is enclosed with a low block wall on all sides, with mature trees along Washington Boulevard, Grand Avenue and Olive Street. Access to the single lot is provided via three mid-lot curb cuts off of Washington Boulevard, Grand Avenue and Olive Street, respectively.

**Surrounding Zones and Uses**

Surrounding zoning and uses include a commercial building and associated parking lot in the M2-2-O zone to the north, a McDonald's fast-food restaurant and associated parking lot in the M2-2-O zone to the east, a 4-story AT&T office building in the M1-2-O zone to the south, the L.A. Superior Court's Central District Metropolitan Courthouse in the PF-1 zone and The Reef (former L.A. Mart) in the [Q]M1-2-O zone to the southeast, the L.A. Trade Technical College campus in the R4-2-O zone to the south, and the Glory Church of Jesus Christ and associated surface parking lot in the M2-2-O to the northwest. The Southeast Los Angeles Community Plan designates the site for Light Manufacturing land uses, with the entirety of the site currently used as a privately-owned and operated surface parking lot. A summary of the adjacent uses and designations is below:

	Land Use	Zone	Use
Site	Light Manufacturing	M2-2-O	Parking Lot Vacant
North	Light Manufacturing	M2-2-O	Crystal Promotions kitchenware/housewares commercial building, surface parking lot
East	Light Manufacturing	M2-2-O	McDonald's fast-food restaurant, surface parking lot
South	Limited Industrial	M1-2-O	Four-story AT&T office building
Southeast	Public Facilities	PF-1	L.A. Superior Court's Central District Metropolitan Courthouse
Southeast	Limited Industrial	[Q]M1-2-O	The Reef (former L.A. Mart)
Southwest	Multiple Dwelling	R4-2-O	L.A. Trade Technical College
Northwest	Light Manufacturing	M2-2-O	Glory Church of Jesus Christ

### Existing Streets and Circulation

Washington Boulevard is a designated Major Highway - Class II and forms the northern boundary of the site with a required right-of-way width of 100 feet and a half width equal to 50 feet. No site access points are proposed along this street.

Grand Avenue is a designated Major Highway - Class II Highway and forms the western boundary of the site with a required right-of-way width of 90 feet and a half width equal to 45 feet. The project is required to dedicate an additional 10 feet of land to complete the 45 foot half width. No site access points are proposed along this street.

Olive Street is a Secondary Highway and forms the eastern boundary of the site with a required right-of-way width of 90 feet and a half width of 45 feet. The project is required to dedicate an additional 5 feet of land to complete the 45 foot half width. One site access point is proposed along this street.

### Transit

Regional access to the site is provided by the Santa Monica Freeway (I-10) located approximately 500 feet north of the Project site. Local access to the site is provided by Washington Boulevard, Grand Avenue and Olive Street. The Metro Blue Line runs east and west in the median along the center of Washington Boulevard, with the Grand Station located immediately to the southwest of the Project site. The pedestrian walkway to access the station is located approximately 500 feet west of the Project site between Hope Street and 18<sup>th</sup> Street. The project site is served by additional numerous public transit operators, including the LA Metro, LADOT DASH, Santa Monica Big Blue Bus, Montebello Bus Lines, and Torrance Transit. The site's proximity to Metro Rail Stations provides links to Amtrak, Metrolink, and other Metro Rail services and Metro Bus routes including Metro Bus Lines 35 and 38 along Washington Boulevard; Lines 37, 38, 55/355 and 603 along Grand Avenue; and Lines 14 and 770 along Olive Street. Nearby major streets are also served by additional bus routes. Operating adjacent to the site are Lines 40 and 45/745 along Broadway; Line 450 along Flower Street; Line 48 along Main Street; and Lines 2, 4, 33/733 along Venice Boulevard. Accessibility is one of the site's most significant attributes since the Project site is well served by public transit and is

expected to be the primary transportation mode over private vehicles for residents and visitors in this area.

**Relevant Cases:**

Case No. CPC-2008-596-GPA-ZC-SPR: As per LAMC 11.5.8 – General Plan Amendment from Light Manufacturing to Community Commercial. As per LAMC 12.32F – Zone Change from M2-2-O to C2-2-O. As per LAMC 16.05 F – Site Plan Review to construct over 50 residential units.

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Case No. ENV-2008-386-MND: As per LAMC 11.5.8 – General Plan Amendment from Light Manufacturing to Community Commercial. As per LAMC 12.32F – Zone Change from M2-2-O to C2-2-O. As per LAMC 16.05 F – Site Plan Review to construct over 50 residential units.

Case No. TT-72307: As per LAMC 17.00 – a Tentative Tract Map for a one-lot subdivision and a parking reduction per the Advisory Agency's Parking Policy No. AA-20001- to allow 160 residential condominium units and a parking reduction of 0.87 parking spaces per dwelling units in lieu of the two (2) spaces per dwelling units, and zero (0) parking spaces per dwelling unit in lieu of the 0.5 guest parking spaces per dwelling unit.

**Redevelopment Plan**

The proposed Project is subject to the provisions of the Council District 9 Corridors South of the Santa Monica Freeway Recovery Redevelopment Plan and will require clearance for compliance from the Community Redevelopment Agency (CRA) or its successor agencies prior to the issuance of building permits. The Project is generally consistent with the intent and provisions of the Redevelopment Plan in that it is comprised of uses that are permitted in the area (subject to adoption of the requested General Plan Amendment), and will increase and improve the supply of housing in the area. Through required implementation of the adopted Design Guidelines for the Redevelopment Plan, the Project would be compliant with the Redevelopment Plan.

**Greater Downtown Housing Incentive Area**

The proposed Project is within the Greater Downtown Housing Incentive Area which was established in 2007, and incentivizes developers to build new economically diverse, urban infill housing by providing the following modifications to the existing codes: the elimination of the maximum unit per lot area, yard requirements, and the percentages of private and common open space; unlimited density within the relevant FAR; and land set aside for street/alley purposes may be included within the calculation of allowable floor area of a residential or mixed use building for tract and parcel maps. For Projects providing the required percentages of affordable housing units, a floor area bonus of 35% and further reductions to open space and parking requirements will be granted. Additionally, prior to the issuance of any building permits, any Project within the Greater Downtown Housing Incentive Area must comply with the Urban Design Standards and Guidelines prepared by the CRA.

**Freeway Adjacent Advisory Notice for Sensitive Uses**

The proposed Project requires discretionary approval and therefore is subject to additional City-imposed mitigation measures addressing diminished ambient air quality. The Freeway Adjacent Advisory Notice for Sensitive Uses is intended to inform Applicants of the significance of siting such Projects within 1000 feet of freeways due to the adverse impacts of air pollution on public health. Although not required, the Advisory recommends the following potential mitigation measures for housing Projects in proximity to freeways: conducting a Health Risk Assessment for Projects requiring an Environmental Impact Report; installing and maintaining industry-standard air filters; and design measures including orienting open space areas as far away from freeway as much as possible, screening open space areas with vegetation, and reducing the number of operable windows facing freeways.

**Central City Parking Exception**

The Central City Parking District (CCPD) Exception in LAMC Section 12.21 A.4(p) allows residential buildings within the CCPD to provide one parking space for each dwelling unit, except where there are more than six dwelling units of more than three habitable rooms per unit on any lot, the ratio of parking spaces required for all of such units shall be at least one and one-quarter parking spaces for each dwelling unit of more than three habitable rooms. The project will contain 149 residential units with three habitable rooms or less (studio or one bedroom) and 11 residential units with more than 3 habitable rooms (two bedrooms). The proposed project is required to provide 163 parking spaces.

**Los Angeles State Enterprise Zone**

The subject property is located within the Los Angeles State Enterprise Zone, administered by the Community Development Department, which provides economic incentives to qualifying businesses. Future businesses that may locate within the Project's ground floor retail spaces could qualify for incentives under the program.

**ISSUES****Community Concerns**

On August 13, 2014 a joint public hearing between the Hearing Officer and Deputy Advisory Agency for the Project was attended by the Project's representatives and community members, with members speaking in support and opposition of the Project.

The Project's representative emphasized the need for housing, new employment opportunities, and noted that the mixed use Project would feature a pedestrian-focused, transit-oriented development with several amenities for residents. The Project's representative also provided a brief overview of the history of the Project demonstrating the applicant's willingness to cooperate with the City through the proposed iterations of the Southeast Los Angeles Community Plan. The history of the project is outlined as follows:

- In 2008, the Los Angeles Department of City Planning (LADCP) issued the Industrial Land Use Policy (ILUP) that designated the project site as a "transition district". Then-Council Member Jan Perry recommended the site to be targeted for mixed use, to preserve industrial zones provisionally, and to allow no new industrial uses while developing the Specific Plan.
- In 2012, the Southeast Los Angeles Community Plan Update (SELA CPU) also called for the site to be located within a mixed use boulevard corridor.
- In 2014, a draft of the Southeast Los Angeles Community Plan was released. The SELA CPU no longer designated the site as Industrial but rather as Regional Commercial, which encourages mixed use developments.
- In 2014, City Council initiated a General Plan Amendment for the nearby former LA Mart site, now known as "The Reef", a large mixed use (residential, hotel, retail) complex that is currently being proposed on 10 acres.

In addition, members of the public voiced several concerns about the development at the public hearing held on August 13, 2014 to the Deputy Advisory Agency and Hearing Officer for the City Planning Commission and includes the following concerns:

- **Loss of Industrial Land Use**
- **Lack of Public Open Space**

- **Lack of Affordable Housing**
- **Lack of Community Benefits and Amenities for the Community**
- **Inclusion into the Great Streets Initiative**

### **Industrial Land Use Policy**

The City of Los Angeles and the Department of City Planning have an established policy to preserve and retain industrial land for job producing uses. This policy is articulated by a memorandum issued jointly by the Director of Planning and the Chief Executive Officer of the Community Redevelopment Agency on January 3, 2008. The memorandum gives direction to staff in processing and evaluating land use entitlements that propose to change industrially-designated land to alternative uses, based on a two-year study, the Industrial Land Use Policy Project (ILUP), which was completed in 2007 and reevaluated the viability of the City's industrial districts.

The subject property of this application is located within an area the ILUP recommended as a "Transition District" (TD). A "Transition District" is a district whose viability of industrial use has been compromised and the transition to other uses should be continued and in this case, mixed use developments containing housing and commercial uses may be appropriate. That area begins at Flower Street, approximately 0.2 miles west of the subject property, and continues for nearly a mile farther to the east.

As identified in the ILUP in 2007, there are significant factors that suggest the viability of the subject site and adjoining properties on the north side of Washington Boulevard for industrial development is quite limited. The industrial zoning in this area is directly adjacent to commercial uses to the south. Many of the industrial buildings along this section of the street are non-existent and have been replaced by retail commercial, corporate office, government and academic buildings. Eliminating the industrial designation and zoning on this one-lot wide strip will also help to protect the adjacent neighborhoods from potential adverse impacts that could be created by industrial uses in this area. As the ILUP recommended this area as a "Transition District", the viability of industrial use has been compromised and the transition to other uses should be continued. The Southeast Los Angeles Community Plan Update studied this area more recently and, although its recommendations are currently at a tentative stage, reached a similar conclusion relative to the viability and desirability of continuing the current industrial land use and zoning. The Community Plan Update tentatively recommends changing the land use to Regional Commercial on the north side of Washington Boulevard.

### **Community Plan**

The Southeast Los Angeles Community Plan designates the subject site for Light Manufacturing land uses, with corresponding zones of M2-2-O. The Applicant requests that the subject site be re-designated to allow for Community Commercial land uses. While there is little difference in the permitted density or floor area allowed by either Light Manufacturing or the Community Commercial land use, the designations primarily differ in the type and intensity of allowable uses. While the Light Manufacturing land use designation allows for clinics, media products, limited machine shops, animal hospitals and kennels, it may also limit or eliminate the ability to build residential buildings, hospitals, schools, churches or any enclosed commercial uses. On the other hand, a Community Commercial land use designation generally prohibits noxious industrial uses, and instead allows for a range of retail, restaurant, office, professional, commercial, residential, childcare, educational, medical and institutional uses. Since the site is located within an area served by abundant transportation options (bus and rail) and is adjacent to a major employment center (Downtown Los Angeles), the area would be better served by these residential and commercial uses in lieu of more intense industrial activities.

The Southeast Community Plan includes some relevant land use issues, goals, objectives, policies, and programs that must be considered when evaluating the proposed Project. The proposed mixed use Project would be in line with the Community Plan policies.

The site is also subject to the Southeast Los Angeles Community Plan Footnote No.1 which restricts all development on lots designated as Community Commercial to Height District 1 (unlimited height, maximum FAR permitted 1.5:1). This limitation on FAR can be traced back to the old "Broadside" Community Plans (South Los Angeles and West Adams-Leimert-Baldwin Hills both contain similar limitations). The intent of the limitation was to keep the density of development (in this case for Community Commercial designated property) at a scale that is more compatible with adjacent low density uses (in most cases residential). The 1.5:1 FAR appears to be the result of Prop U which limited commercial development as part of the Slow Growth Initiative of the 1980s. While the initial intent of the height limitation may have been to limit development, it is no longer consistent with the new Policies and Objectives of the Citywide Framework and the proposed Southeast Los Angeles Community Plan that seek (1) to promote greater density along transit corridors (to support transit use); and (2) encourage the development of affordable housing units.

The majority of the commercially designated sites in this Community Plan are located immediately adjacent to low density residential zones and uses, and thus this plan footnote was intended to protect those residential sites. The closest lower density residentially zoned and used lots to the subject site in this Community Plan Area are located to the south of 23rd Street (over 1/3 of a mile away) and to the east of Maple Avenue (over a ¼ of a mile away). Currently, the FAR allowed on the subject site is 6:1. The Applicant is requesting to amend the SELA Community Plan to exclude the Project site from Height District 1 which would impose a 1.5:1 FAR limitation on the site and to permit the site to be developed with the existing Height District 2.

### **Community Plan Update**

The City Planning Department's Policy Planning Division is currently preparing an update to the Southeast Los Angeles Community Plan. To date, Policy Planning staff has held numerous focus group and community meetings. A preliminary recommendation of proposed changes was completed within the last several months, and was followed by additional public meetings. Additional opportunities for community input will be provided after the Draft Environmental Impact Report has been published and the Plan Adoption Phase begins, including a public hearing in the community, before consideration by the City Planning Commission and City Council. The Draft EIR and other Plan Documents will be posted on [www.planning.lacity.org](http://www.planning.lacity.org) as they become available.

Through the earlier community meetings and staff research, seven (7) "Community Themes" have been identified as guiding principles for development of the Southeast Los Angeles community and the goals, objectives and policies of the Community Plan. These themes are listed in Chapter 3 of the Preliminary Draft Community Plan text released for public review, and are as follows:

- Establish Transit-Oriented District Plans
- Revitalize Corridors
- Promote Appropriate Uses that Support Community Needs
- Resolve Residential-Industrial Land Use Conflicts
- Preserve Viable Industrial Land for Emerging Job-Generating uses
- Preserve Residential Neighborhoods and Increase Housing Opportunities
- Create a Healthy and Sustainable Community

The proposed Project is consistent with the seven principles. It is a transit-oriented development as it locates its residential and commercial uses directly adjacent to an established light rail transit station. It is a mixed-use Project that will introduce ground level commercial uses along the Project's primary three street frontages and include generously dimensioned sidewalks, strong street walls, and opportunities for outside seating, contribute to an improved and vibrant street environment, and strengthen the proposed Project's role as the catalyst development that would set a precedent for the expansion of future transit-oriented mixed-use developments in this area.

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Adoption of the new Southeast Los Angeles Community Plan is anticipated in early 2016 following the release of the Draft EIR (anticipated in the Spring of 2015), a 90-day comment period and a public hearing before the City Planning Commission. Although Policy Planning staff has not yet created a formal recommendation, they are studying the area along Washington Boulevard that contains the subject property and have a tentative recommendation for the vicinity. The Community Plan Update recommends a Regional Commercial land use designation for the industrially-designated land on the north side of Washington Boulevard between Grand Avenue to the west and Olive Street to the east. However, the Applicant is requesting a General Plan Amendment to Community Commercial because the Regional Commercial land use designation is not a land use in the current Community Plan. The subject property in this case is centrally located within that area, and the proposed mixed-use project is consistent with the Community Commercial Land Use designation.

### **Greater Downtown Housing Incentive Area and Floor Area**

The project site is located within the Greater Downtown Housing Incentive Area (GDHIA), which permits numerous incentives to encourage developers to build more housing, and also gives a 35 percent floor area bonus for projects that set aside units for affordable rates. These incentives do not apply to industrially zoned properties; however, with the recommended land use designation of Community Commercial and zone change to C2, the project would be eligible for the floor area bonus. Therefore, a "D" Development limitation is placed on the project site that limits the floor area ratio to 3.8:1. Since the proposal includes setting aside 15 percent of the project's dwelling units for affordable housing for a term of 55 years, it is eligible for the floor area bonus. The project's proposed floor area of 167,651 consist of 136,603 square feet of residential uses and 24,000 square feet of commercial uses. Of the 136,603 square feet of residential uses, 14,000 square feet are considered common areas and are excluded from receiving a floor area bonus. Based on the "D" limitation of a 3.8:1 FAR, the project is granted a floor area of 133,364 (35,096 x 3.8). With the floor area bonus of 35 percent applied to the residential portion of the building that is 109,364 square feet (133,364 - 24,000), the project would achieve a residential floor area of 147,641 square feet (109,364 x 1.35) for a total project floor area of 171,641 square feet (147,641 +24,000).

The Applicant will provide the following affordable unit mix: 15% of the total residential units will be Affordable Rental Units with 8 units that are composed of three (3) Studio, four (4) 1-Bedroom and one (1) 2-Bedroom units dedicated to Extremely Low Income Households, and 16 units that are composed of seven (7) Studio, eight (8) 1-Bedroom and one (1) 2-Bedroom rental units to be occupied by Very low Income households.

### **Urban Design Studio**

The design of the Project has evolved since it was initially filed. Prior to the public hearing held on August 13, 2014, the Planning Department's Professional Volunteer Program (PVP) reviewed the design of the Project on July 1, 2014. PVP Comments included overarching concerns regarding the Project design, particularly the bulk and massing of the building and its suburban character within an urban context. Since the proposed Project would be the first of its kind in the area, the PVP felt that it should set the standard for future projects. The group

expressed disappointment in the overall design of the building since the building seemed out of context, appeared too suburban with its simplistic podium design, possessed an imposing fortress-like character, and contained unnecessarily complicated facades. Given the proposed Project's adjacency to the Metro Blue Line station along a commercial corridor, its location within the Southeast Los Angeles Community Plan and its adjacency to Downtown Los Angeles, the group felt this Project could be improved so that its design could more positively impact the neighborhood and set a quality precedent for future development in the area. Specific comments included: introducing breaks in the massing to provide views into the courtyard on the upper level, suggesting potential changes to the building construction type, allocating community spaces on the ground floor as a way to give back to the community, incorporating neighborhood input and long-term visions of the residents and users of the community, and looking to neighborhood context to inspire the architectural design.

The Project revised their plans to provide the following additional ground floor setbacks of 7'-0", 2'-0" and 1'-0" from the property line along Washington Boulevard, Grand Avenue and Olive Street, respectively, and proposed to activate the ground floor with the use of transparent windows, clearly defined pedestrian entries and lobbies. This ensured generous sidewalk widths that could accommodate outdoor seating to further activate the pedestrian experience along the Project's primary street frontages. Aside from the additional ground floor setbacks, the Applicant did not incorporate any additional design changes in response to the PVP's comments. However, the Applicant revised their proposal to include affordable housing with 15% of the Project's residential units to be dedicated for Extremely Low and Very Low Income rental units.

In addition, in a private agreement between the applicant and a coalition of community advocacy groups the applicant has agreed to a 5% ground floor retail space allocation for local small businesses and social enterprises, and upper floor meeting space to be used by UNIDAD or any of its individual members for Case Management Services.

### **Mitigated Negative Declaration**

A Mitigated Negative Declaration (MND) was prepared as Case No. ENV-2014-1948-MND. The case was prepared and circulated for public review on May 22, 2014 for 30 days, ending June 23, 2014. The MND found that the proposed project would result in potential adverse impacts to Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Land Use and Planning, Noise, Public Services, Recreation, Transportation/Traffic, and Utilities and Service Systems; however, these potential impacts would be mitigated to a less than significant level.

The Department received two letters that provided comments on the Grand Metropolitan project. One of two of the more significant comments from the South Coast Air Quality Management District (SCAQMD) concerned the misconception that the MND lacked a quantifiable air quality analysis; however, such an analysis was completed using the California Emissions Estimator Model (CalEEMod v. 2011.1.1). Detailed comments and staff's response can be found in Exhibit C Responses to Comments.

The second comment contends that the lead agency should conduct a health risk assessment to determine the effects in the Proposed Project from freeway traffic. The commenter acknowledges that the SCAQMD recognizes the many factors that lead agencies must consider in siting housing and recommends consideration of mitigation measures to reduce exposure. The proposed project would locate residences within 1,000 feet of a freeway, where studies have shown potential health risks to residents from ambient air quality in the immediate vicinity of freeway routes. On November 8, 2012, the Freeway Adjacent Advisory Notice for Sensitive Uses (Zoning Information [Z.I.] No. 2427), adopted by the Los Angeles City Planning Commission, became effective. This notice serves to advise applicants for discretionary land use requests under the authority of the City Planning Commission of the Commission's

concerns regarding the placement of sensitive uses near freeways. While Z.I. No 2427 does not prohibit the siting of sensitive uses within 1,000 feet of a freeway, it does recommend the incorporation of measures designed to lessen the effects of exposure to ambient air quality within such area. These measures include the following, which shall be implemented by the Proposed Project as design features:

- Improve Indoor Air Quality with MERV-rated or HEPA Air Filtration Equipment – the Proposed Project will install and maintain air filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 11 or higher.
- Further Reduce Exposure Through Project Design
  - Building Orientation – The Proposed Project would be oriented toward Washington Boulevard away from the freeway to the north. As such, a minimal number of units would be located along the building edge closest to the freeway. The common area courtyard is located in the interior of the building, where it would be screened by the building walls from the higher concentrations of particulates that can be found within the ambient air immediately adjacent to the freeway.
  - Screening with Vegetation – The Proposed Project would include landscaping and trees between the proposed building and the freeway, which would have the potential to remove particulate matter.
  - Reduce Operable Windows – The Proposed Project design would minimize the number of operable windows on the north (freeway-facing) frontage.

### **Residential Citywide Design Guidelines**

The proposed mixed use development is also subject to the Residential Citywide Design Guidelines for Multi-family Residential and Commercial Mixed-Use Projects. These Guidelines provide performance goals for new developments and supplement the following 10 Urban Design Principles of the Framework Element. Within the Guidelines are a number of design principles and measures that address the different elements of site and building design, organized by overarching Objectives followed by a list of specific implementation strategies. These Guidelines provide specific guidance; as conditioned, the Project will achieve a number of the following objectives of the Guidelines:

#### **OBJECTIVE 1: CONSIDER NEIGHBORHOOD CONTEXT AND LINKAGES IN BUILDING AND SITE DESIGN**

The Project possesses strong street walls but perhaps too strong; midblock breaks or passages would help to break up the mass of the building. Sidewalks are generous and range in width from 15 feet to 24 feet and have the potential for ample outdoor seating for ground-level tenants. Street-level entrances are located at the corner of Washington Boulevard and Grand Avenue, in addition to the entrances along Olive Street. These primary commercial and residential entrances are directly accessible to people coming to/from the Metro Blue Line which runs along the length of Washington Boulevard. The use of awnings and vertical architectural elements helps to define the individual entries and lobbies at the ground level. The scale and character of the proposed Project does not relate to the surrounding structures since the surrounding structures themselves vary in nature and have little relationship to each other. Adjacent buildings include: a 1-story fast-food establishment (McDonald's), a 4-story office building (AT&T), a 8-story government building (LA Superior Court's Central District Metropolitan Courthouse), a 12-story warehouse (former LA Mart), up to 5-stories of a trade school and associated campus (Los Angeles Trade Technical College) and a 4-story religious building (Glory Church of Jesus Christ).

**OBJECTIVE 2: EMPLOY DISTINGUISHABLE AND ATTRACTIVE BUILDING DESIGN**

The Project provides modulation and ample variation in the exterior building facades through the use of vertical walls, stacked balconies, recessed and projecting windows, "pop-out" volumes on the second level, changes in materials and texture, canopies and awnings, varied roof lines and the emphasis on corner elements. The public uses of each residential unit, namely the living and dining areas and the commercial tenants on the ground-level are street-facing. The Project attempts to establish a visual rhythm; however, the architectural style or common theme of the building is highly unclear and the exterior facades appear to be unnecessarily complicated. The podium and upper floors of the Project are massive, and do not provide any reprieve in the form of breaks in the massing or in the street walls. The use of certain proposed materials generally do not convey a sense of permanence than compared to more durable materials such as wood, steel, brick and stone. The use of certain materials such as corrugated metal attempt to Project a sense of an "industrial" character but is incompatible with the porcelain tile and smooth finish stucco. The corner elements of the building are unusually pronounced and attempt to highlight the Project's presence at the major intersections along Washington Boulevard but have no relationship to each other. A circular tower element marks the corner of Washington Boulevard and Grand Avenue and a rectangular tower capped with a sloping roof marks the opposing corner at Washington Boulevard and Olive Street. Overall, the building follows a suburban typology and feels out of context in this part of the city.

**OBJECTIVE 3: PROVIDE PEDESTRIAN CONNECTIONS WITHIN AND AROUND THE PROJECT**

The Project, in conjunction with its application for a Tentative Tract Map, proposes to improve the safety and pedestrian experience by cleaning up the site, widening and repaving the sidewalks, eliminating two of the three existing curb cuts and relocating the third to accommodate the Project's only driveway, and installing landscaped parkways and street trees along the Project's primary three street frontages. After providing the following additional ground floor setbacks of 2'-0", 7'-0" and 1'-0", ample sidewalk widths of 23'-11", 15'-0" and 17'-1" are proposed for Grand Avenue, Washington Boulevard and Olive Street, respectively, activating the ground floor commercial use with potential outdoor seating. Nineteen (19) low-water usage street trees are proposed using decomposed granite as the main material in the parkway. Twenty-eight (28) short-term bicycle parking spaces are also provided within 50 feet from pedestrian entrances to the proposed building.

**OBJECTIVE 4: MINIMIZE THE APPEARANCE OF DRIVEWAYS AND PARKING AREAS**

The Project proposes to eliminate two of the three existing curb cuts and to reconstruct them as sidewalks, and to relocate the third curb cut to accommodate the Project's only driveway. The Project's driveway has a width of 19'-8" and is located along Olive Street at the rear of the building to provide for the longest queuing distance possible along the one-way street. The driveway bypasses the ground-floor which is lined primarily with retail uses and residential and commercial lobbies, and leads directly to two subterranean parking levels that include 44 commercial bicycle stalls, 160 residential bicycle stalls and 173 automobile parking spaces (139 residential spaces and 34 commercial spaces).

**OBJECTIVE 5: UTILIZE OPEN AREAS AND LANDSCAPING OPPORTUNITIES TO THEIR FULL POTENTIAL**

The Project proposes landscaped common open areas on the second and third floors. The second level includes two open to the sky landscaped areas with six (6) 24" box trees. The third level includes the majority of the open space area with 2,335 square feet of landscaping including 26 low water usage trees, a built-in BBQ area with outdoor dining/seating and pedestrian paths and other passive recreational spaces such as a checkered artificial turf area. The outdoor dining/seating areas are protected from the elements and freeway noise/dust/adjacency with a trellis or with broadleaf canopy trees at the north portion of the Project.

**OBJECTIVE 6: IMPROVE THE STREETScape EXPERIENCE BY REDUCING VISUAL CLUTTER**

A detailed signage program has not yet been submitted by the Applicant. Based on the renderings, the proposed signage does not appear to dominate or obscure the building design. The proposed signage is visible to pedestrians and marks the entrances to the retail tenants below the second floor level; however, once the major tenant(s) have been determined, a detailed signage program shall conform to the provisions of the Los Angeles Municipal Code and the Citywide Design Guidelines, and submitted to the Planning Department for review. The trash room is located on the ground floor, hidden from view and accessible for trash pickup via a corridor leading to Grand Avenue. Utility meters are also housed on the ground floor in a transmission and electric room, and are also not visible from the sidewalk. The lighting and security program and the placement of utilities shall also be specified in further detail in the plans.

In general, the design and configuration of the proposed Project has the opportunity to set a positive precedent and guide the future development of the neighborhood. As an infill development, the proposed Project will fill a void in the urban fabric of the City by replacing an existing surface parking lot. Although the submitted building plans are consistent with the bulk of the design standards, the standards for building design and building façade are met only marginally, and could be improved. The building elevations indicate variations in height, depth, modulation and building materiality to achieve an articulated façade but the architectural style or theme is unclear and the building facades seem unnecessarily complicated. The use of building materials fail to convey a sense of timelessness and the scale of the Project feels out of place in an urban context and is more appropriate in a suburban development. Staff proposes several conditions that will ensure the project complies with the Citywide Residential and Commercial Design Guidelines.

**CONCLUSION**

Based on the information submitted, the surrounding uses, input from the public hearing, and the proposed Project's compliance with the tentative recommendation of the Southeast Los Angeles Community Plan Update, the Department of City Planning recommends that the City Planning Commission conditionally approve the requested entitlements. The proposed Project would replace marginally viable industrial development with a mixture of commercial space and much-needed affordable housing adjacent to a rail transit station. The Project is also consistent with a number of goals, objectives and policies of the Southeast Los Angeles Community Plan, and with several of the criteria established by Citywide General Plan Framework, Policy 3.14.6, for the identification of marginal industrial lands suitable for re-designation for alternative uses. The proposed Project, as conditioned, will be desirable by replacing an underutilized site with mixed use development directly adjacent to a rail transit station.

## (Q) QUALIFIED CONDITIONS OF APPROVAL

Pursuant to Section 12.32 G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "Q" Qualified classification.

### Entitlement Conditions

1. **Site Plan.** The use and development of the subject property shall be in substantial conformance with the site plan labeled Exhibit "A" and Condition Number 45 and/or any other conditions that modify Exhibit "A". Prior to the issuance of building permits, detailed development plans including a site plan illustrating elevations, facades, and architectural treatment, and a landscape/irrigation plan shall be submitted for review and approval for the Planning Department. The plans shall comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
2. **Use.** Use of the subject property shall be limited to the use and area provisions of the C2-2D-O zone; multifamily residential and commercial uses shall be permitted.
3. **Parking.** Pursuant to LAMC Section 12.21A4(x)(3) the Project need not provide more than 34 commercial parking spaces and 139 residential parking spaces.
4. **Residential Density.** Not more than 160 dwelling units may be constructed on the property.
5. **Affordable Units.** A minimum of 15 percent of the total dwelling units shall be reserved as affordable units, as defined by the State Density Bonus Law 65915 (C)(2).
6. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing Department (LAHD) to make 5 percent available to Extremely Low and 10 percent available to Very Low Income Households, at a rent or sale determined to be affordable to such households by LAHD for a period of 55 years. Enforcement of the terms of said covenant shall be the responsibility of LAHD. The applicant will present a copy of the recorded covenant to the Planning Department for inclusion in this file.
7. **Open Space.** A minimum of 16,275 square feet open space shall be provided on site.
8. **HEPA Air Filtration Equipment.** The Project shall install and maintain air filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 11 or higher.
9. **Landscape Plan.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan prepared by a licensed landscape architect to the satisfaction of the City Planning Department.

### Environmental Conditions

10. **Aesthetics (Landscape Plan).** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan and an automatic irrigation plan, prepared by a Landscape Practitioner (Sec. 12.40-D) and to the satisfaction of the decision maker.

**11. Aesthetics (Vandalism).**

- a. Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.
  - b. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a street or alley, pursuant to Municipal Code Section 91.8104.15.
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**12. Aesthetics (Signage on Construction Barriers).**

- a. The Applicant shall affix or paint a plainly visible sign, on publically accessible portions of the construction barriers, with the following language: "POST NO BILLS".
- b. Such language shall appear at intervals of no less than 25 feet along the length of the publically accessible portions of the barrier.
- c. The Applicant shall be responsible for maintaining the visibility of the required signage and for maintaining the construction barrier free and clear of any unauthorized signs within 48 hours of occurrence.

**13. Aesthetics (Light).** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way.**14. Aesthetics (Glare).** 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 pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.**15. Air Pollution (Demolition, Grading, and Construction Activities).**

- a. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403.
- b. The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- c. All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- d. All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- e. All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- g. Trucks having no current hauling activity shall not idle but be turned off.

**16. Tree Removal (Non-Protected Trees).**

- a. Removal Prior to the issuance of any permit, a plot plan 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.

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- b. All significant (8-inch or greater trunk diameter, 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.
- c. 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. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division the Department of Public Works, Bureau of Street Services.

**17. Tree Removal (Locally Protected Species).**

- a. All protected tree removals require approval from the Board of Public Works.
- b. A Tree Report shall be submitted to the Urban Forestry Division of the Bureau of Street Services, Department of Public Works, for review and approval (213-847-3077), prior to implementation of the Report's recommended measures.
- c. A minimum of two trees (a minimum of 48-inch box in size if available) shall be planted for each protected tree that is removed. The canopy of the replacement trees, at the time they are planted, shall be in proportion to the canopies of the protected tree(s) removed and shall be to the satisfaction of the Urban Forestry Division.
- d. The location of trees planted for the purposes of replacing a removed protected tree shall be clearly indicated on the required landscape plan, which shall also indicate the replacement tree species and further contain the phrase "Replacement Tree" in its description.
- e. Bonding (Tree Survival):
  1. The Applicant shall post a cash bond or other assurances acceptable to the Bureau of Engineering in consultation with the Urban Forestry Division and the decision maker guaranteeing the survival of trees required to be maintained, replaced or relocated in such a fashion as to assure the existence of continuously living trees for a minimum of three years from the date that the bond is posted or from the date such trees are replaced or relocated, whichever is longer. Any change of ownership shall require that the new owner post a new oak tree bond to the satisfaction of the Bureau of Engineering. Subsequently, the original owner's oak tree bond may be exonerated.
  2. The City Engineer shall use the provisions of Section 17.08 as its procedural guide in satisfaction of said bond requirements and processing. Prior to exoneration of the bond, the owner of the property shall provide evidence satisfactory to the City Engineer and Urban Forestry Division that the oak trees

were properly replaced, the date of the replacement and the survival of the replacement trees for a period of three years.

18. **Tree Removal (Public Right-of-Way).**

- a. Removal of trees in the public right-of-way requires approval by the Board of Public Works.
- b. The required Tree Report shall include the location, size, type, and condition of all existing trees in the adjacent public right-of-way and shall be submitted for review and approval by the Urban Forestry Division of the Bureau of Street Services, Department of Public Works (213-847-3077).
- c. The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) trees in the public right-of-way.
- d. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.

19. **Cultural Resources (Archaeological).** If any archaeological materials are encountered during the course of Project development, all further development activity shall halt and:

- a. The services of an archaeologist shall then be secured by contacting the South Central Coastal Information Center (657-278-5395) located at California State University Fullerton, or a member of the Society of Professional Archaeologist (SOPA) or a SOPA-qualified archaeologist, who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.
- b. The archaeologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
- c. The Applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study or report.
- d. Project development activities may resume once copies of the archaeological survey, study or report are submitted to:

SCCIC Department of Anthropology  
McCarthy Hall 477  
CSU Fullerton  
800 North State College Boulevard  
Fullerton, CA 92834

- e. Prior to the issuance of any building permit, the Applicant shall submit a letter to the case file indicating what, if any, archaeological reports have been submitted, or a statement indicating that no material was discovered.
- f. A covenant and agreement binding the Applicant to this condition shall be recorded prior to issuance of a grading permit.

20. **Seismic.** The design and construction of the Project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.
21. **Erosion/Grading/Short-Term Construction Impacts.**
- a. The Applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.
  - b. All grading activities require grading permits from the Department of Building and Safety. Additional provisions are required for grading activities within Hillside areas.
  - c. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.
  - d. Stockpiles, excavated, and exposed soil shall be covered with secured tarps, plastic sheeting, erosion control fabrics, or treated with a bio-degradable soil stabilizer.
22. **Geotechnical Report.** The Project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed Project and as it may be subsequently amended or modified.
23. **Explosion/Release (Methane Gas).**
- a. All commercial, industrial, and institutional buildings shall be provided with an approved Methane Control System, which shall include these minimum requirements; a vent system and gas-detection system which shall be installed in the basements or the lowest floor level on grade, and within under floor space of buildings with raised foundations. The gas-detection system shall be designed to automatically activate the vent system when an action level equal to 25% of the Lower Explosive Limit (LEL) methane concentration is detected within those areas.
  - b. All commercial, industrial, institutional and multiple residential buildings covering over 50,000 square feet of lot area or with more than one level of basement shall be independently analyzed by a qualified engineer, as defined in Section 91.7102 of the Municipal Code, hired by the building owner. The engineer shall investigate and recommend mitigation measures which will prevent or retard potential methane gas seepage into the building. In addition to the other items listed in this section, the owner shall implement the engineer's design recommendations subject to Department of Building and Safety and Fire Department approval.
  - c. All multiple residential buildings shall have adequate ventilation as defined in Section 91.7102 of the Municipal Code of a gas-detection system installed in the basement or on the lowest floor level on grade, and within the under floor space in buildings with raised foundations.
24. **Listed Sites (Removal of Underground Storage Tanks).**
- f. Underground Storage Tanks shall be decommissioned or removed as determined by the Los Angeles City Fire Department Underground Storage Tank Division. If any contamination is found, further remediation measures shall be developed with the

assistance of the Los Angeles City Fire Department and other appropriate State agencies.

- g. Prior to issuance of a use of land or building permit, a letter certifying that remediation is complete from the appropriate agency (Department of Toxic Substance Control or the Regional Water Quality Control Board) shall be submitted to the decision maker.

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25. **General Plan Designation/Zoning.** The Applicant shall comply with mitigation measures required by this mitigated negative declaration (MND).
26. **Increased Noise Levels (Demolition, Grading, and Construction Activities).**
- a. The Project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
  - b. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
  - c. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
  - d. The Project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
27. **Increased Noise Levels (Parking Structure Ramps).**
- a. Concrete, not metal, shall be used for construction of parking ramps.
  - b. The interior ramps shall be textured to prevent tire squeal at turning areas.
  - c. Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to the residential.
28. **Increased Noise Levels (Mixed-Use Development).** Wall and floor-ceiling assemblies separating commercial tenant spaces, residential units, and public places, shall have a Sound Transmission Coefficient (STC) value of at least 50, as determined in accordance with ASTM E90 and ASTM E413.
29. **Increased Noise Levels (Residential Within 500 Feet of Freeway).** Wall and roof-ceiling assemblies making up the building envelope shall have an STC of at least 50, and exterior windows shall have a minimum STC of 30, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto.
30. **Severe Noise (Railroad).**
- h. Wall and roof-ceiling assemblies making up the building envelope shall have an STC of at least 50, and exterior windows shall have a minimum STC of 30, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto.
  - i. The Applicant shall verify, through an acoustical engineer, that installed sound insulation is sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.
31. **Public Services (Fire).** The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a

plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

32. **Public Services (Police – Demolition/Construction Sites).** Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.
33. **Public Services (Police).** The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the Project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.
34. **Public Services (Schools).** The Applicant shall pay school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the Project area.
35. **Public Services (Street Improvements Not Required by DOT).** The Project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed Project's implementation.
36. **Recreation (Increased Demand for Parks Or Recreational Facilities).** (*Subdivision*) Pursuant to Section 17.12-A or 17.58 of the Los Angeles Municipal Code, the Applicant shall pay the applicable Quimby fees for the construction of dwelling units.
37. **Transportation (Haul Route).**
  - j. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
  - k. (Non-Hillside): Projects involving the import/export of 20,000 cubic yards or more of dirt shall obtain haul route approval by the Department of Building and Safety.
38. **Transportation/Traffic.**
  - l. Projects shall comply with clearance requirements for Metrorail per ZI 1117 and with applicable requirements per Metro Memo dated 11/8/2013.
  - m. Projects shall comply with clearance requirements for MetroRail per ZI 1117 and with applicable requirements per Metro Memo dated 11/8/2013 (attached).
  - n. Comply with the Los Angeles Department of Transportation "Traffic Analysis for the Proposed Grand Metropolitan Mixed-Use Development Project Located at 233 Washington Boulevard," memo dated September 25, 2013, Conditions A-E.

- o. Any roadway widening and striping as the result of the Project mitigation shall maintain existing bicycle lanes along Olive St. and Grand Ave. and not preclude or conflict with the implementation of the 2010 Bicycle Plan in the Project vicinity.

**39. Utilities (Local Water Supplies - Landscaping).**

- a. 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).

In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:

- b. Weather-based irrigation controller with rain shutoff
- c. Matched precipitation (flow) rates for sprinkler heads
- d. Drip/microspray/subsurface irrigation where appropriate
- e. Minimum irrigation system distribution uniformity of 75 percent
- f. Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials
- g. Use of landscape contouring to minimize precipitation runoff
- h. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for existing and expanded irrigated landscape areas totaling 5,000 sf. and greater.

**40. Utilities (Local Water Supplies - All New Construction).**

- a. If conditions dictate, the Department of Water and Power may postpone new water connections for this Project until water supply capacity is adequate.
- b. 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.
- c. Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- d. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.
- e. 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.)

41. **Utilities (Local Water Supplies - New Commercial or Industrial).** All restroom faucets shall be of a self-closing design.
42. **Utilities (Local Water Supplies - New Residential).**
- a. Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.
  - b. Install and utilize only high-efficiency clothes washers (water factor of 6.0 or less) in the Project, if proposed to be provided in either individual units and/or in a common laundry room(s). 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.
  - c. 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.
43. **Utilities (Solid Waste Recycling)**
- a. (Operational) 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 Project's regular solid waste disposal program.
  - b. (Construction/Demolition) 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 Department of Building and Safety. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction-related wastes.
  - c. (Construction/Demolition) 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 the contents recycled accordingly as a part of the Project's regular solid waste disposal program.
44. **Utilities (Solid Waste Disposal).** All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle demolition and construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, bricks, metals, wood, and vegetation. Non-recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.

#### **Administrative Conditions of Approval**

45. **Final Plans.** Prior to the issuance of any building permits for the Project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.

46. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
47. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
48. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
49. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the Project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
50. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
51. **Expiration.** In the event that this grant is not utilized within three years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
52. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all of the information contained in these conditions shall be recorded by the property owner in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heir, or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a Certified Copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.
53. **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 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.

**“D” DEVELOPMENT CONDITIONS**

Pursuant to Section 12.32 G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the “D” Development classification.

1. **Height.** The building shall be limited to a height of 97 feet, as defined by Los Angeles Municipal Code (LAMC) Section 12.03, as depicted on Exhibit A.

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2. **Floor Area Ratio (FAR).** The project FAR shall be limited to 3.8:1 and may be granted a floor area bonus of 35% through the Greater Downtown Housing Incentive Area provisions.

## CONDITIONS FOR EFFECTUATING (T) OR [T] TENTATIVE CLASSIFICATION REMOVAL

Pursuant to Section 12.32 G of the Municipal Code, the (T) or [T] Tentative Classification shall be removed by the recordation of a final parcel or tract map or by posting of guarantees through the B-permit process of the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approval or guarantees provided to the Department of City Planning for attachment to the subject planning case file.

1. Dedication Required:

**Washington Boulevard** (Major Highway – Class II) – A 2-foot wide strip of land along the property frontage shall be required to complete a 52-foot half right-of-way in accordance with Major Highway – Class II standards, including a 20-foot radius property line return at the intersection with Grand Avenue and Olive Street.

**Grand Avenue** – A 2-foot wide strip of land along the property frontage to complete a 52-foot wide half right-of-way in accordance with the Major Highway Standards.

2. Improvements Required

**Washington Avenue** – Reconstruct the existing sidewalks to complete a 10-foot wide concrete sidewalk in the dedicated area with tree wells.

**Grand Avenue** – Construct a concrete curb and gutter, and a 12-foot concrete sidewalk with tree wells

**Olive Street** – Construct a concrete curb and gutter, and a 10-foot concrete sidewalk with tree wells.

**Trees** – Install tree wells with root barriers and plant street trees satisfactory to the City Engineer and the Urban Forestry Division of the Bureau of Street Services. The applicant should contact the Urban Forestry Division for further information (213) 847-3077.

**Lights** – Street lighting may be required satisfactory to the Bureau of Street Lighting (213) 847-1551.

3. **Roof drainage** and surface run-off from the property shall be collected and treated at the site and drained to the streets through drain pipes constructed under the sidewalk and through curb drains or connections to catch basins.
4. **Sewer lines** exist in Beacon Avenue. Facilities Charges and Bonded Sewer Fees shall be paid prior to obtaining a building permit.
5. **Sewer.** An investigation by the Bureau of Engineering Central District Office Sewer Counter may be necessary to determine the capacity of the existing public sewers to accommodate the proposed development. Submit a request to the Central District Office of the Bureau of Engineering at (213) 482-7050.

6. **Shoring and lateral support plans** shall be submitted to the Bureau of Engineering Excavation Counter for review and approval prior to excavating adjacent to the public right-of-way (213) 482-7048.
  7. **Parking/Driveway Plan.** Prior to the issuance of any building permit, the applicant shall submit a parking area and driveway plan to the Central District Office of the Bureau of Engineering and the Department of Transportation for review and approval.
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Notice: Certificates of Occupancies for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.

## CONDITIONS OF APPROVAL

### Site Plan Review Conditions

1. **Revised Elevations.** Prior to the Department of City Planning clearance, revised elevations shall be submitted that:
  - ~~a. Align the bays of the commercial ground floor and the second level window openings with the rhythms established on the upper levels for more architectural coherence.~~
  - b. Establish a hierarchy between the elevations. The Washington Boulevard elevation is the primary elevation and should be more pronounced than the secondary elevations along Grand Avenue and Olive Street.
  - c. Redesign the corner architectural elements so there is a clear aesthetic relationship to each another.
  - d. Highlight the individual entries to the commercial and residential lobbies along Washington Boulevard and Olive Street with stronger, simplified design elements.
  - e. Eliminate arbitrarily placed "tack-on" elements like the flagpole that do not contribute to the overall style and character of the building.
  - f. Provide breaks in the façade that allow views into the interior of the project.

### Administrative Conditions of Approval

2. **Final Plans.** Prior to the issuance of any building permits for the Project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
3. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
4. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
5. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
6. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the Project as

approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.

7. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
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8. **Expiration.** In the event that this grant is not utilized within three years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
  9. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all of the information contained in these conditions shall be recorded by the property owner in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heir, or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a Certified Copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.
  10. **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 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.

## FINDINGS

### A. General Plan/Charter Findings

1. **General Plan Land Use Designation.** The subject property is within the Southeast Los Angeles Community Plan adopted on March 2, 2000, which designates the site for Light Manufacturing land use with corresponding Zones of CM, MR 1, MR 2, M1 and M2. The recommended General Plan Amendment would change the land use designation to the Community Commercial Land Use designation with corresponding zones of CR, C2, C4, and RAS3 and Zone Change to C2-2D-O.

The proposed Project is not consistent with the General Plan Land Use as it is currently, because it is designated as Light Manufacturing, and the Project includes residential dwelling units, which are not permitted in industrial zones. The Project proposes a condominium tract subdivision through a Tentative Tract Map for the creation of 160 residential dwelling units. However, with the proposed General Plan Amendment from Light Manufacturing to Community Commercial in conjunction with the request to exclude the subject site from Footnote No.1 in the Southeast Los Angeles Community Plan, the Project will be consistent with the land use designation. The corresponding commercial zone of C2-2 allows the number and type of residential units requested.

2. **Framework Element.**

The Citywide General Plan Framework Element is a guide for communities to implement growth and development policies by providing a comprehensive long-range view of the City as a whole. The Element establishes categories of land use -- Neighborhood District, Community Center, Regional Center, Downtown Center, and Mixed-Use Boulevard -- that are broadly described by ranges of intensity/density, heights, and lists of typical uses. The definitions reflect a range of land use possibilities found in the City's already diverse urban, suburban, and rural land use patterns.

The Citywide General Plan Framework text defines policies related to growth and includes policies for land use, housing, urban form/neighborhood design, open space/conservation, economic development, transportation, and infrastructure/public services. The proposed project would be in conformance with several goals of the Framework as described below.

*A. Land Use Chapter, Framework Element: Issue One: Distribution of Land Use* of the Framework Element's Land Use Chapter (Chapter Three) establishes general principles to encourage growth and increase land use intensity around transit nodes, to create a pedestrian oriented environment while promoting an enhanced urban experience and provide for places of employment.

*Objective 3.4 of Issue One: Distribution of Land Use: Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.*

*Policy 3.4.1: Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to*

*rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram.*

*Objective 3.10: Reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that serve, provide job opportunities, and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles.*

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The above objectives seek to concentrate commercial development in existing commercial districts and in areas that are able to support such development which are in close proximity to rail and bus transit stations. As conditioned, the Project will be designed in harmony with the existing neighborhood and minimize impacts on neighboring properties. The Project will incorporate measures to reduce impacts to air quality, geology, hazardous materials, noise, and public services for the surrounding community. The character of the area includes a mix of commercial uses, as well as high density institutional, education and public facility uses, and the Project's recommended density and height will be compatible with adjacent land uses.

*Objective 3.14.6: Consider the potential re-designation of marginal industrial lands for alternative uses by amending the community plans based on the following criteria:*

- a. Where it can be demonstrated that the existing parcelization precludes effective use for industrial or supporting functions and where there is no available method to assemble parcels into a unified site that will support viable industrial development;*
- b. Where the size and/or the configuration of assembled parcels are insufficient to accommodate viable industrial development;*
- c. Where the size, use, and/or configuration of the industrial parcels adversely impact adjacent residential neighborhoods;*
- d. Where available infrastructure is inadequate and improvements are economically infeasible to support the needs of industrial uses;*
- e. Where the conversion of industrial lands to an alternative use will not create a fragmented pattern of development and reduce the integrity and viability of existing industrial areas;*
- f. Where the conversion of industrial lands to an alternative use will not result in an adverse impact on adjacent residential neighborhoods, commercial districts, or other land uses;*
- g. Where it can be demonstrated that the reduction of industrial lands will not adversely impact the City's ability to accommodate sufficient industrial uses to provide jobs for the City's residents or incur adverse fiscal impacts; and/or*
- h. Where existing industrial uses constitute a hazard to adjacent residential or natural areas.*

The subject property satisfies several of the criteria set forth by the Citywide General Plan Framework Policy 3.14.6 for the identification of marginal industrial lands suitable

for re-designation for alternative uses. As identified in the Industrial Land Use Policy of 2007, which established a policy to preserve and retain industrial land for job producing uses, the project site has been designated as a "transition district" which means the viability of industrial use has been compromised and the transition to other uses should be continued. The project site is located where industrial uses are no longer viable due to the surrounding area's conversion to commercial uses over time, and its conversion to a commercial use will not create a fragmented pattern of development nor will it reduce the integrity and viability of neighboring industrial uses and adjacent residential neighborhoods and commercial districts. In fact, the conversion of industrial use to commercial use will help protect the existing neighborhood and surrounding uses from potential adverse impacts that may be caused by more intense industrial uses.

### 3. Housing Element

*Policy 2.1.3: Encourage mixed-use development which provides for activity and natural surveillance after commercial business hours.*

*Policy 2.1.4: Enhance livability of neighborhoods by upgrading the quality of development and improving the quality of the public realm, including streets, streetscape and landscaping to provide shade and scale.*

The Project will provide much needed affordable and market-rate housing for all income levels in an urban setting along with commercial ground floor uses that are accessible from the street as conditioned. This project will activate the street by generating pedestrian activity during and after normal commercial business hours. The conditioned development will replace a currently under-utilized surface parking area with a building that improves the quality of the public realm with pedestrian-scale design in an urban setting.

*Objective 2.3: Encourage the location of housing, jobs, and services in mutual proximity. Accommodate a diversity of uses that support the needs of the City's existing and future residents.*

*Policy 2.3.1: Encourage and plan for high-intensity residential and commercial development in centers, districts, and along transit corridors, as designated in the Community Plans and the Transportation Element of the General Plan, and provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled in order to mitigate traffic congestion, air pollution, and urban sprawl.*

*Policy 2.3.3: Encourage the development of new projects that are accessible to public transportation and services consistent with the community plans. Provide for the development of land use patterns that emphasize pedestrian/bicycle access and use in appropriate locations.*

The Project location is well served by a large variety of transit options. The site is located near the Metro Blue Line transit station on Washington Boulevard, which is served by Metro bus lines and Metro Rapid Bus lines with easy access to Downtown Los Angeles. Its proximity to local and rapid public transit routes will facilitate a reduction of vehicle trips and vehicle miles traveled, thus helping to mitigate traffic congestion, air pollution, and urban sprawl. Also, the Project will provide for the development of land use patterns that emphasize bicycle access and use. The proposed project will include bike racks for the residential and commercial uses.

#### 4. **Transportation Element**

The Transportation Element of the General Plan guides development of a citywide transportation system with the goal of ensuring the efficient movement of people and goods. The Transportation Element recognizes that primary emphasis must be placed on maximizing the efficiency of existing and proposed transportation infrastructure through advanced transportation technology, reduction of vehicle trips, and focused growth in proximity to public transit.

The Project will advance numerous policies contained in the Transportation Element. Chief among them are:

*Objective 3: Support development in regional centers... major activity areas and along mixed-use boulevards.*

*Policy 3.12: Promote the enhancement of transit access to neighborhood districts, community and regional centers, and mixed-use boulevards.*

*Policy 3.13: Enhance pedestrian circulation in ... appropriate locations in regional centers and along mixed use boulevards; promote direct pedestrian linkages between transit portals/platforms and adjacent commercial development through facilities orientation and design.*

The Project advances these policies because it will be located within a mile of Downtown Los Angeles on Washington Boulevard, a transportation corridor that provides substantial public transit opportunities and facilities and connections to Downtown Los Angeles and beyond. The development of the residential and commercial uses would promote ground floor pedestrian activity and circulation and would create direct pedestrian connections between the new Project and the street, in express conformity with the Transportation Element's policies and objectives. The proposed development contributes to the General Plan's goal to increase development within commercial districts while enhancing the accessibility of such uses to public transit.

5. **Land Use Element.** The Southeast Los Angeles Community Plan text includes the following relevant land use goals, objectives, policies and programs:

**GOAL 1: A SAFE, SECURE, AND HIGH QUALITY RESIDENTIAL ENVIRONMENT FOR ALL ECONOMIC, AGE AND ETHNIC SEGMENTS OF THE COMMUNITY.**

**Objective 1-1:** To provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area to the year 2010.

**Policy 1-1.1** Designate specific lands to provide for adequate multi-family residential development.

**Policy 1-1.4** Require that new single-family and multi-family residential development be designed in accordance with the design standards.

**Objective 1-2:** To locate new housing in a manner which reduces vehicular trips and makes it accessible to services and facilities.

- Policy 1-2.1** Locate higher residential densities near commercial centers, light mass transit stations, and major bus routes where public service facilities, utilities and topography will accommodate the development.

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**GOAL 2: A STRONG AND COMPETITIVE COMMERCIAL SECTOR WHICH BEST SERVES THE NEEDS OF THE COMMUNITY THROUGH MAXIMUM EFFICIENCY AND ACCESSIBILITY WHILE PRESERVING THE HISTORIC COMMERCIAL AND CULTURAL CHARACTER OF THE DISTRICT.**

**Objective 2-1:** To conserve and strengthen viable commercial development.

- Policy 2-1.3** Commercial areas should be consolidated and deepened to stimulate existing businesses, create opportunities for new development and off-street parking, expand the variety of goods and services, and improve shopping convenience as well as offer local employment.

**GOAL 12: A COORDINATED INTEGRATION OF DEVELOPMENT AROUND TRANSIT STATIONS IN ORDER TO IMPROVE SERVICES, ACCESS, AND ECONOMIC VITALITY OF THE COMMUNITY.**

**Objective 12-1:** To reflect the objectives and guiding principles of the City Council adopted Land Use-Transportation policy.

- Policy 12-1.1** Target growth, as appropriate, around transit stations when these become operational.

The proposed Project will meet the above objectives and policies by providing additional housing at an appropriate density and sited near an existing transit station and major bus routes to meet the plan area's needs. The proposed C2-2D-O zone will replace the underutilized industrially-zoned site and the new mix of residential and commercial uses will revitalize the neighborhood by infilling what was once a large surface parking lot lacking street life and activating the sidewalks with landscaping and street furniture along the Project's three main street frontages to complement the commercial uses at the ground level. Additionally, the Project has proposed to dedicate and improve the surrounding public right-of-ways with enhanced sidewalks, street lighting and a tree-planting plan to provide for better connectivity to the transit station and to improve safety for pedestrians.

The Plan also requires compliance with the Citywide Design Guidelines, in particular with the recently adopted Residential Citywide Design Guidelines and the Commercial Citywide Design Guidelines, which include the need for strong street walls and an active street presence at the ground level including prominent first floor entries that are visible from the street, highly articulated and well-detailed facades that use quality and long-lasting building materials and convey a sense of timeless design, usable open space for residents, and attention to pedestrian safety, comfort and connectivity in and around the Project. Building entrances for residents will be provided via a main lobby off Olive Street and commercial entrances will be located at the southwest corner of the building at the intersection of Grand Avenue and Washington Boulevard. A commercial lobby will be located at the center of the south façade along Washington Boulevard and several commercial entrances will be located along Olive Street to serve the smaller commercial

tenants. Abandoned driveways will be reconstructed as sidewalks with only one curb cut located on Olive Street, and street trees will be regularly spaced and located at the outer edge of the sidewalks to buffer pedestrians from moving vehicles. Off-street parking is provided within two subterranean parking levels that are accessible via one driveway located at the rear of the building on Olive Street, allowing parking to be hidden from view. Open space amenities will be provided on top of the podium on the first and second residential levels in the form of two enclosed community rooms at the first level and a large outdoor deck with ample landscaping, outdoor seating and covered BBQ areas.

Although the submitted building plans are consistent with the bulk of the design standards, the standards for building design and building façade are met only marginally, and could be improved. The building elevations indicate variations in height, depth, modulation and building materiality to achieve an articulated façade but the architectural style or theme is unclear and the building facades seem unnecessarily complicated. The use of building materials also do not convey a sense of timelessness and the scale of the Project feels out of place in an urban context and appears more appropriate as a suburban mixed-use typology.

The site is subject to a Community Plan Footnote that limits commercially designated sites to Height District 1. This height district limits the floor area ratio to 1.5:1. The majority of the commercially designated sites in this Community Plan are located immediately adjacent to low density residential zones and uses, and thus this plan footnote was intended to protect those residential sites. The closest lower density residentially zoned and used lots to the subject site in this Community Plan Area are located to the south of 23<sup>rd</sup> Street (over 1/3 of a mile away) and to the east of Maple Avenue (over a ¼ of a mile away). Currently, the FAR allowed on the subject site is 6:1.

In addition, the project site is located within the Greater Downtown Housing Incentive Area (GDHIA), which permits numerous incentives to encourage developers to build more housing but also gives a floor area bonus for projects that set aside units for affordable rates. These incentives do not apply to industrially zoned properties. However, with the recommended land use designation of Community Commercial and zone change to C2, the project would be eligible for the floor area bonus. Therefore, a Development "D" limitation is placed on the project site that limits the floor area ratio to 3.8:1. Since the proposal includes setting aside 15 percent of the project's dwelling units for affordable housing for a term of 55 years, it is eligible for the floor area bonus. The project's floor area of 167,651 consist of 136,603 square feet of residential uses and 24,000 square feet of commercial uses. Based on the "D" limitation of a 3.8:1 FAR, the project is granted a floor area of 133,364 (35,096 x 3.8); however, with the floor area bonus of 35 percent applied to the residential portion of the building that is 109,364 (133,364 - 24,000), the project is able to achieve a residential floor area of 147,641 (109,364 x 1.35) for a total project floor area of 171,641 (147,641 +24,000).

The proposed General Plan Amendment to Community Commercial and Zone Change to C2-2D-O Zone are consistent with these provisions in that the new zone will replace marginally viable industrial development with a mixture of commercial space and housing adjacent to a rail station. Eliminating the industrial designation and zoning on this lot will also help to bring in more viable uses such as commercial and residential uses adjacent to a transit rail station with access to major bus routes in an area that is underserved. As conditioned, the recommended development substantially meets the objectives of the Community Plan, is permitted in the C2-2-O Zone and is consistent with the proposed general land use designation.

## Entitlement Findings

### 1. Zone Change / Height District Change Findings.

Pursuant to Section 12.32-F of the Municipal Code, and based on these findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.

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The Applicant is seeking approvals for a Project that involves the demolition of an existing surface parking lot, two (2) on-site pole signs, and two (2) payphones for the construction of a 7-story, 96'-9" maximum high mixed-use building consisting of 160 residential units with a floor area of 136,603 square feet over approximately 24,000 square feet of ground floor retail including two (2) subterranean parking levels for a total floor area of 271,119 square feet. The building will include an office, library, two (2) community recreation rooms, and an outdoor landscaped area with access to passive recreation space for Project guests.

The entire Project site is currently a privately-owned and operated surface parking lot with minimal landscaping. The subject site is currently zoned M2-2-O and the Southeast Los Angeles Community Plan designates the site for Light Manufacturing land uses. The recommended General Plan Amendment would designate the entire property as the Community Commercial Land Use Designation with a corresponding zone of C2-2D-O in order to permit construction of the proposed mixed use development. Development in the area is designed in a variety of architectural styles, with diverse uses, building heights, and land use density. Surrounding zoning and uses include a commercial building and associated parking lot in the M2-2-O zone to the north, a McDonald's fast-food restaurant and associated parking lot in the M2-2-O zone to the east, a 4-story AT&T office building in the M1-2-O zone to the south, the L.A. Superior Court's Central District Metropolitan Courthouse in the PF-1 zone and the L.A. Mart in the [Q]M1-2-O zone to the southeast, the L.A. Trade Technical College campus in the R4-2-O zone to the south, and the Glory Church of Jesus Christ and associated surface parking lot in the M2-2-O to the northwest.

The rezoning of the site to accommodate the conditioned Project will be consistent with public necessity as it will increase residential and commercial opportunities in the Southeast Los Angeles Community Plan area, in close proximity to existing jobs, services, and Downtown Los Angeles. The recommended zone change to C2-2D-O would be consistent with the recommended General Plan Land Use of Community Commercial. The proposed use of the mixed use development is permitted by the C2 zoning designation which is within the range of corresponding zones for the Community Commercial Land Use Designation. As conditioned, the Project will meet objectives of the Southeast Los Angeles Community Plan, the Los Angeles Municipal Code and the Citywide Design Guidelines. The proposed Project is anticipated to include retail, restaurant and/or other community-serving commercial tenants at the ground floor that would serve to improve the commercial nature and pedestrian walking experience by locating the future commercial tenants along the three primary street frontages along Grand Avenue, Olive Street and the Washington Boulevard commercial corridor. The conditioned design of the Project would be compatible with the neighborhood by introducing the first comprehensive mixed use development in the vicinity and providing much needed housing (affordable rental units and market-rate condominiums), improving the street life with strong street walls and active commercial frontages, and it would provide residents a sense of place and identity within their neighborhood. The

recommended Zone Change preserves and strengthens an existing commercial corridor with a new viable mixed use development. The Project is an urban infill development on an existing, underutilized site, near a transit corridor. The proposed Project would therefore be advantageous to the general welfare of the community and good zoning practice.

The Southeast Los Angeles Community Plan includes a footnote that requires any land designated as Community Commercial to be developed at the Height District 1 Zone Designation and corresponding 1.5:1 FAR. The recommended Height District of 2D would enable the property to develop at an FAR of 3.8:1 in lieu of the 1.5:1. I

In addition, the project site is located within the Greater Downtown Housing Incentive Area (GDHIA), which permits numerous incentives to encourage developers to build more housing, and also grants a floor area bonus for projects that set aside units for affordable rates. These incentives do not apply to industrially zoned properties. However, with the recommended land use designation of Community Commercial and zone change to C2, the project would be eligible for the floor area bonus. Therefore, a "D" Development limitation is placed on the project site that limits the floor area ratio to 3.8:1. Since the proposal includes setting aside 15 percent of the project's dwelling units for affordable housing for a term of 55 years, it is eligible for the floor area bonus. The project's floor area of 167,651 consist of 136,603 square feet of residential uses and 24,000 square feet of commercial uses. Based on the "D" limitation of a 3.8:1 FAR, the project is granted a floor area of 133,364 (35,096 x 3.8); however, with the floor area bonus of 35 percent applied to the residential portion of the building that is 109,364 (133,364 - 24,000), the project is able to achieve a residential floor area of 147,641 (109,364 x 1.35) for a total project floor area of 171,641 (147,641 +24,000).

The Applicant will provide the following affordable unit mix: 15% of the total residential units will be Affordable Rental Units with 8 units that are composed of three (3) Studio, four (4) 1-Bedroom and one (1) 2-Bedroom units dedicated to Extremely Low Income Households, and 16 units that are composed of seven (7) Studio, eight (8) 1-Bedroom and one (1) 2-Bedroom rental units to be occupied by Very low Income households.

The affordable housing component will ensure that the proposed Project serves the needs of the local community by providing much needed amenities and rental housing for all income levels. The recommended Height District change with the associated "D" Development limitation will be conducive to the general welfare of the community and good zoning practice.

The requested Zone Change from M2-2-O to C2-2D-O is therefore compatible with the existing development of the community, consistent with the Southeast Los Angeles Community Plan and is consistent with public necessity, convenience, general welfare and good zoning practice. The action, as recommended, has been made contingent upon compliance with the "Q", "T" and "D" Conditions imposed herein. Such limitations are necessary to protect the best interests of and to assure a development more compatible with surrounding properties, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

2. **Site Plan Review Findings.** In order for the site plan review to be granted, all three of the legally mandated findings delineated in Section 16.05-F of the Los Angeles Municipal Code must be made in the affirmative:

- a. **The Project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan.**

The subject property is located within the Southeast Los Angeles Community Plan, which with the approval of the recommended General Plan Amendment designate the site for Community Commercial land use with corresponding zones of CR, C2, C4, and RAS3. ~~The proposed residential and commercial uses are consistent with~~ the Community Commercial designation and permitted within its underlying zones.

With approval of the recommended General Plan Amendment and Zone Change, the proposed Project complies with all applicable provisions of the Los Angeles Municipal Code. The subject property will be located within the C2 Zone, which allows the proposed residential and commercial uses by right. The proposed reduction in parking for the residential and commercial portion of the Project is permitted through the Bicycle Parking Ordinance No.182,386. The subject property is not within the area of any adopted specific plan. The Project is also consistent with numerous goals, policies and objectives of the Citywide General Plan Framework and the Southeast Los Angeles Community Plan to provide adequate housing for all economic, age and ethnic segments of the community, and to locate higher residential densities and encourage mixed-use development near transit stations. Per Condition Number 5, the Project will provide 15% of its residential dwelling units to be rented by Extremely Low and Very Low Income Households, ensuring that affordable housing near public transportation is available to the most disadvantaged and underprivileged segment of the population.

- b. **The Project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements that is or will be compatible with existing and future development on adjacent properties and neighboring properties.**

The surrounding area is generally characterized by light manufacturing uses to the north, east and west of the site, limited industrial uses to the south and southeast of the site, public facilities to the southeast of the site and multiple dwellings to the southwest of the site. The light manufacturing uses are composed of a one-story kitchens and housewares commercial building with its own surface parking lot located directly north of the proposed site, a one-story McDonald's fast-food restaurant with associated surface parking along Washington Boulevard and Olive Street located east of the proposed site, and the Glory Church of Jesus Christ and associated surface parking lot to the northwest of the proposed site. The limited industrial uses are composed of a four-story AT&T office building located directly south of the proposed site on Washington Boulevard between Olive Street and Hill Street, and the approximately twelve-story L.A. Mart building located to the southeast of the proposed site along Washington Boulevard between Hill Street and Broadway Avenue. The public facilities use is composed of the approximately eight-story L.A. Superior Court's Central District Metropolitan Courthouse and associated public plaza to the southeast of the proposed site, south of Washington Boulevard between Olive Street and Hill Street. The multiple dwelling use is composed of the L.A. Trade Tech College Campus located to the southwest of the proposed site on Washington Boulevard, between Flower Street and Grand Avenue.

The scale and character of the surrounding structures vary in setbacks, height of buildings and bulk, and have little relationship to each other. The proposed site is also immediately surrounded by large surface parking lots located directly to the north, east and west, further exacerbating the lack of strong street continuity along Washington Boulevard and making it impossible for the proposed Project to be compatible with its ad hoc surroundings. However, the design and configuration of the proposed Project has the opportunity to set a positive precedent and guide the future development of the neighborhood. As an infill development, the proposed Project will fill a void in the urban fabric of the city by replacing an existing surface parking lot.

The Project proposes very strong street walls and generous sidewalks ranging from 15 feet to 24 feet with the potential for ample outdoor seating for ground-level tenants. Street-level entrances are located at the corner of Washington Boulevard and Grand Avenue, in addition to the entrances along Olive Street. These primary commercial and residential entrances are directly accessible to people coming to/from the Metro Blue Line which runs along the length of Washington Boulevard with a Metro Blue Line Station located to the southwest of the proposed site, on Washington Boulevard between Flower Street and Grand Avenue. The use of awnings and vertical architectural elements help define the individual entries and lobbies at the ground level. Off-street parking is located in two subterranean parking levels that are accessed via the Project's only driveway on Olive Street. The Project proposes to eliminate two of the three existing curb cuts and to reconstruct them as sidewalks and to relocate the third curb cut to accommodate this driveway located at the rear of the building. The Project proposes landscaped common open space areas on the second and third floors with ample landscaping including low-water usage trees, built-in BBQ areas with outdoor dining/seating, pedestrian paths, and other recreational spaces. A trash room and loading area are centrally located on the first floor and are accessible to each commercial tenant as well as to city sanitation workers via a corridor leading to/from Grand Avenue. The adjacency to the freeway along the north portion of the site results in the U-configuration of the upper levels of the residential use with the majority of the dwelling units facing the east, south or west. The proposed building's north wall does not include any windows due to this freeway adjacency and the balconies that exist on the northern portion of the site are oriented to the east or west and are protected by a wall. Within this U-configuration lies the common area for the residents, with an opening facing the freeway to the north. Where appropriate, trellises and broadleaf canopy trees provide a buffer between the outdoor dining/seating areas and the freeway noise/dust/adjacency.

Although the submitted building plans are consistent with the bulk of the design standards, the standards for building design and building façade are met only marginally, and could be improved. The building elevations indicate variations in height, depth, modulation and building materiality to achieve an articulated façade but the architectural style or theme is unclear and the building facades seem unnecessarily complicated. The use of building materials also do not convey a sense of timelessness and the scale of the Project feels out of place in an urban context. Per Condition Number 45, the Project will revise its building elevations to address issues of hierarchy, coherent design elements between the upper and lower levels of the Project, and breaks in massing.

- c. **Any residential Project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.**

Proposed amenities include two enclosed community rooms on the first residential level totaling approximately 6,800 square feet and landscaped common areas that are open to the sky totaling approximately 6,700 square feet on the second residential level. Outdoor landscaped open space areas include trellis-covered BBQ areas, artificial turf areas, outdoor seating, an abundance of broadleaf canopy trees and low-growing vegetation.

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### **Environmental Findings**

A Mitigated Negative Declaration (ENV-2008-386-MND) was prepared for the proposed Project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND, there is no substantial evidence that the proposed Project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street. I hereby adopt that the Mitigated Negative Declaration, imposed the conditions shown in that document on this approval.

## PUBLIC HEARING AND COMMUNICATIONS

### Summary of Public Hearing Testimony

The Joint Public Hearing on this matter was held at Los Angeles City Hall, 200 North Spring Street, 10<sup>th</sup> Floor Hearing Room 1020, Los Angeles, CA 90012 on Wednesday, August 13, 2014, at 10:00 AM.

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1. Present: 7 people signed in at the Public Hearing
2. Speakers: 5 people provided testimony

### Public Hearing Testimony Notes

Three speakers spoke in opposition to the project unless some community benefits were provided. The first speaker in opposition to the proposed project was a representative from St. John Community Center at LA Trade Technical College and opposed luxury condos in this poverty-stricken area, but was willing to work with the developer to achieve mutual goals. The second speaker was a representative of St. Francis Center which provides assistance to the homeless. He argued that the proposed development would push homeless citizens out of the area and that services for the homeless population have not been considered. The third speaker in opposition to the project was a representative from SAJE, and raised the issue that the General Plan Amendment and Zone Change requests were not small requests and that the loss of manufacturing uses would equal loss of jobs. He also stated that gentrification would be stimulated and low-income residents would be adversely affected. The lack of open space in the proposed project was also an issue since the project proposed open space on the third level of the project which would not be obviously accessible to the public. He was expressed disappointment that the developer failed to engage the local community.

A representative from the Downtown Los Angeles Neighborhood Council (DLANC) spoke in support of the project.

A representative from Council District 14 attended the hearing and provided support for the requests. The representative indicated that this project has potential for revitalization through corridor development.

### Communications Received

#### Letters – Concerns Identified:

The Department received one (1) letter from a governmental agency that was written in response to the Mitigated Negative Declaration (MND).

- South Coast Air Quality Management District (SCAQMD) – The letter states that the project should revise its Project Description to include more information surrounding the excavation and soil export during the construction of the underground parking structure and any air quality impacts from these activities in the Final MND. The letter also states that the Lead Agency used screening criteria that are no longer used by the SCAQMD and recommends that the Lead Agency quantify the air quality impacts by estimating short- and long-term air quality impacts using recognized resources such as CalEEMod and Chapter 9 of the SCAQMD Handbook. The letter further recommends that the Lead

Agency conduct a Health Risk Assessment because of the project's proximity to a high volume freeway.

The Department received one (1) letter written in response to the Mitigated Negative Declaration (MND).

- Joyce Dillard – The letter states that the project has failed to protect the health and safety of its citizens by failing to submit the following: a Methane Prevention and Detection Monitoring Program (Mitigation Plan) with the Methane Control System, methane mitigation measures, monitoring or reporting or any construction safeguards for migrating methane gas during the construction phase or during continuous occupancy, dewatering, the National Pollutant Discharge Elimination System permit, the MS4 permit, or properly trained authorities to oversee, scientifically report and monitor. The letter also stated that methane gas be analyzed in its role as a greenhouse gas contributor to climate change and sea level rise. The letter also states that the project may be inconsistent with the General Plan and its Elements specifically the Conservation Element, the Circulation Element (not yet adopted) and Framework Element Policy No. 3.3.2. This letter further recommends that the preparation of an Environmental Impact Report is necessary.

The concerns identified at the public hearing held on August 13, 2014 and during the environmental public comment period were addressed in the Mitigated Negative Declaration ENV-2008-386-MND, response to comments, and in this Staff Report.